



Frequently Asked Questions & Guidance on Immigration

Q: How does Catholic teaching guide our response?

A: The Catholic Church teaches that every person possesses inherent dignity. As Pope Francis reminds us in *Fratelli Tutti*, welcoming, protecting, and supporting migrants aligns with Gospel values. Our schools and parishes should be places of prayer, comfort, and solace for all in need.

Q: Can my parish provide sanctuary, i.e. host an immigrant in parish facilities?

A: No. Legally there is no protection for immigrants in any parish or school facility. While a church may seem safe, that is no longer something we can expect. We want to make sure everyone is aware of this so we do not set up false expectations of safety since Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) may enter with a signed judicial warrant.

Additionally, we do not want to do anything that would attract the agents to our parishes and schools. When a parish hosts an individual or immigrant family, it draws increased attention from immigration officials and puts other immigrants at risk – many of whom may not feel safe to attend parish liturgies or events.

For all these reasons, parishes are unable to offer sanctuary. If an immigrant requests, sanctuary, please contact Chris Koehler, Director of Missions and Immigrant Affairs at 206-274-3194 or Chris.Koehler@seattlearch.org

Q: How should I respond if agents push their way in?

A: Please note that this is unlikely. However, in the unlikely event that this does happen, do not resist. Instruct everyone in the building to remain calm and silent. Please know that individuals have the right to remain silent and should not sign any documents without consulting a lawyer.

Q: Can we share information about agent's rights and limitations with our community?

A: Yes. Schools and parishes can post materials explaining what ICE / CBP can and cannot do. It is important that staff and volunteers like ushers are aware of the protocols. They should know to not speak to the agents and defer them to the pastor or principal. More guidance and resources will be forthcoming and will be updated as new information becomes available.

Q: What legal protections apply in these situations?

A: ICE and CBP agents generally require one of the following before acting:

- Consent from an authority figure (pastor or principal)
- A signed judicial warrant

- Exigent circumstances (e.g., imminent threats to safety or evidence destruction)

Q: Where can immigrants learn about Know Your Rights training?

A: Catholic Community Services, which offers many services for immigrants, also provides "Know Your Rights" workshops for parish communities. These workshops help people to understand the basic civil rights we all enjoy. Contact Erin Maguire at ErinMa@ccsww.org for information.

Q: What should I do if Immigration and Customs Enforcement (ICE) or Border Protection (CBP) agents come to the school?

A: Please note the following:

- ICE and CBP are official police and so it is important to be respectful of them and understand that often they may arrive for valid reasons.
- ICE and CBP do not have consent to enter a building. Parishes and schools are considered private property, and they must have a signed judicial warrant to do so.

Key Contacts

- DHS Office of Inspector General: (800) 323-8603
- DHS Office of Civil Rights and Civil Liberties: (866) 644-8360 or email CRCLCompliance@hq.dhs.gov
- Chris Koehler, Director of Missions and Immigrant Affairs: (206) 274-3194 or email chris.koehler@seattlearch.org
- Connor Geraghty, Assistant Superintendent for Mission and Catholic Identity: (206) 382-4842 or email: connor.geraghty@seattlearch.org

Guidance for how to handle an on-site ICE / CBP visit

Typically, the first people who interact with ICE/CBP are those who sit at the front desk. However, other staff and volunteers like playground monitors or Mass ushers may be approached as well. No staff or volunteers should answer questions posed by the agents without permission from the pastor or principal – or their delegate. For questions about individuals, simple say, “I am not authorized to answer your questions.” Please see steps below for handling this situation:

Initial contact:

- Remain calm and respectful. Ask about the purpose of their visit. Then ask for the identity of the agents.
- Inform the agents that you are not authorized to give consent to enter the premise or respond to questions and that they must wait for the principal or pastor.

- Alert the pastor and principal that agents are present (ideally in a waiting room or private conference room.)
- Do NOT alert an individual of the presence of ICE/BCP so that the individual can escape since that is considered obstruction of justice and may result in prosecution.
- Here is a sample language:
 - I am now contacting the pastor/principal who can speak with you.
 - I am not authorized to answer questions, review a warrant, or allow entry.
 - I apologize for declining to answer any additional questions.
 - A supervisor will be with you in just a moment.
 - Please wait in this private conference room (if one is available.)
- If an agent insists on entering the building despite your request for them to wait, do not try to stop them.

Pastor or Principal meeting with ICE/CBP:

- The pastor or principal – or their delegate – should meet with the agents in person. Another staff member should also be present at all times to serve as a witness.
- Regardless of the type of investigation, all leaders must be as cooperative as possible. It is a criminal offense to obstruct or interfere with the investigator or the federal agent. At the same time, pastors and principals should be aware of the scope of the specific signed warrant and ensure only that is the focus of the investigation.
- Please ask the agent for identification and note the person’s name, title, agency, and contact information. Then request information on the nature of the inquiry.
- If the investigator presents any official documents, accept them and review them. Read them carefully to see if the document is a judicial subpoena or warrant (which must be honored) or an administrative warrant (which may be challenged). You will respond differently to each:
 - **Administrative warrant:** Warrants signed only by an immigration officer rather than a federal court judge or magistrate do not authorize ICE/CBP to enter a building. If this is presented, firmly, but politely tell them that an administrative warrant does not give them the authority to conduct a search or arrest. Tell them that a judicial warrant is necessary. Then escort them out of the building.
 - **Judicial warrant or subpoena:** (See sample warrant below.) Warrants must be signed by a federal court judicial officer (judge or magistrate), must outline the specific building to be searched and must be issued within the past 14 days. As soon as you receive a warrant, immediately reach out to our Immigration Legal Counsel Will Crowley at 206-224-7069 before turning over documents or answering any questions. He will guide you in your response. If Legal Counsel is not available, please contact Chris Koehler at 206 -274-3194.
- Please be sure to document the details of the visit and share them with Chris Koehler and include Connor Geraghty if this visit involved a Catholic school.

Sample Judicial Warrant

SAMPLE

AO 93 (Rev. 11/15) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of)
(Briefly describe the property to be searched)
(or identify the person by name and address)) Case No. 17-2895
Mario Gomez)
425-482-xxxx)

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Western District of Washington
(Identify the person or describe the property to be searched and give its location):

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (Identify the person or describe the property to be seized):

YOU ARE COMMANDED to execute this warrant on or before November 7, 2017 (not to exceed 14 days)
 in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to _____
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)
 for _____ days (not to exceed 30) until, the facts justifying, the later specific date of _____

Date and time issued: _____
City and state: _____

Judge's signature

Printed name and title

Our Gospel commits us to stand with immigrants and refugees, embracing Christ's call to welcome the stranger. Updates will be shared as new information becomes available and as circumstances change.

Our Lady of Guadalupe, pray for us!