

FAQs for congregations to consider housing community members recently released from ICE detention and prison

Work in progress. Contact gking@im4humanintegrity.org with comments/additions.

UPDATE: While this congregational housing program began to assist people being released from ICE detention, it is being expanded to offer housing to people coming out of prisons, given the recent outbreak in San Quentin that has resulted in at least 6 deaths, over 1400 people incarcerated COVID-positive, and over 200 staff COVID-positive. One congregation is providing housing to some who was recently released from San Quentin and who is COVID-positive. We are looking for other congregations who are able to provide isolated housing to individuals being released who are COVID-positive.

Background:

The risk of COVID-19 spreading is especially pronounced in the close conditions of jails, prisons, and ICE detention facilities. Advocates are putting pressure on the criminal justice system and on ICE to release those detained and incarcerated, including asylum seekers and other immigrants. In March, immigrant rights groups, criminal justice groups, and the faith community sent letters to Governor Gavin Newsom offering safe and effective solutions to free our community members who are at higher risk of contracting COVID-19 inside [immigration detention centers](#).

Because the conditions are so dire, organizing on the inside is ramping up:

- See [video message from people inside Mesa Verde Detention Facility, Dorm C](#)
- See [recent article about hunger strikes inside](#)

In addition, several lawsuits have been filed on behalf of people in detention, and some have resulted in releases:

- <https://www.sfchronicle.com/news/article/Judge-orders-four-released-from-ICE-detention-due-15193460.php>
- <https://sfpublicdefender.org/news/2020/04/detained-immigrants-file-class-action-lawsuit-against-ice-demand-immediate-releases-from-extremely-unsafe-conditions-during-global-pandemic/>
- <https://www.latimes.com/california/story/2020-04-24/judge-orders-ice-reduce-immigrant-detainees-adelanto-facility>

Congregational Housing:

One of the primary needs for ICE to release someone from detention, is for the detainee to have a “fixed address” that they can be released to for temporary housing. Some people being released have family to go home to, but the family may not want their name/address to be

listed with ICE. Congregations and other religious facilities are ideal sources of temporary housing, especially since worship services and other gatherings cannot be held under current shelter-in-place rules and social distancing requirements. The Interfaith Movement For Human Integrity recently held a meeting with representatives from various faith communities and a staff person from Centro Legal De La Raza to learn about the problem and identify solutions. A couple of congregations have stepped forward to possibly open up space with more understanding of how to support.

These Frequently Asked Questions (FAQs) were created to answer common questions that congregations have during this time.

- ***Who is being released that needs housing?***

Attorneys working with IM4HI have identified more than 80 people who are at higher risk of becoming seriously ill from COVID-19, and who are currently detained in Yuba County Detention Facility and Mesa Verde Detention Facility. Two examples are:

- Elias, an 82-year-old man. Upon release, he needs a place temporarily in LA before a re-entry home has space to take him in. He is being connected with a church in LA, that is providing a “fixed address” while supporting his stay in a hotel.
- “O”, a 28-year-old man. Upon release, he needed a space in the Bay Area to receive outpatient services and recover from 4-years of detention. He was first housed by a congregation for 4 nights, then transferred to another congregation where he will stay for up to 4 weeks.

Update: The call for releases is expanding to prisons too, so here’s a story of another person who was released from prison and is receiving congregational housing:

- Community member, 40-years-old, was found eligible for parole from San Quentin. Because of his past conviction, CDCR notified ICE of his release date. In the midst of the outbreak, instead of being transferred to ICE custody, he was released into community, was found to have COVID19, and is being housed in a sanctuary congregation until he recovers.

- ***How many congregations are needed? Is this already happening?***

Through IM4HI’s network, there are 6 congregations/fait h communities in the Bay Area that are housing someone recently released, or are getting ready to house someone. These are the creative ways congregations are providing housing:

- A congregation has a room and has agreed to house someone who needed 1 week post-release.
- A congregation that doesn’t have a dedicated room, created a living-space in the middle of a hall, bringing in an air mattress, bedding, table, and lamps. They housed someone for 4-nights before transitioning them to another congregation.

- A congregation had a parsonage that was not being used during Shelter-in-Place. They brought in essential furniture and bedding, and are currently housing a guest for up to 4 weeks.
- A congregation converted a space for housing and is offering it to house someone post-release for 3 months.
- ***How long would the guest stay?***

Here are the possible scenarios to consider, but each case will be different:

- **Scenario 1: Guest has family to go home to**
Congregation provides temporary housing from a few days to a few weeks while the guest transitions between detention and family. Some guests may choose to self-quarantine for 2 weeks before going home to family. Accompaniment needs are short.
- **Scenario 2: Guest does not have family to go to**
Congregation sets the maximum amount of time they would house the guest. For example, some congregations are considering the maximum amount of time for temporary housing would be for the length of time that shelter-in-place is in effect. The guest would need support from an accompaniment team or legal support team to find housing within the time they have at the congregation. The guest will need longer-term accompaniment.
- **Scenario 3: Guest has family to go home to, but housing may fall through**
A congregation may initially commit to short-term, but housing may fall through. So temporary housing may become longer-term, along with the need for longer-term accompaniment. IM4HI can help to find next step housing if this happens.
- ***Who would we work with to coordinate such an engagement?***
Staff from IM4HI, along with legal and community organizations, will help support such an arrangement.
- ***How would we work with and support the guest and maintain social distance?***
Oftentimes folks coming out of detention are exhausted. The housing conditions inside detention are not restful (shared bunk beds in a room with 100, bed-checks every 4 hours, etc.). So you can expect the guest to want to sleep a lot in the first few weeks.

IM4HI along with other congregations are developing protocols to ensure sufficient accompaniment is provided, while people are practicing social distancing. Some of the ideas include:

- Providing a Smart Phone and \$50 smartcard upon release, so the individual can communicate with family, accompaniment team, and legal support
 - Check-ins by phone with accompaniment team
 - Guidelines for safe food drop-off
 - Ensuring transportation is done safely without putting others at increased risk (e.g. using Lyft)
 - Sanitizing all surfaces before guest arrives, and after guest leaves, following [CDC-guidelines](#)
- ***Besides housing, what else would be expected of the congregation to support the guest?***

This depends on the capacity of the congregation. Some congregations have trained accompaniment members who would be more involved in providing accompaniment to the guest. Other congregations do not. For those that do not have trained accompaniment team members, IM4HI could help identify other congregations with trained team members and provide additional online training. IM4HI created a toolkit to support accompaniment teams, [Resource Guide](#).
 - **If the congregation doesn't have sufficient space, but can offer their address as the "fixed address" and can provide some accompaniment, can they pay for the guest to be in a hotel?**
 - Yes, this is possible. Need to work with legal team to confirm best location.
 - **What can a congregation do to prepare for possible COVID-19 exposure? What does a congregation do if the guest falls ill?**
 - Unfortunately, testing for COVID-19 has been limited within ICE detention facilities.
 - As more testing becomes available, it's important for congregations to know what's available in their county. For example, Alameda County has recently expanded testing for folks regardless of immigration status:
 - <https://www.oaklandca.gov/services/covid-19-testing>
 - It will be important to help the guest determine if the symptoms they are experiencing are early warning signs for COVID-19. Here are [general guidelines for what symptoms to look for and how to care for someone who has fallen sick](#).
 - Tips for a congregation to consider:
 - Provide the guest with materials about COVID-19.
 - Provide the guest with a thermometer to check temperature daily.
 - Identify medical support within your congregational community.
 - **UPDATE:** See below for a sample Medical Protocol that was created to support a congregation that is housing someone who is COVID-positive
 - **UPDATE:** Some County Public Health Departments are providing emergency housing for people to self-isolate if they are experiencing COVID-symptoms. For more information about what the Alameda County Public Health Department: <http://www.acphd.org/2019-ncov/isolation-housing.aspx>

- **What does it mean for the congregation to offer their address? What responsibilities does this entail?**

For a humanitarian parole request, it is not a legally-binding contract with ICE. A church could petition for someone. Two-weeks later, the person could go to their family out of town/state. That person would have to update ICE of their change of address.

- **What type of liability insurance for conversations need/have in order to provide temp housing?** In all the congregational situations who have provided short and long term housing over the past 5 years to asylum seekers and others, this work as a part of their ministry was covered by their regular liability insurance coverage. However, please call your own insurance provider to confirm.

- **Are there some safe practices for volunteers and guests during this time of COVID?**

Here are some resources created by other groups:

♦ [COVID Release Guidelines-English](#) -Created by [Asylum Seeker Sponsorship Project](#)

♦ [COVID Release Guidelines- Español](#) -Created by [Asylum Seeker Sponsorship Project](#)

Below is a Medical Protocol created to support a congregation housing someone who is COVID-positive

- **What are some important points about ICE detention to help my congregation understand the situation?**

1. ICE detention does not need to exist. People are being held unnecessarily while awaiting their court hearings proceedings. More humane alternatives like community case management have proven effective.
2. Those who are being released have been deemed suitable for release by a judge and not a threat to public safety or a flight risk.
3. It is important to remember that those who may have had past convictions at some point in their life have already served their sentences and paid their debt to society. ICE detention is double punishment and they are not in ICE detention related to any current criminal sentence.
4. Judges have issued recent [orders](#) for Mesa Verde, Yuba and Adelanto requiring that ICE release vulnerable people because of their inability to protect and allow for safe social distancing in immigration detention.

- **UPDATE:** Here's a sample Medical Protocol created by a congregation and their community partners, to support a guest staying at the congregation who is COVID-positive:

Health and Medical Protocol

Since guest is COVID-19 positive, accompaniment team will ensure he has the following medical equipment and medication available:

- Thermometer
- Tylenol
- Oxygen-level reader with heart rate monitor
- Delsym cough suppressant
- Xopenex inhaler

While self-isolating and to keep others safe, guest will:

- Not leave the home, except to retrieve materials dropped off outside or to get fresh air (as defined below), and wear a mask when doing so.
- Not invite others into the home, with the exception of medical personnel.
- Not enter the garage, as it is used for church storage.
- To get fresh air, guest can go in the backyard, and stay within the fenced area. Must wear a mask if anyone else is on church property and especially during medical visits. Note: Must always be prepared to apply mask immediately whenever outside.

No one will enter the home except trained medical personnel, wearing full Personal Protective Equipment (PPE).

To closely monitor his symptoms, guest will abide by the following:

- Self-isolation for at least 10 days since the start of symptoms, and for 3 additional days after fever subsides and other symptoms are improving.
- Take temperature at least twice a day, more as needed.
- Daily phone check-ins with RN (or other medical professional) who will assess symptoms and need for seeking additional medical care. While febrile, check in hourly with temp and oxygen readings.

If symptoms worsen (e.g. fever higher than 104, oxygen levels below 92%, altered mental status, extreme discomfort), nurse will determine:

- Additional medical care needed to continue to stay at home (nurse will do full exam in PPE and determine if we need to escalate care or stay near the church to closely monitor guest)
- Medical Center for urgent care for STAT chest x-ray
- Transportation to urgent care at XX Hospital (coordinated by XXXX) for emergency care

The guest has been enrolled in appropriate medical care, and the team has identified the nearby hospital for emergency critical care, and nearby clinic for urgent care.