



What Places of Worship Need to Know: Responding to ICE Encounters (January 28, 2025)

Why Faith Leaders and Communities?

When united, faith voices are a powerful tool. Faith leaders and their communities are called to protect the vulnerable and offer refuge to those in need. In Utah, as immigrant families face the challenges of Immigration and Customs Enforcement (“ICE”) actions, faith voices have a vital role to play. Rooted in principles of love, dignity, and compassion, faith calls us to act—not for self-interest but for the greater good. Faith leaders have the unique ability to bring their diverse congregations together, amplify the voices of many, and remind us of our shared responsibility to care for and protect one another. Throughout history, faith communities and their leaders have often served as a bridge between the public and elected officials, demonstrating how faith is a call to uphold everyone’s civil rights and liberties.

Understanding Legal Obligations

Places of worship that offer refuge to immigrants often do so out of a commitment to faith and a belief in protecting the vulnerable. However, this mission can lead to tense situations, particularly if ICE agents arrive at a place of worship seeking to detain individuals. Faith communities must understand their legal responsibilities when acting to uphold their moral responsibilities. Here is what faith leaders and congregants need to know and document when interacting with ICE and local law enforcement.

Don’t interfere with ICE; document everything.

Understand the Role of Warrants and Subpoenas

ICE agents may arrive at a place of worship with an administrative warrant, judicial warrant, administrative subpoena, or judicial subpoena. Understanding the difference is crucial:

- **Administrative Warrants:** These are issued by ICE or the Department of Homeland Security (DHS). They allow agents to detain individuals but do not grant entry to private spaces, such as non-public areas of a place of worship like clergy offices.
- **Judicial Warrants:** These are signed by a state or federal judge (not an immigration judge) and may permit access to specific private spaces as outlined in the warrant.
- **Administrative Subpoenas:** These are issued by ICE or DHS. They direct a person to give testimony or produce evidence, but there is no immediate requirement to comply.



- **Judicial Subpoenas:** These are issued by a state or federal judge (not an immigration judge). They require a person to appear as a witness, produce certain documents, or allow inspection of a place at some point in the future. They do not permit immediate entry into private spaces.

If agents present a warrant or subpoena, you should carefully review it. Verify the type of document, ensure it is signed by a state or federal judge, confirm what the document allows the officers to do, and, if possible, consult legal counsel before allowing access to private areas or producing requested documents.

For additional details on what to look for and examples of the different warrants and subpoenas, see this [guidance from the National Immigration Law Center](#).

Set Boundaries Within the Place of Worship

Constitutional protections against illegal searches offer protection in areas where there is an expectation of privacy. This requires establishing those areas in the place of worship where the general public cannot simply walk in without invitation or authorization. Places of worship should:

- Clearly delineate public and private areas within the place of worship
- Use signage or physical barriers to mark private areas as “restricted access”
- Train staff to politely but firmly verbally direct ICE agents to remain in public spaces unless they present a valid judicial warrant

The distinction between public and private areas is critical because ICE agents’ authority to enter depends on the type of warrant they possess.

- **Public areas**, such as sanctuaries, classrooms, or entryways, are accessible to anyone, including ICE agents, without restriction.
- **Private areas**, such as offices, meeting rooms, or residences, are protected under the Fourth Amendment and generally require a judicial warrant for access.

This clear delineation ensures that the place of worship’s legal boundaries are upheld and reduces the risk of unauthorized entry.



Train and Empower Staff

Place of worship staff and volunteers must be equipped to handle ICE encounters. Keep in mind that encounters with ICE could occur at any time, so consider the scope of who needs to be trained, including any building partners and worship service volunteers. Training should include:

- Recognizing the difference between administrative and judicial warrants
- Understanding the legal rights of immigrants, including the right to remain silent and the right to legal representation
- Practicing de-escalation techniques to maintain a calm environment

Designate specific individuals as the place of worship's spokesperson and legal liaison to handle interactions with ICE. If your faith community is a member of a larger governing body, consult with them about any specific policies, legal protections, or resources.

There are many good resources for training and education at www.acluutah.org/immigrants-rights, www.nilc.org/resources/ and <https://www.aclu.org/know-your-rights/immigrants-rights>.

Responding When ICE Agents Arrive

If ICE agents arrive at the place of worship, follow these steps:

1. **Stay Calm and Respectful:** De-escalation is key to maintaining a peaceful interaction.
 2. **Request Identification:** Ask agents for their names, badge numbers, and agency affiliation.
 3. **Examine the Warrant:** Politely request a copy of the warrant and verify its validity. If it's an administrative warrant, inform agents that they cannot enter private areas.
 4. **Restrict Movement:** Without a judicial warrant, ICE agents should not be allowed to access private areas.
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Protect Individuals and Document the Encounter

To ensure the safety and rights of those at the place of worship:

- **Inform Individuals of Their Rights:** All individuals, including non-citizens, should know they have the right to remain silent and consult an attorney.
- **Document the Incident:** Assign someone to take detailed notes, including the agents' names, badge numbers, and the time and nature of the interaction. Photos or videos can be used to document the actions of agents. Under Utah Code [76-8-305](http://legis.utah.gov/CodeDetail.aspx?cid=76&tid=8&did=305), you are allowed



to record law enforcement or ICE officers while they are performing their duties in plain view so long as you do not otherwise interfere.

- **Avoid Sharing Information:** Do not provide ICE with information about individuals unless legally required to do so.

Engage Legal and Community Support

During and after an encounter, places of worship should:

- Contact legal counsel immediately for advice.
- Notify local immigrant advocacy organizations to mobilize support.
- Inform faith community leadership in order to coordinate responses and provide assistance.

Debrief and Learn

After ICE leaves, convene a meeting with leadership to review what happened and identify areas for improvement. Update protocols and provide support to any individuals affected by the encounter.

A Moral and Legal Mission

Providing refuge to immigrants is both a spiritual calling and a legal challenge. By preparing thoroughly and responding thoughtfully, places of worship can uphold their commitment to protecting the vulnerable while navigating the complexities of immigration enforcement. With preparation and faith, they can be a steadfast source of support in their communities.

Additional Information about liability for harboring or transporting undocumented individuals: [Sanctuary Congregations and Harboring FAQ from ACLU](#)

[Note – this memo makes reference on page 6 to a “sensitive locations memorandum” which limited ICE enforcement at places of worship. That memorandum was rescinded by the Trump administration on January 21, 2025. The rest of the information remains accurate.]