

Restore Religious Freedom for Immigrant Detainees

In recognition of religious liberty rights, Immigration and Customs Enforcement (ICE) and its predecessor, the Immigration and Naturalization Service, have operated since 2000 under explicit **standards regarding pastoral visits and religious practice** for immigrants in detention. Standards have been periodically strengthened to expand critical accommodations for detainees, including faith-informed diets and religious items.

ICE's detention standards mandate that facilities holding detainees for more than 72 hours must provide a chaplain or "religious services coordinator," spaces for worship, and regular opportunities for detainees to practice their faith consistent with safety, security and the orderly operation of the facility. The detention center's chaplain or designee should facilitate arrangements for requested pastoral visits by clergy from the detainee's affirmed faith.

The current administration is not complying with these standards; pastoral care has become inconsistent or inaccessible across immigration detention facilities.

WHY THIS MATTERS



The U.S. Constitution and federal law is being violated

Denying detainees and their faith leaders their right to religious practice violates the Free Exercise Clause of the First Amendment of the Constitution, which guarantees this freedom for all those physically present in the United States, regardless of immigration status. It also violates the Civil Rights of Institutionalized Persons Act (CRIPA), Religious Freedom Restoration Act (RFRA), and the Religious Land Use And Institutionalized Persons Act (RLUIPA).



Most immigrants vulnerable to deportation practice a faith

80% of those at risk of deportation are Christian, including 61% Catholic and 13% Evangelical.



Church leaders and communities of faith are responding

Faith orders have taken cases to court seeking to safeguard Constitutionally protected freedoms, and for the first time in 12 years, the U.S. Conference of Catholic Bishops released a "Special Message" at its November general assembly expressing concern about lack of access to pastoral care in detention facilities.



Faith provides emotional resilience in detention

Access to religious practice and pastoral care helps detainees cope with stress, frustration, and prolonged uncertainty, while offering calm, strength, hope, and a continued sense of dignity during detainment. This support contributes to suicide prevention.



CONGRESSIONAL ASK

Restore Religious Freedom for Immigrant Detainees

- Urge DHS to permit detained immigrants' full access to pastoral care as a matter of religious liberty.
- Require DHS to report periodically to Congress on its observance of religious freedom rights and compliance with its own detention standards.

Examples of Religious Freedom Violations in Immigration Detention



Inconsistent access to sacraments

Nationwide | February 2026

The U.S. Conference of Catholic Bishops (USCCB) reported inconsistent policies across detention facilities that have denied detainees access to the sacraments.



Catholic clergy turned away in California

Los Angeles, CA | Ash Wednesday 2026

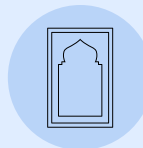
Clergy from the Archdiocese of Los Angeles were turned away from providing communion to detainees in an ICE facility, despite submitting a request to ICE that Monday via U.S. Representative Jimmy Gomez.



Sikh religious items confiscated

Bakersfield, CA | 2026

Detention facilities have confiscated turbans from Sikh detainees, items of particular importance to observant men. Vegetarian food is often minimal or not appropriate.



Prayer cloths forbidden during Ramadan

Texas | Ramadan 2026

Muslim chaplain Nosayba Mahmoud was unable provide prayer cloths to detainees during the holy month of Ramadan.



Pastoral request ignored in Illinois

Broadview, IL | November 2025

Despite more than a week's notice, a request by Clergy of the Coalition for Spiritual and Public Leadership to provide communion on All Saints Day to detainees of an ICE detention facility never received a response.

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"They took the Bible I had and they said here there is no right to religion...I'm losing my faith."

Colombian detainee, Florida Everglades detention facility ("Alligator Alcatraz"), July 2025