

First Unitarian Church of St. Louis
Policy on Public and Private Portions of the Building and Immigration and
Customs Enforcement (ICE)

Date of Board Approval: April 14, 2025

Purpose: To provide guidance to the Church minister, staff, leaders, and members if an ICE agent enters the Church. This policy defines our long-standing practice regarding which parts of our church building are public and private. It states that the policy of First Unitarian Church is to require a search warrant to enter or search a private area of the building. It also specifies what volunteers and staff should do if an ICE agent, or other law enforcement officer, enters or requests entry to the church building.

Background: On January 20, 2025, the Trump Administration rescinded a long-standing guidance policy that required Immigration and Customs Enforcement (ICE) agents to refrain from immigration enforcement actions in certain sensitive areas, including in and around places of worship. If ICE seeks to enter a place of worship, they may enter parts open to the public, such as lobbies and parking lots, like any other member of the public. However, for immigration enforcement to enter or search a private area within a church, the Fourth Amendment requires a valid judicial warrant signed by a judge, consent from a responsible party, or “probable cause” to believe that the search may reveal unlawful activity. (see attachment 1 describing differences between Judicial and Administrative warrants).

I. I. Public and Private Spaces

1. On Sunday mornings and at other times of worship and fellowship, portions of the church building are open to the public including the first floor lobby, second floor landing and entry room, Dodson Room, Sanctuary, Learned Library, Fellowship Hall, and bathrooms connected to the Dodson Room and Fellowship Hall. At other times, these parts of the building are private.
2. The religious education rooms, Clark Room, and Hope Chapel are private spaces unless made public for a special public event.
3. The Hosmer room (the minister’s study), the Minister’s office, the administrator’s office, the religious educator’s office, the AV room, and the choir room are private spaces.

4. Outside of Sunday mornings and other times of worship and fellowship, the church building, including the lobby, is private and open to those who are invited into the space.

II. The policy of First Unitarian Church is to require a law enforcement agent to have a judicial warrant to enter or search a private area of the building.

III. Procedure should ICE (or other law enforcement) seek to enter or search private parts of the building

Procedure during Sunday and other times of worship and fellowship:

1. Should ICE agents or other law enforcement officers assisting ICE, seek to enter the church building, greeters will have a script in the greeter's binder with instructions including this statement, "I cannot let you enter the private spaces of this building without a signed judicial warrant. Let me contact someone who can talk with you. Please wait here or outside until that person is available."
2. The greeter will text or phone the designated ICE liaison who will review the document to determine it is, in fact, a judicial warrant and determine next steps.
3. In all cases, a greeter or the designated ICE liaison will remain with the ICE agent or other law enforcement officer while in the building.
4. The greeters are not to answer any questions or provide any information to ICE agents. They can explain to members, friends, visitors, and others that they have a Constitutional right to refuse to talk to or answer questions from ICE agents or other law enforcement. There will be available copies of written "red cards" (see attachment 2), or similar brief explanations, describing people's Constitutional rights when approached by ICE agents or other law enforcement assisting them.

During events sponsored by outside individuals and organizations

Church administration staff will inform individuals and organizations renting Church space for approved activities of the Church's policy on public and private spaces and requirement for law enforcement agents, including ICE, to have a valid judicial warrant to enter private areas, including providing them with a copy of this policy.

Attachment 1:

JUDICIAL WARRANTS v. IMMIGRATION WARRANTS

AO 93 (Rev. 12/09) Search and Seizure Warrant

UNITED STATES DISTRICT COURT
for the
Eastern District of California

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
[Redacted]
Davis, California 95616

Case No. _____

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer **211-SW-0161 EFB**

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 EASTERN District of CALIFORNIA.
(Identify the person or describe the property to be searched and give its location).
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 5-9-2011
(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable 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 _____ (name)

☐ 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: 4-25-2011
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA

[Signature]
EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE
(Printed name and title)

Is this the right address?

Note: only the person, property, & areas specified may be searched

Is it still current?

Is it actually signed by a judge?

IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement
WARRANT OF REMOVAL/DEPORTATION

File No: _____
Date: _____

To any immigration officer of the United States Department of Homeland Security:

_____ (Full name of alien)
who entered the United States at _____ on _____ (Place of entry) (Date of entry)

is subject to removal/deportation from the United States based upon a final order by:

☐ an immigration judge in exclusion, deportation, or removal proceedings
☐ a designated official
☐ the Board of Immigration Appeals
☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Security under the laws of the United States and by his or her direction, command you to take into custody _____ from the United States the above-named alien, pursuant to law, at the expense of:

THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT

(Signature of immigration officer) _____
(Title of immigration officer) _____

NATIONAL IMMIGRATION LAW CENTER

Attachment 2.

You have constitutional rights:

- DO NOT OPEN THE DOOR if an immigration agent is knocking on the door.
- DO NOT ANSWER ANY QUESTIONS from an immigration agent if they try to talk to you. You have the right to remain silent.
- DO NOT SIGN ANYTHING without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your home, ask the agent if you are free to leave and if they say yes, leave calmly.
- GIVE THIS CARD TO THE AGENT. If you are inside of your home, show the card through the window or slide it under the door.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.

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