

Preparing for an ICE encounter at church



The information provided here comes from a [Factsheet created by the National Immigration Law Center](#) and credible conversations taking place in concerned organizations. The information presented here does not constitute legal advice.

Can ICE enter our church?

With the rescission of the sensitive locations memos on 20 January 2025, churches no longer enjoy special protections from ICE enforcement

Yes, ICE may enter any public space that is open to congregants such as lobbies, waiting areas, and parking lots.



Can ICE make arrests in our church?

Yes. ICE can make arrests if they have probable cause to believe that the person does not have current lawful status .

Probable cause can be established through questioning of individuals who disclose their immigration status or documentation that indicates they are noncitizens. Running from ICE agents can also establish probable cause.

Does ICE need a warrant to enter our church?

Only for places that are considered private like a pastor's office or the staff workroom. The Fourth Amendment protects areas where people have a "reasonable expectation of privacy." To search or enter a private area of the church, ICE agents need a valid judicial warrant signed by a federal judge or consent from members.

Reading a Warrant

To enter a private area of a church, law enforcement, **the judicial arrest warrant must name the church** and list the address.

For law enforcement to enter the church with an administrative **"Warrant of Deportation", it must be signed by a judge.**

[See examples and read explanation provided by Project South.](#)



How to prepare for interactions with ICE



Identify and clearly delineate private spaces.

ICE agents may enter public spaces that are open to congregants but cannot enter private areas such as offices and parsonages.



Train a designated person to respond to ICE and read a warrant. They will be the person(s) if law enforcement arrives. They should remain outside during worship services.



Host a “know your rights” (KYR) training.

KYR resources can be found locally or online. Review info from [Immigrant Legal Resource Center](#), [We Have Rights](#), [ACLU](#), and [Immigrant Rising](#).

Can we designate ourselves as a sanctuary congregation?

Consult with a lawyer to understand the laws that impact sanctuary congregations

Congregations that choose to designate themselves as “sanctuaries” should be aware of potential legal implications, including criminal law against “harboring” of undocumented immigrants, and potential legal protections under the Religious Freedom Reform Act.



Report an ICE Raid

Call the United We Dream hotline [1-844-363-1423](tel:1-844-363-1423), or text WATCHICE to 877877. If possible, take photos and videos, and notes. [How to document](#). [Immigration hotlines](#)

Know Your Rights

“No matter who is president, **everyone living in the U.S. has certain basic rights under the U.S. Constitution.** Undocumented immigrants have these rights, too.” - [National Immigration Law Center](#)

Right to Remain Silent (5th)

- You may refuse to speak to immigration officers.
- Don't answer any questions. You may also say that you want to remain silent.
- Don't say anything about where you were born or how you entered the U.S.

Right to a Lawyer (6th)

- You can say, “I need to speak to my attorney.”
- ICE may try to get you to sign away your right to see a lawyer or a judge. Be sure you understand what a document says before signing it.