

# Know Your Rights

## For Places of Worship and Motherhouses

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**As Catholics and people of faith and goodwill,  
we take care of our communities and protect one another.**

**Everyone in the United States, including undocumented immigrants, has Constitutional rights.** Understanding these rights will help keep you and your community members safe when you encounter law enforcement.

*Note: This resource does NOT constitute legal counsel. In these uncertain times, please consult with your congregation's attorney or local immigration advocacy groups for further guidance for your local area.*

## Context

### What is the sensitive locations memo?

The sensitive locations memo is a 2011 Department of Homeland Security (DHS) memo requiring Immigration and Customs Enforcement (ICE) to refrain from immigration enforcement actions in certain "sensitive locations." In 2021, the Biden administration expanded the definition of "sensitive" areas so that it included schools, healthcare facilities, and places of worship; playgrounds and bus stops; social services establishments (such as domestic violence shelters and food pantries); disaster/emergency response sites; weddings, funerals, and religious ceremonies; and parades, demonstrations, and rallies.

On January 25, 2025, President Trump rescinded this memo and replaced it with a directive that gives ICE agents unbridled power to take enforcement actions in these spaces using so-called "common sense." Though this permits ICE to enter our places of worship, **we all still have rights and there are still things we can do to protect our sacred spaces.**

### What does this mean for churches, congregations, and motherhouses?

Because Trump rescinded the sensitive locations memo, ICE can come into the **public** spaces of churches, congregations, and motherhouses to enforce immigration laws.

Public spaces are spaces like the lobby or parking lots, into which anyone could enter. Faith leaders usually cannot stop ICE from asking questions or making arrests in those public spaces. This is why it is important to designate **private** spaces and to train community members on how to interact with ICE, as you will see below.

## What can you do?

### 1. Designate private areas.

Though the Trump administration has permitted ICE to enter places of worship, ICE cannot enter areas marked as “private” without a judicial warrant that is signed by a judge and lists the correct address (just like a private home).

**Find areas that you can make private and clearly mark those areas “PRIVATE.”** For example, this could be the sacristy of the church or the collection rooms of a food distribution area where only registrants go. Take a photo of the “private” signage with a timestamp (nearly all smart phones automatically timestamp), so there is proof that it was private before law enforcement came in, in case they tear the sign up.

Motherhouses and kindergartens, schools, and playgrounds within churches or motherhouse premises are generally considered private, but still mark them “private.”

### 2. Know your warrants.

To go into private spaces, ICE needs a **judicial warrant**. A judicial warrant **must be signed by a judge** and **must list the correct address and space** (i.e. ICE cannot use a warrant that merely says “church” to enter the parish’s preschool space, even though both may be on the same premises).

In public spaces, or in private spaces that ICE has gained access to either through consent or judicial warrant, ICE can detain someone on an **enforcement warrant**. The enforcement warrant **must have the correct name of the person** who ICE is trying to detain. An enforcement warrant is a warrant by DHS, not by a court/judge.

**Even if ICE has an enforcement warrant that lists the name of someone who may be in the private area, you are NOT obligated to allow ICE into the private area without a judicial warrant.** You can say: *“This is a private area. I need to see a judicial warrant before I let you inside.”* Say nothing about who may be inside.

### 3. Train your community.

**Train all staff and community members to NOT allow law enforcement to enter private spaces without a proper judicial warrant, and to REMAIN SILENT when interacting with ICE agents, police, or any other law enforcement officer.**

Train staff or community members to say, *“I can’t give you permission to enter. You must speak with the congregational leader (or another designated person).”*

Some states may require you to give or confirm your name when asked by law enforcement agents (but only after they have clearly identified themselves and their

agency). Beyond that, everyone should understand that **they have the right to remain silent and should not answer any other questions** — especially regarding immigration status, nation of birth, or how one arrived in the country. You do not even have to indicate that you know the person ICE is asking about.

Ensure that all community members, both immigrant and non-immigrant, carry Know Your Rights red cards. [Print out red cards here.](#)

Invite a local immigration advocate or attorney to come and train your community. It is also good to have their contact information in case ICE comes to your premises.

#### **4. Make a plan and assign roles.**

Plan what your community members will do if law enforcement arrives. Practice the plan like a fire drill.

On any given day, there should be someone assigned to speak to ICE when they arrive and ensure that any agent identifies their name, agency, and reason for being there. Assign another person to check the warrants, another to spread the word that ICE has arrived, and another to video record the encounter in both public and private spaces (you have the right to record ICE as long as you are not interfering with their activity). Make sure everyone knows who has what roles, so that the plan can go into action at any moment.

#### **5. Watch the area around your premises.**

ICE and other agents often come in unmarked cars, so beware of the areas surrounding your place of worship or motherhouse. Train community members to refrain from discussing someone's immigration status outside or answering questions like "where are you from?" even from someone who appears friendly and dressed in plainclothes. Agents could overhear and have cause for arrest.

If ICE is making arrests outside your premises, video the arrest and report it to your local immigration advocates.

#### **6. Report ICE encounters.**

After an encounter with law enforcement, report it to local community immigration advocates or attorneys. Use the **S.A.L.U.T.E.** method to report activity: include **S**ize (number of officers), **A**ctivity (what are they doing?), **L**ocation, **U**niform/clothes, **T**ime and date, and **E**quipment and weapons. Include photos and videos.