IMMIGRATION

THE ISSUE: SB 456 Privacy: Faith-Based Organization Volunteers (Archuleta, D-Pico Rivera)  This bill would provide protections for places of worship or other faith-based organizations from disclosing personal information of volunteers to a 3rd party without a court-issued subpoena, warrant or order. (SUPPORT)

HISTORY & BACKGROUND

Faith-based organizations often serve as a hub for volunteer efforts. These volunteers often are fingerprinted and receive background checks to ensure the safety of those they assist. The personnel files are then kept by the volunteer entity, in this case, the church that the individual volunteers at. California law is strongly protective of the right to privacy. It also prohibits a public or private employer from providing voluntary consent to an immigration enforcement agent to access, review, or obtain the employer’s employee records without a subpoena or judicial warrant.

In 2017, the Legislature passed SB 54 (DeLeon) which prohibits law enforcement agencies from using resources to investigate, interrogate, detain, detect, or arrest people for immigration enforcement purposes.

Volunteers are a vital part of our churches running smoothly. Our churches could not reach the people they reach without our incredible teams of volunteers. Under current law, ICE (Immigration and Customs Enforcement Agency) can force religious groups to divulge volunteer records without a proper warrant. The fear of this personal information being taken has created uncertainty on the volunteer efforts of the targeted groups. Individuals are afraid of volunteering and contributing in their communities for fear of their privacy being breached by federal entities.

CHURCH TEACHING

The Catholic Church in the U.S. is an immigrant church with a long history of embracing diverse newcomers and providing assistance and pastoral care to immigrants, migrants, refugees, and people on the move. Our church has responded to Christ’s call for us to “welcome the stranger among us,” for in this encounter with the immigrant, the migrant and the refugee in our midst, we encounter Christ.

TALKING POINTS

- Volunteers are essential to faith-based organizations.
- Volunteers enrich communities through their service and should not have to worry that their efforts will lead to unexpected repercussions.
- The state constitution recognizes that all Californians enjoy a right to privacy.
- This has created a chilling effect, with families avoiding participation in important church, school and other neighborhood activities that bind communities together.