

Summary Information for Congregations

This document has been adapted for the Diocese of North Carolina. The original document was created by the Diocese of Washington's Refugee Response. This is NOT legal advice. Parishes should consult legal counsel for legal advice. Your legal rights depend on the specific facts of each situation, and are also subject to change. Please stay informed with updates from your Diocese, Episcopal Migration Ministries, and the Episcopal Church Office of Government Relations.

This document is intended for congregations who do not regularly work with migrants but want to be prepared. Congregations who work with migrants regularly, or who have immigrants in their congregations, may want a more developed plan, including family preparation, access to legal support, and more.

Basic steps

- [1. Host a Know Your Rights \(KYR\) training](#)
- [2. Identify private spaces and train staff and leaders.](#)
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Basic steps

1. Host a Know Your Rights (KYR) training

Ensure that staff and congregational leadership understand the basic rights.

- Individual constitutional rights (basic): right to not open the door (except for a judicial warrant), to remain silent, to ask to speak to a lawyer before answering any questions, not to sign anything without a lawyer, not to consent to a search of person or property. In some states/municipalities, individuals may be legally required to identify themselves if a *local/state police officer* demands, but this can be by verbally confirming name/address.
- Institutions have the right to refuse entry to private space in their building, except in response to a judicial warrant or in exigent circumstances. Individual constitutional rights still apply to anyone in the building.
- Print materials with Know Your Rights and hotline information and make them easily accessible to anyone who might be responsible for responding to ICE in your building (e.g. taped to a desk by the office phone, in the place leaders get ready for worship).

2. Identify private spaces and train staff and leaders.

Decide which parts of your building are public and which are private. Private spaces are those where ICE (or immigration enforcement) need a judicial warrant or exigent circumstances to enter. See below for more information. ([National Immigration Law Center explainer here.](#)) There is no clear legal definition of private spaces, but you can take action to help define parts of your space as private.

- **Label private spaces with signage.** A worship space can be private during times it is not used for worship (for instance if a meeting is being held, or another organization is renting the space).
- **Identify and train 1-2 people who have the authority to let people into private spaces.** There are different kinds of warrants. Only a judicial warrant gives law enforcement/ immigration the authority to enter private spaces. If a warrant is presented, contact the trained leaders and inform ICE/immigration that they cannot enter beyond public space unless these people affirm the warrant is appropriate. There needs to be reasonable expectation that these individuals can be available in a timely manner.
- **Work with tenants/renters,** who have some authority to let people into spaces they use. This applies to lease-holders and temporary renters (e.g. for a meeting or an event). Consider including a clause in rental agreements and/or other policies to educate these groups on your building policies and your expectations of them as tenants.

3. Develop guidelines to welcome a migrant.

These steps are intended for congregations who do not regularly work with migrants but want to be prepared if someone comes to their doors for assistance. Congregations who work with migrants regularly, or who have immigrants in their congregations, should have a much more fully developed plan, including family preparation, access to legal support, and more. More details below.

- Have a list of **resources** available, including [KYR cards](#).
- Invite them to a private space, explain their rights, and **ask what they need**.
- **Support them in making their own decisions** about what to do next.
- Be ready to be **flexible and adapt to what the situation calls for**.

4. Develop guidelines for responding to ICE.

This is a very basic outline of how to respond should ICE (or any immigration enforcement) come **into the public spaces** in your building. It is intended for congregations who do not regularly have migrants in their building but who may on occasion. Congregations who regularly host migrants should develop a more robust plan for responding to immigration enforcement. (See more details below.)

- **Engage only as much as necessary with officers** if they come into your building. See below for more details.
- Inform them about the **boundaries between public and private spaces**. Allow them into private spaces only if they have a valid judicial warrant.
- **Inform people who are in your building** and remind them of their individual rights.

SUPPLEMENTARY INFORMATION

Know Your Rights background info

Know Your Rights trainings

Organizations who have offered on-line Know Your Rights (KYR) trainings and/or have know your rights information online include:

- [National Immigration Law Center](#) ([KYR specific page here](#))
- [Immigrant Legal Resource Center](#) (sponsors the [Immigrant Justice Network](#))
- [National Immigration Project](#)
- [Immigrant Defense Project](#) ([KYR specific page here](#))
- [We Have Rights](#) (video resources)
- [United We Dream](#) ([KYR specific page here](#))

Understand the difference between public and private space.

- ICE/immigration officials/police can legally enter public spaces within institutions without a warrant (e.g. lobby, worship space during worship, the dining area of a restaurant, etc.)
- Private space within institutions is space restricted to specific people or purposes (e.g. offices, meeting rooms, etc.). Congregations can help define private spaces by labeling these spaces with signs, close and/or lock doors to separate these spaces from public space. Law enforcement needs either consent or a *judicial* warrant (not an administrative warrant) or exigent circumstances to enter these spaces (see below)
- An institution can identify one or two people with the authority to determine who is allowed into the private spaces.
- General exception: if law enforcement is in “hot pursuit” of someone who they have reason to believe is conducting illegal activity and/or fleeing detection, they generally do *not* need a warrant to follow them into a building. It is unclear how much this exception would apply to, say, ICE agents following a suspected immigrant into a building. This and other circumstances (such as circumstances where there is imminent danger to others) are referred to as “exigent circumstances.”)
- National Imm. Law Center: *‘To arrest an undocumented immigrant inside a private space, the officials must also have a judicial warrant, as private spaces are covered by the Fourth Amendment protections. The courts have not clearly defined what is and is not considered a private space within a place of worship, but the general rule is that a space would be considered private if there is a “reasonable expectation of privacy.”’*
- [Explainer from National Immigration Law Center](#) on rescission of protected areas policy: In the context of protected areas, areas open to the public such as lobbies, waiting areas and parking lots are considered public, while interior areas and those marked “private” with a sign are considered private. For immigration enforcement to search or enter a private area within a formerly protected area, the Fourth Amendment requires a valid judicial warrant signed by a federal judge unless staff at those areas consent to the search.
- [Explainer from National Immigration Law Center on workplaces](#); much of this applies to congregations.

Understand Warrants

- Law enforcement uses multiple kinds of warrants to attempt to access spaces. In order to access private space (e.g. a place of residence but also in the case of businesses), immigration authorities need a *judicial* (not administrative) warrant.
- These warrants look similar (especially if you are not familiar with legal documents).
- [National Immigration Law Center guidance here](#), including samples of judicial vs. immigration warrants (and subpoenas).
 - A judicial warrant is a formal written order authorizing a law enforcement officer to make an arrest, a seizure, or a search. A judicial warrant is issued by a judicial court.
 - An administrative warrant is a formal written document authorizing a law enforcement officer from a designated federal agency, such as an ICE agent from DHS, to make an arrest or a seizure. An administrative warrant is issued by a federal agency such as DHS and can be signed by an “immigration judge” or an “immigration officer.” Unlike a judicial warrant, an administrative warrant does not authorize a search.
- Identify and train 1-2 people authorized to review warrants. They are to be contacted and ICE/immigration cannot enter beyond public space unless these people affirm the warrants are appropriate. There needs to be reasonable expectation that these individuals can be available in a timely manner.

Understand “Harboring” for Purposes of Federal Criminal Law

- Please see the [ACLU guidance here](#), including guidance on risk levels of various activities (p. 3).

For church buildings with tenants

- Meet with tenants to prepare together in order to protect the individuals and organizations in the building.
- Ensure that tenants and host organization are on the same page, or that differences are understood and accepted.
- Clarify with tenants what spaces are considered public and private spaces.

Welcoming migrants (planning tool)

These steps are intended for congregations who do not regularly work with migrants but want to be prepared if someone comes to their doors for assistance. Congregations who work with migrants regularly, or who have immigrants in their congregations, should have a much more fully developed plan, including family preparation, access to legal support, and more.

Make a plan, get trained, and be FLEXIBLE!

Are you willing to invite in a migrant who comes to your door? If so, make a plan:

- Staff/leadership have taken know your rights training and know to *not* ask about anyone's immigration status.
- Identify a non-public location within the building where visitors can speak with staff
- Have a list of resources about who to call as well as legal resources for anyone who needs legal assistance.
- Know who in your congregation or neighborhood is available to provide immediate support if needed.
- Identify someone on your staff who speaks Spanish or learn how to use a translator app on your phone.

Preparing your congregational staff and space

- Offer KYR training for all staff who will be in the church during office hours
- Place Know Your Rights cards and Rapid Response information close to public doors or easily available for staff
- Label rooms as private where you might meet with someone who arrives. Alternatively you may implement a doors shut standard operating policy. Create temporary 'Private' signs for rooms that serve multiple purposes.
- Define a phone plan for when law enforcement and/or someone inquiring about support arrives.
- Adjust tracking information to be on internal applications that are not updated or stored on the web

When someone arrives

- Invite them into a private space in your building.
- Explain to them their rights (see above).
- Learn more about what this person needs immediately. You might be able to have this conversation on your own, or you might ask them to call the hotline (see below) which will be staffed with bilingual (Spanish/English) operators.
- **Do not encourage them to share more than necessary.**
- Make a plan with this person to address any of these needs as you can.
 - Your role is to provide support and resources for this person to make the best decision for themselves. Do not decide for them. DO provide information about resources and share what you know. Do not make promises you don't know whether you can keep ("it will be ok" "we can take care of whatever you need").
 - Know your own boundaries about what you will and won't do
- If ICE agents arrive, then respond appropriately (see the other section), including asking for a warrant.

Further thoughts

- Be ready to be flexible and to drop other things on your agenda for the day.
- Know your local resources and don't be afraid to reach out.
- The steps above are designed to both provide safety for the migrant and to create some space where they can make decisions appropriate to their situation.

Responding to ICE (basic guidelines)

This is a very basic outline of how you can respond should ICE (or any immigration enforcement) come **into the public sections in** your building. It is intended for congregations who do not regularly have migrants in their building but who may on occasion. Congregations who regularly host migrants should develop a more robust plan for responding to immigration enforcement.

Engage only as much as necessary

- Remember your rights, stay calm, and be direct and firm.
- Ask them to identify themselves/their agency. Ask for their organizations, names, badge numbers, etc.
- Tell them they don't have consent to be there (even if it's a public space).
- Ask why they are in the building.
- As soon as you are able to, call a hotline to report ICE presence (or ask someone else to do so).
- Otherwise, don't engage. Exercise your own rights.

Set public space boundaries

- Let them know the boundaries of your public space.
- If they want to go beyond the public space, ask to see a warrant and, if you are the person who can do this, confirm that it is a valid judicial warrant.
- If you do not know whether it is a valid warrant or are not the person with authority to grant access to private spaces, contact the person (or people) your organization has designated to approve warrants for entry.
- If possible, have someone to inform others in the building and/or make a plan for what to do next.

Informing people in your building (as appropriate)

- If there are people in your building (in either public or private space), calmly let them know that immigration officials have entered. This should be done regardless of whether you believe you know the immigration status, race, language or any other demographic details about the people present. Do not assume that only some people, for whatever reason, need to know that law enforcement is present.
- Remind them to stay calm and, if these people are in public spaces, or if immigration officials are expected to enter private space, remind them of their rights to stay silent (to not answer any questions, even to identify themselves) and to not consent to a search.
- **People should not run or try to hide (this can be used against them and can put the congregation at risk for legal action).**

North Carolina's HB10- Cooperation between ICE and NC Sheriffs

Translated and adapted from from [El Pueblo's Emergency Guide for Immigrant Families](#)

What Does HB10 Require?

- **Sheriffs Must Verify Immigration Status:**
 - If someone is detained for certain serious crimes (e.g., drug possession, rape, assault, gang-related crimes, violating domestic violence protection orders, or driving under the influence), sheriffs must verify the person's immigration status.
 - If the sheriff **cannot determine** the person's immigration status, they **must notify ICE** (Immigration and Customs Enforcement).
- **Sheriffs Must Comply with ICE Detention Orders:**
 - If ICE issues a detention order for someone, **sheriffs must comply**, even if the person was detained for something minor, like a **traffic violation**.
 - After receiving an ICE detention order, **sheriffs must bring the individual before a magistrate (judge) and get a court order** to keep them in jail for up to **48 hours** while waiting for ICE.

What Does the Law Not Require?

- **Does Not Apply Outside of Jail:**
 - This law **only applies when someone is in jail**. It **does not apply** when police stop someone on the street or during a traffic stop.
- **No Racial Profiling:**
 - **Police cannot stop or detain someone based on their appearance** or suspicions about their immigration status. This means they cannot stop someone **just because of their skin color** or because they think someone might be undocumented.
- **No Detention for Immigration Reasons:**
 - **Police cannot detain someone for immigration reasons alone**. They can only detain someone if they have a **real reason to believe** that person has committed a crime, based on **specific facts**.

[More information on HB10 Information](#)

ICE Hotlines in North Carolina:

Here is a simplified table of the ICE verification organizations:

Name	Area Served	What They Do	Contact Info / Website
Siembra NC	Burlington Area	Verifies ICE activity, shares verified alerts, and updates.	Hotline: 336-543-0353, Text: 833-975-4334, Facebook
Carolina Migrant Network and Comunidad Colectiva	Charlotte Area	Reports ICE operations, creates WhatsApp groups for updates.	Call: 704-740-7737, Facebook
RadarSafe	Raleigh Area	Alerts about ICE checkpoints and activity.	Hotline: 1-800-559-8714, Facebook
Neighborhood Watch (Hispanic Ties Inc.)	Randolph County Area	Sends ICE alerts through WhatsApp community.	Text: 336-999-3166 Facebook
Values in Alamance	Alamance County Area	WhatsApp groups for ICE raids and license checks.	Text: 336-534-6942, 336-343-2063 Facebook

You can find more details on [this website](#).

Local Organizations working with immigrant communities:

Organization	Description
El Centro Hispano (Durham, NC)	El Centro Hispano is the largest Latino-led organization serving Hispanic/Latino/Latinx communities in Durham, Wake, and Orange counties. elcentronc.org
El Pueblo (Raleigh, NC)	El Pueblo specializes in leadership development for youth and adults in Wake County's Latinx community. elpueblo.org
Siembra NC (Durham, NC)	Siembra NC focuses on defending the rights of immigrant workers in North Carolina. They operate an ICE hotline and verify claims across Alamance, Durham, Orange, Wake, Guilford, Forsyth, Chatham, Randolph, Lee, and Johnston counties. siembranc.org
Church World Services (CWS) (Durham, NC)	CWS provides refugee resettlement and immigration legal services for refugees and immigrants in the Triangle. cwsglobal.org
Centro Para Familias Hispanas (Raleigh, NC)	Centro Para Familias Hispanas offers a variety of services including case management, youth programs, and resources for Latino families in the area. catholiccharitiesraleigh.org/cpfh
FaithAction International (Greensboro, NC)	FaithAction works with immigrants to build inclusive and welcoming communities in the Triad and beyond. faithaction.org
CWS Greensboro (Greensboro, NC)	CWS Greensboro provides immigration and refugee services, including legal assistance and refugee resettlement. cwsgreensboro.org
Latin American Coalition (Charlotte, NC)	The Latin American Coalition supports the integration and advocacy of Latinx communities by providing social and legal services. latinamericancoalition.org
Community Collective (Charlotte, NC)	Community Collective supports immigrant families through food distribution, educational programs, and community support. communitycollective.org

Trusted Resources:

- **ICE and Church Spaces:** [Protect Areas Rescission Factsheet](#)
- **National News and Policy:** [National Immigration Law Center](#), [Immigration Forum](#)
- **North Carolina Immigration News and Policy:** [Enlace Latino NC](#),
- **HB10 Information:** [English](#), [Spanish](#)
- **EMM and OGR Weekly Call:** [Register here](#) for Episcopal Migration Ministry and Office of Government Relation's weekly Immigration update on Tuesdays at 1:00.
- **Resources for Immigrant Communities:**
 - 5 simple steps to stay safe: [English](#); [Spanish](#)
 - NC Guide for immigrants: [Spanish](#)
 - North Carolina Family Emergency Plan: [Worksheet in Spanish](#)
 - Alternative Emergency Planning Worksheet: [English and Spanish](#)
 - Preparedness for a church raid: [English](#), [Spanish](#).
 - [Toolkit](#) for "Rapid Response Plan" to support communities after ICE arrest
 - **Know your rights materials:**
 - [Red Cards](#) from Immigrant Legal Resource Center
 - [Videos](#) in several languages
 - [Guide](#) for immigrant encounters with law enforcement
 - Episcopal Migration Ministry's [Immigrant Family Safety Resources](#)
 - Episcopal Church's [Action Response Toolkit](#)
 - ICE Information: [Immigration Case Information System](#) and [ICE Detainee Locator](#)
 - [Immigration Attorney Directory](#)