

## **Immigration Enforcement & Confidentiality Policy**

### **1. Purpose**

The purpose of this policy is to establish clear direction for \_\_\_\_\_ Church regarding immigration-related concerns within our congregation and campus. \_\_\_\_\_ Church is committed to maintaining a safe, welcoming, and Christ-centered environment for all people, regardless of immigration status. This policy ensures our church functions as a place of worship, discipleship, and outreach in compliance with applicable law and biblical principles.

### **2. Scope**

This policy applies to all \_\_\_\_\_ Church staff, elders, deacons, volunteers, members and guests. It governs how \_\_\_\_\_ Church responds to situations involving immigration enforcement actions (e.g., ICE raids, deportation concerns), how we care for affected individuals, and how we communicate our stance as a church.

### **3. Policy Statement**

#### ***a. Non-Discrimination***

- \_\_\_\_\_ Church does not inquire about, track, or record the immigration status of any individual attending worship services, small groups, or church-sponsored events.
- All individuals, regardless of immigration status, are fully welcome to participate in \_\_\_\_\_ Church gatherings on its campus.
- \_\_\_\_\_ Church provides pastoral care, encouragement, and support to all who seek it, recognizing the church is a place of refuge, healing, and belonging for everyone.

#### ***b. Non-Participation***

- \_\_\_\_\_ Church campus and grounds are places of worship and do not serve as an extension of law enforcement agencies.
- Church staff and volunteers are not responsible for enforcing immigration laws or assisting in immigration enforcement actions.

**c. *Non-Disclosure***

- Clergy-Penitent Privilege: \_\_\_\_\_ Church recognizes “clergy-penitent privilege,” which legally protects confidential conversations between a minister, elder, or deacon and an individual seeking spiritual counsel. This privilege does not extend to non-clergy staff or volunteers.
- 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 by a court order or subpoena.
- Ministers, elders, deacons, and volunteers will comply with applicable law, which may require disclosure in cases involving abuse, threats of harm, or other legally required circumstances.

**d. *Response to Immigration Enforcement Actions***

- Law Enforcement Entry: As a result of recent policy changes, Immigration and Customs Enforcement (ICE) agents and other federal agents have been authorized to enter public areas of schools, churches, and hospitals to arrest immigrants who have illegally entered the United States. Law enforcement can enter public areas without a warrant. However, officers still need probable cause to detain, question, or ask for identification.
- Private Areas vs. Public Areas: Areas that are generally open to the public are considered “public areas.” No special permission is required. So, for example, a waiting room that is open to any member of the public, whether invited or not, is considered public. A “private area” is any place in which the general public is not permitted. This would include all office spaces, classrooms, waiting areas that are not open to the general public, and all other private spaces in the \_\_\_\_\_ Church buildings and campus.
- Search Warrants: To access private areas, all law enforcement must have a properly executed judicial search warrant. A properly executed judicial search warrant must come from a court and bear the signature of a judge. It must spell out specific terms and individuals, addresses, and/or locations that are the subject of the search. It must also have a date that has not expired on it. In some cases, there may be a federal court order or Federal Judicial Subpoena. All of these will be signed by a judge.
- Administrative Immigration Enforcement & Confidentiality Policy warrants (such as Forms I-200, I-203, I-205, and I-286 from the Department of Homeland Security and/or ICE) do not permit access to private areas and should not be treated as a

judicial search warrant. If someone arrives demanding access to private areas, a signed judicial search warrant must be presented. The warrant must list specific details, such as the areas to be searched and the names of individuals or records in question (see paragraph above). Unsigned warrants are invalid. If a valid search warrant is not presented, reception can refuse entry to law enforcement.

- It is not the responsibility of \_\_\_\_\_ Church staff or volunteers to assist ICE officers in identifying or apprehending individuals suspected of immigration violations. However, \_\_\_\_\_ Church will not prevent officers from entering buildings or campuses, if they have the proper documentation.
- Staff and Volunteer Protocol: Staff and volunteers are not authorized to speak to law enforcement officials. If law enforcement officials arrive requesting access to church property for immigration-related purposes, staff or volunteers must immediately notify the Senior Pastor, Associate Pastor, or other Designated Supervisor before taking any action. In all cases, the Senior Pastor, Associate Pastor, or other Designated Supervisor will be the point of contact for Law Enforcement.
- Confidentiality: \_\_\_\_\_ Church does not voluntarily disclose private information about attendees' immigration status unless legally required by a court order or subpoena.
- Personal Data: \_\_\_\_\_ Church grants any individual the right to request the removal of their personal data from our database.

***e. Support for Affected Individuals***

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

**4. Compliance & Communication**

- All \_\_\_\_\_ Church staff and volunteers are expected to comply with this policy and direct any immigration-related inquiries to the Senior Pastor, Associate Pastor, or other Designated Supervisor.

- This policy will be available to \_\_\_\_\_ Church staff, ministry leaders, church partners, and property users.
- The church will communicate this policy in a manner that is clear, supportive, and aligned with \_\_\_\_\_ Church's mission to invite people to and equip them for Christian discipleship in the world.
- Training specific to this policy and its procedures shall be provided to all \_\_\_\_\_ Church leadership and other users of our campus placed in a position of responsibility. Education sessions shall be provided for all members of the \_\_\_\_\_ Church congregation and all those using our campus.

#### **5. Review and Revisions of the Immigration Enforcement & Confidentiality Policy**

- This policy shall be reviewed by the \_\_\_\_\_ Church Session as needed, to ensure continued compliance with legal standards and alignment with biblical principles.