

## The Mormon Church and Illegal Immigration

By Ronald W. Mortensen

The Church of Jesus Christ of Latter-day Saints (also known as the LDS or Mormon Church) regards Christ as head of the church and considers members to be Christians.<sup>1</sup> Unlike many religious organizations that clearly and candidly stake out their positions on illegal immigration, however, the LDS Church officially takes no position on this highly divisive issue. This pleases neither those who oppose illegal immigration nor those who support it.

Members who oppose illegal immigration fear that the Church is abandoning its traditional, unwavering support of the rule of law. They also express concern that the Church appears to be biased in favor of illegal immigrants and that it is increasingly taking positions that weaken the rule of law and move the Church closer to a social justice position.

At the same time, the proponents of illegal aliens express frustration over the Church's failure to officially declare its support in favor of illegal immigrants, especially since the Church actively proselytizes among illegal aliens and has a large and growing illegal alien membership.

In order to understand the reason for the LDS Church's reluctance to clearly articulate its policy on illegal immigration, it is necessary to understand the unique nature of the LDS Church and its evolution from a largely American institution to a worldwide church since its founding on April 6, 1830, in Fayette, N.Y.

### A Brief Introduction to the Church of Jesus Christ of Latter-day Saints

**Founding.** The LDS Church was organized by Joseph Smith following a vision where, according to his account, he saw and spoke with God the Father and his son, Jesus Christ. He was told that all existing religions were wrong and he was forbidden to join any of them.<sup>2</sup>

Eventually, Smith was commanded to restore the true gospel of Christ to the Earth. He subsequently organized the Church of Jesus Christ of Latter-day Saints, which LDS members believe to be the only church on Earth that has the fullness of the gospel of Christ and the authority to carry out sacred ordinances.

**Missionary Work.** Within days of the Church's founding, Smith called his brother as its first missionary<sup>3</sup> and since that time the Church has sent out more than a million missionaries.

During the first 70 or so years of the Church's existence, missionaries encouraged new converts in foreign countries to relocate to the United States in order to build Zion,<sup>4</sup> which was a covenant community of saints. By 1894, Church leaders were encouraging new converts to remain in their home countries; however, many continued to relocate to the United States in order to join the main body of Church members.

In 1975, Spencer W. Kimball who was the president and prophet of the LDS Church at the time told those attending the Church's general conference that Zion includes all of North and South America and that Church members are to remain in their native lands:

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“With some of the Brethren we have just returned recently from the area conferences in Sao Paulo, Brazil, and in Buenos Aires, Argentina. In that southern world of Zion we reminded them that Zion was all of North and South America, like the wide, spreading wings of a great eagle, the one being North and the other South America.

“The Church there is progressing and growing. The people are happy and inspired; the youth are laughing and dancing as they grow to leadership.

“The ‘gathering of Israel’ is effected when the people of the faraway countries accept the gospel and remain in their native lands. The gathering of Israel for Mexicans is in Mexico; in Scandinavia, for those of the northern countries; the gathering place for the Germans is in Germany; and the Polynesians, in the islands; for the Brazilians, in Brazil; for the Argentines, in Argentina.”<sup>5</sup>

Today, the Church’s official handbook<sup>6</sup> continues to encourage its foreign members to remain in their home countries in order to build the Church there and to obey the immigration laws of all nations.<sup>7</sup>

**Church Leadership.** With only limited exceptions, all offices in the LDS Church are held by unpaid lay clergy. Virtually every member has some “calling” in the Church ranging from a nursery worker to a stake president.

The head of LDS Church is considered by its members to be a living prophet, seer, and revelator. Other authorities include the Quorum of the Twelve Apostles who are also prophets, seers, and revelators;<sup>8</sup> the Seventies who work under the direction of the Twelve Apostles;<sup>9</sup> stake presidents;<sup>10</sup> and bishops.<sup>11</sup> Church members are taught to sustain and support their leaders at all levels.

This respect for authority extends to the political arena. Office holders in Utah are often former stake presidents and bishops and a disproportionate<sup>12</sup> number of all elected officials are LDS. Mormon politicians are often accused of giving undue deference to senior Church leaders. Church members are frequently accused of sustaining political leaders rather than providing oversight and tend to shun politicians who take strong, principle-based stands on issues because this is viewed as divisive and lacking civility.

**Doctrine.** The Standard Works of the LDS church consists of four books of scriptures: the Bible, the Book of Mormon,<sup>13</sup> the Doctrine of Covenants,<sup>14</sup> and the Pearl of Great Price.<sup>15</sup> The Book of Mormon was translated and published by Joseph Smith in 1830. According to Smith, he initially received the golden plates that contained the text of the Book of Mormon from an angel named Moroni who had buried the plates centuries before in a hill near his home in Manchester, N.Y.

Members of the LDS Church consider the Book of Mormon, which the Church describes as another testament of Christ, to be holy scripture. The Book of Mormon teaches that America is a chosen land and forms the basis for the LDS view of American exceptionalism. It is also accepted by Church members to be a historical record of God’s dealings with chosen peoples who inhabited the American continent. The Book of Mormon’s teachings about the inhabitants of the American continent have had a great influence on the LDS Church’s relationship with indigenous peoples of North, Central, and South America.

**Persecution.** During its early years, LDS members often faced intense persecution because of their beliefs. They moved from state to state, were pursued by mobs, were the subject of an extermination order by the governor of Missouri, and eventually fled to Utah after being driven out of Nauvoo, Ill., following the murder of their prophet, Joseph Smith, and his brother by a mob.

**Plural Marriage.** The practice of plural marriage or polygamy<sup>16</sup> was revealed to Joseph Smith, Jr. on July 17, 1831.

In spite of the revelation, plural marriage was apparently not practiced for a number of years and the revelation itself was not recorded in the Doctrine of Covenants, which is a record of modern-day revelations given to LDS prophets, until 1843.<sup>17</sup> The practice of polygamy was not openly acknowledged until 1852, although by that time senior Church leaders had practiced it for many years.<sup>18</sup>

Once plural marriage was officially acknowledged, the LDS Church came under strong pressure from the public, other churches, and the United States government to end it. The LDS church eventually argued before the U.S. Supreme Court that laws against polygamy unconstitutionally deprived Church members of their First Amendment right to freely practice their religion. In 1878, the Court ruled against the Church.<sup>19</sup>

Following the Supreme Court’s decision, the practice of polygamy continued and only after intense pressure from the federal government that threatened

the very existence of the Church was it officially ended in 1890.<sup>20</sup> Even then, plural marriage continued to be practiced by some members of the Church until the early 1900s.

**Political Struggles and Statehood.** No matter how difficult the times were, the Church continued to send out missionaries. As people were converted in Europe and other areas around the world, they quickly left their home countries and traveled to the United States in order to help build up Church numbers and the LDS community.

From the early 1850s, non-LDS residents of Utah and federal authorities fought to break the Church's political and governmental monopoly in Utah and to separate church and state. The controversy continued for years and because of plural marriage, coupled with a general distrust of the Mormon church and the political control that it exercised, Utah was not able to gain statehood until January 4, 1896, making it the 45th state to join the union.

Today, the LDS Church continues to exercise exceptionally strong political influence in Utah over issues that have strong moral components. Illegal immigration has now been determined to be one of these moral issues.

**Family.** The family has been and continues to be the central focus of the LDS Church. Marriages performed in LDS temples are for "time and eternity" and Mormons believe that families will be reunited after death.<sup>21</sup>

In 1915 the President of the Church, Joseph F. Smith, called on parents to gather their children once a week for a "home evening"<sup>22</sup> that was designed to build family unity. In 1970, Monday night was designated as the time for family home evening and since that time the Church has kept Monday evenings free from Church activities so families can have this time together.

More recently, Church leaders have taken a leading role in defending the traditional family against changing moral values. In 1995, the leaders of the LDS Church issued a proclamation on the family to the world. In introducing the proclamation, LDS Prophet Gordon B. Hinckley stated that it was issued "as a declaration and reaffirmation of standards, doctrines, and practices relative to the family which the prophets, seers, and revelators of this church have repeatedly stated throughout its history."<sup>23</sup>

**Obey, Honor, and Sustain the Law.** In spite of conflicts over its unique doctrines and religious practices with state and local officials and with the federal government,

which eventually sent armed forces to occupy Utah, once Utah became a state, the LDS church wholeheartedly followed the 12th Article of Faith, which reads, "We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring, and sustaining the law."<sup>24</sup>

President Thomas S. Monson, the Church's current president and prophet, has been a staunch advocate of obeying, honoring, and sustaining the law as set forth in the 12th Article of Faith. In 1988, writing in the *Ensign*, an official Church publication, President Monson emphasized the importance of obeying the law of the land and of returning to the basic justice that laws provide when honest men sustain them:

"Let us not overlook obedience to the laws of the land. They do not restrict our conduct so much as they guarantee our freedom, provide us protection, and safeguard all that is dear to us.

"In our time, when otherwise honorable men bend the law, twist the law, and wink at violations of the law, when crime goes unpunished, legally imposed sentences go unserved, and irresponsible and illegal conduct soars beyond previously recorded heights, there is a very real need to return to the basic justice that the laws provide when honest men sustain them."<sup>25</sup>

In 1995, the First Presidency and Council of the Twelve Apostles told the world through its Proclamation on the Family that "Parents have a sacred duty to rear their children in love and righteousness, to provide for their physical and spiritual needs, to teach them to love and serve one another, to observe the commandments of God and *to be law-abiding citizens wherever they live.*" (emphasis added)<sup>26</sup>

LDS Church leaders have traditionally been among the staunchest defenders of the United States, the Constitution, and of the rule of law. They openly taught that the founding fathers were guided by the hand of God,<sup>27</sup> that the United States Constitution was divinely inspired,<sup>28</sup> and that the United States was the chosen land for the restoration of Christ's true church. In addition, as noted above, American exceptionalism and America as a promised land are both key elements of LDS doctrine.

During the cold war, LDS leaders and Church members were among the strongest opponents of communism and communist regimes because of their denial of free agency,<sup>29</sup> which is an essential tenet of the LDS Church's view of the plan of salvation.<sup>30</sup> At the same

time, in spite of their abhorrence of communism, senior Church leaders, including the Church's current Prophet, Thomas S. Monson, continued to show unwavering support for the 12th Article of Faith by encouraging members in communist countries to remain in their homelands and to obey, honor, and sustain the laws of those countries in spite of the restrictions on free agency, severe economic hardships, and regardless of whether the laws were just or not. In 2007, President Monson wrote:

“For many years as a member of the Quorum of the Twelve Apostles, I had responsibility for East Germany, also known as the German Democratic Republic. In this assignment, my knowledge of the Articles of Faith was most helpful. On each of my visits throughout the 20 years I supervised this area, I always reminded our members in that area of the twelfth article of faith: ‘We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring, and sustaining the law.’

“Our meetings behind what was known as the Iron Curtain were always monitored by the communist government there. In the early 1980s, when we sought approval from the government officials to build a temple there, and later when we asked permission for young men and women from that area to serve missions throughout the world and for others to come into their country to serve missions, they listened and then said, ‘Elder Monson, we’ve watched you for 20 years, and *we’ve learned we can trust you and your Church because you and your Church teach your members to obey the laws of the land.*’” (emphasis added)<sup>31</sup>

### From American to Worldwide Church

For most of its existence, the LDS Church was essentially an American Church with limited international interests. The transition to a worldwide Church has resulted in a major demographic shift in membership. Today, the Church finds some of its greatest missionary success among Latinos, including those who are in the United States illegally and, out of over 13 million members worldwide, more than four million are Spanish-speaking. This has led to changes in how the Church sees itself, how it applies its doctrines and how it defines its relationship with Utah and the United States.

Today's Church leaders seldom talk about the divinely inspired U.S. Constitution during general

conference sessions because they are now addressing a truly worldwide audience. No longer is the 12th Article of Faith given the same status as when President Monson advised East German members to obey it unflinchingly, since the Church now has to reconcile its traditional support of the rule of law with its current practice of baptizing illegal aliens who are violating United States immigration laws and who routinely commit multiple job-related felonies.<sup>32</sup>

And, although the LDS Church continues to be based in Utah, its policies are no longer necessarily determined by what is best for the Utah or for the United States. As a worldwide church, LDS leaders now have to consider the impact that legislation in Utah will have on the Church's international operations and its ability to take its message to countries around the world.

Therefore, when the Utah legislature, which is composed primarily of members of the LDS Church, takes up illegal immigration-related legislation, the Church finds itself in the position of weighing the benefits for the citizens of Utah against the harm that the legislation may do to its missionary efforts within the illegal alien community, the impact that the legislation will have on its many illegal alien members, and the effect it will have on the Church's overseas operations and interests.

Political and religious questions that both Church leaders and Church members struggle to address include:

- Does remaining neutral on illegal immigration or openly supporting illegal aliens lead to more human smuggling, more violence against those being smuggled, more exploitation by employers, more felony document fraud and identity theft, and a more favorable operating environment for foreign gangs and organized crime?
- Should the Church support amnesty for the millions of illegal aliens in the United States or should the Church follow its 12th Article of Faith and help illegal aliens obey existing federal and state laws even if that means returning to their countries of origin?
- Should the Church deny membership to illegal aliens who are using the identities of an estimated 50,000 innocent Utah children and one million Arizona children for employment purposes or must it ignore these and other job-related felonies committed by an estimated 75 percent<sup>33</sup> of illegal aliens in order to extend the blessings of the gospel (baptism, temple ordinances, church positions) to them and to

maintain good relations with governments in their home countries?

- How can the Church balance compassion (mercy) for illegal alien families with justice for American families whose children are the victims of illegal alien identity theft and other negative impacts of illegal immigration?
- Should the Church hold its American members to a higher standard than it applies to individuals who are illegally in the United States?
- Will long-term American Church members become disenchanted and leave the Church or cut back on their donations if the Church is perceived to be or is actually supporting and rewarding illegal behavior?
- Will Church support for obedience to and the enforcement of U.S. immigration laws negatively impact the Church's overseas operations? Will efforts to obtain title to land in foreign nations that are home to many illegal aliens be disrupted? Will foreign governments retaliate by withholding visas for LDS missionaries or by making it more difficult to carry out their functions? Will foreign officials delay approvals needed by the Church to build new buildings or to increase the size and scope of its programs?
- Will members in foreign nations renounce their membership if they perceive Mormon legislators to be targeting their fellow citizens who are illegally in the United States?
- Are the Church's relations with other countries of such importance that that Utah taxpayers should be required to fund services for illegal aliens ranging from in-state college tuition to medical care or should the Church cover these costs as part of its obligation to serve all of God's children?

Thus, a once brash, strict, and fiercely independent American church now finds itself struggling to balance its role as a worldwide church with its own doctrines and its responsibilities to Utah and to the United States.

As the Church searches for the right balance, it has yet to explain to its American members why individuals violating U.S. immigration laws and committing multiple job-related felonies are eligible for

baptism, temple recommends, and to serve in important church positions. Because of its failure to clarify its position on illegal immigration and to hold illegal aliens to the same standard as other members, mainstream Mormons are left to try to discern what this change means for the gospel as they have known it.

The remainder of this *Background* will look at how the LDS Church currently works with the illegal alien community and what this means for the state of Utah and for American members of the Church.

## Publicly Stated LDS Position

Officially, the LDS Church's stated position on illegal immigration is that it has no position on illegal immigration.

In 2004, the LDS Church officially took "no position" on a bill that would have ended the issuance of Utah driver's licenses to illegal aliens.<sup>34</sup>

A 2006 press release emphasized that the Church had taken no position on illegal immigration. It read: "The Church, in fact, has made no comment so far on the immigration debate, recognizing that this complex question is now before Congress and is already being thoroughly aired in the public square."<sup>35</sup>

On February 14, 2008, during an interfaith dialogue on illegal immigration, Elder Marlin K. Jensen of the Seventy of The Church of Jesus Christ of Latter-day Saints said the "LDS church has taken no position on any particular measure on the federal or state level."<sup>36</sup>

On April 29, 2009, Michael Prudy, a spokesman for the LDS Church, once again told reporters that "The church does not have an official position on immigration policy ..."<sup>37</sup>

In 2010, in an article on the doctrinal divide within the LDS Church over immigration, *Salt Lake Tribune* reporter Jeremiah Stettler wrote: "Utah's dominant religion hasn't taken a definitive position on the question. Instead, church leaders have called for 'compassion' and encouraged 'careful reflection and civil discourse' when debating immigration reform. LDS Church leaders would not elaborate for this story."<sup>38</sup>

In 2011, the Church continued to assert that it had no position on illegal immigration legislation while at the same time supporting the development and passage of an omnibus immigration bill that included a Utah-specific guest worker/amnesty provision for illegal aliens living and working in the state. The Church found it difficult to maintain its assertions of "no position" when the Tea Party and 9/12 groups that were present for the first time on Capitol Hill became aware of its activities.

## Influence on Immigration Policy

The LDS Church attempts to avoid direct public involvement on political issues such as illegal immigration either at the federal, state, or local levels. However, it frequently holds private meetings with Utah's elected officials who are disproportionately LDS and uses carefully crafted public messages to influence public opinion and legislative outcomes in Utah. The Church's perceived position on a piece of legislation can spell success or failure for the legislation because of the strong respect that Church members, including elected officials, have for their ecclesiastical leaders at all levels.

**Quietly Influencing Public Policy.** The LDS Church, through its public affairs arm, is arguably the single most important player in the legislative process in Utah on bills that it takes an interest in. Church representatives have virtually unrestricted access to all elected officials including the governor, state legislators, and Utah's congressional delegation in Washington.

Before each legislative session, legislative leaders of both political parties go to Church headquarters to meet with Church officials. LDS public affairs staff and senior officials may also meet with individual legislators who are considering or actually carrying legislation that the Church has an interest in, ranging from alcohol laws to illegal immigration bills.

During the legislative session, it is not unusual for legislators to be invited to Church headquarters to discuss pending legislation. Church public affairs personnel also meet with legislators at the state capitol, but this is done discretely and out of the view of the public or press. The meetings and communications between Church representatives and public officials are, with extremely rare exceptions, treated as confidential by all parties and are conducted either in person or by phone so as not to leave a paper trail.

Because of the Church's strong influence with the majority of Utah voters, elected officials at all levels of government pay extremely close attention to what Church representatives say and want.

When the Church's position on an issue conflicts with the strongly held beliefs of LDS legislators, it is highly unusual for the legislators to go against the wishes of the Church. According to state Sen. Stuart Reid, who was the Senate sponsor of the Utah guest worker amnesty<sup>39</sup> bill (3SHB116):

“If the church takes a position on a public-policy issue contrary to popular sentiment, as a public official, I have two choices: Either I follow the

will of the people and be popular or follow my faith leaders, risking the rejection of the voters. When faced with this dilemma, it's my guiding principle that devoted Mormons involved in politics should always choose to follow their faith leaders no matter their own personal views or the political consequences.”<sup>40</sup>

Thus, in 2011, many LDS legislators followed their faith leaders and passed legislation that benefits illegal aliens living in Utah despite strong personal convictions to the contrary and pressure from constituents to vote against the Church's position.

A Utah state senator told a constituent that he was compelled to vote for SB288, which he philosophically opposed, because that was what the Church wanted him to do. (SB288 eventually became 3SHB116.)

Following final passage of 3SHB116, legislators reported that the Church wanted a bill that expressed compassion to the world and that the Church's representatives on the Hill clearly asked legislators to vote for it.

When some legislators learned that their constituents had been told by public affairs officials that the Church was only providing information and not encouraging legislators to vote for illegal alien-friendly bills, the legislators responded that that was “an outright lie.”

When a Church employee told a member who called to express concern about the Church's activities on Capitol Hill that all he had to go on was hearsay unless it came directly from a legislator, a state representative called the Church employee to confirm what the member said.

Other individuals who were on the inside and who, like legislators, asked that their names not be revealed, reported that the Church's full-time representatives told legislators that they were representing the “Brethren,” which is understood by Mormons to mean that they are speaking for the highest authorities in the Church.

In addition, there were reports of legislators being told that “the Brethren really want this to pass” and of Church officials asking legislators who hesitated to go along if there was any scenario that could garner their support.

On a Facebook posting, a constituent reported that during a public meeting her state senator told those present that “there was no greater presence at the time the bill [3SHB116] was passed than the LDS Church. They were greater than the Chamber. He said they did not come to him, but they did others, and as legislators never

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do, he said he could not comment on why his peers did vote on it, but it was pretty obvious the Church pressed hard on those who they felt would cave.”<sup>41</sup>

Private citizens who had been on the Hill for many legislative sessions said that they had never seen Church representatives as omnipresent as they were during the 2011 session. They expressed surprise when the Church openly acknowledged that the Utah guestworker/amnesty program was unconstitutional but still continued to insist on its passage.

The 2011 activities of the Church showed just how important it was for both its international and domestic interests to have the legislature send a message that Utah is not anti-illegal immigrant.

In addition, the Church’s actions clearly demonstrated that when its direct interests are involved, Church leaders will take whatever steps are necessary to advance those interests while operating behind the scenes.

An example of how the Church effectively works behind the scenes can be found in an amendment to federal immigration laws that exempts religious organizations from certain provisions of the federal immigration code.

In order to allow the LDS Church to baptize and extend full membership, including calling illegal aliens to serve in voluntary positions, the Church asked U.S. Sen. Robert Bennett of Utah to quietly slip an amendment to the United States immigration act into an agriculture appropriations bill.

According to the *Washington Times*:

“The Mormon church arranged for a Utah senator to write a law to shield churches from prosecution for knowingly allowing illegal aliens to be ministers or do volunteer missionary work for them.

“Kim Farah, a spokeswoman for the Church of Jesus Christ of Latter-day Saints, released a statement saying the church asked Sen. Robert F. Bennett, Utah Republican, to sponsor the provision, which she called a ‘narrow exception to the immigration act.’

“‘The law permits churches to use the volunteer services of their undocumented members by insulating the churches from criminal sanctions for doing so,’ she said.

“She said she would not answer any further questions, including why the church needs access to illegal alien volunteers.”<sup>42</sup>

The Church’s and Sen. Bennett’s actions would have gone largely unnoticed had not Rep. Tom Tancredo (R-Colo.) raised concerns after passage of the amendment and called for its repeal.

Thus, on immigration issues, the Church attempts to walk an extremely fine line as it tries to balance the demands of its members who oppose illegal immigration and want the rule of law upheld with demands from its international constituency and some of its U.S.-based Latino members who push the Church to grant illegal aliens special benefits, including immunity from a wide range of ongoing job-related felonies.

Still another example of how the Church attempts to influence legislation comes from 2008. At that time the state legislature was considering a number of bills to address illegal immigration in Utah. In this case, officials of the LDS Church tried to influence pending legislation by publicly calling on legislators to exercise compassion. This was done first in meetings with legislative leaders<sup>43</sup> and then in a public statement by Elder Marlin K. Jensen of the Seventy of The Church of Jesus Christ of Latter-day Saints.

Jensen told a public gathering that “Immigration questions are questions dealing with God’s children. I believe a more thoughtful and factual, not to mention humane approach is warranted, and urge those responsible for enactment of Utah’s immigration policy to measure twice before they cut.” According to press reports, Jensen also issued a “very sincere plea” to lawmakers to consider the issue with humanity and compassion.<sup>44</sup>

Jensen also downplayed the seriousness of illegal immigration: “The church’s view of someone in undocumented status is akin, in a way, to a civil trespass.<sup>45</sup> There is nothing inherent or wrong about that status,” Jensen said.<sup>46</sup>

A Church spokesman, Mark Tuttle, repeated earlier Church statements when he told the *Deseret News* that “The church does not see itself as an enforcement agency.”<sup>47</sup>

Both Jensen and Tuttle ignored the fact that the vast majority of illegal aliens commit multiple job-related felonies, including document/Social Security fraud, perjury on I-9 forms, and, in many cases, identity theft that victimizes an estimated 50,000 Utah children and their families.<sup>48</sup>

The victims of these employment-related felonies suffer very real and serious harm, including the

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destruction of their good names<sup>49</sup> and futures.<sup>50</sup> Children are denied public benefits,<sup>51</sup> including badly needed medical assistance,<sup>52</sup> and have their credit destroyed. They have income tax liabilities attached to their names for unpaid taxes on income earned under their Social Security numbers by illegal aliens and are saddled with the arrest records of illegal aliens using their numbers. Students<sup>53</sup> are denied badly needed means-tested financial assistance, people with disabilities have their disability payments suspended when income is earned under their Social Security numbers, and people whose medical records are corrupted suffer life-threatening consequences.

In spite of this, Church spokesman Tuttle still challenges those who argue in favor of the 12th Article of Faith, stating: “I wonder how they’d feel about the second great commandment, to love thy neighbor as thyself . . . . Sometimes it’s hard to do them all.”<sup>54</sup>

The calls for compassion were significant since 1) they sent a clear message to state legislators that the Church expected them to tread carefully on any illegal immigration-related bills and 2) they shifted the emphasis to compassion for God’s children and away from the rule of law and the 12th Article of faith.

In both 2007 and 2008, Elder M. Russell Ballard, one of the Church’s 12 Apostles, signed a document calling for the defeat of bills that would have ended Utah’s special in-state college tuition program for adult illegal aliens. He included both his official title, “Elder” and his organization (Church of Jesus Christ of Latter-day Saints) on the document while proclaiming that he was acting as a private individual.<sup>55</sup> In both cases, the bills failed to pass the state legislature.

Over the years, Church-owned media, which commands a large share of the Utah market, has continually supported illegal aliens and opposed any legislation that would limit their ability to function freely in Utah. Church-owned radio and TV stations, along with the *Deseret News* newspaper, serve as a public relations arm of the Church and attempt to sway public opinion by routinely carrying sympathetic stories about illegal aliens while ignoring the 50,000 Utah children who are victims of illegal aliens’ job-related identity theft and other victims of illegal immigration. The *Deseret News* also publishes a Spanish language newspaper, *El Observador*.

Following passage of the Arizona enforcement bill on illegal immigration in 2010, there was a strong surge of support for a similar bill in Utah. Fearing that a bill would pass during the 2011 legislative session, political, business, law-enforcement, and religious

leaders endorsed what they call the Utah Compact. According to the Compact website:

“The Compact was developed over several months by groups and individuals who were concerned about the tone of Utah’s immigration discussion. The Compact is based on Utah values and we urge our leaders to use these guiding principles as they address the complex challenges associated with a broken national immigration system.”<sup>56</sup>

In an attempt to maintain the perception of neutrality on the illegal immigration issue, the LDS Church did not officially sign the Compact. It did, however, immediately issue a press release<sup>57</sup> expressing its support for the Compact even though the Compact fails to distinguish between legal and illegal immigration:

“As a worldwide church dealing with many complex issues across the globe, The Church of Jesus Christ of Latter-day Saints promotes broad, foundational principles that have worldwide application. The Church regards the declaration of the Utah Compact as a responsible approach to the urgent challenge of immigration reform. It is consistent with important principles for which we stand:

- We follow Jesus Christ by loving our neighbors. The Savior taught that the meaning of ‘neighbor’ includes all of God’s children, in all places, at all times.
- We recognize an ever-present need to strengthen families. Families are meant to be together. Forced separation of working parents from their children weakens families and damages society.
- We acknowledge that every nation has the right to enforce its laws and secure its borders. All persons subject to a nation’s laws are accountable for their acts in relation to them.

“Public officials should create and administer laws that reflect the best of our aspirations as a just and caring society. Such laws will properly balance love for neighbors, family cohesion, and the observance of just and enforceable laws.”

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The press release reveals just how far the LDS Church has moved from its American roots. The statement acknowledges that the Church is dealing with complex issues around the world. Mercy (compassion) is emphasized over justice and the press release gives the distinct impression that the Church is moving to the left and closer to a social justice position.

In addition, the press release appears to separate the Church from the 12th Article of Faith and the rule of law at the same time official Church guidelines continue to tell members to obey, honor, and sustain the laws, just as President Monson did when advising the Church's members in East Germany to respect the laws of a communist nation.

In the eyes of many members, there appears to be a discrepancy between official Church policy and the Church's public utterances and actions. According to a Church handbook, members are to obey the laws of the land, which leaves no room for illegal immigration and its associated criminal activities. However, according to the Church's press release on the Utah Compact, members are to be subject to a nation's laws and *accountable* for their actions, which leaves room for illegal immigration, the disregard of laws that members believe to be unconstitutional, and other illegal activities if people are just willing to pay the consequences of breaking the law should they be caught.

In addition, according to the press release, legislators are responsible for creating and administering caring, just, and enforceable laws. This would appear to have huge implications for how the law deals with people who have families and who choose to engage in illegal activities due to human frailties or for what some would view as noble purposes. It also raises the question of whether drug, vice, or other laws that attempt to legislate morality should be revised or abolished, since they have proven to be largely unenforceable and are unjust in the eyes of a significant number of people.

Now legislators have to determine if it is just for a mother who is addicted to drugs to be arrested and taken from her children or if it is just for an otherwise law-abiding father to be removed from his family and jailed for committing a crime to support his family.

Although the press release on the Compact appears to go against existing Church policies,<sup>58</sup> as well as ignoring the statements made by the Church's current President, Utah's elected officials, media, and political observers universally accepted the press release as a statement of official Church policy.

According to the *Salt Lake Tribune*, Utah state Rep. Stephen Sandstrom, the sponsor of an enforcement bill similar to Arizona's, said "I kind of wish I'd been

given more of a heads-up because it is taking aim at the bill I'm doing. My other thought was that I thought the church's no-position was the best way to go and to let this be the purview of government."<sup>59</sup>

An editorial in the *Provo Herald* opined that the Church's endorsement of the Compact would make it hard for the Utah state legislature to pass any bills designed to address the negative impacts of illegal immigration:

"It's hard to envision the legislature passing a real crackdown in the wake of a compact virtually endorsed by the LDS Church.... There's a political reality in Utah: When business leaders, conservative activists, civic leaders and the state's dominant church line up in one direction, any bill going another will have a tough time on Capitol Hill."<sup>60</sup>

According to Quin Monson, associate director of the Center of the Study of Elections and Democracy at the Church-owned Brigham Young University, "The more specific and direct the church is on questions like this, the more likely it is to affect public opinion. And this is more specific and direct than they have been in the past. It still leaves some room for interpretation, but by broadly supporting the Utah Compact, I think it has real potential to shape the debate. And, as we know, elected officials are sensitive to public opinion."

During the 2011 Utah legislative session, which ran from January 24 to March 10, the Church, as predicted, very effectively used the Utah Compact along with an editorial from the Church-owned *Deseret News* in order to lobby for the passage of a "comprehensive" illegal immigration bill that provides Utah-specific amnesty for illegal aliens residing and working in the state.<sup>61</sup>

According to a state senator, the Church specifically asked Sen. Curt Bramble to put together an omnibus immigration bill that reflected the Church's interests. The day the bill was announced (February 23, 2011), senior public affairs personnel were present, but out of sight, on Capitol Hill and they maintained a constant presence in the restricted areas of the legislature largely out of view of the public and press until the bill finally passed late in the evening of March 4, 2011.

Passage of 3SHB116<sup>62</sup> by the Senate followed a series of Washington-style procedural moves orchestrated by House and Senate leaders designed to force the bill through late on a Friday night without giving legislators or the public an opportunity to read the bill. First, the Senate rolled Sen. Bramble's highly unpopular

omnibus Utah Compact bill (SB288<sup>63</sup> later substituted as 1SSB288<sup>64</sup>), that had been labeled Bramnesty, into an existing House bill, 2SHB116<sup>65</sup> which then became 3SHB116,<sup>66</sup> in order to hide its true identity. When that occurred, the Senate sponsor of the bill became Stuart Reid, who had previously stated publicly that he does whatever the Church asks of him even when it conflicts with his constituents' wishes.

Once 3SHB116 passed the Senate on a 21-7 vote at 6:05 on a Friday evening,<sup>67</sup> it was immediately sent to the House where it was expected that a quick concurrence vote would be taken without giving legislators time to read the final bill.

When Rep. Carl Wimmer objected to the in-state college tuition provisions of the bill, the House refused to concur and a conference committee was convened.

The final House vote came at 9:42 p.m. after a heated debate and the bill passed by a vote of 41-32.<sup>68</sup> According to political experts and at least one state legislator,<sup>69</sup> had the Church's representatives not been present to make it clear to LDS legislators that the Church wanted 3SHB116 to pass, it would have failed.

As demonstrated by its actions, the net result of the Church's efforts to quietly affect public policy, while highly effective, can leave it looking less than candid and its members scratching their heads as to what the Church's official doctrine is.

Some of the questions that Church members asked as they observed the Church's activities during the 2011 legislative session included:

- Does the Church really have no position on illegal immigration and, if so, why does it have to have full-time representatives in the back corridors of the legislature to tell legislators that it has no position?
- What doctrine supports the Church's lobbying efforts for bills that provide Utah amnesty for illegal aliens who are committing serious job-related felonies and who have destroyed the lives of 50,000 Utah children through identity theft?
- If Church doctrine has changed and the 12th Article of Faith is no longer operational, why don't senior Church leaders officially announce the new doctrine?

**Public Activities.** The LDS Church is acutely aware of its tax-exempt status and, as explained above, goes to great lengths to deny that it lobbies or otherwise

attempts to directly influence legislation. Only when its hand is forced and when critical Church interests are directly impacted does the Church publicly intervene in illegal immigration-related legislation. Two examples of the Church publicly intervening on illegal immigration issues are:

1. In 2004, the Church intervened publicly after the Mexican government expressed outrage when an individual opposed to the state's policy of granting drivers licenses to illegal aliens invoked the Church's 12th Article of Faith in support of his position.
2. In 2011, when it was necessary to provide support for Utah's governor in order to avoid a veto of a Church-supported omnibus illegal immigration bill that provides amnesty for illegal aliens living and working in Utah.

In 2004, faced with a firestorm of anger by illegal aliens, their supporters, and the Mexican Consul, who inappropriately intervened in the domestic affairs of the state of Utah, the Church joined the Mexican Consul at a press conference at the Utah state capitol building:

“The church is investigating complaints that Utahns for Immigration Reform Enforcement [UFIRE] are citing church teachings as apparent justification for their political purposes,” LDS Church spokesman George Monsivais said, reading from a prepared statement at a Thursday morning press conference. “The church repeats its oft-stated caution to members that they should never infer that the church endorses their personal political positions.”<sup>70</sup>

Monsivais then went on to say that the Church was taking no position on the bill in question.<sup>71</sup>

The Mexican consul expressed her country's outrage over the actions of opponents of the bill. “I am very concerned that the relationship between Utah and Mexico will be damaged if HB109 [Limiting the ability of illegal aliens to get Utah driver's licenses] succeeds. This bill promotes hatred against the Mexican people,” said Mexican consul Patricia Deluera during a Thursday morning news conference with LDS Church officials.<sup>72</sup>

According to a press report headlined “Church reassures migrants,” the Church, “in a carefully worded statement released in English and Spanish, sought to assure undocumented immigrants that the church is not backing efforts to limit their opportunities in Utah.”<sup>73</sup>

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Following a two-hour meeting with Hispanic political leaders, Tony Yapias, head of the taxpayer-funded Utah Office of Ethnic Affairs, told reporters: “We were assured by the church that the members don’t need to worry about temple recommends,<sup>74</sup> that they’re issued on the basis of personal worthiness and not nationality. This won’t be something bishops or stake presidents are going to be asking about,” regarding immigration status.<sup>75</sup>

The bill was eventually defeated and, according to the Church-owned *Deseret Morning News*, “What life the bills did have, however, may have been taken last Thursday when The Church of Jesus Christ of Latter-day Saints, in a public statement, took no position on the bill and warned UFIRE representatives not to imply otherwise. That same day, UFIRE announced that an unidentified board member had been removed from the organization for quoting church doctrine in defense of the bills.”<sup>76</sup>

In subsequent years, when proponents of illegal aliens asserted that statements by LDS authorities supported their positions on legislation, the Church took no action against them in spite of its “oft-stated caution to members that they should never infer that the church endorses their personal political positions.”

In February 2008, for example, during a debate on the Church-owned KSL-TV, Michael Clara of the Utah Hispanic Assembly asserted that the LDS Church officially opposed a bill that would have rescinded Utah’s special in-state college tuition for illegal aliens. Clara told viewers that “Elder Ballard of the Quorum of the Twelve was clear for the last two years in a letter saying that he is opposed to the repeal of in-state tuition so I find it curious that Representative Donnelson is now saying that the Church is neutral and that’s not the case.”<sup>77</sup>

A second example of the Church publicly engaging on an illegal immigration bill occurred in March 2011, when Gov. Gary Herbert came under extreme pressure to veto 3SHB116, the Utah guest worker/amnesty bill. In what many observers saw as a move to save 3SHB116, LDS Presiding Bishop H. David Burton<sup>78</sup> stood behind the governor as the governor signed the bill into law. This led a *Salt Lake Tribune* reporter to write: “One thing is clear: The Church of Jesus Christ of Latter-day Saints has abandoned its claims to neutrality on these bills.”<sup>79</sup>

The Church, which was already under heavy criticism from many of its members for its support of the Utah guest worker/amnesty bill, quickly challenged the *Tribune’s* assertion that it had abandoned its neutrality. A blog posted on the official Church website, stated:

“While the Church does not endorse or oppose specific political parties,<sup>80</sup> candidates or platforms, it has always reserved the right to address, in a nonpartisan way, issues that have significant community or moral consequences. Immigration is such an issue . . . .

“The Church did not dictate what kinds of bills should be proposed. Like many others on Capitol Hill, Church officials voiced their views and trusted the state’s elected officials to do their job. We consider the comprehensive package passed by lawmakers to be a responsible approach to a very complicated issue.”<sup>81</sup>

However, rather than making the case for neutrality, the blog actually acknowledged that the Church played an active role on Capitol Hill. It also confirmed that Church officials did voice their views to lawmakers who are exceptionally accessible and, in the case of LDS lawmakers, open to the Church’s counsel.

At the same time, in an apparent attempt to downplay the Church’s support of the guest worker/amnesty bill, the blog said that Bishop Burton was just one of a number of invited community leaders. However, during the signing ceremony Bishop Burton had publicly praised the legislature’s work on illegal immigration, which included the controversial Utah amnesty bill. According to press reports, Bishop Burton said:

“Our presence here testifies to the fact that we are appreciative of what has happened in the Legislature this session. We feel the Legislature has done an incredible job on a very complex issue.”<sup>82</sup>

The 2011 legislative session in Utah and the efforts of the Church to distance itself from the role that it played clearly show the dilemma that Church leaders face when they try to reconcile the Church’s traditional teachings with its role as an international Church and, perhaps even more importantly, with its practice of granting full membership to individuals who are illegally in the United States and who continue to commit serious, job-related felonies that do serious harm to tens of thousands of Utah children.

## Don't Ask, Don't Tell

The Church's support of illegal immigration is closely linked to its missionary efforts in the United States as well as to its overseas operations. As the Church found it more difficult to gain converts among American citizens, LDS officials increasingly focused the Church's missionary activities on illegal immigrant communities.

An LDS stake president reported that he attended a meeting on May 26, 2006, where he and other stake presidents were instructed by their LDS area authority that the LDS brethren had made a decision that the church was no longer going to acknowledge country borders that man has set and that no local LDS leader should deny an undocumented member full temple privileges based solely on that person being illegally in the United States.

As explained by local and headquarters officials, the Church follows a "don't ask, don't tell" policy which allows it to baptize illegal aliens and to assign them to key positions in the Church in spite of their immigration status and job-related criminal activities:

- "Our position is to invite everyone to learn more about the Gospel of Jesus Christ and his plans for his children independent of national origin," said Mark Bassett, president of the LDS Mesa [Arizona] mission. "We don't know what their immigration status is. We are not the government or the police."<sup>83</sup>
- "Our job is to bring souls under Christ," Pablo Felix, the president of the Liahona Second Branch, a Spanish-speaking congregation in Mesa said. "The Lord doesn't look at documentation. He just looks at our faith as members."<sup>84</sup>
- Wilford Andersen, a member of church's Southwest governing body said that the church has not taken a position on immigration, "But we feel it is our responsibility to minister to all of God's children, regardless of (immigration) status."<sup>85</sup>
- "The blessings of the [LDS] Church are available to anyone who qualifies for and accepts the Gospel of Jesus Christ. Federal law allows undocumented persons to provide volunteer church service, including missionary service, within the United States," said Church spokesman Scott Trotter.<sup>86</sup>

## Many Latino Converts in U.S. Illegally

As a result of the Church's don't ask, don't tell policy, Brigham Young University history Professor Ignacio Garcia estimates that, nationwide, 70 percent of all Latino converts in the past 10 to 15 years are illegal immigrants.<sup>87</sup> His estimate is supported by former LDS missionaries.

Rebecca van Uiter, an immigration attorney in New York City who was a Spanish-speaking Mormon missionary in rural southern California from 1998 to 2000, told BYU's campus newspaper that, "I look back on dozens of people we taught and baptized, and I personally can't think of one who did have legal status. There were even some undocumented bishops and stake presidents. Basically, everyone was undocumented."<sup>88</sup>

Evan Adams, a political science major from New Jersey who served as a Spanish-speaking missionary in the Arizona Tucson mission, told the BYU newspaper that at least 75 to 80 percent of the people he taught and baptized were illegal immigrants.

According to Adams, "We were told as missionaries that was a question we don't ask [citizenship] ... . This is a gray area, and lots of missionaries have questions about whether or not to baptize illegal immigrants. I see it more as following the spirit of the law rather than the letter of the law. The Spanish influence made a huge difference for the church in the areas I served in. There were cities built entirely on Spanish wards, and certainly all the members weren't legal citizens."<sup>89</sup>

## Church Protects Itself

Once the Church recognized that it was walking a fine legal line with its don't ask don't tell policy, and as illegal aliens joined the Church in ever-greater numbers, the Church, as noted earlier, had U.S. Sen. Robert Bennett covertly amend the U.S. immigration act in 2005 to protect it from possible violations of U.S. immigration law. Under Bennett's amendment, churches were given legal immunity from immigration laws that make it a crime to house, transport, and provide stipends to illegal aliens. Bennett's amendment reads:

"Section 274(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1) is amended by adding at the end the following: '(C) It is not violation of clauses (ii) or (iii) of subparagraph (A), or of clause (iv) of subparagraph (A) except where a person encourages or induces an alien to come to or enter the United States, for a religious denomination having a bona

fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least one year.”

Once the Church had immunity, it was free to continue its missionary efforts among illegal aliens. In addition, it could now openly send illegal aliens on missions within the United States rather than requiring them to return to their home countries for extended periods before allowing them to serve missions.

In an exception to its “don’t ask, don’t tell policy,” Church leaders now identify and make accommodations for illegal aliens who are called on missions. The Church does not assign them to missions outside of the United States because if they leave the United States, they cannot legally reenter the United States for at least 10 years due to their previous illegal status.<sup>90</sup>

However, while the Church has immunity, illegal alien missionaries do not.

In 2009, a Mormon missionary was arrested at the Cincinnati airport while returning home from his mission and turned over to ICE. The arrest brought the issue of illegal alien missionaries to the front and many Church members were surprised to learn that the Church allows illegal aliens to serve missions.

Following the arrest of the missionary, Elder Jeffery R. Holland, a member of the LDS Church’s Quorum of the Twelve Apostles, acknowledged that illegal aliens were serving as missionaries when he told a *Salt Lake Tribune* reporter that “They [missionaries] go knowing themselves that they’re at risk, and nothing in our mission call changes that. They know that, and we know that, and we work within those parameters to have them be constructive, honorable, faithful, spiritual, religious emissaries for that period of service.” Elder Holland, also confirmed that there had been an ongoing discussion about illegal aliens serving missions for 15 years.<sup>91</sup>

Following the arrest, Church leaders moved quickly to shield illegal alien missionaries from ICE without fear of violating U.S. immigration laws because of Sen. Bennett’s immigration amendment.

According to the *Salt Lake Tribune*, the mission president of an illegal alien missionary who was scheduled to fly from Oklahoma to Utah contacted local Utah Church leaders, and it was decided the missionary’s uncle would drive to Oklahoma to bring the missionary home.

“Things have changed, and they need a whole new policy,” a local church official who was aware of the situation told the *Salt Lake Tribune*. “With ICE [Immigration and Customs Enforcement] hitting them at the bus terminals and airports, this opens a whole new discussion.”<sup>92</sup>

The Church reportedly now requires all missionaries who are unlawfully in the United States to avoid public transportation.

### Church Divided on Illegal Immigration

While the LDS Church continues to actively recruit, baptize, and assign illegal aliens to key Church positions and allows them to serve missions and enter into the Church’s temples even when they are committing job-related felonies, the Church’s position on illegal immigration continues to be a major concern for members who adhere to the Church’s traditional doctrines and values. For these members, baptizing and granting full membership benefits to people who are violating U.S. immigration laws and committing multiple job-related felonies is especially divisive.

On the other hand, the Church’s illegal alien members and their supporters are dissatisfied with the Church’s failure to more openly oppose what they see as anti-illegal immigrant legislation such as enforcement bills, bills that make it easier for employers to legally hire foreign nationals who have not violated U.S. immigration laws, and bills that require employers to stop hiring individuals using the stolen identities of children.

“What you’ve got is a community of Latter-day Saints that is divided by a political issue,” said Ignacio Garcia, a BYU history professor.<sup>93</sup>

One has to look no further than the two highest-profile LDS political leaders on the national scene — Mitt Romney and Senate Majority Leader Harry Reid (D-Nev.) — to see how the issue can be addressed in a diametrically opposed fashion by Church members.

While governor of Massachusetts, Romney vetoed in-state tuition for illegal aliens, opposed giving them driver’s licenses, enrolled Massachusetts in the 287(g) program, opposed bilingual education, and opposed amnesty for illegal aliens.<sup>94</sup> On the other hand, Sen. Reid has repeatedly tried to pass the DREAM Act,

which would grant illegal aliens in-state tuition and amnesty, and he supported “comprehensive immigration reform,” which included multiple amnesties for foreign nationals illegally in the United States and for their employers.<sup>95</sup>

In Utah, a significant number of religious, business, community, and political leaders support illegal immigration and illegal aliens. They also, as exemplified by the Utah Compact, which they created and signed, constantly try to blur the line between legal and illegal immigrants by referring to both legal and illegal immigrants simply as “immigrants.” On the other hand, the general public clearly separates the two and supports legal immigration while strongly opposing illegal immigration.

Traditional Mormons who were raised in the Church, who memorized the Articles of Faith, and who believe that repentance<sup>96</sup> is an essential part of the Gospel question where the Church is heading and what it means for the doctrines of the Church. They struggle to understand the contradictions between what they were taught and strive to live and what they see happening, including the following:

- The Church baptizes illegal aliens who are working without authorization in the United States in spite of the fact that the *Church Handbook of Instructions* includes the following: “Members who emigrate to any country should comply with applicable laws . . . . To be considered for Church employment in any country, a person must meet all conditions of immigration and naturalization laws.”<sup>97</sup>
- The Church allows individuals to be baptized who have *not* shown sorrow for their sins, confessed their violation of U.S. immigration law, stopped using fraudulent documents and stolen identities to get jobs, made restitution to individuals whose good names have been destroyed due to identity theft, and who are not living righteously since they continue to commit document fraud, Social Security fraud, and identity fraud.
- The Church calls for compassion (mercy) for illegal aliens who are committing serious violations of U.S. immigration and criminal laws, but ignores justice (compassion) for an estimated 50,000 Utah children and over one million Arizona children and their families, who are the victims of job-related identity theft.
- LDS children are still memorizing the 12th Article of Faith and the *Church Handbook of Instruction* reads: “Members should obey, honor, and sustain the laws in any country where they reside or travel (see D&C 58:21–22; Articles of Faith 1:12).”<sup>98</sup> In spite of this, the Church baptizes and extends full membership to illegal aliens who are not obeying, honoring, and sustaining the laws of the United States where they now reside. And the Church issues a press release that says people need to be accountable for their actions before the law rather than obeying, honoring, and sustaining the laws.
- While President Monson writes about how important it is to obey, honor, and sustain the laws, even in a communist country, Church leaders ignore job-related felonies committed by illegal aliens and downplay the seriousness of their violation of American immigration laws.
- While the Church claims to take no position on illegal immigration, its media group (*Deseret News*, KSL TV, KSL News Radio, *El Observador* Spanish-language newspaper) pushes an overtly pro-illegal immigrant agenda, the Church’s political operatives get a U.S. Senator to obtain immunity for it from immigration laws, and the Church’s missionary program in the United States is largely based on bringing unrepentant illegal aliens into the Church, who continue to commit major felonies even after they are baptized.
- At the same time the Church tells new converts in the poorest countries and villages in the world to stay where they are in order to build up the Church there, its public affairs and media groups and surrogates accuse those who ask people illegally in the United States to return to those very same countries and villages of being mean-spirited and cruel.
- The Church does not oppose working families ripping their children away from family and friends to bring them illegally into the United States, often at great risk to their children’s lives, but it does oppose requiring those same families and their children to safely return to their home countries and families.
- The Church sees itself as a worldwide Church and yet it emphasizes American exceptionalism by insisting that illegal aliens be allowed to remain in

the United States because it is inherently superior to their home countries.

- Free agency and opposition to governments that deny that agency are core tenets of the Church and yet when dealing with illegal immigration the Church increasingly takes a social justice approach that eventually deprives people of their agency through forced charity, income redistribution schemes, and increased corruption as the rule of law is weakened.

Where the opponents of illegal immigration see contradictions such as those listed above, however, the proponents see an opportunity to push Church policy closer to their social justice positions. The proponents of illegal aliens, therefore, focus on one-sided compassion.

Church media groups show the plight of highly sympathetic individuals. Advocates for illegal aliens, including the Church's public affairs group and senior Church leaders, place compassion (and corruption) ahead of the rule of law and insist on sympathy for people who are violating numerous criminal laws and who are routinely committing multiple felonies that do great harm to millions of Americans. They advocate mercy without accountability for the perpetrators, or justice for victims, and they label those who support the rule of law as lacking compassion, racist, and/or hateful.

Those who oppose illegal immigration call on the Church to return to its roots and to do what is best for the United States and the families of American citizens and millions of legal immigrants who are striving to obey, honor, and sustain the law. They believe that the Church should hold illegal aliens, who routinely commit serious job-related felonies and other crimes, accountable for their actions rather than rewarding them with Church membership and benefits and teaching them that it is acceptable to violate the law if done for the right reason.

The proponents of illegal immigration, including BYU Professor Garcia, Utah Attorney General Mark Shurtleff, and illegal immigration activist Tony Yapias all openly call on the Church to take a strong stand in favor of illegal immigrants.<sup>99</sup>

"The church's 'don't ask, don't tell policy' isn't going to work anymore ... . We can all open the scriptures and justify our side, but we would like to know where the church stands on terms of the actual legal, political part," said BYU professor Ignacio Garcia. "When it comes to immigration reform, we want to know where the church stands."<sup>100</sup>

## Illustrating the Divisions

Just how divisive the illegal immigration issue has become is reflected in comments posted online in response to an article in the Church-owned *Deseret News* that addressed the growing controversy over the status of illegal immigrants in the Church.<sup>101</sup> The posts are reprinted verbatim, including spelling and grammatical errors:

- **The Raven:** To live and work in this country illegally you have to lie and be deceitful. You have to lie to your employer and use a fraudulent/stolen SS#. And the LDS Church is okay with this? I'm puzzled by these Church leaders who are saying I have to live the commandments and not lie, cheat, or steal. But, if you are an illegal alien then it's okay. Illegal aliens can do whatever they want and they'll be welcomed with open arms. Outrageous!
- **AID.** responds: How many temples would be needed if every LDS member was completely honest in how they answered temple recommend questions? Before we point out the visible faults in others, let's take a moment to reflect on our own short comings in being obedient and disciples of Christ.
- **Feed up:** The line "'This isn't the church's issue,' he said (Elder Pingree)'This is a government's issue'" What kind of logic is this? How about rape, murder, and molesting? Okay that is the extreme, but stealing isn't. They are stealing my children's future. Church issue or government issue?
- **A Few Points** responds: The "SLC Church" can actually be a rather liberal/compassionate Church on many issues. Immigration is one in which the thinking from SLC appears to lean very left. Even other social issues are more left leaning than the typical evangelical rhetoric. But the "Local Ward Church" tends to lean much more conservative and judgemental and rigid. In other words, the general membership often is much less compassionate and liberal than I think our SLC leaders tend to be. Perhaps it is because our general authorities have reached the point of true compassion and love while members still mire around in the muck of wanting to sign off on everyone else's temple recommends.
- **JMHO:** As a law enforcement officer of 20 years, I never had a problem reconciling compassion for my fellow man with upholding the law. The law

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must be supported and sustained first and foremost, and there is help available for those who choose to change their circumstances and submit to the law. What bothers me is that the church wants no role in enforcing immigration since it is a “government issue” (which is as it should be), but then claims the right to suggest a soft approach on immigration law directed specifically to our lawmakers on the grounds that it is a “moral issue.” Moral issues can loosely be attributed to just about any legal topic, so where does one draw the line?

- **Chris:** I struggled with this while serving in a Spanish branch. I still don't know how someone is able to say they are honest when they break the law for financial gain, but I finally concluded that was between them and the Lord.... As to whether or not the policy of the church is correct, I can't say. It's not my stewardship, and I'm having enough trouble looking after my own to be too critical of someone else's handling of theirs. I suspect that if I had been setting policy I would have opted for close questioning in interviews and fairly rigid enforcement. But I have also seen a few people progress after baptism who probably wouldn't have done anything outside of the church, and who I probably would have excluded. The couple I'm thinking of are now planning to return home once they get their affairs in order.
- **clarity is always important:** Any clerk in the church would point out that we don't ask for drivers license, SS cards, birth certificates, etc for proof of citizenship or even who they really are when they get baptized.... This is a responsibility of each individual to be honest. If a member of the bishopric or stake presidency becomes aware of someone's illegal status then we are talking about a situation that I think the church needs to take a stance on. Counseling them on the law and potentially denying them a recommend until they are law abiding in this regard is definitely something they should consider. But to be clear it currently is not a requirement of the church to specifically ask about “legal status” and if all the other questions do not prompt the member to answer in a way contrary to the standard then the interviewer has no choice but to approve them (IMHO they should deny the opportunity to be interviewed IF they are aware of an illegal status). Many states allow for “undocumented people” to have licenses why should privileges in a church be different?
- **Former INS Officer:** President Marion G. Romney said that Latter-day Saints need to be willing to live the laws of the government in which they live. Those that “keepeth the laws of God hath no need to break the laws of the land.” As a former law enforcement officer, I had the unique opportunity to observe that breaking the laws of the land usually also involves breaking God's laws. It seems especially hard to be honest when breaking the law.
- **2 Nephi 1:6:** The church is only being consistent to its scriptures regarding immigration: Wherefore, I, Lehi, prophesy according to the workings of the Spirit which is in me, that there shall none come into this land save they shall be brought by the hand of the Lord.
- **Betsy T:** Before standing in judgement, why not try putting yourself in the shoes of illegal immigrants? Imagine living in a home without even the most basic of necessities, no money for food or clothing. And imagine having children to take care of on top of this. If you saw your children suffering, and you knew of a way to end that suffering, who among us would not take that path? The vast majority of these immigrants are hard-working and they take the jobs no one else here even wants. I completely agree that the system needs to change, but please don't forget that these are people in serious need or they would not be here. It is not our place to judge. It is our place to help.
- **Former Mormon and -LDS employee:** Mr. Jensen: The LDS church speaks out of both sides of its mouth. I could not handle the duplicity any longer, and this is one of the main reasons I left the LDS church. It goes something like this: We believe in... obeying, honoring and sustaining the law EXCEPT if we are Mexican and can pay tithing down the road, or at least add to the membership numbers on the rolls. All other nationalities should file paperwork and wait in line for years. Yes, bishop, I'm honest in all my dealings (even though I jumped the border to get to the United States, refuse to file paperwork and pay files fees--so I'm stealing from the government, but that doesn't count, does it? Oh yeah, and I steal SSNs and write false information on my I-9s so I can work a reputable job and make

better money. I don't pay income taxes, but even if I did, it would be money I don't warrant because I'm not legally allowed to be here. Gee, thanks for my shiny new recommend, bishop! Awesome. Now I can become bishop one day and deny someone else a recommend for drinking a beer.<sup>102</sup>

- **Geez:** The church doesn't care about their immigration status, they're just potential converts. Since when has the church limited who it would baptize? Think of them as numbers, not illegals. Just numbers to be added to the big book in the sky, I mean the church office building. Numbers, numbers, just numbers. My Dad's a mission president in South America, please don't tell me I don't know about the "numbers"...

- **It's between God and the person:** Leave law enforcement to the authorities. Leave personal worthiness to the individual. We all know who we're ultimately accountable to. It's up to each person to do the right thing. The church just needs to "teach gospel principles and let them govern themselves.

Although members are hesitant to openly question Church leaders, some who disagree with the Church's support of illegal immigration have reportedly discussed paying tithing<sup>103</sup> according to the letter of the law rather than paying a "generous" tithe. Other members have either reduced or stopped paying fast offerings,<sup>104</sup> which go into a central fund and are then distributed to illegal aliens.

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## Conclusion

Thus, the debate over illegal immigration continues among Church members, fueled by contradictions between official Church policies, the statements of senior Church leaders, and the actions of the Church's public affairs and media groups. Until these contradictions are resolved, no easy resolution to the dilemma exists for Church, which has to carefully weigh a number of options, including:

1. Continue the current "don't ask, don't tell" policy. Allow the contradictions between official policy and doctrine and the positions espoused and propagated by senior Church officials and the Church's Public affairs and media groups to go unaddressed.
2. Formally announce that the president of the Church has directed that missionary work targeting illegal aliens be ended, that baptisms of people illegally in the United States cease, and that all members illegally in the United States return with their families to their home countries in order to build up the Church there.
3. Formally announce that the president of the Church has determined that the love of God's children surpasses adherence to the laws and borders established by man and that the Church will continue to baptize illegal aliens and grant them full standing in the Church regardless of their immigration situation and ongoing commission of job-related felonies.
4. Quietly suspend all baptisms of illegal aliens until the federal government changes current immigration laws and grants amnesty from all immigration and job-related felonies to all those who are in the United States illegally. Require members who are illegally in the United States to stop committing employment-related felonies.

Of course there are more options, but of these four, options two and three would most readily solve the problem because, once the Church president has spoken, the vast majority of members will accept the decision. Options one and four would serve to extend and increase the discontent that now exists.

The LDS Church finds itself mired in the illegal immigration debate. Its efforts to portray the issue as a political question and to take no position on it are belied by its actions, which include both direct and indirect intervention on illegal immigration matters as well as an aggressive program to bring illegal aliens into the LDS Church. As both internal and external dissatisfaction grows, the Church will face increasing pressure to take a clear and unambiguous position on illegal immigration that comes directly from the prophet of the Church or risk losing both potential and existing members.

## End Notes

<sup>1</sup> Members of the Church of Jesus Christ of Latter-day Saints are referred to as “Mormons,” “the Saints,” or “Latter-day Saints.” These terms are used interchangeably throughout this *Background*.

<sup>2</sup> Joseph Smith’s First Vision, <http://lds.org/library/display/0,4945,104-1-3-4,00.html>.

<sup>3</sup> “History of Missionary Work in the Church,” <http://beta-newsroom.lds.org/article/history-of-missionary-work-in-the-church>. See also: “Mormon Missionary Work: A Brief History and Introduction,” <http://www.lib.byu.edu/dlib/mmd/missionary.html>.

<sup>4</sup> According to the LDS website, “the word Zion appears repeatedly in all the books of scripture of the Church. In latter-day revelation, Zion is defined as “the pure in heart” (D&C 97:21). In the early days of this dispensation, Church leaders counseled members to build up Zion by emigrating to a central location. Today our leaders counsel us to build up Zion wherever we live. Members of the Church are asked to remain in their native lands and help establish the Church there. Many temples are being built so Latter-day Saints throughout the world can receive temple blessings.” See <http://lds.org/study/topics/zion>.

<sup>5</sup> Spencer W. Kimball, “Why Call Me Lord, Lord, and Do Not the Things Which I Say?” *Ensign*, May 1975, 4, <http://lds.org/ensign/1975/05/why-call-me-lord-lord-and-do-not-the-things-which-i-say>.

<sup>6</sup> “Handbook 2: Administering the Church,” <http://lds.org/handbook/handbook-2-administering-the-church>. See specifically the section on Selected Church Policies: 21.1.16, which reads: “Generally, members are encouraged to remain in their native lands to build up and strengthen the Church. Opportunities for Church activity and for receiving and sharing the blessings of the gospel are increasing greatly throughout the world . . . . Members who emigrate to any country should comply with applicable laws.” See also 21.1.23, which states that: “Members should obey, honor, and sustain the laws in any country where they reside or travel” (see D&C 58:21–22 <http://lds.org/scriptures/dc-testament/dc/58.21-22>; Articles of Faith 1:12 <http://lds.org/scriptures/pgp/a-of-f/1.12>. This includes laws that prohibit proselytizing.” <http://lds.org/handbook/handbook-2-administering-the-church/selected-church-policies>.

<sup>7</sup> “Mormon Missionary Work: A Brief History and Introduction,” <http://www.lib.byu.edu/dlib/mmd/missionary.html>.

<sup>8</sup> “Members of the Quorum of the Twelve Apostles are also prophets, seers, and revelators. They, along with the First Presidency, are ‘special witnesses of the name of Christ in all

the world” (D&C 107:23). They act under the direction of the First Presidency “to build up the church, and regulate all the affairs of the same in all nations” (D&C 107:33). They “open the door [to the nations] by the proclamation of the gospel of Jesus Christ” (D&C 107:35), <http://lds.org/study/topics/church-administration>.

<sup>9</sup> “Members of the Quorums of the Seventy are called to proclaim the gospel and build up the Church. They work under the direction of the Twelve Apostles and the leadership of seven brethren who are called to serve as the Presidency of the Seventy. Members of the First and Second Quorums of the Seventy are designated General Authorities, and they may be called to serve anywhere in the world.” See <http://lds.org/study/topics/church-administration>.

<sup>10</sup> “Stakes, Missions, and Districts. Most geographic areas where the Church is organized are divided into stakes. The term stake comes from the prophet Isaiah, who prophesied that the latter-day Church would be like a tent, held secure by stakes (see Isaiah 33:20; 54:2). There are usually five to 12 wards and branches in a stake. Each stake is presided over by a stake president, assisted by two counselors. Stake presidents report to and receive direction from the Presidency of the Seventy or the Area Presidency. A mission is a unit of the Church that normally covers an area much larger than that covered by a stake. Each mission is presided over by a mission president, assisted by two counselors. Mission presidents are directly accountable to General Authorities. Just as a branch is a smaller version of a ward, a district is a smaller version of a stake. A district is organized when there are a sufficient number of branches located in an area, permitting easy communication and convenient travel to district meetings. A district president is called to preside over it, with the help of two counselors. The district president reports to the mission presidency. A district can develop into a stake.” See <http://lds.org/study/topics/church-administration>.

<sup>11</sup> “Wards and Branches. Members of the Church are organized into congregations that meet together frequently for spiritual and social enrichment. Large congregations are called wards. Each ward is presided over by a bishop, assisted by two counselors. Small congregations are called branches. Each branch is presided over by a branch president, assisted by two counselors. A branch may be organized when at least two member families live in an area and one of the members is a worthy Melchizedek Priesthood holder or a worthy priest in the Aaronic Priesthood. A stake, mission, or district presidency organizes and supervises the branch. A branch can develop into a ward if it is located within a stake.” See <http://lds.org/study/topics/church-administration>.

<sup>12</sup> “Utah Lawmakers Won’t Take Up a Ban on Discrimination Against Gays,” the Associated Press, January 30, 2010, <http://www.nytimes.com/2010/01/31/us/31utah.html>.

<sup>13</sup> <http://lds.org/scriptures/bofm/explanation>.

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- <sup>14</sup> The Doctrine and Covenants is a book of scripture containing revelations from the Lord to the Prophet Joseph Smith and to a few other latter-day prophets. It is unique in scripture because it is not a translation of ancient documents. See <http://lds.org/scriptures/dc-testament>.
- <sup>15</sup> The Pearl of Great Price is one of the volumes of scripture included in the standard works of the Church. It includes extracts from Joseph Smith's Translation (inspired version) of the Bible as well as a translation of some Egyptian papyri containing the writings of the prophet Abraham, excerpts from Joseph Smith's testimony and history, and the Articles of Faith of The Church of Jesus Christ of Latter-day Saints. See <http://lds.org/scriptures/pgp>.
- <sup>16</sup> Plural Marriage (polygamy), <http://lds.org/study/topics/polygamy-plural-marriage>.
- <sup>17</sup> Doctrine and Covenants 132, <http://scriptures.lds.org/dc/132>.
- <sup>18</sup> For a discussion of the origins of LDS polygamy, see [www.mormon-polygamy.org/origins\\_mormon\\_polygamy](http://www.mormon-polygamy.org/origins_mormon_polygamy).
- <sup>19</sup> *Reynolds v. United States*, 98 U.S. 145 (1878), <http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=search&court=US&case=/us/98/145.html>.
- <sup>20</sup> Official Declaration – I, <http://lds.org/scriptures/dc-testament/od/1>.
- <sup>21</sup> Mormon Celestial Marriage, <http://www.ldschurchtemples.com/mormon/marriage/>.
- <sup>22</sup> For more information on family home evenings, see <http://lds.org/hf/display/0,16783,4224-1,00.html>.
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- <sup>24</sup> <http://lds.org/library/display/0,4945,106-1-2-1,FF.html>.
- <sup>25</sup> Thomas S. Monson, "In Quest of the Abundant Life," *Ensign*, March 1988, 2, <http://lds.org/ensign/1988/03/in-quest-of-the-abundant-life>.
- <sup>26</sup> "The Family: A Proclamation to the World," <http://lds.org/library/display/0,4945,161-1-11-1,FF.html>.
- <sup>27</sup> L. Tom Perry, "God's Hand in the Founding of America," *New Era*, July 1976, 45, <http://lds.org/new-era/1976/07/gods-hand-in-the-founding-of-america>.
- <sup>28</sup> Doctrine and Covenants, Section 101, verse 80, <http://lds.org/scriptures/dc-testament/dc/101.80>.
- <sup>29</sup> Agency, <http://lds.org/study/topics/agency>.
- <sup>30</sup> Plan of Salvation, <http://lds.org/study/topics/plan-of-salvation>.
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- <sup>32</sup> Ronald Mortensen, "Salt Lake City police study understates illegal alien identity theft," *Examiner.com*, June 9, 2010, <http://www.examiner.com/immigration-in-salt-lake-city/salt-lake-city-police-study-understates-illegal-alien-identity-theft>.
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- <sup>36</sup> Deborah Bulkeley, "Have compassion for immigrants, lawmakers urged," *Deseret News*, February 14, 2008, <http://www.deseretnews.com/article/695253048/Have-compassion-for-immigrants-lawmakers-urged.html>.
- <sup>37</sup> Leah Wasson, "Community of Saints Divided," *Universe*, May 6, 2009, <http://newsnet.byu.edu/story.cfm/72398>.
- <sup>38</sup> Jeremiah Stettler, "Doctrinal divide confronts Mormons on immigration," *Salt Lake Tribune*, September 24, 2010, <http://wwwrn.org/articles/34210/>.
- <sup>39</sup> As used in relation to 3SHB116, amnesty is defined as officials ignoring the violation of laws, including multiple job-related felonies, and allowing a select group of people to realize a benefit from illegal actions that individuals who obey the law do not realize. Thus, if a person who is unlawfully in the United States is allowed to live and work in the United States while individuals who obey the law are not, that is amnesty.
- <sup>40</sup> Peggy Fletcher Stack, "Should politicians heed their prophet or pope? Blind obedience or open defiance can cost lawmakers," *Salt Lake Tribune*, February 5, 2010, [http://www.lowellsun.com/local/ci\\_14341412](http://www.lowellsun.com/local/ci_14341412).
- <sup>41</sup> Loma Lee Mckinnon on Facebook group "Repeal HB116," at 5:31 p.m., March 21, 2011.

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- <sup>42</sup> Stephen Dinan, “Mormons initiated protection on aliens,” *Washington Times*, November 28, 2005, <http://washingtontimes.com/functions/print.php?StoryID=20051128-122403-6535r>.
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- <sup>44</sup> “Have compassion for immigrants, lawmakers urged,” *op. cit.*
- <sup>45</sup> The penalty for illegally entering the United States is a misdemeanor with up to six months in jail for the first entry and a felony with up to two years in jail if an individual returns after being deported: “8 U.S.C. § 1325. Improper entry by alien; (a) Improper time or place; avoidance of examination or inspection; misrepresentation and concealment of facts Any alien who (1) enters or attempts to enter the United States at any time or place other than as designated by immigration officers, or (2) eludes examination or inspection by immigration officers, or (3) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18 or imprisoned not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under title 18, or imprisoned not more than 2 years, or both.” Each subsequent illegal entry conviction carries a maximum sentence of 18 months. Under 8 U.S.C. § 1326, the penalty for Reentry After Deportation (Removal) is from two to 20 years depending on whether other felonies are involved.
- <sup>46</sup> Dennis Romboy, “Debate resumes over illegal immigrants’ status in LDS Church: Some question granting of temple rights, baptism,” *Deseret News*, February 15, 2008, <http://www.deseretnews.com/article/print/695253342/Debate-resumes-over-illegal-immigrants-status-in-LDS-Church.html>.
- <sup>47</sup> *Ibid.*
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- <sup>49</sup> Debbie Dujanovic, “Investigative Report: Could Your Child’s ID Already Be Stolen?” KSL 5 TV, February 6, 2006, <http://www.ksl.com/?sid=286951&nid=148>.
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- <sup>51</sup> “Salt Lake City man might’ve stolen child’s SSN,” *Deseret News*, September 21, 2010, <http://www.deseretnews.com/article/print/700067385/Salt-Lake-City-man-mightve-stolen-childs-SSN.html>.
- <sup>52</sup> Abigail Shaha, “Woman stole infant’s social security number, police say,” *Deseret News*, June 4, 2010, <http://www.deseretnews.com/article/700037786/Woman-stole-infants-social-security-number-police-say.html>.
- <sup>53</sup> Sara Dallof, “Prolonged ID theft forcing Utah student to get new Social Security number,” KSL 5 TV, September 24, 2010, <http://www.ksl.com/index.php?nid=148&sid=12568486>.
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- <sup>56</sup> <http://www.utahcompact.com/>.
- <sup>57</sup> <http://beta-newsroom.lds.org/article/church-supports-principles-of-utah-compact-on-immigration>.
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- <sup>85</sup> *Ibid.*
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<sup>102</sup> Since 1833, the LDS Church’s “Word of Wisdom” prohibits Mormons from drinking tea, coffee, or alcoholic beverages. It also prohibits the use of tobacco products. Doing any of these is grounds for denying baptism and temple recommends. See <http://lds.org/scriptures/dc-testament/dc/89>.

<sup>103</sup> “Church members give one-tenth of their income to the Lord through His Church. These funds are used to build up the Church and further the work of the Lord throughout the world.” See <http://lds.org/study/topics/tithing>.

<sup>104</sup> “The Church designates one Sunday each month, usually the first Sunday, as a day of fasting. Proper observance of fast Sunday includes going without food and drink for two consecutive meals, attending fast and testimony meeting, and giving a fast offering to help care for those in need. Your fast offering should be at least the value of the two meals you do not eat. When possible, be generous and give much more than this amount.” See <http://lds.org/study/topics/fasting-and-fast-offerings>.





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## The Mormon Church and Illegal Immigration

By Ronald W. Mortensen

**T**he Church of Jesus Christ of Latter-day Saints (also known as the LDS or Mormon Church) regards Christ as head of the church and considers members to be Christians.<sup>1</sup> Unlike many religious organizations that clearly and candidly stake out their positions on illegal immigration, however, the LDS Church officially takes no position on this highly divisive issue. This pleases neither those who oppose illegal immigration nor those who support it.

Members who oppose illegal immigration fear that the Church is abandoning its traditional, unwavering support of the rule of law. They also express concern that the Church appears to be biased in favor of illegal immigrants and that it is increasingly taking positions that weaken the rule of law and move the Church closer to a social justice position.

At the same time, the proponents of illegal aliens express frustration over the Church's failure to officially declare its support in favor of illegal immigrants, especially since the Church actively proselytizes among illegal aliens and has a large and growing illegal alien membership.

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