

## **Know Your Rights: Immigration Guidance for Houses of Worship**

Last Updated: April 2025

This 'Know Your Rights' resource is meant to help churches, church leaders, and those attending services and other events to understand potential immigration enforcement at our houses of worship. It will be updated regularly as new immigration policies continue to emerge from the Trump Administration.

Please note that this information is not intended as legal advice. If you need specific and immediate legal aid, contact the Presbytery of San Gabriel at <http://www.sangabpres.org> or see our resource list below.

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## Introduction

For many years, a Department of Homeland Security (DHS) policy helped protect houses of worship and other “sensitive locations” from Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HIS), Customs and Border Protection (CBP), and other federal agents (collectively, “Federal Agents”) questioning, detaining, arresting individuals, or carrying out other immigration enforcement actions. However, as of January 21, 2025, the Trump Administration has eliminated this long-standing policy, now allowing houses of worship to potentially be targeted by armed Federal Agents.

Federal Agents require a warrant, signed by a judge, to enter a private space (like a home or a workplace). Whether or not Federal Agents require a warrant to enter a church is a difficult question, because churches are generally open to the public. The following guidance is generally applicable.

1. Federal Agents do not necessarily need a warrant to enter church facilities—it depends on when they visit the facilities, and where they want to visit inside of them.
2. Once Federal Agents are in a church facility, it matters if they are asked for a warrant and then, if they do not have one, asked to leave. This may lead to them leaving the premises.
3. No one in the church is required to speak to Federal Agents, and everyone has the right to remain silent and the right to an attorney if they are detained.

The information below expands upon these conclusions and offers additional resources. We will continue to update it as we learn more.

## Do Federal Agents Require a Warrant to Enter a Church?

- The ability of Federal Agents to enter a church depends on when they visit the church:
  - If the church is physically closed in such a way that members of the public could not walk in, Federal Agents likely need a warrant to enter the church.
  - If the church is open to the public and/or if large numbers of worshippers or visitors are coming in and out of the building, Federal Agents may not need a warrant to enter the church.
- The ability of Federal Agents to search within churches depends on where they are trying to go inside the facility:
  - Spaces like sanctuaries and fellowship halls are generally public spaces. Federal Agents can search these spaces without a warrant.
  - When operating in public spaces, Federal Agents must nevertheless observe the same rules that any member of the public would. For example, Federal Agents operating without a warrant would not have the right to disrupt the church's activities or services. Note that Federal Agents may take photographs in public spaces.
  - Federal Agents would need a warrant to search spaces within the church facilities that are clearly marked as 'private' or are typically not available to the public and should be considered private. (See "Helpful Church Security Measures" below for more.)
- No matter when Federal Agents come to your church, you can and should always ask them for identification. Be aware that Federal Agents [have a history](#) of not being truthful about who they are (e.g. claiming to have 'found a lost ID,' needing to talk to someone about 'identity theft,' or representing a religious community). Also be aware of common statements by Federal Agents to gain access without a warrant, such as, "We are investigating a crime. Can you help us identify this person?" and "Is [name] here? We just need them to step into the hallway to talk to them." They must provide identification; if they do not, you do not have to speak to them.

## If Federal Agents Come to Your Church When it is Closed

- During periods when the church is not open to the public, keeping the door(s) to the church facilities closed may help maintain it as a private space in the eyes of the law—which means Federal Agents would need a warrant.
- If Federal Agents come to your church and the door is closed, you can keep the door closed and ask them for a warrant. You could say the following: *“Slide the warrant under the door.”*
  - If the paper a Federal Agent shows you says “U.S. Department of Homeland Security” at the top, **this is not a valid judicial warrant**. It is called an “administrative warrant.”
    - Do not open the door.
    - Do not answer any questions.
    - Tell them you will not open the door and stay inside.
    - An “administrative warrant,” which **does not allow** Federal Agents to enter your home, church, or place of business may look [like this](#) or [like this](#) or [like this](#).
  - If the paper a Federal Agent shows says “U.S. District Court” or the name of an actual court in your county and state, you must **check the document** to see if there is a **judge’s signature** on the document.
    - If the warrant you are shown does not have a judge’s signature, do not open the door.
    - A warrant must be served no later than 14 days from the date that it is issued. If the warrant you are shown was issued more than 14 days ago, do not open the door.
    - A judicial warrant is only valid for entry at your church if it lists your church's address. It should also list the exact location on your campus to be searched and/or the name of the person(s) to be arrested. Where Federal Agents have a valid judicial search warrant, staff should provide access only to the areas specified in the warrant.
    - A valid judicial search and seizure warrant [looks like this](#).
- Churches should consider designating specific employees as persons authorized to consent to entry into nonpublic spaces and instruct all other staff to refer anyone seeking admittance to nonpublic space to those authorized individuals.

## **If Federal Agents Come to Your Church When it is Open**

- First, **ask to see identification of the Federal Agents** before engaging with them. Document the name/contact information of the Federal Agents seeking access to the church facilities. This can be done by asking for a business card, or name and badge number. You could say the following: “Please show me identification to verify that you are a member of law enforcement.”
- If a Federal Agent refuses to show their identification, you do not have to engage with them and you may ask them to leave.
- If a Federal Agent shows you their identification, ask if they have a warrant.
  - See above (“If Federal Agents Come to Your Church When it is Closed”) to learn about the different types of warrants.
  - If Federal Agents have a valid warrant, they can search only the church areas specifically designated on the warrant.
  - If Federal Agents do not have a valid warrant, you may ask them to leave.
- Regardless of whether Federal Agents have a warrant, it is important for persons present on the church facilities to know that:
  - They should stay calm and not attempt to leave; Federal Agents can use running as a reason to detain and arrest people on the premises.
  - Church security should not attempt to stop Federal Agents or interfere with their operations—if they do, they will likely be detained and possibly charged if law enforcement is present with the Federal Agents.
  - Federal Agents must have probable cause to detain, question, or ask for identification.
  - Everyone always has the right to remain silent, and no one has to discuss their immigration or citizenship status or the immigration or citizenship status of others with Federal Agents or other law enforcement, nor is anyone required to help Federal Agents identify individuals.
  - Be aware that assisting someone to hide or escape from Federal Agents may result in arrest or detention.
- If worshippers or visitors are detained by Federal Agents:
  - Everyone has the right to request interpretation in their native language. If they do not speak English fluently or at all, they are not required to communicate in English and can ask for interpretation in their preferred language.
  - Anyone detained by Federal Agents has the right to speak with an attorney, but the government will NOT appoint one for you.

- If someone is arrested, ask them if you can contact anyone on their behalf, such as a loved one.
- You have the right to record Federal Agents but should first announce that you are doing so. Recordings may be especially valuable if Federal Agents force their way into a closed church without a warrant, or if Federal Agents act in a disrespectful or aggressive manner towards worshippers or other persons on the premises or towards the church facility itself. You should be careful to remain a reasonable distance from such incidents so as not to interfere.

## **Unknown Individuals at the Church**

- While churches are, by nature, open and welcoming to strangers, be cautious around unknown individuals who are new to the church and are asking questions about:
  - The size of the congregation.
  - The immigration status of members of the congregation or other worshippers or visitors, specifically or in general.
  - The employees of the church and their immigration status.
  - Whether or not any individuals stay at the church and their immigration status.
- Such individuals could be:
  - Federal Agents or other law enforcement wearing regular clothes.
  - Members of the public looking to report people to Federal Agents or other law enforcement authorities.
- If such an individual is found at your church,
  - Ask them if they are members of law enforcement and, if so, to show their identification.
  - Ask them to leave.
  - Discourage others from speaking to them or answering their questions, even if you feel you have appropriate documentation and are doing nothing wrong.
  - Alert other local churches to the presence of this individual and their questioning.
  - Save security camera footage for future reference, if possible.

## Helpful Church Security Measures

- Appoint one or more congregants as the designated lead on immigration issues, including for:
  - Serving as the primary person to speak with potential Federal Agents and review their identification and/or any warrants they claim to have.
  - Discussing immigration concerns with specific members and visitors and connecting them to legal or other resources.
  - Coordinating with area churches and external groups to share information.
- As mentioned above, churches are meant to be open and welcoming by nature. Physical security enhancements, however, can help keep churches safe from raids by Federal Agents and the civil rights abuses that can occur when they happen.
- Security cameras, also useful for deterring hate crimes or vandalism, can be useful for recording interactions with Federal Agents.
- Regardless, consider marking spaces within the church facilities that are clearly designated with signs that say “Private.” As discussed above, areas that are marked private are harder for Federal Agents to justify entry without consent or a warrant.
- Consider a peephole, video doorbell, or other means by which church leadership could potentially speak with Federal Agents without physically opening the door.
- Ensure church leaders, members, and frequent visitors are made aware of their rights and best practices.



## In Case of Detention

- If a member of your church has been detained, they are processed at the local ICE Field Office before being transferred to a detention facility. You can locate them through this website: <https://locator.ice.gov/odls/#/search>.
- Once an arrest is made, acting quickly is imperative.
- Organizations and resources that can help you find an immigration attorney include but are not limited to:
  - Department of Justice, Executive Office for Immigration Review: <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>
  - The Immigration Defense Project: <https://www.immigrantdefenseproject.org/>
  - ImmigrationLawHelp.org: <https://www.immigrationlawhelp.org/>
  - National Immigrant Justice Center: <http://www.immigrantjustice.org/>
  - American Immigration Lawyers Association: <https://www.aila.org/>
  - National Lawyers Guild: <https://www.nlg.org/>
  - National Immigration Project: <https://nipnlg.org/>
  - National Immigration Advocates Directory: <https://www.immigrationadvocates.org/legaldirectory/>

## **Alternative Resources for Individuals in Need**

- Individuals who are concerned about their immigration status may be reluctant to seek support through official channels for fear of interrogation, detention, or deportation. Individuals may be referred to the following resources for more support and to be better informed about their options.
  - The Immigration Defense Project hotline 212-725-6422
    - This hotline can be used for:
      - Limited immigration legal advice and information
      - Referrals for free immigration legal services
      - Referrals for private immigration attorneys
    - This is not a live helpline—you are able to leave a voicemail and they will call you back.
  - For domestic violence, The National Domestic Violence Hotline: 1-800-799-SAFE (1-800-799-7233)
  - For suicide, the National Hopeline Network: Dial 988
  - For self-Injury, S.A.F.E. Alternatives: 1-800-DON'T-CUT (1-800-366-8288)
  - For substance abuse, the 24/7 Treatment Referral line: 1-800-662-HELP (1-800-662-4357)