



Know Your Rights as a Religious Worker

Sensitive Locations: Places of Worship

Under the Obama administration, Immigration and Customs Enforcement (ICE) issued a memo informing its officers that they should not perform arrests in “sensitive locations” such as churches, schools, and hospitals. This also included events like weddings, funerals, and special religious services. This memo was reenforced by the Biden administration, which issued a “Sensitive Locations Policy” (also known as the “Protected Area Memorandum”). On Jan. 20, 2025, President Trump issued several executive orders that rescinded these protections. ICE is now permitted to enter sensitive locations and perform immigration enforcement – including interrogations, searches, and arrests.

In light of this reversal, our community of religious workers may now experience more interactions with ICE within their work locations, community spaces, and residences. Here are some frequently asked questions about your rights as a religious worker when interacting with ICE in your workplace.

Is my workplace location a public or private space?

ICE’s enforcement abilities differ depending on whether you are in a public or private space. Mainly, ICE requires a warrant signed by a judge to enter any private space. However, they do not require a warrant to enter a space that is generally open to members of the public. Here are some helpful considerations to determine if where you are is considered a public or private space.

Spaces of public worship: generally considered public.

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.

Restricted areas: generally considered private.

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.

What do I do if ICE tries to enter my convent or rectory?

Convents and rectories can generally be considered private spaces as they are designated living spaces for religious workers. If ICE attempts to enter these spaces, they must have a warrant. If an ICE agent presents a warrant, you must confirm that it is signed by a federal judge. Unsigned warrants are not valid or enforceable. If the ICE agent does not possess a valid warrant, you do not have to provide them entry to a private space. If they do have a valid warrant, they are permitted to enter a private space.

What do I do if ICE enters my church during Mass or other church service?

As this would be considered a public space, ICE does not require a warrant to enter. If ICE enters your place of worship, notify parish leadership immediately. Do not make any announcement that would create panic among staff or congregants. Do not rush towards the exits or hide. It is important to remain calm.

What are my rights if ICE officers want to question me and ask for proof of my immigration status?

All noncitizens are required to carry proof of immigration status in the U.S. and present that proof upon request from an immigration officer. Forms of proof of status can be:

- Your Legal Permanent Resident Card (known as the Green Card)
- I-94 Record
- I-129 Approval Notice
- Notice I-797A showing a pending permanent residence application (Form I-485) or
- Employment Authorization Card

How do I know if I am being investigated by ICE or if the ICE officer is just asking me questions?

At the beginning of the encounter with an ICE agent, always ask if you are free to go. If they say no, you are being detained.

If I am being detained, what are my rights?

If you are being detained by an ICE agent, you have rights! However, you must invoke your right by telling the officer that you are exercising your rights or hand them a [card](#) that provides them with notice that you are exercising your rights.

Right to Refuse Search

You do not have to consent to a search of yourself or your belongings. State clearly that you do not consent. Refusing consent may not stop the officer. An officer may pat you down above your clothes if they suspect, for example, you have weapons or drugs in your possession. If the officer proceeds to conduct a search, stay calm, do not resist the inspection, and keep your hands where the officer can see them. Stating your objection preserves your rights. Thereafter, the officer cannot arrest you without a warrant or proof you have committed a crime.

Right to Remain Silent

You do not have to answer any questions without the presence of your legal representative. (In some states, you may be required to state your name if an officer asks you to identify yourself and an officer may arrest you for refusing to do so.) You can show the officer your Know Your Rights card or tell the officer you are exercising your right to remain silent. If you can, speak to your legal representative before answering questions.

Right to Speak With a Lawyer

If the officer tells you that you cannot walk away, you have been detained. You should ask to speak to a lawyer and then remain silent. You have the right to speak to a legal representative. It is okay if you have not hired a legal representative; you still have the right to consult with one.