

## **FACT SHEET**

### **Preliminary Injunction in *New England Synod v. DHS*, 4:25-cv-40102-FDS**

On February 13, 2026, a federal court entered a preliminary injunction preventing the Department of Homeland Security (“DHS”), including Immigration and Customs Enforcement (“ICE”) and Customs and Border Protection (“CBP”), from conducting immigration enforcement actions in certain places of worship.

#### **Who is protected?**

The Order covers the following organizations:

- New England Synod, ELCA
- Greater Milwaukee Synod, ELCA
- Southwest California Synod, ELCA
- Southwest Texas Synod, ELCA
- Sierra Pacific Synod, ELCA
- American Baptist Churches USA
- Alliance of Baptists
- Metropolitan Community Churches

#### **What areas are protected?**

For the organizations listed above, the following spaces are protected:

- Any church, building, premises, or other physical facility regularly used to conduct religious services
- Any building, premises, or physical facility attached to or adjacent to a place of worship that is used to conduct activities central to the religious mission, such as religious education or ministry
- Parking lots, walkways, lawns, gardens, playgrounds, cemeteries, and other property adjacent to a place of worship that is owned, rented, leased, occupied, or operated by the place of worship
- Any location within 100 feet of any doorway, gate, or other clearly marked entrance to any of the above protected areas

#### **What do I need to do to ensure that my church is protected?**

In order to receive the protection of the Order, the addresses and/or descriptions of any protected areas must be filed with the Court. You should be in contact with your organizational leadership to provide this information.

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You may, ***but are not required to***, post signage indicating that your building is protected under the Court's Order. Posting such signage is purely in your discretion, and is not necessary in order for you to be protected by the Order. A sample sign is attached at the end of this fact sheet. If you are worried that posting such signage would attract unwanted attention either from the community or from immigration enforcement, there is no obligation to post it.

**What immigration enforcement activity is prohibited?**

DHS, ICE, and CBP agents generally cannot conduct immigration enforcement in protected areas, including making arrests and conducting interviews or interrogations. They are also prohibited from setting up checkpoints or other barriers in order to conduct immigration enforcement of individuals going into or out of a protected area.

**What immigration enforcement activity is permitted?**

Even in protected areas, immigration enforcement agents may be able to enter to conduct immigration enforcement in the following circumstances:

- There is an immediate threat to human life or safety.
  - The mere presence of individuals who are present in the United States without authorization *does not* constitute such a threat under the Court's Order.
- The agents have an administrative or judicial warrant.

In addition, immigration enforcement agents may conduct immigration enforcement *near*—that is, within 100 feet of an entrance to a protected area—when either of the above two conditions are met or where:

- A high-level supervisor in DC headquarters authorizes the action, after considering how to minimize the disruption to access to the religious space.

**What if immigration enforcement shows up with a warrant?**

There are two types of warrants, administrative and judicial.

The Order does not prevent DHS, CBP, and ICE from conducting immigration enforcement if they have an administrative warrant in hand. However, under the Fourth Amendment to the U.S. Constitution, an administrative warrant does not give agents permission to enter private areas without consent. **You can still refuse them entry in any circumstance you would have been able to prior to the Order.** If they force their way in, say you don't consent, but don't try to stop them.

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If agents have a judicial warrant – that is, a warrant signed by a judge – they can search for the person or items at the address listed in the warrant. For more information about distinguishing an administrative warrant from a judicial warrant, and how to respond to both, here are some resources:

- <https://www.nilc.org/resources/know-your-rights-warrants/>
- <https://www.aclusc.org/immigration-enforcement-administrative-vs-judicial-warrants/>

**What do I do if I see federal agents present at or conducting immigration enforcement at my place of worship?**

If you feel safe to speak with the agents, tell them “This is a protected area subject to a federal court order, and you are prohibited from conducting routine immigration enforcement here.”

To the extent that it is safe to do so, document (take pictures/video with your phone if possible) everything that they do, any papers that they show you, and anything that they say to justify their presence. If you’re not able to take pictures or video, write down everything you can.

Contact the attorneys in this lawsuit as soon as possible at [sensitivelocations@washlaw.org](mailto:sensitivelocations@washlaw.org).

# **Immigration Enforcement Restricted by Court Order**

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These Premises are a Protected  
Area Pursuant to Federal  
Court Order in New England  
Synod v. Department of  
Homeland Security, Case No.  
4:25-cv-40102-FDS