



JCRC Guidelines on Immigration Issues, February 2009, Amended May 2009

Approved by the Jewish Community Relations Council of San Francisco, the Peninsula, Marin, Sonoma, Alameda and Contra Costa Counties, May 12, 2009.

Historically, the American Jewish community has supported generous and rational immigration laws and policies. That support is rooted in large measure by the experiences of Jews seeking asylum, refuge and immigration over the course of centuries in an America that has at times closed its doors with tragic results due to anti-immigrant sentiments. In addition, Jewish tradition, values, and the dictates of our faith make this support imperative. We look both to the teachings of our Jewish religious and ethical tradition, and to core American values relating to immigrants, for guidance on immigration reform. They call on us to 'welcome the stranger' and provide an effective legal immigration system characterized by rule of law, national interest and compassionate treatment.

"God... shows no favor and takes no bribe, but upholds the cause of the fatherless and the widow, and loves the stranger, providing them with food and clothing. You too must love the stranger, for you were strangers in the land of Egypt" (Deuteronomy 10:17-19).

As Jews and Americans, we have benefited from our country's pluralistic society which is rooted in, and enriched by, its immigrant tradition. We further believe that a rational system of immigration that attracts productive workers would foster entrepreneurship, and help the nation maintain its competitive edge. A well-balanced immigration policy will enable the country to accept émigrés seeking economic prosperity and social and religious freedom.

The Jewish Community Relations Council calls for a just and rational balance between (a) concerns for public safety that require screening out terrorists and other criminals and (b) the humane and dignified treatment of human beings who have come to our

country(whether documented or undocumented). Creating this balance requires honoring core American principles of equality, fairness and due process of law to craft fair, rational, timely, and judicious mechanisms to establish immigrants' status, with opportunity for prompt and independent review of individual decisions. We recognize that the existing systems provide neither at a satisfactory level, and therefore significant changes will be required over the next several years.

Humane and dignified treatment includes avoiding:

- a. punitive measures that criminalize actions by educators, health care, and social service providers on behalf of immigrants that would not otherwise be prohibited; and
- b. singling out people solely on the basis of immutable characteristics.

Changes in immigration laws must not erode the ability of all American citizens to compete fairly for jobs at all skill levels. Challenging (and as yet unresolved) issues include: a path to legal status for current undocumented immigrants inside our borders; strengthened border security; guest worker programs; sanctuary city policies; and redefining fair quotas. Current policies and laws are insufficient. A revised and effective, immigration system will require increased resources (financial, human, and infrastructure) to make it successful.

Among the issues of particular importance to the Jewish community are the following:

- definition of refugee status, and availability of refugee slots;
- intergroup tensions that arise from immigration-connected issues
- maintenance of family unity/family reunification
- scapegoating of immigrants, that tends to increase racism and xenophobia
- commitment of new immigrants to democratic values
- maintenance of civil liberties protection for immigrants

In light of these concerns, the Jewish Community Relations Council endorses the following principles and will consider immigration reform proposals with them in mind:

1. **A generous and compassionate American immigration policy is fundamental to our nation's commitment to pluralism and its immigrant roots.**

We oppose any efforts to reduce legal immigration from current levels or to reduce access for legitimate refugees as defined in international law.¹

We support the efforts of communities to assist individuals through the legal system and the immigration process and public/private partnerships to prepare eligible individuals for citizenship.

2. Maintaining and/or reunifying family units and accepting refugees are priorities for our community. A family reunification policy should be implemented to eradicate the prolonged and inhumane separation of family members. We are specifically concerned about children and parents, spouses, legally recognized domestic partners, and minor, unmarried siblings.

3. The Jewish community should continue to support a financial and programmatic partnership of the public and private sectors to absorb immigrants.

4. Proposals or statements that have the intent or effect of exaggerating the significance of immigrants as the source of this country's or a state's economic difficulties, crime, and public health concerns should be rejected.

We will closely monitor public officials' statements and proposals, media portrayal of the issue, and anti-immigration activities in the community for any scapegoating and will act to counter such efforts lest they foster bigotry.

5. We support the principle of timely asylum procedures that (a) protect the integrity of the asylum process, (b) protect the asylum seekers from abuse and (c) address public concerns about abuse of the asylum process. Increased resources are urgently needed to reduce the backlog of unprocessed asylum applicants and procedures must be reformed to ensure swift and just adjudication of asylum claims.

We will oppose policies that deny judicial appeal to asylum seekers.

We oppose any effort to automatically exclude asylum seekers just because they do not possess legal documents. Absence of such documentation may, in fact, be an indication of genuine fear of the government one is fleeing.

- 6. We support increased resources to promote rational policy and procedures that reduce the flow of illegal immigration into the United States. Illegal immigration into the United States should be reduced in a just and humane way. We support increased enforcement of laws designed to prevent/deter, vigorously prosecute and punish:**
- a. Terrorists, violent criminals, and others who pose a credible threat to our country's well-being;
 - b. smugglers of immigrants;
 - c. human traffickers; and
 - d. traffickers in fraudulent or stolen (falsified or counterfeit) identification documents as well as those who knowingly use stolen documents and/ or identities.
- 7. We will oppose legislation that diminishes the rights and benefits of legal immigrants.**
- 8. We will oppose legislation that selectively reduces access to basic services, such as food, clothing, shelter, healthcare, and education for undocumented immigrants.**
- Specifically, we will oppose legislation that may:
- a. result in inhumane detention and/ or mistreatment while in custody;
 - b. contribute to increased racism or discrimination in our country;
 - c. endanger the health, safety or well-being of society (e.g. denying treatment to undocumented immigrants with communicable diseases or to their children).
- 9. Education is a core Jewish value.**

- a. Educational programs aimed at fostering acceptance of new and established immigrant populations, increasing understanding of the role of immigration in American history, and separating myth from reality regarding the impact of immigration on jobs and social services, should be encouraged.
- b. The organized Jewish community will support efforts aimed at ensuring that schools, the media, public officials and community leaders address the dangers of anti-immigrant backlash and acknowledge the positive contributions that continue to be made by America's newest immigrant groups.
- c. Immigrant education programs should be widely and easily accessible and strengthened with democratic values woven into their curriculum.

10. In view of the core American principles of equality, fairness and due process of law, we believe:

- a. A rational, timely, and judicious mechanism should be expediently developed to establish documented and undocumented immigrants' civil status.
- b. Punitive measures that criminalize actions by immigrants, social service providers, and others--actions that would not otherwise be prohibited--are discriminatory, and harmful to individuals and communities.
- c. All workers should be afforded protections regardless of documentation status. Employers and others who exploit undocumented immigrants should be vigorously prosecuted.
- d. The ICE (Immigration and Customs Enforcement) activities that have resulted in the separation of families, lack of due process, and the detention and deportation of persons with legal status must cease. These activities have had dire consequences for the immigrant community, making many fearful of leaving their homes, seeking healthcare, and sending their children to school.

11. Recognizing that the United States has an interest in economic growth and revitalization, along with strengthened border security, we believe:

- a. To maintain and enhance service and other industries the U.S. should be welcoming to needed skilled and unskilled immigrant workers.
- b. For the U.S. to remain on the cutting edge in the areas of technology, science, the humanities, and the arts, and to foster the cross-cultural exchange of ideas that enriches our society, U.S. policy should be welcoming to immigrant students, researchers, academics and artists.
- c. A rational system of immigration fosters entrepreneurship, attracts productive workers, and helps the nation maintain its competitive edge.
- d. When those presently undocumented achieve legal status, their contribution to the U.S. economy through work, paying taxes, and buying goods and services is enhanced. Therefore, we support a rational and feasible procedure for allowing undocumented immigrants to obtain legal resident status and ultimately apply for citizenship.

12. Any changes in immigration laws must not erode the ability of American citizens to compete fairly for jobs at all skill levels.

Conclusion: The JCRC will support comprehensive immigration reform that is consistent with our Jewish and American values, and that addresses the principles and concerns set forth above.

Notes

1. The United Nations Protocol on Refugees establishes a definition of refugee based on a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group or political opinion. The United States ratified the Protocol in 1968 and implemented these standards through the Refugee Act of 1980.

