

PURPOSE:

To provide clear direction for Crescent Hill Presbyterian Church regarding potential Department of Immigration and Customs Enforcement (ICE) activities within our congregation and church buildings. CHPC is committed to maintaining a safe, welcoming, and Christ-centered environment for all people, regardless of immigration status. This policy will ensure that our church is a safe place of worship, discipleship, and outreach based on biblical principles while seeking to follow legal requirements.

SCOPE:

This policy applies to CHPC and all sub-groups, activities, renters, and church partnerships located within the CHPC buildings. The policy governs how CHPC and its staff respond to situations involving immigration enforcement actions on its property (e.g., ICE raids, deportation concerns) and how we care for affected individuals.

POSITION:

Scripture clearly commands God's people to welcome and care for the foreigner (Leviticus 19:33-34; Deuteronomy 10:18-19; Matthew 25:35). As people of faith and disciples of Jesus, we strive to faithfully live out our biblical calling – to love our neighbors, minister to those in need, and uphold the dignity of every person as made in the image of God (Genesis 1:27). We remain committed to providing pastoral care, spiritual guidance, and practical support to all individuals affected by immigration-related concerns, regardless of their legal status.

While governments bear the responsibility of enforcing laws and maintaining civil order, the church is instead called to be a place of refuge and reconciliation.

STATEMENT OF POLICY:

➤ **Non-Discrimination**

1. CHPC does not inquire about, track, or record the immigration status of any individual member or person attending worship services or church-sponsored events.
2. All individuals, regardless of immigration status, are fully welcome to participate in CHPC gatherings of any kind.

3. CHPC provides pastoral care, encouragement, and support to all who seek it, recognizing that the church is a place of refuge, healing, and belonging for everyone.

➤ **Non-Participation**

1. CHPC is a place of worship. CHPC does not serve as an extension of law enforcement agencies.
2. Church staff, members, elders, deacons, officers, and volunteers are not responsible for enforcing immigration laws or for assisting immigration enforcement actions and should not do so.

➤ **Non-Disclosure**

1. CHPC recognizes “clergy-penitent privilege” which legally protects confidential conversations between an elder or pastor engaged in pastoral care with an individual seeking spiritual counsel.
2. Any personal information shared in a pastoral care setting, including immigration status or origin stories, is considered confidential and will not be disclosed unless legally required.
3. Staff, elders, deacons, members, and volunteers should not inquire about, record, or share immigration-related information of CHPC members, visitors, or friends of the church.
4. The pastor and elders will comply with mandatory reporting laws, which require disclosure in cases involving abuse or threats of harm, or other legally required circumstances.

RESPONSE TO IMMIGRATION ENFORCEMENT ACTIONS:

➤ **Protocol:**

1. If law enforcement officials arrive requesting access to church property for immigration-related purposes, staff, elders, deacons, members, or volunteers must immediately notify the pastor or their assigned (designated) delegate before taking any action.
2. In all cases, the pastor or their assigned delegate will be the point of contact for law enforcement.
3. CHPC staff will not prevent law enforcement officers from entering the public spaces of the church buildings. However, it is not the responsibility of CHPC staff, members, elders, deacons, or volunteers to assist ICE officers in identifying or apprehending individuals suspected of immigration violations, nor should they do so.
4. In all cases, the pastor or their assigned delegate shall be the only person to give consent to enter or search private areas of CHPC.

➤ **Law Enforcement (ICE) Entry:**

1. As a result of recent policy changes, the Department of Immigration and Customs Enforcement (ICE) has been authorized to enter schools and places of worship (formerly “Sensitive Locations”) and take enforcement actions in these spaces.
2. Law enforcement can enter public areas without a warrant or consent; however, ICE still needs **probable cause**¹ to detain, question, or ask for identification within the public areas.

➤ **Private Areas vs. Public Areas:**

1. Areas that are generally open to the public are considered “public areas.” No special permission is required. Public areas include, waiting rooms, lobbies, parking lots, and the sanctuary.
2. Private areas are interior areas where people have a “reasonable expectation of privacy” as defined by the 4th amendment. Private areas are clearly marked “private” with a sign.
3. For ICE to search or enter a private area, the 4th amendment requires a valid judicial warrant signed by a federal judge, unless the pastor or their designated delegate at those areas consent to a search.
4. CHPC public areas: the narthex, sanctuary, playground, parking lot, and garden.
5. CHPC private areas: all pastor and staff offices, work rooms, classrooms (including the nursery), storage rooms/closets, and programming areas (e.g., the choir room, the entire downstairs of the sanctuary building, fellowship hall and kitchen, the meeting room, and the foyer), and all other private spaces in the CHPC buildings.

➤ **Search Warrants:**

1. To access private areas, all law enforcement must have a properly executed search warrant. A properly executed judicial warrant must bear the signature of a judge. The warrant must list specific details, such as addresses/ locations that are the subject of the search, and the names of individuals or records in question. (See attachment A for an example of judicial search warrant.)
2. In some cases, there may be a federal court order or federal judicial subpoena. All of these will be signed by a judge.
3. Unsigned warrants are invalid.

¹ From the National Immigration Law Center: “Probable cause can be established through questioning of individuals who disclose their immigration status or provide documentation that indicates they are non-citizens – which is why it is so important to remain silent! Running from ICE agents can also establish probable cause.” <https://www.nlc.org/wpcontent/uploads/2025/01/Protected-Areas-Policies-Undermines-Safety-for-All-.pdf>

4. Administrative Immigration Enforcement & Confidentiality Policy warrants (such as Forms I-200, I-203, I-205, and I-286) do not permit access to private areas and should not be treated as a judicial warrant. (See attachment B for an example of an ICE form.)
5. If a valid search warrant is not presented, CHPC staff or assigned designate can refuse entry to law enforcement.

➤ **Confidentiality:**

CHPC does not voluntarily disclose private information about members or visitors, including immigration status, unless legally required by a court order or subpoena.

➤ **Support for Affected Individuals:**

1. CHPC provides pastoral care and spiritual encouragement to individuals and families affected by immigration concerns.
2. CHPC may offer practical assistance – such as food, emotional support, and prayer – to families facing crisis situations due to deportation.
3. CHPC does not provide legal advice or representation but will direct individuals to community resources that specialize in immigration-related matters.

COMPLIANCE AND COMMUNICATION:

1. All CHPC staff, elders, and deacons, as well as renters and church partners located within the CHPC buildings, are expected to comply with this policy and direct any immigration-related inquiries to the pastor or the assigned delegate.
2. This policy will be available to CHPC staff, elders, deacons, members, volunteers, renters, and church partners upon request.
3. The church will communicate this policy in a manner that is clear, supported, and aligned with Christ's teachings and CHPC's mission.

REVIEW AND REVISION:

This policy shall be reviewed by the session of CHPC as needed to ensure procedures are up to date with legal standards and in alignment with biblical principles and CHPC's mission, as our congregation continues to discern our role in immigration related concerns within our community.