Definitions

**FEDERAL AGENCIES AND PROGRAMS**

- **ICE**—Immigration and Customs Enforcement—the federal agency responsible for immigration enforcement.

- **CBP**—Customs and Border Protection—the federal agency tasked with protecting America’s borders, including preventing terrorists, terrorist material, and undocumented immigrants from entering the country. It claims to be one of the world’s largest law enforcement agencies. Unlike ICE, which can operate anywhere in the country, CBP can operate only within 100 air miles of a land or sea border. Within that zone, which includes 65.3 percent of the U.S. population and roughly 75 percent of the Latinx population, CBP has expanded powers.¹

- **ICE check-in**—Undocumented immigrants who are known to immigration officials but not a priority for deportation may be required to check in several times a year with their local ICE office. Under the Obama administration, check-ins were routine and benign; under the Trump administration, they often have led to arrest and deportation.²

- **DACA**—Deferred Action for Childhood Arrivals—an Obama-era program established in 2012 that offers work permits and protection from deportation to immigrants who arrived in the U.S. as children (also called Dreamers, after the DREAM Act introduced in 2001 to protect them). The Trump administration seeks to end DACA, while several federal judges blocked it from doing so throughout 2018. The program’s future remains uncertain, but as of this writing, it remains in effect.

- **Sensitive Location**—An area such as a school, hospital, or church that ICE policy directs agents not to enter except under special circumstances. Part of prosecutorial discretion, see below.

- **Guestworker**—Worker brought to the U.S. legally and temporarily to fill a job that employers are not able to hire for locally. The Trump administration has suggested relaxing restrictions on guestworkers to make up for any labor shortfall caused by deportations. Guestworker programs (such as the H-2 visa type) are problematic, because they leave workers open to exploitation and human trafficking. Guestworkers can legally work only for the employer who has sponsored them, and they are housed by their employers, often on company property; these features of the programs make it nearly impossible for them to leave (or even report) abusive conditions.³

³ http://www.motherjones.com/politics/2017/03/trump-guestworker-h2a-visa-farmworkers-immigration/

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**WHAT IS PROSECUTORIAL DISCRETION, AND WHAT’S JEWISH ABOUT IT?**⁴

It is impossible to enforce 100 percent of the laws 100 percent of this time; that would require, for instance, ticketing every single jaywalker and speeding driver. Prosecutorial discretion is a legal term that acknowledges that part of law enforcement’s job is to apportion its finite resources and decide what their priorities will be. It has been wrongly caricatured as “choosing not to enforce the law”; in fact, all governments exercise such discretion. The question is just what philosophy or priorities will guide their discretion. For instance, a dollar spent on apprehending and deporting undocumented immigrants is a dollar not spent on domestic violence or white collar financial crimes.

Under Jewish law (*halacha*), we similarly exercise “*halachic* discretion.” This is why responsa—legal writings in question-and-answer format—far outnumber law codes in Jewish intellectual history and are generally considered more authoritative; they do the hard work of applying law codes to the unique situation of each questioner. Rabbi Benay Lappe has brought newfound attention to this process of *halachic* discretion by reanimating the ancient Talmudic term *svara*, moral intuition.⁵

⁴ Our gratitude to Rabbi Cantor Hillary Chorny for suggesting this analogy.

⁵ https://forward.com/shma-now/chidush/362689/chicken-stories/
LANGUAGE MATTERS

We are generally familiar with the way that our language, particularly when it comes to describing people, both expresses and shapes how we see them. Some people like to refer to “illegal aliens” or “criminal aliens.” “Undocumented immigrant” is a more neutral term. “Person without legal status” follows the “people-first” convention, reminding us that first and foremost—before referring to any aspect of one’s status or place of origin—a person is a person.

The Obama administration’s efforts to protect categories of immigrants from deportation proceedings had an unfortunate side effect: It accepted the false premise that there are “good immigrants”—those who are law-abiding and contribute to American society—and “bad immigrants” who are a threat (either to our economy or to our public safety) who need to be removed. So as not to fall into that trap or reinforce the distinction, many of our partners at immigrant-led organizations simply refer to “immigrants” without modifier. This helps highlight the Trump administration’s overall animus towards immigrants, as discussed on pages 3-4, but also has the effect of potentially blurring who faces the more immediate and extreme threat.

T’ruah’s convention is to distinguish documented from undocumented immigrants, for the sake of clarity, while maintaining that this distinction on the government’s part is discriminatory. We affirm that all immigrants deserve to have their human rights protected and to be treated with dignity and respect, regardless of status.

HUMAN TRAFFICKING

Human trafficking is an extreme form of labor exploitation where an employer uses force, fraud, or coercion to maintain control over a worker. Contrary to common misconceptions, human trafficking does not have to involve crossing an international border—U.S. citizens are trafficked within the U.S. every year—and when it does, it often follows the use of a legal visa. Nevertheless, border policies can dramatically affect trafficking. The ATEST coalition (Alliance To End Slavery and Trafficking), of which T’ruah is a member, is “deeply concerned” about efforts and rhetoric to militarize and further seal the U.S.’s southern border, since given such measures “those desperate to cross the border will take more risks, increasing their vulnerability to traffickers.” New limitations and restrictions on children seeking asylum in the U.S. also make them more vulnerable.6 For more on trafficking, visit https://www.truah.org/campaign/slavery-and-trafficking/

6 See examples here: https://www.themarshallproject.org/2017/06/19/how-sanctuary-cities-are-helping-immigrants-outwit-ice

THE VOCABULARY OF THE MOVEMENT

• Sanctuary City—A city that has adopted policies of non-cooperation with federal immigration authorities. There are a variety of approaches.7 Some activists are also calling for “expanded sanctuary,” meaning a broader reform of policing and judicial policies to increase public safety, reduce discrimination, and end mass incarceration for all residents of the city, not just the undocumented. For more information, see, e.g., https://mijente.net/expanding-sanctuary/

• Sanctuary Neighborhood—Where the city government has not adopted sanctuary policies, neighborhood leadership may declare a Sanctuary Neighborhood, drawing on local organizations and communal resources to make the neighborhood more supportive to undocumented immigrants.

• Sanctuary Congregation—A congregation that has officially declared its commitment to and involvement with the Sanctuary Movement. Some sanctuary congregations are hosting or prepared to host immigrants in their buildings. Others are dedicated to supporting the host congregation or to other kinds of advocacy. In some areas, these congregations call themselves a “cluster,” which forms around the host congregation at the core. To date, the vast majority of synagogues declaring themselves sanctuaries are in the support category, not the host category.

• Accompaniment—Citizen allies, particularly faith leaders or other community leaders, can escort immigrants to their ICE check-ins. In addition to bolstering the immigrant’s confidence and self-worth, their presence can sometimes change ICE’s decision to arrest. If an arrest is made, the accompanying ally can at least provide information to the arrested person’s family and friends.

• **Sanctuary in the Streets**—A variation on accompaniment, where community leaders get word of an immigration raid underway and arrive on the scene. Their presence may deter ICE from making an arrest; if not, they may document the arrest to ensure no excessive force is used, as well as ensure that the arrestee’s wishes are followed regarding care of any children s/he may have.

• **Rapid Response**—A series of strategies that include “Sanctuary in the Streets,” vigils outside ICE offices and detention centers, and other forms of community mobilization. Could be considered a form of “emergency accompaniment.”

• **Refugee**—Formal legal status describing a person who has been forced to flee their home country due to persecution because of their race, religion, nationality, political opinion or membership in a particular social group (e.g., members of the LGBTQ community). The persecution a refugee experiences may include harassment, threats, abduction or torture. A refugee is often afforded some sort of legal protection, either by their host country’s government, the United Nations High Commissioner for Refugees (UNHCR) or both.

• **Asylum seeker**—An asylum seeker is a person who has fled persecution in their home country and is seeking safe haven in a different country, but has not yet received any legal recognition or status.

• **Migrant**—A migrant is a person who chooses to move from their home for any variety of reasons, but not necessarily because of a direct threat of persecution or death. Migrant is an umbrella category that can include refugees but can also include people moving to improve their lives by finding work or education, those seeking family reunion and others.

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**SUGGESTIONS FOR USING THE "SANCTUARY MEZUZAH" (OPPOSITE):**

- Print it in color and hang it just inside your building’s main entrance, near where a mezuzah would hang.
- Laminate it and hang it just outside the main entrance.
- Hold a public ritual of hanging the mezuzah. Invite guests, including leaders of the local sanctuary coalition and supportive leaders in city or state government.
- The mezuzah quotes a short excerpt from a Talmudic story. Study the full passage with your community (see page 19).

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8 Thanks to HIAS for providing these explanations.
9 Definition from UNHCR.