

EXCLUSIVE

IMMIGRATION

Quaker groups file suit over the end of policy restricting ICE arrests in houses of worship

The suit appears to be the first from a faith-based organization challenging the change in court.

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By Laura Strickler and Carol E. Lee

A group of Quaker congregations is suing the Department of Homeland Security for changing a policy that prevented Immigration and Customs Enforcement agents from carrying out operations in so-called “sensitive locations” such as houses of worship, playgrounds, schools and hospitals without approval from supervisors.

The policy, which had been in place under multiple administrations – including during President Donald Trump’s first term – was rescinded last week.

The lawsuit, which was filed in federal district court in Maryland on Monday, alleges, “The very threat of that [immigration] enforcement deters congregants from attending services, especially members of immigrant communities,” and argues that attending religious services is at the heart of the “guarantee of religious liberty.”

Faith leaders, local officials and educators have objected to the policy reversal and have been vocal about their opposition, but the suit appears to be the first from a faith-based organization challenging the change in court.

“A week ago today, President Trump swore an oath to defend the Constitution and yet today religious institutions that have existed since the 1600s in our country are having to go to court to challenge what is a violation of every individual’s constitutional right to worship and associate freely,” said Skye Perryman, president and CEO of Democracy Forward, which is providing the lawyers representing the Quaker groups.

Perryman said the lawsuit addresses more than churches that act as sanctuaries. “The troubling nature of the policy goes beyond just houses of worship with sanctuary programs – it is that ICE could enter religious and sacred spaces whenever it wants,” she said.

Noah Merrill, secretary of the New England Yearly Meeting of Friends, one of the plaintiffs in the suit, told NBC News in an email: “Quaker meetings for worship seek to be a sanctuary and a refuge for all, and this new and invasive practice tangibly erodes that possibility by creating unnecessary anxiety, confusion, and chilling of our members’ and neighbors’ willingness to share with us in the worship which sustains our lives. This undermines our communities and, we believe, violates our religious freedom.”

According to the lawsuit, the policy that protected “sensitive locations” from immigration enforcement without prior approval dates back to the early 1990s. It was meant to allow undocumented people to operate freely in certain public areas with the idea that doing so would ultimately benefit not just them, but also the larger community – for example, by allowing children to be in school during the day, and letting sick people visit hospitals without fear of deportation.

The plaintiffs in this lawsuit are several regional umbrella groups representing Quaker congregations in the mid-Atlantic and New England.

P.J. Lechleitner, who served as acting ICE director from July 2023 until last week, told NBC News on Monday that he does not expect ICE raids at houses of worship even with the end of the policy.

“I don’t think you’re going to be seeing a lot of target operations ... in churches or places of worship or schools or whatever,” he said, “unless there’s a real operational and public safety, national security, need to do so.”

Laura Strickler

Laura Strickler is a senior investigative producer and reporter for NBC News. She is based in Washington.



Carol E. Lee

Carol E. Lee is the Washington managing editor.

Julia Ainsley and Didi Martinez contributed.
