



# Know Your Rights as a Religious Employer

## Sensitive Locations: Places of Worship

In the United States, places of worship have long been a safe harbor for those seeking refuge from their government. Historically, these spaces have been off-limits to immigration authorities due to their sensitive status within communities. During the 1800s, places of worship provided a safe haven for enslaved people seeking freedom. During the Vietnam war, places of worship sheltered those resisting the military draft. More recently, many undocumented immigrants have taken shelter in churches to avoid Immigration and Customs Enforcement (ICE) arrest.

In 2011, the Obama administration issued a memo informing its officers not to conduct immigration enforcement in “sensitive locations” such as schools, churches, hospitals, and congregations like weddings, funerals, and special religious services. In 2021, the Biden administration issued a “Sensitive Locations Policy” (also known as the “Protected Area Memorandum”) which further restricted immigration enforcement to exclude areas in or around courthouses. On Jan. 20, 2025, the Trump administration ended the “sensitive status” of places of worship that prevented ICE from entering these spaces. This means that ICE can enter a place of worship at any time, including during Mass or other religious services, and conduct immigration enforcement.

If your religious worker has informed you that ICE is in the workplace, you as an employer have rights and can take the following actions:

### Mark Specific Areas as “Restricted.”

Areas of the church where people are free to enter (namely the chapel, courtyards, classrooms, or any other spaces available for communal use) would be considered public spaces.

However, areas not generally available to members of the public, such as staff offices, rectories, and convents, would not be viewed as public spaces and would require a warrant for ICE to enter. We encourage these spaces to be marked with signs identifying them as restricted such as “staff only” or “private” to denote that they are not for communal access or use.

### Designate Specific Staff to Engage With ICE Officers.

It is important that parish or office staff know whom to contact if ICE arrives at your place of worship. The parish should designate an individual within parish leadership that will intervene should ICE begin enforcement at the parish. This individual should feel empowered to speak with ICE officers and check any warrant presented by the officer to make sure it is valid. This designee should also know whom to contact in the event that ICE begins arresting parishioners or employees (the parish’s immigration attorney, relatives of the detained individual, local media, etc.)

### Beware of Harboring.

Federal law prohibits concealing, shielding, or harboring unauthorized individuals who come into and remain in the United States. What constitutes harboring varies by area but can include providing shelter, transportation, direction on how to obtain false documents, or impeding investigations of a person’s presence in the United States. This regulation applies to any person who knowingly harbors an undocumented immigrant. Those found to have harbored an undocumented migrant have committed a criminal offense punishable by a fine or imprisonment.

***If ICE is on the premises and they are in a public space:***

Do not interfere with their search.

Do not sign any documents.

Do not lie.

Remain calm and be polite.

### Contact Your Immigration Attorney

If you have been notified that ICE is on the premises, notify your immigration attorney immediately. If you can, take notes of what the officer is requesting and share with your attorney.