

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends,**
1515 Cherry St., Philadelphia, PA 19102

**New England Yearly Meeting of the
Religious Society of Friends,**
901 Pleasant St., Worcester, MA 01602

**Baltimore Yearly Meeting of the
Religious Society of Friends, Inc.,**
17100 Quaker Lane, Sandy Spring,
Montgomery County, MD 20860

**Adelphi Friends Meeting of the
Religious Society of Friends,**
2303 Metzert Rd., Adelphi,
Prince George's County, MD 20783

and

**Richmond Friends Meeting of the
Religious Society of Friends,**
4500 Kensington Ave., Richmond, VA
23221

Plaintiffs,

v.

**U.S. Department of Homeland
Security and Kristi Noem,** in her
official capacity as Secretary of the
Department of Homeland Security,
2707 Martin Luther King Jr Ave. SE,
Washington, DC 20528

Defendants.

Civil Case No. _____

Jury Trial Demanded

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs Philadelphia Yearly Meeting of the Religious Society of Friends, New England Yearly Meeting of the Religious Society of Friends, Baltimore Yearly Meeting of the Religious Society of Friends, Adelphi Friends Meeting of the Religious Society of Friends, and Richmond Friends Meeting of the Religious Society of Friends, on their own behalf and on behalf of their members, allege as follows:

INTRODUCTION

1. Whether it's to sit in expectant waiting, to deliver or receive a weekly homily, to lead or participate in Jama'ah, or to participate in religious observances requiring a minyan, communal worship is fundamental to the religious exercise of many. For Plaintiffs—Quaker congregations—communal worship is not just important, it is the very process of worship itself. And it is something that Quakers have been doing in this country for over 350 years.

2. Quaker worship is not led by an individual charged to direct services. Instead, in Quaker worship, people sit together silently and await messages from God. When anyone attending the worship receives a message from God that is meant to be shared with others, they stand and deliver that message to everyone. Quakers believe that every person, no matter their background, can be a conduit for a message from the Divine. Indeed, Quakers believe that those with varied life experiences—including immigrants—can provide unique messages from God. Being able to receive those messages is fundamental to Quaker religious exercise.

3. For over 30 years, it has been the government’s official policy to not enforce immigration laws in “protected areas,” which include houses of worship (and other religious ceremonies like weddings and funerals), absent certain extraordinary circumstances.¹ Rightly so. Enforcement in protected areas like houses of worship would, in the government’s own words, “restrain people’s access to essential services or engagement in essential activities.”

4. Despite this longstanding policy, the Department of Homeland Security last week authorized agents to conduct immigration-enforcement operations in protected areas, including churches and religious ceremonies. The 2025 Policy gives agents unfettered authority to carry out enforcement in these formerly protected areas. The policy’s only attempt at limiting that authority directs agents to use their own, subjective “common sense.”

5. Within days of introducing the new policy, DHS started enforcement actions at houses of worship.

6. Allowing armed government agents wearing ICE-emblazoned jackets to park outside a religious service and monitor who enters or to interrupt the service and drag a congregant out during the middle of worship is anathema to Quaker religious exercise. The very threat of that enforcement deters congregants from attending services, especially members of immigrant communities. Losing congregants is a substantial burden on Plaintiffs’ religious exercise, especially when

¹ See Memorandum from Alejandro N. Mayorkas, Secretary, Department of Homeland Security, to Tae D. Johnson, *et al.*, Guidelines for Enforcement Actions in or Near Protected Areas (Oct. 27, 2021), <https://tinyurl.com/mrykx3j4> [“Mayorkas Memo”].

those congregants would bring to worship different backgrounds and life experiences. And deterring worshippers from attending services chills Plaintiffs' First Amendment rights of association.

7. Because “attending religious services” is “at the very heart” of the “guarantee of religious liberty,” *Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 19-20 (2020), if the government is going to impede that guarantee, it must meet the strictest of justifications. With respect to the 2025 Policy, it cannot. After all, DHS has already acknowledged that it “can accomplish [its] enforcement mission without denying or limiting individuals’ access to” protected areas, including “places of worship.”²

8. In all events, if an agency is going to upend a longstanding policy, it must follow specific procedures, which include explaining the reason for its about-face and considering alternatives. DHS’s new policy does not acknowledge that houses of worship are sacred spaces. It does not acknowledge that for many, religious exercise is an essential activity (as the previous policy did). And it does not even consider what unconstrained immigration enforcement at houses of worship would mean as a result. Instead, it treats houses of worship as nothing more than places where “criminal aliens—including murderers and rapists” go to “hide.”³

² Mayorkas Memo, *supra* note 1, at 2.

³ Press Release, Department of Homeland Security, Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole (Jan. 21, 2025), <https://tinyurl.com/28yjvpy> [“2025 Policy Press Release”].

9. As such, and as further explained below, this Court should declare unconstitutional any policy permitting government agents to carry out immigration-enforcement activities at or near houses of worship when the policy is limited only by individual agents' subjective "common sense," vacate the 2025 Policy, and enjoin DHS and its constituent agencies from implementing or enforcing the policy.

JURISDICTION AND VENUE

10. This Court has federal-question jurisdiction under 28 U.S.C. § 1331. Plaintiffs allege violations of the First Amendment of the United States Constitution, U.S. Const. amend. I; the Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb(a)-2000bb-4; and the Administrative Procedure Act, 5. U.S.C. § 701, *et seq.*

11. Venue is proper under 28 U.S.C. § 1391(e)(1) because at least one of the plaintiffs resides in this district and no real property is involved in the action.

12. This Court has the authority to grant the relief requested by Plaintiffs under Rules 57 and 65 of the Federal Rules of Civil Procedure; the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202; the Administrative Procedure Act, 5. U.S.C. § 701, *et seq.*; and under the Court's inherent equitable authority.

PARTIES

13. Plaintiff Philadelphia Yearly Meeting of the Religious Society of Friends is the formal and legal association of more than 100 local Quaker congregations throughout parts of Pennsylvania, Maryland, Delaware, and New Jersey. It was

established in 1682, when William Penn arrived in Pennsylvania. It is located in Philadelphia, Pennsylvania.⁴

14. Plaintiff New England Yearly Meeting of the Religious Society of Friends is the formal and legal association of local Quaker congregations in the six New England states: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. It is the oldest Yearly Meeting in the world and has met continuously since 1661. It is located in Worcester, Massachusetts.

15. Plaintiff Baltimore Yearly Meeting of the Religious Society of Friends is the formal and legal association of more than 40 local Quaker congregations throughout parts of Pennsylvania, Maryland, Virginia, West Virginia, and Washington, D.C. It was established in 1672 and, with the exception of one year due to the 1918 influenza pandemic, has met annually since. It is located in Sandy Spring, Maryland.

16. Plaintiff Adelphi Friends Meeting of the Religious Society of Friends is a religious corporation located in Adelphi, Maryland. It is part of the Baltimore Yearly Meeting of the Religious Society of Friends.

17. Plaintiff Richmond Friends Meeting of the Religious Society of Friends is a religious corporation located in Richmond, Virginia. It is part of the Baltimore Yearly Meeting of the Religious Society of Friends.

⁴ A “Yearly Meeting” in the Quaker religion is an association, an annual gathering, and the way of describing Quakers within a certain region. *See infra* ¶ 5356.

18. Defendant Department of Homeland Security is the federal agency responsible for enforcing United States immigration laws and policies. DHS is an agency within the meaning of 5 U.S.C. § 551(1).

19. DHS contains component agencies, including U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Patrol.

20. Defendant Kristi Noem is sued in her official capacity as the Secretary of the Department of Homeland Security.

LEGAL BACKGROUND

First Amendment Freedom of Expressive Association

21. The Supreme Court has recognized “a right to associate for the purpose of engaging in those activities protected by the First Amendment—speech, assembly, petition for the redress of grievances, and the exercise of religion.” *Roberts v. U.S. Jaycees*, 468 U.S. 609, 618 (1984). The freedom of association is “an indispensable means of preserving other individual liberties,” *id.*, for the “freedom to speak [or] to worship . . . could not be vigorously protected from interference by the State unless a correlative freedom to engage in group effort toward those ends were not also guaranteed,” *id.* at 622.

22. Courts have repeatedly affirmed that associating for religious exercise, including communal religious worship, is among those activities protected by the right to expressive association. *See, e.g., Ams. for Prosperity Found. v. Bonta*, 594 U.S. 595, 606-08 (2021); *Roberts*, 468 U.S. at 618; *Grace United Methodist Church v. City*

of *Cheyenne*, 451 F.3d 643, 658 (10th Cir. 2006); *El Ali v. Barr*, 473 F. Supp. 3d 479, 523 (D. Md. 2020) (the right to expressive association protects against government action that “interfere[s] with association in pursuit of political, social, economic, educational, religious, or cultural ends”) (quoting *Roberts*, 468 U.S. at 622).

23. Government action that interferes with a person’s freedom of expressive association violates the First Amendment if the interference is “‘direct and substantial’ or ‘significant.’” *El Ali*, 473 F. Supp. 3d at 523 (quoting *Fighting Finest, Inc. v. Bratton*, 95 F.3d 224, 228 (2d Cir. 1996), and *Lyng v. Int’l Union*, 485 U.S. 360, 366, 367 & n.5 (1988)). Such infringement “can take a number of forms,” *Roberts*, 468 U.S. at 622, including imposing penalties as a result of membership in a group, compelling the disclosure of the fact of membership in a group, interfering in an organization’s internal organization or operations, or otherwise making membership or participation in a group “less attractive,” *Rumsfeld v. Forum for Academic & Inst. Rts., Inc.*, 547 U.S. 47, 69 (2006). The interference may be indirect: “The Supreme Court has recognized that the First Amendment protects the right of expressive association against both ‘heavy-handed frontal attacks, but also from being stifled by more subtle government interference.’” *Pathfinder Fund v. Agency for Int’l Dev.*, 746 F. Supp. 192, 195 (D.D.C. 1990) (quoting *Lyng*, 485 U.S. at 367 n.5 (1988)).

24. Courts must give deference to an association’s own articulated view of what would burden its expression: “As we give deference to an association’s assertions regarding the nature of its expression, we must also give deference to an association’s view of what would impair its expression.” *Boy Scouts of Am. v. Dale*, 530 U.S. 640,

653 (2000). “[R]eligious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection.” *Id.* at 650-61 (quoting *Thomas v. Review Bd.*, 450 U.S. 707, 714 (1981) (alteration in original)).

25. Infringements on expressive association may be justified only by the government showing “a substantial relation between the [challenged action] and a sufficiently important governmental interest” and that the government action is “narrowly tailored to the interest it promotes.” *Ams. for Prosperity*, 594 U.S. at 607 (quoting *Doe v. Reed*, 561 U.S. 186, 196 (2010)). For the government to prevail under this exacting-scrutiny inquiry, “the strength of the governmental interest must reflect the seriousness of the actual burden on First Amendment rights.” *Id.*

Religious Freedom Restoration Act

26. In 1990, the Supreme Court held that under the First Amendment’s Free Exercise Clause, if government burdens on religious exercise are neutral and generally applicable—meaning they apply to religious and nonreligious actors alike—the government burdens need to survive only rational-basis review. *Employment Div. v. Smith*, 494 U.S. 872, 888 (1990).

27. Congress expressly disagreed with the holding in *Smith*, 42 U.S.C. § 2000bb(a), and enacted RFRA to “restore the compelling-interest test” that existed before *Smith*. *Id.* § 2000bb(b)(1).

28. Under RFRA, the “[g]overnment shall not substantially burden a person’s exercise of religion even if the burden results from a rule of general applicability,” unless the government action satisfies strict scrutiny—that is, the government action

“(1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.” 42 U.S.C. § 2000bb-1.

29. “A person whose religious exercise has been burdened” in violation of RFRA “may assert that violation as a claim or defense in a judicial proceeding and obtain appropriate relief against a government.” 42 U.S.C. § 2000bb-1(c).

Administrative Procedure Act

30. The Administrative Procedure Act governs the way that federal agencies operate. Passed in 1946 to improve the administration of justice, it (1) ensures that the public is informed about agency organization, procedures, and rules; (2) provides for public participation in the rulemaking process; (3) prescribes uniform standards for agency rulemaking and proceedings; and (4) reiterates the law surrounding judicial review.⁵

31. Congress passed the APA to “safeguard” against arbitrary agency action. *United States v. Morton Salt Co.*, 338 U.S. 632, 644 (1950). As one Senator put it, the law functioned as a procedural “bill of rights for the hundreds of thousands of Americans whose affairs are controlled or regulated” by the federal government. 2 Cong. Rec. 2149 (1946) (statement of Sen. McCarran).

32. To that end, the APA prescribes certain procedures that agencies must follow when promulgating, altering, or rescinding rules. 5 U.S.C. § 551(5). One such

⁵ Tom C. Clark, *Attorney General's Manual on the Administrative Procedure Act* 9 (1947), <https://tinyurl.com/4jaje27s>.

requirement is that agencies go through notice-and-comment rulemaking for most rules they promulgate—including those that they alter or rescind. *See* 5 U.S.C. §§ 553(b)-(d); 5 U.S.C. §§ 551(4)-(5); *see also* *Perez v. Mortgage Bankers Ass’n*, 575 U.S. 92, 101 (2015). Notice-and-comment rulemaking requires agencies to publish a proposed rule, solicit input from the public, and meaningfully account for and address those comments when issuing a final rule.

33. The APA includes a presumption of judicial review. 5 U.S.C. § 702; *see Abbott Laboratories v. Gardner*, 387 U.S. 136, 140 (1967).

34. The statute requires courts to hold unlawful and set aside final agency actions that are, among other things, arbitrary and capricious or without observance of procedure required by law. 5 U.S.C. §§ 706(2)(A), (D). Courts may find agencies at fault for both their positive steps—such as the issuance of a rule, order, or sanction—and their failures to act. 5 U.S.C. § 551(13).

35. A final agency action marks the consummation of agency decisionmaking and is an action from which legal consequences flow. *Bennett v. Spear*, 520 U.S. 154, 177-78 (1997) (quotations and citations omitted).

36. “[A]gency action is arbitrary and capricious if it departs from agency precedent without explanation.” *Ramaprakash v. F.A.A.*, 346 F.3d 1121, 1124 (D.C. Cir. 2003). Agencies must “examine the relevant data and articulate a satisfactory explanation” when altering or rescinding their rules. *Motor Vehicle Mfrs. Ass’n of the U.S., Inc. v. State Farm Mutual Auto. Ins. Co.*, 463 U.S. 29, 43 (1983); *see also* *F.C.C. v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009). And, when altering or

rescinding their rules, agencies must specifically consider the reliance interests of parties who depended on the rule's prior iteration. *Dep't of Homeland Sec. v. Regents of the Univ. of California*, 591 U.S. 1, 30-33 (2020).

37. Although courts may not review actions committed to agency discretion by law, § 701(a)(2), that exception is construed narrowly to “honor the presumption” of judicial review embodied in the statute broadly. *Weyerhaeuser Co. v. U.S. Fish & Wildlife Serv.*, 586 U.S. 9, 23 (2018).

FACTUAL ALLEGATIONS

For decades, DHS maintained a policy of nonenforcement in protected areas.

38. For more than 30 years, it has been the government's policy to not conduct immigration-enforcement operations in “protected areas,” also referred to as “sensitive locations.”

39. In 1993, Acting Associate Commissioner of the Immigration and Naturalization Service James Puleo directed that enforcement operations at places of worship, funerals, or other religious ceremonies “require advance written approval by the District Director of Chief Patrol Agent.”⁶ The memo outlined the standards by which a district director or chief patrol agent should decide whether a proposed enforcement action was appropriate, including “[t]he availability of alternative measures,” “[t]he importance of the enforcement objective,” and how agents could

⁶ Memorandum from James A. Puleo, Immigration and Naturalization Service Acting Associate Commissioner, “Enforcement Activities at Schools, Places of Worship, or at funerals or other religious ceremonies” HQ 807-P, at 1 (May 17, 1993).

“minimize the impact on operation of the ... place of worship.”⁷ The memo explained that exceptions to the policy must be approved beforehand in writing unless certain exigent circumstances arose that require an officer to proceed—for those, “the matter must be reported immediately” up the chain of command.⁸

40. In a 1993 memo, for example, the Chief Patrol Agent in Laredo, Texas, directed field agents that “[p]laces of worship will not be entered for the purpose of apprehending illegal aliens even if in hot pursuit unless an Assistant Chief or above has authorized it.”⁹

41. In 2008, Assistant Secretary of U.S. Immigration and Customs Enforcement Julie Myers reiterated the importance of avoiding enforcement “at or near sensitive community locations such as schools, places of worship, and funerals or other religious ceremonies, except in limited circumstances.”¹⁰ According to Assistant Secretary Myers, “[p]recedent for this approach is clear.”¹¹ And while the 2008 memo indicated that “ICE policies and procedures” did not otherwise prohibit enforcement at protected areas, the 1993 memo “remains in effect.”¹² Once again, the memo outlined the kinds of extreme situations that would require ICE personnel to

⁷ *Id.* at 2.

⁸ *Id.*

⁹ Memorandum from Jose E. Garza, Chief Patrol Agent for Laredo, Texas, “Sector Policy Regarding Entry Into Places of Worship, Schools and Private Residence” LRT 40/4-P (Jan. 21, 1993).

¹⁰ Memorandum from Julie L. Myers, Assistant Secretary, U.S. Immigration and Customs Enforcement, “Field Guidance on Enforcement Actions or Investigative Activities At or Near Sensitive Community Locations” 10029.1, at 1 (July 3, 2008).

¹¹ *Id.*

¹² *Id.* at 2.

act at or near sensitive locations, including “terrorism-related investigations, matters of public safety, or actions where no enforcement activity is involved.”¹³

42. In 2011, ICE Director John Morton issued a memo superseding the 1993 and 2008 memos.¹⁴ The 2011 policy was designed to ensure that enforcement actions neither occurred at nor were focused on sensitive locations such as schools and churches absent either exigent circumstances (such as terrorism, imminent risk of death, pursuit of a dangerous felon, or an imminent risk of destruction of evidence material to a criminal case) or prior written approval.¹⁵ Under the 2011 memo, even enforcement actions not initiated at or focused on sensitive locations required ICE agents at or near such locations to “conduct themselves in a discrete manner, maintain surveillance if no threat to officer safety exists, and immediately consult their supervisor prior to taking other enforcement action(s).”¹⁶

43. In 2013 U.S. Customs and Border Protection issued a memo similarly restricting CBP operations at sensitive locations.¹⁷

44. In 2021, Department of Homeland Security Secretary Alejandro Mayorkas rescinded and superseded the prior memos while reaffirming the government’s longstanding policy.¹⁸ Secretary Mayorkas’s memo described a “fundamental” and “bedrock” principle: DHS can accomplish its mission “without denying or limiting

¹³ *Id.*

¹⁴ Memorandum from John Morton, Director, U.S. Immigration and Customs Enforcement, “Enforcement Actions at or Focused on Sensitive Locations” 10029.2 (Oct. 24, 2011).

¹⁵ *Id.* at 1.

¹⁶ *Id.* at 3.

¹⁷ Mayorkas Memo, *supra* note 1.

¹⁸ *Id.* at 2.

individuals' access to needed medical care, children access to their schools, the displaced access to food and shelter, people of faith access to their places of worship, and more.”¹⁹ The memo explicitly recognized that enforcement actions even near sensitive locations could “restrain people from accessing the protected area to receive essential services or engage in essential activities.”²⁰ DHS agents thus have an “obligation to refrain, to the fullest extent possible, from conducting a law enforcement action in or near a protected area.”²¹ Enforcement actions “include, but are not limited to, such actions as arrests, civil apprehensions, searches, inspections, seizures, service of charging documents or subpoenas, interviews, and immigration enforcement surveillance.”²²

45. The 2021 memo, like those before it, recognized exigent circumstances that might require immigration enforcement at protected areas. But outside of those exigent circumstances, “an Agent or Officer must seek prior approval” before conducting an enforcement operation at or near a sensitive location. The memo contained a boilerplate paragraph at the end averring that the memo “does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.”

46. Despite the boilerplate language, ICE’s website on protected areas explains that “[a]bsent exigent circumstances, DHS officers and agents *must* seek prior

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.* at 3.

²² *Id.* at 4.

approval” before taking enforcement actions at protected areas.²³ And it explains that individuals who believe DHS officers violated the protected-areas policy should file complaints with ICE, CBP, Office of the Inspector General, or DHS Office for Civil Rights and Civil Liberties.²⁴

47. What’s more, Congress itself has required ICE to submit public reports on enforcement activities at protected areas, including “the total number of enforcement actions at sensitive locations, broken down by field office; type of sensitive location; whether prior approval was given; what type of exigent circumstances existed, if any; and the number of non-targeted individuals who were also apprehended.”²⁵

DHS replaces protected areas with “common sense.”

48. On January 21, 2025, Fox News reported the not-yet-public rescission of the protected-areas policy.²⁶ Fox’s story quoted unnamed ICE agents who said that rescinding the memo would “free them up” to aggressively conduct immigration-enforcement operations.²⁷

49. Later that day, DHS issued a statement officially announcing that it had rescinded the existing policy governing protected areas and had replaced it with one that removes all guardrails limiting agents’ ability to carry out enforcement actions

²³ Immigration and Customs Enforcement, Protected Areas Enforcement Actions, <https://tinyurl.com/h4u5hfrv> (last accessed Jan. 27, 2025) (emphasis added).

²⁴ *Id.*

²⁵ Department of Homeland Security, *Immigration Enforcement at Sensitive Locations, Fiscal Year 2020 Report to Congress* (April 18, 2022) (quoting House Report 116-180, part of the Fiscal Year 2020 Department of Homeland Security Appropriations Act (P.L. 116-93)).

²⁶ Adam Shaw & Bill Melugin, *Trump DHS Repeals Key Mayorkas Memo Limiting ICE Agents, Orders Parole Review*, Fox News (Jan. 21, 2025), <https://tinyurl.com/an68p3ex>.

²⁷ *Id.*

at or near houses of worship. The new policy contains no replacement constraints on agents' authority at these formerly protected areas, which DHS's statement described as places that "criminal aliens" use "to hide." Instead, DHS will now merely put its trust in individual agents "to use common sense."²⁸

DHS's new policy will harm Plaintiffs.

Plaintiffs' religious beliefs

50. Quakers, or Friends, are members of the Religious Society of Friends, a religious movement dating to the seventeenth century.²⁹

51. Quakerism emerged from the Christian tradition. Today, many Friends consider themselves Christians, though many do not.³⁰ *See* Ex. A, Levi Decl., ¶ 10.

52. While Quakers have no formal hierarchy, they are generally organized into Yearly Meetings, Quarterly Meetings, and Monthly Meetings.

53. A "meeting" is an association, a gathering held at a certain interval (*i.e.*, yearly, quarterly, or monthly), and a way of describing Quakers within a certain region. *See* Ex. B, Merrill Decl., ¶ 3.

54. Monthly meetings are the basic organizational unit in the Quaker religion. They are local congregations that hold weekly worship services and, once a month, hold a meeting for worship with attention to business. *See id.* ¶ 6. Plaintiffs Adelphi Friends Meeting and Richmond Friends Meeting are monthly meetings.

²⁸ 2025 Policy Press Release, *supra* note 3.

²⁹ *See The Quaker Story*, Quaker.org, <https://tinyurl.com/25fu7z4k> (last accessed Jan. 27, 2025).

³⁰ *See FAQs*, New England Quakers, <https://tinyurl.com/mrz6whcw> (last accessed Jan. 27, 2025).

55. Quarterly meetings are gatherings of monthly meetings in a specific geographic area. They gather three or four times per year for worship and to make decisions about the issues that concern the monthly meetings in the region. *Id.* ¶¶ 8-9.

56. The Yearly Meeting is the highest organizational body in the Quaker religion. Yearly Meetings are regional associations of local Quaker meetings. As their name suggests, Yearly Meetings gather at least annually to worship and make decisions about issues affecting their constituent quarterly and monthly meetings. *Id.* ¶¶ 12-13.

57. The Quaker faith does not have any spiritual leader, creed, catechism, or canonical statement of belief. *See* Ex. A, Levi Decl., ¶¶ 11, 14.

58. Because tenets of the Quaker faith are neither determined by a religious authority nor codified into a universal creed, specific beliefs vary among different Quaker branches and from person to person. What follows are beliefs generally shared by Plaintiffs.

59. There are four core insights into what it means to be a Quaker: encounter, worship, discernment, and testimony. *Id.* ¶ 12.

60. Quakers believe that humans can and do experience God directly—known as “encounter.” Encounter is sometimes referred to as seeking the inner light, inner voice, or the Christ within. *Id.* ¶¶ 13-16; Ex. C, Steigerwald Decl., ¶ 11.

61. Quakers believe that everyone has their own connection to spirit, or access to the divine.

62. In the Quaker tradition, different life experiences, backgrounds, and cultures lead people to hear and experience God differently. Having a diversity and richness of human experience yields a fuller understanding of how God speaks to the Quakers, individually and as a community. *See, e.g.*, Ex. C, Steigerwald Decl., ¶ 17.

63. Quaker worship is designed to encourage that encounter.

64. At its core, Quaker worship consists of sitting in silence and waiting to hear the voice of God.

65. Opening meetings to anyone who desires to attend is an important aspect of Quaker worship, because every individual who attends presents an opportunity for God to speak to worshippers through them.

66. Quakers believe that everyone who attends worship meetings is participating in worship, whether they speak or not.

67. The communal aspect of worship is central to the exercise of the Quaker faith. There are meetings that some refer to as “gathered meetings,” in which there is a shared feeling among those in the meeting of having been in the same spiritual presence together, which can only happen through communal participation in worship. Ex. A, Levi Decl., ¶ 25.

68. Quakers have also developed practices—known as “discernment”—to help understand their encounters with God. *Id.* ¶ 26.

69. For Quakers, discernment is the process of interpreting God’s will and making decisions. Such decisions may be personal or may be for the sake of the community. *Id.* ¶ 27.

70. Quakers have a set of values, known as testimonies, that inform and guide how they live and worship. *Id.* ¶¶ 30-34.

71. Some Quakers use the acronym SPICES to help explain some core beliefs of Quaker testimony. SPICES stands for simplicity, peace, integrity, community, equality (both social and spiritual), and stewardship. *Id.* ¶ 34; Ex. D, Kingsley Decl., ¶ 29.

72. Pacifism is deeply ingrained in the Quaker faith. The Friends have a religious commitment to oppose violence in all forms. They do not take up arms, and the presence of arms inside their meeting houses would violate this founding principle of their faith. *See, e.g.*, Ex. C, Steigerwald Decl., ¶¶ 42-43.

Plaintiffs' connections to immigrant communities

73. Given the Quaker values of welcoming strangers, worshipping with all-comers from diverse backgrounds, community, and service, many Quaker meetings, including Plaintiffs, have built deep and meaningful connections to immigrant communities.

74. Plaintiff Adelphi Friends Meeting, for example, is located in an area with a significant immigrant population. Ex. C, Steigerwald Decl., ¶ 24. It has “had a large number of immigrants come to worship” and has been “enriched” by their presence. Ex. A, Levi Decl., ¶¶ 64-65. To foster inclusivity for its immigrant members and others in the community, Adelphi Friends Meeting translates committee minutes into Spanish and includes Spanish-language materials about the faith in its foyer. Ex. C, Steigerwald Decl., ¶ 24. It has, at times, hung a banner to welcome immigrants—

reading “Do not mistreat strangers. Treat them as citizens. Love them as yourself.” *Id.* ¶ 26. Adelphi Friends Meeting has likewise supported immigrant families settling into the community, including families from Afghanistan, Burundi, Kenya, and Nicaragua, many of whom were refugees. *Id.* ¶ 27. Some of those families joined the meeting for worship. *Id.*

75. Plaintiff Richmond Friends Meeting has likewise developed important ties to nearby immigrant communities. It hosts English classes at its meeting house that are taught by a local community group; it has provided financial and other assistance to immigrant women to help them develop livelihoods; and its members help settle new immigrants, including by meeting them as they arrive and driving them to immigration appointments. Ex. D, Kingsley Decl., ¶¶ 22-26. These acts are exercises of the Richmond Friends Meeting’s and its members’ religious beliefs. *Id.* ¶ 26-27.

76. The yearly meetings and their constituent monthly meetings likewise have deep and important relationships to immigrant communities.

77. Plaintiff New England Yearly Meeting provides interpretative services at its large meetings because the Quaker faith has strong ties to Central and South America and, as a result, there are attendees (both citizens and noncitizens) for whom Spanish is their first language. Ex. B, Merrill Decl., ¶ 29. There is also a strong Quaker presence in Africa. New England Yearly Meeting has a monthly meeting that consists of members of the African diaspora. *Id.* ¶ 30.

78. One of New England Yearly Meeting’s constituent monthly meetings, the Putney Friends Meeting, has a decades-long history of supporting its local immigrant

community as an exercise of Quaker religious beliefs and commitments. It fulfills those commitments by, among other things, welcoming immigrant families moving to the area and volunteering with and providing financial assistance to local organizations that support asylum seekers. Ex. E, Marbury Decl., ¶ 21-26.

79. Likewise, Quaker religious beliefs led Plaintiff Philadelphia Yearly Meeting to adopt strategic directions—“connecting” and “belonging”—aimed at building community with Quakers across the region and beyond, including among immigrant populations. Ex. F, Duncan-Tessmer Decl., ¶¶ 22-24. One of its monthly meetings, for example, is located in an area with a large immigrant population and is deeply involved with local immigrant organizations in the community. *Id.* ¶ 31. Another of its monthly meetings hosts a fellow Quaker congregation started by a family of East African Friends in its meeting house. *Id.* ¶ 30.

80. Plaintiff Baltimore Yearly Meeting’s members are called by God to build relationships with fellow Quakers across geographical and theological lines, which its members carry out by gathering with a range of diverse Quaker communities, including some largely Spanish-speaking congregations. Ex. G, Gillooly Decl., ¶¶ 28-30. Some of Baltimore Yearly Meeting’s constituent monthly meetings are located in areas with large populations of immigrants, and some of the monthly meetings have substantial numbers of active members who are immigrants, particularly African immigrants. *Id.* ¶¶ 25-26; Ex. H, Mohr Decl., ¶¶ 31-32, 35. Its monthly meetings, including Adelphi Friends Meeting and Richmond Friends Meeting, have developed

close connections to their immigrant communities, as described above. *See supra* ¶¶ 74-75.

81. Overall, all Plaintiffs have active, deep ties to immigrant communities. Those ties are an expression of the Quaker faith. And they bring new immigrant members into the faith.

The 2025 Policy’s interference with Plaintiffs’ religious exercise

82. The new DHS policy “has sown fear within . . . migrant friendly congregations,” and faith leaders have made clear that it will cause many immigrants to fear attending houses of worship.³¹

83. Some houses of worship even canceled in-person services before DHS’s official announcement, fearing that their congregations would be subject to ICE raids without warning.³²

84. Indeed, within days of DHS announcing the rescission of the protected-areas policy, three of the largest Catholic organizations in the United States—the U.S. Conference of Catholic Bishops, the Catholic Health Association of the United States, and Catholic Charities USA—stated publicly that, “[w]ith the mere rescission of the protected areas guidance,” they were “already witnessing reticence among immigrants to engage in daily life, including . . . attending religious services.”³³ The

³¹ Giovanna Dell’Orto *et al.*, *Trump won’t ban immigration arrests at churches. Now clergy are weighing how to resist*, Associated Press (Jan 23, 2025), <https://tinyurl.com/mvbp3txu>.

³² *See, e.g.*, Laura Rodríguez Presa, *Chicago church stops hosting in-person Spanish services amid fears of mass deportations from Trump administration*, Chicago Tribune (Jan. 2, 2025), <https://tinyurl.com/2cp62xrn>.

³³ Human Dignity is Not Dependent on a Person’s Citizenship or Immigration Status, U.S. Conference of Catholic Bishops (Jan. 23, 2025), <https://tinyurl.com/mwrrr98e>.

National Association of Evangelicals similarly addressed the new DHS policy, stating that “[e]ven the announcement of this policy has caused fear, deterring some from attending church.”³⁴

85. These fears are coming to fruition. On January 26, the first Sunday following implementation of the 2025 Policy, ICE agents attempted to enter Fuente de Vida Church in Tucker, Georgia, while its pastor was actively preaching to approximately 70 congregants.³⁵ Fear of DHS’s new policy had led the church to lock its doors, so the agents waited outside until the congregant they sought—a father of two—exited the church.³⁶

86. The deterrent effect of the new policy extends far beyond undocumented congregants. Ample data shows “[f]ears of detention and deportation are a concern for immigrants across immigration statuses.”³⁷ For example, a 2023 study described as “the largest and most representative survey of immigrants living in the U.S. to date” found that that 26% of all immigrants, regardless of their own legal status, “worry they or a family member could be detained or deported.” That finding echoed previous research showing that even those with legal status fear immigration

³⁴ Press Release, National Association of Evangelicals, National Association of Evangelicals Responds to New Executive Orders (Jan. 22, 2025), <https://tinyurl.com/277svcma>.

³⁵ Eryn Rogers, *Ice launches ‘targeted operations’ in metro Atlanta*, WSBTV (Jan. 27, 2025), <https://tinyurl.com/4npauepz>; Marcelo Wheelock, *Agentes de ICE llegan a iglesia en Tucker y se llevan a un feligrés*, Telemundo Atlanta (Jan. 27, 2025), <https://tinyurl.com/yc46kyuv>.

³⁶ Wheelock, *supra* note 35.

³⁷ Shannon Schumacher et al., *Understanding the U.S. Immigrant Experience: The 2023/KFF LA Times Survey of Immigrants*, KFF (Sep. 17, 2023), <https://tinyurl.com/bdeh6dju>.

enforcement because they are “fearful for their family members or because their own ‘status’ might be questioned.”³⁸

87. Such fears are reasonable. In 2021, the Government Accountability Office reported that ICE “arrested 674, detained 121, and removed 70 potential U.S. citizens from fiscal year 2015 through the second quarter of fiscal year 2020.”³⁹ The same year, ICE arrested Brian Bukle, who had at that point been a citizen for over 50 years, and detained him for 36 days before acknowledging his citizenship.⁴⁰ Just this month, U.S. Border Patrol agents conducting a four-day dragnet operation slashed the tires of a naturalized citizen who they subsequently arrested, despite having confirmed his status.⁴¹ And just last week, ICE agents conducting a warrantless raid in New Jersey detained a U.S. military veteran.⁴²

88. Government enforcement actions that “stop[] people from entering” meeting houses affect Quakers “personally, viscerally, emotionally, and theologically.” Ex. A, Levi Decl., ¶ 69. The same is true for enforcement actions that scare people away. *Id.*

³⁸ Karen Hacker et al., *The Impact of Immigration and Customs Enforcement on Immigrant Health: Perceptions of Immigrants in Everett, Massachusetts, USA*, 73(4) *Social Science & Medicine* 586 (2011).

³⁹ U.S. Gov’t Accountability Office, GAO-21-487, *Immigration Enforcement: Actions Needed to Better Track Cases Involving U.S. Citizenship Investigations* (2021).

⁴⁰ Yesenia Amaro, *He’s a U.S. citizen, but ICE detained him and tried to deport him. Now he’s getting \$150k*, *Fresno Bee* (Dec. 14, 2022), <https://tinyurl.com/2p9mzhmz>.

⁴¹ Michael Hiltzik, *Column: Inside the Bakersfield raids that showed how Trump’s immigration policies will sow chaos*, *L.A. Times* (Jan. 22, 2025), <https://tinyurl.com/uywz9mjy>.

⁴² *Mayor Ras. J. Baraka’s Statement on ICE Raid on Newark Business Establishment*, *City of Newark* (Jan. 23, 2025), <https://tinyurl.com/yjdy7pf9>.

89. A diversity of worshippers is an essential component of the Quaker value of “experience[ing] God in a broader, more encompassing way,” as “one’s life experience affects how one hears the spirit and what conclusions one might draw.” *Id.* ¶ 60. Deterring immigrants from worshipping in-person with a Quaker meeting would therefore directly interfere with Plaintiffs’ religious exercise by lessening their “ability to hear God and what God is trying to tell [them].” *Id.* ¶¶ 64-67.

90. Moreover, Plaintiffs’ Quaker beliefs make it essential that they “encourage others for whom [that] path is meaningful to join.” Ex. F, Duncan-Tessmer Decl., ¶ 25. But DHS’s new policy, by opening meeting houses to immigration-enforcement activities, inhibits Plaintiffs from doing just that. *See, e.g.*, Ex. A, Levi Decl., ¶ 70; Ex. B, Merrill Decl., ¶ 43 (explaining that he “cannot be as encouraging of immigrants joining us for worship” under DHS’s new policy). Knowingly putting a person in harm’s way or subjecting them to the possibility of a violent encounter with an armed law-enforcement officer would violate Quaker beliefs in peace and nonviolence. Ex. G, Gillooly Decl., ¶ 42.

91. Quakers have held a religious commitment against violence for hundreds of years. *See* Merrill Decl. ¶ 39. For many Quakers, “[t]he presence of a weapon in a Quaker meeting would be absolutely unacceptable.” Ex. F, Duncan-Tessmer Decl., ¶¶ 43-44. The presence of armed immigration officers at meeting houses—which the new policy allows—would thus significantly hamper Plaintiffs’ ability to exercise their faith. *See, e.g.*, Ex. B, Merrill Decl., ¶ 39; Ex. A, Levi Decl., ¶ 73. Importantly, even the *threat* of armed government agents at meeting houses—which has existed

since the moment DHS announced its new policy—does the same. *See, e.g.*, Ex. B, Merrill Decl., ¶ 39; Ex. A, Levi Decl., ¶ 73.

CLAIMS FOR RELIEF

COUNT I

Religious Freedom Restoration Act, 42 U.S.C. §§ 2000bb-2000bb-4

92. Plaintiffs restate and reallege all paragraphs above as if fully set forth here.

93. In RFRA, Congress concluded that because “free exercise of religion” is “an unalienable right,” “governments should not substantially burden religious exercise without compelling justification.” 42 U.S.C. § 2000bb. Even “laws ‘neutral’ toward religion may burden religious exercise as surely as laws intended to interfere with religious exercise.” *Id.*

94. As such, “[g]overnment may substantially burden a person’s exercise of religion only if it demonstrates that application of the burden to the person—(1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.” 42 U.S.C. § 2000bb-1(b).

95. Anyone “whose religious exercise has been burdened in violation” of RFRA may raise a RFRA claim and “obtain appropriate relief” against the government. 42 U.S.C. § 2000bb-1(c).

96. DHS’s new policy allows its agents to conduct enforcement operations—including arrests, investigations, interviews, and surveillance—at and near houses of worship and religious ceremonies, including Quaker meeting houses.

97. Permitting immigration-enforcement operations at or near houses of worship deters people from attending religious services, even if they are lawful permanent residents or citizens.

98. Quaker beliefs insist that worship be open to all who wish to join. Quaker religious practices depend on communal worship. And Quakers believe that the presence of worshippers from different backgrounds is integral to hearing messages from God.

99. DHS's new policy thus substantially burdens Plaintiffs' free exercise of religion by reducing the number and diversity of worshippers, which in turn interferes with a meeting's ability to hear and receive messages from God.

100. DHS's new policy immediately created the threat of federal officers surveilling and arresting meeting attendees, rendering Plaintiffs unable to encourage anyone who feels called to join to do so.

101. The policy thus substantially burdens Plaintiffs' free exercise of religion by rendering Plaintiffs unable to live their testimony of welcoming others as part of worship.

102. For more than three hundred years, Quakers have held a religious commitment against violence. The presence of armed government agents at or near meeting houses would be incredibly disruptive to Plaintiffs' ability to worship—as is the mere threat of such action, which DHS's change in policy immediately created.

103. DHS’s rescission of the protected areas policy thus substantially burdens Plaintiffs’ free exercise of religion by violating their commitment to anti-violence.

104. To justify DHS’s new policy, the government must satisfy strict scrutiny. It cannot.

105. The government has itself said that DHS can accomplish its mission “without denying or limiting individuals’ access to needed medical care, children access to their schools, the displaced access to food and shelter, people of faith access to their places of worship, and more.”⁴³

106. DHS’s new policy has already injured Plaintiffs and will continue to do so until enjoined or vacated.

COUNT II

First Amendment—Freedom of Expressive Association

107. Plaintiffs restate and reallege all paragraphs above as if fully set forth here.

108. The First Amendment of the U.S. Constitution safeguards the freedom of expressive association: the right to associate with others for the purpose of engaging in activities protected by the First Amendment, including speech, assembly, petition for the redress of grievances, and exercise of religion.

⁴³ Mayorkas Memo, *supra* note 1, at 2.

109. The freedom of expressive association is a vital means to protect the liberties guaranteed by the First Amendment.

110. Government cannot interfere in protected First Amendment activity in ways that are “‘direct and substantial’ or ‘significant.’” *El Ali*, 473 F. Supp. 3d at 523 (quoting *Lyng*, 485 U.S. at 366, 367 n.5).

111. Nor can government chill gathering to exercise First Amendment rights. Government action chills an individual’s or entity’s expressive-association freedom when it interferes, whether directly or indirectly, with the ability to associate for the purpose of engaging in expressive activity, including by making membership or participation in the association more difficult or less desirable.

112. Plaintiffs and their congregants engage in protected expressive association when they gather in person for communal religious worship, an activity that is fundamental to their religious exercise.

113. Plaintiffs suffer injury to their expressive-association rights because, among other reasons, DHS’s new policy will result in fewer members and attenders—the core of Quaker worship. The policy will reshape the composition of Plaintiffs’ worship meetings by diminishing the attendance and participation of members of immigrant communities, who are likely to experience (and share) the Divine in unique ways. And because the policy allows the presence of armed, uniformed federal agents—which undermines the message of pacifism and nonviolence central to the Quaker faith—it directly and substantially limits who will attend meetings.

114. Plaintiffs' members and attenders will suffer too. People from varying backgrounds—especially immigrants—will be deterred from attending worship altogether for fear of surveillance, interrogation, or raids by armed officers. Plaintiffs' members and attenders will be deterred from encouraging and welcoming all-comers, regardless of immigration status. And members or attenders who are not themselves deterred from attending worship meetings will have fewer people with whom to worship, to say nothing of the impairment to the right to associate should meetings cancel in-person services altogether.

115. In all, DHS's new policy burdens and chills the expressive-association rights of Plaintiffs and their congregants.

116. To justify DHS's new policy, the government must satisfy exacting scrutiny. It must prove that it has a sufficiently important governmental interest and that the policy is narrowly tailored to that interest. It cannot.

117. The government has already admitted that there are less restrictive means of fulfilling its interest. It has deployed those less restrictive means for more than three decades and cannot articulate a reason why they are now insufficient.

118. DHS's new policy has already injured Plaintiffs and will continue to do so until enjoined or vacated.

COUNT III

Violation of the Administrative Procedure Act—706(2)(A) Arbitrary and capricious adoption of new protected-areas policy

119. Plaintiffs restate and reallege all paragraphs above as if fully set forth here.

120. Under the APA, a court shall “hold unlawful and set aside agency action” that is arbitrary and capricious. 5 U.S.C. § 706(2)(A).

121. Section 1103 authorizes the Secretary of Homeland Security to “establish such regulations” and “issue such instructions” to enforce “laws relating to . . . immigration.” 8 U.S.C. § 1103. DHS’s new protected-areas (or sensitive-locations) policy is a final agency action because it is “the consummation of the agency’s decisionmaking process” and it determines “rights [and] obligations” and creates “legal consequences.” *Bennett*, 520 U.S. at 177-78 (internal citation omitted). This “pragmatic” assessment includes the creation or revocation of safe harbors. *U.S. Army Corps of Engineers v. Hawkes Co., Inc.*, 578 U.S. 590, 599-600 (2016). Final agency action is subject to judicial review. 5 U.S.C. §§ 551(4), (13); 5 U.S.C. § 706(2)(A); *see also Regents of the Univ. of California*, 591 U.S. at 17.

122. For over 30 years, DHS has issued a consistent “statement of general . . . applicability and future effect designed to implement, interpret, or prescribe,” 5 U.S.C. § 551(4) (defining “rule”), DHS agents’ authority to conduct enforcement operations in protected areas.

123. Under the APA, agencies cannot depart from prior policies without acknowledging that they are making such a change and explaining their reasoning for doing so. *Fox Television*, 556 U.S. at 515. Agencies must “examine the relevant data and articulate a satisfactory explanation” when altering or rescinding their rules. *State Farm*, 463 U.S. at 43; *see also Fox Television*, 556 U.S. at 515. And they

must specifically consider the reliance interests of those who may be impacted by a change in their policies. *Regents of the Univ. of California*, 591 U.S. at 30-31.

124. In undoing decades of prior agency policy without reasoning, DHS engaged in arbitrary and capricious agency action. By failing to provide reasoning and considering alternative actions, DHS left unaddressed the decades of reliance interests held by Plaintiffs and others, further emphasizing the arbitrary and capricious nature of this action by DHS.

125. Because DHS rescinded its previously operative protected-areas policy—and because DHS failed to “examine the relevant data and articulate a satisfactory explanation,” including Plaintiffs’ reliance interests—DHS’s new policy is unlawful. DHS should be enjoined from implementing it.

126. DHS’s new policy has already injured Plaintiffs and will continue to do so until enjoined or vacated.

COUNT IV

Violation of the Administrative Procedure Act—706(2)(B) Contrary to constitutional right

127. Plaintiffs restate and reallege all paragraphs above as if fully set forth here.

128. Under the APA, a court shall “hold unlawful and set aside agency action” that is “contrary to constitutional right.” 5 U.S.C. § 706(2)(B).

129. Section 1103 authorizes the Secretary of Homeland Security to “establish such regulations” and “issue such instructions” to enforce “laws relating to . . . immigration.” 8 U.S.C. § 1103. DHS’s new protected-areas (or sensitive-locations)

policy is a final agency action because it is “the consummation of the agency's decisionmaking process” and it determines “rights and obligations” and creates “legal consequences.” *Bennett*, 520 U.S. at 177-78. This “pragmatic” assessment includes the creation or revocation of safe harbors. *Hawkes*, 578 U.S. at 600. Final agency action is subject to judicial review. 5 U.S.C. §§ 551(4), (13); 5 U.S.C. § 706(2)(A); *see also Regents of the Univ. of California*, 591 U.S. at 17.

130. Without the protected-area policy, DHS regulation 8 C.F.R. § 287.8(f)(1)—and its new “common sense” standard—allows DHS agents to conduct immigration-enforcement operations at or near houses of worship or religious ceremonies.⁴⁴

131. For Plaintiffs, their members, and their attenders, in-person worship in which any and every person are welcomed to join is a core tenet of their religious exercise. The opportunity to engage in such communal worship is a long-held and vital part of their expression of faith.

132. Without the protected-area policy, DHS regulation 8 C.F.R. § 287.8(f)(1) discourages people from attending religious services. Specifically, the 2025 Policy will reduce the number and diversity of worshippers at Plaintiffs’ meetings. The policy thus chills Plaintiffs’ rights to the Freedom of Expressive Association.

⁴⁴ 8 C.F.R. § 287.8(f)(1) addresses the standards for enforcement activities during “site inspections.” The regulation states, “[s]ite inspections are Border and Transportation Security Directorate enforcement activities undertaken to locate and identify aliens illegally in the United States, or aliens engaged in unauthorized employment, at locations where there is a reasonable suspicion, based on articulable facts, that such aliens are present.”

133. The 2025 Policy cannot satisfy exacting scrutiny, so it is “contrary to constitutional right,” 5 U.S.C. § 706(2)(B).

134. It is thus unlawful, and DHS should be enjoined from implementing it.

135. DHS’s new policy has already injured Plaintiffs and will continue to do so until enjoined or vacated.

COUNT V

Violation of the Administrative Procedure Act—706(2)(C) In excess of statutory jurisdiction, authority, or limitations

136. Plaintiffs restate and reallege all paragraphs above as if fully set forth here.

137. Under the APA, a court shall “hold unlawful and set aside agency action” that is “in excess of statutory jurisdiction, authority, or limitations.” 5 U.S.C. § 706(2)(C).

138. Section 1103 authorizes the Secretary of Homeland Security to “establish such regulations” and “issue such instructions” to enforce “laws relating to . . . immigration.” 8 U.S.C. § 1103. DHS’s new protected-areas (or sensitive-locations) policy is a final agency action because it is “the consummation of the agency’s decisionmaking process” and it determines “rights and obligations” and creates “legal consequences.” *Bennett*, 520 U.S. at 177-78. This “pragmatic” assessment includes the creation or revocation of safe harbors. *Hawkes*, 578 U.S. at 600. Final agency action is subject to judicial review. 5 U.S.C. §§ 551(4), (13); 5 U.S.C. § 706(2)(A); *see also Regents of the Univ. of California*, 591 U.S. at 17.

139. Without the protected-area policy, DHS regulation 8 C.F.R. § 287.8(f)(1)—with the agency’s new “common sense” standard—allows defendant agencies to conduct immigration-enforcement operations at or near houses of worship or religious ceremonies.

140. For Plaintiffs, and their members, holding in-person worship in which any and every person are welcomed to join is a core tenet of their religious exercise. The opportunity to engage in such communal worship is a long-held and vital part of their expression of faith.

141. Without the protected-area policy, DHS regulation 8 C.F.R. § 287.8(f)(1) discourages people from attending religious services. Plaintiffs will suffer myriad resulting harms, including losing messages from God. Plaintiffs also will not be able to encourage immigrants to join worship for fear that they will put the immigrants in harm’s way. And due to Plaintiffs’ substantial interactions with immigrant communities, they have a reasonable fear of immigration enforcement at their meetings. That very threat significantly burdens their religious exercise. The policy is thus a substantial burden on Plaintiffs’ religious exercise under RFRA.

142. The DHS policy cannot satisfy strict scrutiny, so it is “in excess of statutory jurisdiction, authority, or limitations,” 5 U.S.C. § 706(2)(B).

143. It is thus unlawful, and DHS should be enjoined from implementing it.

144. DHS’s new policy has already injured Plaintiffs and will continue to do so until enjoined or vacated.

COUNT VI

Violation of the Administrative Procedure Act— 5 U.S.C. § 706(2)(D) Without observance of procedure required by law

145. Plaintiffs restate and reallege all paragraphs above as if fully set forth here.

146. DHS requires that its rules and regulations go through the notice-and-comment process generally required by the Administrative Procedures Act. *R.J. Reynolds Vapor Co. v. Food & Drug Admin.*, 65 F.4th 182, 194 (5th Cir. 2023); *see also Iowa League of Cities v. E.P.A.*, 711 F.3d 844, 875 (8th Cir. 2013); 5 U.S.C. §§ 553.

147. Under the APA, a court shall “hold unlawful and set aside agency action” that is “without observance of procedure required by law.” 5 U.S.C. § 706(2)(D).

148. Section 1103 authorizes the Secretary of Homeland Security to “establish such regulations” and “issue such instructions” to enforce “laws relating to . . . immigration.” 8 U.S.C. § 1103. DHS’s new protected-areas (or sensitive-locations) policy is a final agency action because it is “the consummation of the agency’s decisionmaking process” and it determines “rights and obligations” and creates “legal consequences.” *Bennett*, 520 U.S. at 177-78. This “pragmatic” assessment includes the creation or revocation of safe harbors. *Hawkes*, 578 U.S. at 600. Final agency action is subject to judicial review. 5 U.S.C. §§ 551(4), (13); 5 U.S.C. § 706(2)(A); *see also Regents of the Univ. of California*, 591 U.S. at 17.

149. DHS has repealed its longstanding guarantee that, absent extraordinary circumstances, the government would not conduct immigration enforcement at protected areas, including houses of worship of other religious

ceremonies. The 2021 Mayorkas Memo, *supra* note 1, acts as the policy for DHS because it set a “statement of general . . . applicability and future effect designed to implement, interpret, or prescribe” the enforcement power of DHS agents. 5 U.S.C. § 551(4) (defining “rule”).

150. To alter or rescind its protected-areas rule, DHS must first engage in notice-and-comment rulemaking, as required by the APA. *Nat. Res. Def. Council*, 894 F.3d 95, 113 (2d Cir. 2018); *see also* 5 U.S.C. § 553.

151. DHS did not engage in notice-and-comment rulemaking.

152. Because DHS rescinded the longstanding protected-area rule without going through the notice-and-comment process required of agency rules, it is not in observance of procedure required by law.

153. It is thus unlawful, and DHS should be enjoined from implementing it.

154. DHS’s new policy has already injured Plaintiffs and will continue to do so until enjoined or vacated.

PRAYER FOR RELIEF

Plaintiffs respectfully request that this Court:

- a. Declare unconstitutional any policy permitting government agents to carry out immigration-enforcement activities at or near houses of worship when those policies are limited only by individual agents’ subjective “common sense”;
- b. Declare the 2025 Policy unconstitutional, void, and of no effect;
- c. Enjoin and vacate the 2025 Policy;

- d. Enjoin DHS and its constituent agencies from implementing, enforcing, or acting pursuant to the 2025 Policy on both a preliminary and permanent basis;
- e. Award Plaintiffs costs of suit, attorneys' fees, and expenses to the greatest extent authorized by all applicable laws; and
- f. Issue such other relief as the Court deems proper.

[DOCUMENT CONTINUES ON NEXT PAGE]

JURY DEMAND

Plaintiffs demand a jury trial of all issues so triable under Rule 38 of the Federal Rules of Civil Procedure.

January 27, 2025

Respectfully submitted,

/s/ Alethea Anne Swift

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Counsel for Plaintiffs

⁺ *Application for full admission pending*

^{*} *Application for admission pro hac vice forthcoming*

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

See attachment.

(b) County of Residence of First Listed Plaintiff Philadelphia (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) See attachment. Democracy Forward Foundation, P.O. Box 34553, Washington, D.C. 20043 202-448-9090

DEFENDANTS

U.S. Department of Homeland Security and Kristi Noem, in her official capacity as Secretary of the Department of Homeland Security

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
3 Federal Question (U.S. Government Not a Party)
X 2 U.S. Government Defendant
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- X 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Brief description of cause:

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: X Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 01/27/2025 SIGNATURE OF ATTORNEY OF RECORD /s/ Alethea Anne Swift

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

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INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below. United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box. Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked. Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. B U h i f Y c Z G i j h " : D U W Y U b U f L Y a j i b h h \ d Y Y U d b U f h c i d f f Y U c h Z Y g W c] 1 h h \ W c = X Z Y U g h i N U Y g f g h \ U h :] g a c g h U d d B U W U V Y Y C Z G i j W _ 7 & X Y Y 8 Z @ W f] d h] c b g

V. Origin. Place an "X" in one of the seven boxes. Original Proceedings. (1) Cases which originate in the United States district courts. Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box. Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date. Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date. Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers. Multidistrict Litigation - Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. Multidistrict Litigation - Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Exhibit A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF MICHAEL LEVI

I, Michael Levi, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

My knowledge of the Quaker faith

1. I am a member of Adelphi Friends Meeting of the Religious Society of Friends, located in Adelphi, Maryland.
2. I have been attending Adelphi Friends Meeting since the mid 1990s.
3. I became a member of the meeting around 2004.
4. I am currently a member of two committees: the Ministry and Worship Committee and the Change Group.

5. I have served in various roles in Adelphi Friends Meeting in the past, including Clerk, Assistant Clerk, Treasurer, Assistant Treasurer, and as a member and often clerk of various other committees.
6. In addition to my thirty-plus years of worship, I have studied the Quaker faith extensively.
7. Over the years, I have taught a class on the core tenets of Quaker faith and practice between fifteen and twenty times. I have taught the class at Adelphi Friends Meeting, at a Friends School, and at the Friends General Conference—a yearly gathering of different Quaker groups and meetings.
8. There are four main branches of Quakerism: the liberal branch, the conservative branch, the Friends United Meeting, and the Evangelical Friends.
9. Adelphi Friends Meeting falls under the liberal branch. The name is not reflective of any political ideology.
10. The liberal branch of the Quaker faith has two distinguishing features. First, worship is unprogrammed, meaning that services are not conducted by any preacher or religious leader. Second, we have a diverse theological understanding. Although Quakerism came out of the Christian tradition, the liberal branch recognizes that many Friends do not consider themselves Christians.
11. Because the Quaker faith is not controlled or determined by any earthly authority, my understanding of the faith may differ from the understanding

of others. That being said, what follows is a description of the faith that I believe generally holds true in the liberal branch of Quakerism.

Core tenets of the faith

12. There are four core insights into what it means to be a Quaker: encounter, worship, discernment, and testimony.

Encounter

13. Quakers believe that humans can and do experience God directly—known as “encounter.”
14. We have no human who directs our spiritual development. There is no creed, no catechism, and no canonical statement of belief.
15. We believe that, at any given time, any given person may experience the divine. And that person may receive a message that is intended to be shared broadly.
16. Put another way, everyone who enters the door to a meeting house may be a source of divine revelation.
17. We believe that different life experiences lead people to hear and understand the Spirit of God in somewhat different ways. So having a diversity and richness of human experience gives us a richer, fuller understanding of how God is speaking to us individually and as a community.
18. It is essential for our spiritual development to be able to hear God’s word, no matter who it comes from.

Worship

19. Quakers have developed practices that encourage that encounter—known as “worship.”
20. In our scheduled, regular worship, we gather—generally in the Meeting House—and sit in expectant waiting.
21. To some, it might look like we are sitting silently, not doing anything. In fact, there is a great deal happening that is not visible or audible. Every person is quieting their mind and emotions, making space for God to enter.
22. For some, God enters and delivers a message that is personal.
23. For some, God enters and delivers a message that is intended to be shared with the rest of the worshippers. When someone receives that kind of message, they stand and speak, sharing that message with the rest of the Meeting. That is called vocal ministry.
24. Vocal ministry can come from anyone, no matter their background or how long they have been a worshipping Quaker.
25. The communal aspect of worship is central to the exercise of the Quaker faith. There are meetings that people refer to as “gathered meetings.” In a gathered meeting, there is a feeling among everyone in the room that we are truly together in that moment. It just happens—there is a deep spiritual bond and a love for everyone in the meeting that spring from our communal togetherness. At the end of a gathered meeting, it is obvious to everyone in the room that something special has happened.

Discernment

26. Third, we have developed practices to help understand that encounter—known as “discernment.”
27. Discernment is the process of interpreting God’s will and making decisions. Such decisions may be personal or may be for the sake of the community.
28. In any kind of meeting, we make space for God to enter. For example, whatever the topic being discussed, we regularly pause for silent worship.
29. Our religious exercise is not limited to our regularly scheduled worship meetings. Because of discernment, our meetings for decision making are acts of worship too. That is because during our decision making, God is present. We call these “Meetings for Worship for the Conduct of Business.” Our decision-making process is an attempt to determine how the presence of the divine is guiding the community.

Testimony

30. Quakers are led to a particular way of living—known as “testimony.”
31. Quakers believe in continuing revelation. That means that God has not finished speaking to humans. We do not believe that God is changing, instead we believe that because humans are developing, the way that God speaks to us changes to meet us where we are.
32. As a result, some of our testimonies have changed over time. For example, Quakers used to refuse to use honorifics or titles and would also refuse to remove their hats.

33. Some testimonies remain consistent. For example, Quakers are well-known for our peace testimony; most Friends oppose all war, for any reason. Most would describe themselves as pacifists.
34. Some Quakers use the acronym SPICES to help explain some core beliefs of Quaker testimony. SPICES stands for simplicity, peace, integrity, community, equality (both social and spiritual), and stewardship. SPICES is a way to help understand the development of the Quaker faith. It is not a creed or a set of rules for the faith going forward.
35. Community is very important to Quakers. Community stretches globally and is not limited to members of the Quaker faith.
36. We believe that living our values requires us, among other things, to be truthful at all times.

My worship at Adelphi Friends Meeting

37. I regularly attend weekly worship at the Adelphi Friends Meeting House.
38. I appreciate that the Meeting offers a Zoom option, especially for members who are house-bound or unable to physically attend. Sometimes I attend remotely. But attending worship in the Meeting House is a much more powerful religious experience.
39. Our weekly worship meeting starts with approximately 10 minutes of singing hymns together. The hymns have long been one of my favorite parts of the weekly worship meeting.

40. After we finish singing the hymns, we settle into worship. In worship, we sit facing the center of the room. We sit silently, allowing space for God to enter. When someone is moved to share vocal ministry, they share it aloud and then we return to sitting silently.
41. It can be difficult to enter the state of mind that I need to receive messages from God. It requires bringing my mind to a place of stillness.
42. When I am able to still my mind, I enter a state that is hard to describe, but there is a sense of being untethered or weightless.
43. When I quiet my mind in worship, it gives me energy and replenishes me.
44. Sometimes, the state of worship goes far beyond mere replenishment. In those moments, I am not alone. There is at least one additional presence with me, the presence of God. Sometimes, in addition to the presence of God, I feel the spiritual presence of the others who are physically in the room with me.
45. In silent worship, I often receive insights that I have not had before. I see things in a new way. Sometimes I have hope for, or understanding of, a problem that seemed intractable. Often I have a profound feeling of love, hope, warmth, and kindness.
46. I frequently feel the presence of God during worship, but I do not frequently engage in vocal ministry. I engage in vocal ministry when I feel that I have received a message that isn't just for me, but is intended to be shared with others.

47. Sometimes I have sat down after delivering vocal ministry and not remembered what I said. In those moments, I feel like I was a simple conduit or channel for a message from God.
48. Vocal ministry from others affects my worship. When I listen to others deliver messages, the messages will often send me down a new path of thought, evoke a new feeling, or offer me insight.
49. Those who are sitting quietly and do not engage in vocal ministry are actively participating in our communal worship. Speaking is just one expression of worship. Sitting quietly in Quaker worship is not a passive silence. Sitting quietly is part of the centering and the communion that we are sharing, which is, to me, more important than the messages.
50. The worship portion of our weekly services usually lasts about an hour, although depending on the circumstances, it can go longer.
51. I am frequently surprised that the time for worship is over because it has passed so quickly.
52. After worship, we share “joys and concerns.” This is a time for personal sharing, including requests to the community to hold someone in the Light—the Quaker version of praying for somebody.
53. After sharing joys and concerns, the person who is serving as the clerk for that specific meeting for worship ends the worship and people begin to shake hands and greet one another. This is followed by announcements. As part of the announcements, the clerk of the Outreach and Fellowship

committee tells everyone that the Meeting always makes available at least one person to speak with anyone, especially newcomers, to explain Quaker worship. The clerk of the Hospitality committee also announces the weekly potluck that immediately follows worship. And recently children have begun to share what they learned that day in First Day School—the Quaker equivalent of Sunday School.

Adelphi Meeting's community interactions

54. In addition to being open to all, Adelphi Friends Meeting and its members engage directly with our local community in a host of ways.
55. The Meeting House has an annual Strawberry Festival. The festival includes a used-clothing sale, household goods, games, food, and more. Many members of our local community who are not Quakers and who do not attend our Meeting attend the festival.
56. Unofficial community engagement by members of Adelphi Friends Meeting is supported by the Meeting and our members. These various community engagements often result in non-Members learning about our Meeting.
57. For example, members of Adelphi Friends Meeting have volunteered at the local public school over the years.
58. Likewise, a Member of the Meeting is from Kenya. Through learning about that Member's background and work, a group of Members worked to raise money for a Kenyan village.

The importance of worship with all comers, including immigrants

59. Because Quaker worship is rooted in a communal experience, restrictions on who attends is a significant harm to our religious experience.
60. Our worship is open to all comers—no matter their status. We firmly believe that one's life experience affects how one hears the spirit and what conclusions one might draw. So a diversity of worshippers allows us to experience God in a broader, more encompassing way.
61. Members who are Christ-centered deeply believe in Jesus's admonitions to welcome the stranger and to love thy neighbor.
62. I am aware that being welcoming of others and having an open door is core to religious traditions spanning centuries and continents.
63. Welcoming anybody and everybody is a core religious belief of mine.
64. The importance of welcoming immigrants to our worship is not simply a theoretical value. Over the years, we have had a large number of immigrants come to worship. For example, significant numbers of people from Kenya and Burundi have worshipped at Adelphi Friends Meeting.
65. Our Meeting has been enriched by the presence of these immigrants. We have had experiences that we would certainly not have had if immigrants did not join us for worship.
66. Having immigrants worship with us has made an enormous difference to who we are as individuals and as community.

67. Dissuading immigrant members of our community from attending worship seriously harms Adelphi Friends Meeting, its members, and anyone who attends worship. It lessens our ability to hear God and what God is trying to tell us.
68. I believe that the threat of immigration enforcement at houses of worship, including the Adelphi Friends Meeting House, dissuades people from attending. That greatly harms our worship.
69. Government enforcement actions that stops people from entering our meeting house—or scares them from doing so—affects us personally, viscerally, emotionally, and theologically.
70. Knowing that immigration enforcement could happen at our Meeting House, I will not be as encouraging of immigrants joining us for worship. As much as their presence would be a benefit to my religious experience (and to Adelphi Friends Meeting broadly), I do not feel comfortable knowing that their attendance could bring them severe personal harm—regardless of their legal status, into which I would never inquire.
71. The threat of immigration enforcement presents additional harms to our worship.
72. We believe deeply in peace and many Quakers are pacifists. As an example, many Quakers do not take the decision to call the police lightly because it means calling an armed person to intervene.

73. Having armed law-enforcement officers inside or outside of our house of worship would hamper our ability to connect to God. It would be distracting and threatening. And for many, including me, the mere threat of that presence would be enough to harm our religious practice.

Silver Spring, Maryland
January 25, 2025



Michael Levi

Exhibit B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF NOAH MERRILL

I, Noah Merrill, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

The history and structure of New England Yearly Meeting of the Religious Society of Friends

1. New England Yearly Meeting is the formal and legal association of local Quaker congregations in the six New England states: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
2. New England Yearly Meeting is located at:

901 Pleasant St.

Worcester, MA 01602
3. A Yearly Meeting in the Quaker religion is an association, a yearly gathering, and the way of describing Quakers within a certain region.

4. New England Yearly Meeting is the oldest Yearly Meeting in the world. It has met continuously since 1661.
5. New England Yearly Meeting comprises 63 local congregations—called monthly meetings—across New England. The monthly meetings range from rural to urban, and everything in between.
6. Monthly meetings are the basic organizational unit in the Quaker religion. Generally, monthly meetings have been incorporated, have bylaws, own a meeting house, and have their own budget. Most community-based activities happen at monthly meetings.
7. To be a monthly meeting in the Religious Society of Friends, a meeting must be recognized by a quarterly or yearly meeting.
8. Quarterly meetings are gatherings of monthly meetings in a specific geographic area.
9. Quarterly meetings gather 3-4 times a year for worship and to make decisions about issues that concern the monthly meetings in the region.
10. Quarterly meetings are sometimes individual legal entities, most often they are not.
11. Quarterly meetings are formally and legally a constituent and subsidiary part of the Yearly Meeting.
12. The Yearly Meeting is the highest organizational body (judicatory) in the Religious Society of Friends. There is no wider organization to which a

Yearly Meeting answers, though yearly meetings globally are in contact with one another.

13. The Yearly Meeting gathers yearly for worship and to make decisions about issues that affect the constituent quarterly and monthly meetings.
14. The Yearly Meeting is legally incorporated, both as a church and a 501(c)(3).
15. Monthly meetings are the heart of the Quaker community, but legally and practically the Yearly Meeting exercises a degree of control over monthly meetings.
16. With rare exceptions, every one of New England Yearly Meeting's constituent monthly meetings sends an annual report to New England Yearly Meeting and, depending on the contents of the report, New England Yearly Meeting will work with the monthly meeting to determine its best path forward.
17. If there is a potential legal issue at a monthly meeting, the meeting would contact New England Yearly Meeting to intervene or assist.
18. New England Yearly Meeting acts on behalf of monthly meetings for legal purposes. If, for example, someone made a bequest to a monthly meeting that an estate was not honoring, New England Yearly Meeting would take appropriate action on behalf of the monthly meeting.
19. New England Yearly Meeting does not manage the budgets of its monthly meetings. But if a monthly meeting closes down, generally the monthly meeting's assets transfer to New England Yearly Meeting.

20. Monthly meetings fund New England Yearly Meeting. Approximately 2/3 of the budget of New England Yearly Meeting comes from monthly meetings.
21. Because so much of New England Yearly Meeting's budget comes from monthly meetings, a loss of members would harm the monthly meetings and New England Yearly Meeting.
22. New England Yearly Meeting is not its own church in the same way that a monthly meeting is. But New England Yearly Meeting gathers annually for worship, fellowship, advocacy, and decision-making about the development of the Quaker faith in New England.
23. When we meet annually, we understand the Yearly Meeting to be its own worshipping body. As part of that worshipping body, the Yearly Meeting has its own clerk and those who guide New England Yearly Meeting's religious development and service in the world.
24. New England Yearly Meeting emphasizes that all Quakers in New England are a part of our community. The annual gathering is attended by members of monthly meetings throughout New England and others interested in exploring or developing ties with the Quaker faith.
25. Our annual gathering is open to anyone who wants to attend. It is generally understood that nonmembers will likely not play a substantial role in decision making at the annual gathering. But they are welcome to attend and to worship.

26. New England Yearly Meeting would never turn anyone away from our annual gathering based on their immigration status, and we do not ask about immigration status.
27. Because Quakers believe that any and every person can experience God directly in a way that should be shared with others, we encourage and welcome people from all walks of life.
28. New England Yearly Meeting, like Quakers generally, understand ourselves as a global community.
29. The Quaker faith has a strong tie to Central and South America. We have attendees at New England Yearly Meeting's annual gathering for whom Spanish is their first language, both residents of the United States and visitors from several Latin American countries. So we provide interpretive services at large meetings, including our annual gathering.
30. The Quaker faith also has a strong tie to Africa. New England Yearly Meeting has a monthly meeting that consists of members of the African Diaspora.

My role in the New England Yearly Meeting and my faith

31. I am the Yearly Meeting Secretary of New England Yearly Meeting. The position is roughly equivalent to that of Executive Director for the organization.
32. As Yearly Meeting Secretary, I serve as the legal agent and representative of New England Yearly Meeting.

33. The position of Yearly Meeting Secretary answers to the Permanent Board of New England Yearly Meeting.
34. The Yearly Meeting Secretary directly supervises 9 staff members.
35. I have been in my position for 12 years.
36. I have been employed in various positions in the Quaker faith since 2003.
37. I grew up a Quaker and am an active member in the Religious Society of Friends.
38. I have been recognized as a Recorded Minister. In the Quaker faith, a Recorded Minister is one in whom the community has recognized certain sustained gifts and expects to be able to interpret the Quaker faith to the wider world.
39. I believe that any immigration-enforcement action at a Quaker house of worship would cause serious harm to the religious exercise of New England Yearly Meeting and its member monthly meetings. And I believe that the threat of immigration-enforcement actions at a Quaker house of worship causes serious harm to the religious exercise of New England Yearly Meeting and its member monthly meetings.
40. I do not recall ever seeing a gun in a Quaker meeting, and Quakers have held a religious commitment against violence in all forms for more than 350 years.
41. I understand the immigration-enforcement officers generally are armed.

42. I believe that the presence of armed officers at a meeting would cause significant harm to our religious exercise.

43. Knowing that immigration enforcement can happen at a monthly meeting, at any of our worship events throughout the year, or at our annual gathering, I cannot be as encouraging of immigrants joining us for worship. As much as their presence would benefit our religious experience, I do not feel comfortable knowing that their attendance could subject them to armed federal officers.

Newfane, Vermont
January 25, 2025



Noah Merrill

Exhibit C

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF RUBY STEIGERWALD

I, Ruby Jane Steigerwald, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

1. I am a member of the Adelphi Friends Meeting, located in Adelphi, Maryland.
2. I have been attending the Adelphi Meeting since approximately 2015.
3. I previously attended and was a member of the Twin Cities Friends Meeting in Minneapolis-St. Paul, Minnesota, where I was an attender and member for 16 years.
4. I also attended the Monteverde Friends Meeting in Monteverde, Puntarenas Province, Costa Rica, for one-and-a-half years, from 1997 to 1999.

5. I am currently Co-Clerk of the Children's Religious Education Committee and a member of the Climate Action Working Group within the Peace and Social Concerns Committee at the Adelphi Meeting.
6. While a member of the Twin Cities Friends Meeting, I was a member of the First Day School Committee, which covers children's religious education. I was also the Clerk of Meeting. I also served on the El Salvador Committee of the Northern Yearly Meeting, whose purpose is to foster a relationship between El Salvador Yearly Meeting and Northern Yearly Meeting, including youth exchange programs and supporting a Quaker school in El Salvador.
7. I am a retired teacher. Throughout most of my professional career, I worked with the children of immigrants. I also taught English as a Second Language courses to adults.

My worship at the Adelphi Friends Meeting

8. I regularly attend weekly worship at the Adelphi Friends Meeting House.
9. Our weekly worship meeting begins with about 15 minutes of singing hymns.
10. We then begin worship, which lasts about an hour. Children join for the first 20 minutes of that time.
11. Worship consists of sitting in silence and waiting to hear the voice of God. We sometimes refer to this process as seeking the inner light, inner voice, or the Christ within.

12. After worship, we share “Joys and Concerns,” during which people have the opportunity to talk about things happening in their life or to share thoughts or feelings that may not rise to the level of something to be shared during worship.
13. During Joys and Concerns, we hold each other in the light.
14. Thereafter, we exchange greetings by shaking hands or hugging those around us, and newcomers introduce themselves.
15. The meeting concludes by breaking bread together.
16. Joys and Concerns, greeting one another, and breaking bread together are important aspects of our religious exercise because it is important to our religious experience to know the other people who are a part of the Adelphi Meeting.
17. The Adelphi Friends Meeting offers remote participation in weekly worship via Zoom.
18. While it is important because it allows people who are ill, who have mobility issues, or who live far away from the meeting house to access worship, I prefer to worship in person.
19. We worship in community, and it is harder for me to feel that communal connection when worshipping via Zoom.

The Testimony of Equality

20. The Friends have a set of values, known as Testimonies, that inform how we live and how we worship.

21. One of the Testimonies is Equality. The Testimony of Equality means that we see that of God in all people.
22. That Testimony of Equality means that we value and worship without regard to a person's background, immigration status, or how they arrived in this country.

Engagement with the community

23. The Adelphi Meeting engages with our community in a number of ways.
24. Because the Adelphi Meeting is located in an area with a large population of Hispanic people and Spanish-speakers, we include Spanish-language materials about Quakerism in the foyer of the meeting house.
25. We also translate important social-justice related committee minutes into Spanish and publish them on our website.
26. In the past, we have hung a large banner in front of our meeting house welcoming immigrants in our community. The banner, citing Leviticus 19:33-34, said, "Do not mistreat strangers. Treat them as citizens. Love them as yourself."
27. We have regularly supported immigrant families settling in our community, including families from Afghanistan, Burundi, Kenya, and Nicaragua, many of whom were refugees and escaping civil unrest. Some of these families joined our meeting for worship.
28. We also open our meeting house and grounds to the community.

29. For example, the Adelphi Meeting is a member of the Adelphi Neighborhood Association, and the Association holds its meetings in our meeting house.
30. We built a playground on our grounds and ensure that it is open to families and children in our community, regardless of whether they attend or are members of the Adelphi Meeting.
31. We also hold an annual event, the Strawberry Festival, which is open to all members of the local community, regardless of whether they are members of the Adelphi Meeting.

The importance of communal worship with all-comers, including immigrants

32. Communal worship is a core aspect of my faith and religious exercise, and restrictions on communal worship would negatively affect my religious exercise and ability to practice my faith.
33. We believe that everyone has their own connection to spirit, or access to the divine.
34. Having as many people attend our meetings as possible is an important aspect of worship, because every individual who attends presents an opportunity for God to speak to us through them.
35. When we have a deep spiritual experience, it is because we have all sensed something and been in the same spiritual presence together, which can only happen through communal participation in worship.

36. Radical inclusivity, including inclusivity of people from different backgrounds and cultures, is also an important aspect of our religious worship, because it allows access to the divine through the most sources possible.
37. The specter or actual presence of armed law enforcement officers coming near or inside our meeting house during worship is very disturbing and would be incredibly disruptive and traumatic.
38. I believe that it may lead some members of our community to refrain from attending weekly worship in person, particularly Latino members and people with children.
39. If some people cease attending weekly worship, it would negatively affect the ability of our attenders and members to gather together for communal worship.
40. If some people cease attending weekly worship, my own ability to worship will be diminished.
41. If I were permitted to worship only with those with lawful immigration status, it would not only negatively affect my ability to worship with all-comers, but it would infringe my religious beliefs otherwise, including the Testimony of Equality.
42. The Friends are anti-violence and a peace church. We do not take up arms. And we stand in the power that removes the occasion of violence and war.

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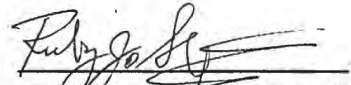

Ruby Jane Steigerwald

Exhibit D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF RONI J. KINGSLEY

I, Roni J. Kingsley, declare under penalty of perjury, under 28 U.S.C. § 1746,
that the following is true and correct:

1. I am Clerk of the Richmond Friends Meeting, located in Richmond, Virginia.
2. The Richmond Monthly Meeting is a congregation of the Religious Society of Friends.
3. It is part of the Baltimore Yearly Meeting, a regional Meeting of the Religious Society of Friends. The Baltimore Yearly Meeting has existed for more than 300 years.
4. I began attending the Richmond Friends Meeting in 1989 and became a member around 2000.

5. I have served as Clerk of the Richmond Friends Meeting since 2024. I served as Assistant Clerk from 2022-23.
6. I have been part of a number of committees in my time as an attendee and member of the Richmond Meeting, including the Peace and Social Concerns, Building and Grounds, Care and Counsel, Technical Support, Nominating, and Ministry and Worship Committees. Some committees require membership, some do not.

Richmond Friends Meeting and worship

7. I regularly attend weekly worship at the Richmond Friends Meeting House.
8. The weekly worship meetings take place every Sunday, one at 9:30 a.m. and one at 11:00 a.m. Our meetings are open and anyone may attend.
9. The Richmond Friends Meeting congregation has roughly 225 regular attendees and members.
10. Richmond Friends Meeting is made up of attendees and members.
Attendees are any people who attend our meetings. Members are people who have gone through the formal process of becoming a member of Richmond Friends Meeting and thereby the broader Religious Society of Friends.
11. An attendee can become a member by making a written request to the Clerk of Meeting who will then pass the request to the Care and Counsel Committee. This committee forms an ad hoc committee called a clearness committee. Members of the clearness committee meet, sit, and discuss

membership with the interested individual. If everyone feels clear following this process, the decision goes to the full Care and Counsel Committee which will make a recommendation for membership to the entire Richmond Friends Meeting at a monthly business meeting. Typically, approval is “held over” until the following month’s business meeting to give people from meeting the opportunity to speak with the individual should they wish to.

12. The Richmond Friends Meeting is nonhierarchical. That means there is no clergy that leads worship, decides religious doctrine, or determines the content of any meeting for worship. Instead, we gather in silence for worship.
13. At meetings for worship, we gather in silence for a period of Spirit-led waiting worship that lasts one hour. A member of the Care and Counsel Committee is at the open door to greet people, especially newcomers. People find places to sit, and all benches face the middle. A member of the Ministry and Worship Committee sits on “facing bench” (a bench near the front of the room). This person will initiate and end worship as well as guide announcements after worship. There is no program of content planned in advance. If someone is moved to share a message, they rise and do so. This is called vocal ministry. Vocal ministry can take the form of giving a message, saying a prayer, singing a song, or asking the meeting to join them in song. When they are finished, they sit back down.

14. Individuals typically only share once during a meeting. People are asked not to respond to each other during meeting, but sometimes a thread or theme develops throughout a meeting. Some times there are no messages during a meeting. An hour of silence is not uncommon.
15. At the end of the hour, there is a shaking of hands initiated by the person on facing bench, which signals the end of worship.
16. On the third Sunday of every month, worship includes the business of Richmond Friends Meeting. It is referred to as Meeting for Worship with Attention to Business
17. On weeks where worship with attention to business takes place, the meeting hears recommendations from its committees about actions that the meeting may take and attends to perfunctory matters, like budgeting.

Richmond Friends Meeting's decision making process

18. Richmond Friends Meeting seeks unity in our decision-making. We seek unity as a body, we do not vote. Decision-making is undertaken by the whole body, and it does not matter how long someone has been attending meeting. Nor does it matter whether they are an attendee or a member.
19. It is the Clerk's job to help the meeting consider the business before it. The Clerk does not control the conversation. Instead, the Clerk helps to guide consideration of the matters at hand.
20. The Clerk must get a sense of the unity and then test whether the meeting has come to unity during discernment.

Richmond Friends Meeting's immigrant community interactions

21. In addition to being open to all, the Richmond Friends Meeting and its members engage directly with our local community in a host of ways.
22. Richmond Friends Meeting House hosts English classes for refugees and immigrants.
23. Richmond Friends Meeting House specifically makes the meeting house available to the community and for people that need space.
24. Being open to all is part of our ministry and core to our religious beliefs.
25. As part of our ministry, Richmond Friends Meeting House has supported immigrant women through programming and financial assistance, including sewing courses and helping to purchase sewing machines.
26. Unofficial community engagement is encouraged at the Richmond Friends Meeting as well, and members try to live through their values in the community, not just during meetings.
27. As an expression of living our faith through values in the community, attendees and members of the Richmond Friends Meeting have volunteered to drive people to immigration appointments, meet immigrants as they arrive at bus stations, and sponsor new immigrant families when they arrive in Richmond in partnership with Catholic Charities.

The importance of meeting with all-comers

28. Richmond Friends Meeting is open to all-comers. It does not matter if it is someone's very first meeting or if they have been coming for decades. The doors are open, physically and metaphorically, to all at Richmond Friends Meeting. That is part of how we practice our faith.

29. At Richmond Friends Meeting, we give testimony to our spiritual lives by the way we live. Quakerism is not about what you believe, it's how you live. Our testimonies (Simplicity, Peace, Integrity, Community, Equality, and Stewardship of the Environment) are how we live our faith: personal, family life, in the community, and in the world.
30. Richmond Friends Meeting is rooted in communal experience. When someone speaks during meeting, it is similar to when a pastor speaks to a congregation, and it's to be taken the same way. It is ministry given to the congregation.
31. At Richmond Friends Meeting, the form of worship is "waiting worship." Everyone is collectively waiting together on Spirit. Our worship is not solitary, there is an understanding that we are gathered as a body. The meeting is not 50 distinct people sitting on their individual cushions. There is a spiritual connectedness to it. Even at a meeting where there might not be a message, there is a sense of togetherness with every single person in the room.

Effects of ICE Enforcement at Richmond Friends Meeting and the presence of armed immigration officers

32. Any immigration enforcement action during our meetings would seriously harm Richmond Friends Meeting and its members.
33. Already, the threat of armed immigration officers has begun to have an impact on our meeting. At the suggestion that ICE could begin enforcement in or near a meeting, an attendee asked whether we would need to start

locking our doors during meetings. Closing off the meeting to the public is something we have never done before because it interferes with our religious commitment to communal worship.

34. The knowledge that ICE agents can interrupt our worship is also already making our members less likely to attend. A member of color expressed concern that he could be mistaken for being undocumented and feared the idea of enforcement actions in or around the meeting. We have other attendees of color who are less comfortable at meeting now that armed immigration officers can operate in or around the meeting.
35. The method of worship at Richmond Friends Meeting, open worship, works only because everyone is in a circle together. The doors are open, there's a greeter at the doorway to welcome people in. All of that is part of the spiritual hospitality that we want to have. The idea of the presence of law enforcement—or the threat of that presence—goes against that.
36. Pacifism is deeply ingrained in the Quaker faith and is the ideal that brought so many people to the doors of Richmond Friends Meeting. Our pacifism is much more than a surface level opposition to war. Pacifism is deeper and broader than that. For us, it includes inward peace and peace at home.
37. Knowingly putting a person in harm's way or risking their involvement in a violent encounter violates my religious beliefs. Having weapons or armed people in or around the meeting is inconceivable and contrary to our faith.

38. In our manner of waiting worship, we sit quietly, release distractions, and settle into an inner stillness that leads to Spirit-led listening. For this reason, too, having weapons or armed people in or around the meetings is inconceivable and contrary to our faith. Even the idea of there being weapons at meeting is distressing enough to make it very difficult to engage in waiting worship and will discourage attendance.

Henrico County, Virginia
January 26, 2025


Roni J. Kingsley

Exhibit E

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF FRANCIE MARBURY

I, Francie Marbury, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

1. I am Member of the Putney Friends Meeting, located in Putney, Vermont.
2. The Putney Friends Meeting is a Worship Group of the Religious Society of Friends.
3. It is part of the New England Yearly Meeting, a regional Meeting of the Religious Society of Friends.
4. I began attending the Putney Friends Meeting over 20 years ago.
5. I served as Clerk of the Putney Friends Meeting from 2006 to 2011, and again from 2022 to 2024.

6. I have been part of a number of committees in my time as an attendee and member of the Putney Meeting, including the Social Justice Committee and the Childcare and First Day School Committee. Some committees require membership, some do not.

Putney Friends Meeting and worship

7. I regularly attend weekly worship at the Putney Friends Meeting House.
8. The weekly worship meetings take place every Sunday, one at 8:30 a.m. and one at 10:30 a.m. At 10:00 a.m. we have intergenerational singing in between the two worship sessions. Our meetings are open and anyone may attend.
9. The Putney Friends Meeting congregation has approximately 100 regular attendees and members.
10. Putney Friends Meeting is made up of attendees and members. Attendees are any people who attend our meetings. Members are people who have gone through the formal process of becoming a member of Putney Friends Meeting and the broader Religious Society of Friends.
11. Attendees can become members by submitting a requestor for membership and consulting with a clearness committee. Following meetings with a clearness committee, the committee will make a recommendation to the full meeting on an individual's membership, where a decision is made.
12. The Putney Friends Meeting is nonhierarchical. That means there is no pastor that leads worship, decides religious doctrine, or determines the

content of any meeting for worship. Instead, we gather in silence for worship.

13. At meetings for worship, the doors are opened to allow people in. People sit down in the worship room where the seating is arranged in a circular manner. We gather in silence for a period of worship that lasts one hour. There is no content planned in advance. If someone is moved to share a message, they rise and do so. When they are finished, they sit back down.
14. On the third Sunday of every month, the Putney Friends Meeting includes attention to business as part of the weekly worship, at 12:00 p.m.
15. On weeks where worship with attention to business takes place, the meeting hears recommendations from its committees about actions that the meeting may take and attends to perfunctory matters, like budgeting.

Putney Friends Meeting decision making process

16. Putney Friends Meeting seeks unity in our decision-making. We seek unity as a body, we do not vote. Decision-making is undertaken by the whole body, and it does not matter how long someone has been attending meeting. Nor does it matter whether they are an attendee or a member.
17. It is the Clerk's job to help the meeting consider the business before it. The Clerk does not control the conversation. Instead, the Clerk helps to guide consideration of the matters at hand.
18. The Clerk must get a sense of the unity and then test whether the meeting has come to unity during a decision-making.

Putney Friends Meeting's immigrant community interactions

19. In addition to being open to all, the Putney Friends Meeting and its members engage directly with our local community in a host of ways.
20. Putney Friends Meeting has a focus on welcoming the community.
21. Putney Friends Meeting has hosted fundraising events for community organizations. Such events include holding a silent auction and dinner to raise funds for the non-profit organization the Community Asylum Seekers Project.
22. Attendees of Putney Friends Meeting have also raised money for the non-profit organization Ethiopian Community Development Counsel.
23. Putney Friends Meeting has also supported applications for grants from the Bodine-Rustin Fund for Support and Action three times. Funds from the grant go towards supporting LGBTQ members of the community, including asylum seekers.
24. For the last few months, the Social Justice Committee of Putney Friends Meeting has maintained a peace vigil in the Putney Common for two Saturdays a month.
25. As part of our ministry, Putney Friends Meeting has supported the local immigrant and asylum community. This includes individuals from Putney Friends Meeting volunteering with the Community Asylum Seekers Project and the Ethiopian Community Development Counsel. Individuals that

volunteer with these nonprofit organizations report back to Putney Friends Meeting on their progress.

26. This ministry has a long history of caring for the immigrant community. In the 1980s, Putney Friends Meeting was involved in supporting a local migrant family, and efforts to support the Putney immigrant community go even further back, including welcoming Southeast Asian immigrant families moving to the area.
27. Interactions with the community outside Putney Friends Meeting is a way that people learn about, and sometimes explore, the Quaker faith.

The importance of meeting with all-comers

28. Putney Friends Meeting is open to all-comers. It does not matter if it is someone's very first meeting or if they have been coming for decades. The doors are open, physically and metaphorically, to all at Putney Friends Meeting.
29. At Putney Friends Meeting, we give testimony to our spiritual lives by the way we live. Quakerism is not about what you believe, it's how you live. The testimonies are how we live our faith: personal, family life, in the community, and in the world.
30. Putney Friends Meeting is rooted in our shared experience and unity. Instead of having a pastor, our worship involves attendees speaking during meeting. We believe that everyone has spirit within them, regardless of race, status, or background.

31. When we worship, we worship together and are all joined in the room. That is why we refer to it as finding unity within the group.

Effects of ICE enforcement at Putney Friends Meeting and the presence of armed immigration officers

32. Putney Friends Meeting has never had to deal with immigration-enforcement operations before. Immigration enforcement would deeply impact worship. People would be scared of armed immigration officers sitting in the parking lot waiting for people to come out. The presence of armed officers would not only cause some people not to come to meeting, but it would force others to make decisions regarding how to deal with it. Some people would leave the meeting over it, some people would rather not be involved. Regardless, people should not have to make these choices regarding their faith.

33. Pacifism is deeply ingrained in the Quaker faith generally and Putney Friends Meeting specifically. Our pacifism is much more than a surface level opposition to war. Pacifism is deeper and broader than that. For us, it includes inward peace and peace at home. The very idea of there being weapons or armed people in or around the meeting is inconceivable, we've never even discussed having a no-weapons policy. Even the idea of there being weapons at meeting is totally distressing.

Putney, Vermont
January 25, 2025

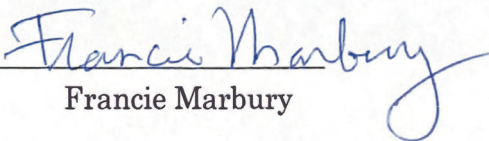

Francie Marbury

Exhibit F

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF CHRISTIE DUNCAN-TESSMER

I, Christie Duncan-Tessmer, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

The history and structure of Philadelphia Yearly Meeting of the Religious Society of Friends

1. Philadelphia Yearly Meeting is a formal and legal association of local Quaker congregations in Pennsylvania, Delaware, Southern New Jersey, and the Eastern Shore of Maryland.
2. Philadelphia Yearly Meeting is located at:

1515 Cherry Street

Philadelphia, PA 19102
3. The Yearly Meeting is legally incorporated as a church and a 501(c)(3).

4. A Yearly Meeting in the Quaker religion is an association, a yearly gathering, and the way of describing Quakers within a certain region.
5. Philadelphia Yearly Meeting has met continuously since 1682.
6. Philadelphia Yearly Meeting played a central role in the history of the freedom of religious exercise in this country. Philadelphia Yearly Meeting started the year after William Penn established Pennsylvania. As a Quaker, Penn was all too familiar with the religious discrimination that Quakers faced in England and other colonies, including Massachusetts.
7. In 1701, Penn established the Charter of Privileges, which guaranteed freedom of worship in Pennsylvania. The Charter of Privileges became one of the foundations of the protections for religious freedom in the First Amendment to the United States Constitution.
8. In 1804, the Friends built the Arch Street Meeting House on land granted by William Penn to the Friends. Philadelphia Yearly Meeting owns Arch Street Meeting House, the largest in the world, which is the location of a local congregation (monthly meeting) and Philadelphia Yearly Meeting's gathering of members.
9. Philadelphia Yearly Meeting gathers at Arch Street Meeting House two times yearly for worship and to make decisions about issues that affect the constituent quarterly and monthly meetings.
10. Because of size constraints at Arch Street Meeting House, Philadelphia Yearly meeting has its primary annual gathering on a college campus.

11. Monthly meetings are the heart of the Quaker community. Legally and practically, they are the constituent parts that make up the Yearly Meeting.
12. All Philadelphia Yearly Meeting's constituent monthly meetings are asked to send an annual report, called the State of the Meeting, to Philadelphia Yearly Meeting. A committee of Philadelphia Yearly Meeting reads the reports, compiles them into a single report, and reports on them at our annual gathering in the summer.
13. In the past, when an issue of concern arises in a State of the Meeting report, the committee contacts the monthly meeting to offer it support and guidance.
14. Monthly meetings fund Philadelphia Yearly Meeting. Approximately 1/4 of the budget of Philadelphia Yearly Meeting comes from monthly meetings.
15. A loss of members would harm the monthly meetings and Philadelphia Yearly Meeting.
16. Philadelphia Yearly Meeting does not have its own congregation in the same way that a monthly meeting does. Rather, Philadelphia Yearly Meeting is the interconnection of Friends from across all the meetings into larger community to support and care for one another and the community as a whole. It gathers three times annually for worship, fellowship, advocacy, and decision-making about the development of the Quaker faith (called "sessions"). It also gathers Friends and meetings together throughout the

year in a variety of programs, communications channels and gathering for mutual spiritual and practical support and growth.

17. When we meet, the Yearly Meeting has its own clerk and the community as a whole guides Philadelphia Yearly Meeting's religious development and service in the world.
18. Philadelphia Yearly Meeting's gatherings are attended by members and attenders of monthly meetings throughout Philadelphia and others interested in exploring or developing ties with the Quaker faith.
19. Our gatherings are open to anyone who wants to attend. Some events at the gatherings are geared toward the public in addition to our members. I know of times at past gatherings in which non-Quakers attended those events then decided to stay for our worship sessions. We did not know the immigration status of those attendees, and we would never ask.
20. Philadelphia Yearly Meeting would never turn anyone away from our gatherings based on their immigration status, and we do not ask about immigration status.
21. Because Quakers believe that any and every person can experience God directly in a way that should be shared with others, we encourage and welcome people from all walks of life.
22. In 2014, Philadelphia Yearly Meeting adopted a series of strategic directions that reflect this belief and highlight our connections to immigrant populations.

23. The first strategic direction is connecting:

We will share among us the wisdom, creativity, and resources of our meetings and Friends, so they may resonate throughout the whole community and allow us to thrive in relationship with the Divine. Individuals and meetings will give time, gifts, and experience in service, and in turn receive new insight, grounding, and friendships, directly and indirectly enriching their meetings and their own spiritual lives.

We will connect Friends across the geography of PYM and with Friends from the wider world, in order to carry our concerns together. We will do this in a manner that allows everyone to participate in the life of the community.

24. Another strategic direction is belonging:

Because we are all interconnected, we seek to increase a sense of belonging to an extended family of Friends. To be effective and whole, we need each other. Our personal experience of being a Friend is deepened by worshipping, discerning business, and sharing community beyond our home meetings. Friends of all ages, locations, and interests will have ways of entering the community and will feel glad they've participated.

We will look courageously into the roots of inequity in our culture, be willing to see and feel the pain it can cause and choose to do whatever is necessary to take risks and to change. We will dismantle imposed barriers in our yearly and monthly meeting structures and activities, which impede our experience of God within our communities and within ourselves. We seek to make the congregations inside of our meetinghouses reflect the beauty and diversity of the world outside of them.

25. Although Quakers generally do not proselytize, it is essential to encourage others for whom this path is meaningful to join us.

26. Philadelphia Yearly Meeting engages with the non-Quaker community in various ways. For example, there are groups within Philadelphia Yearly

Meeting—called collaboratives—that work with people outside the Quaker community to address issues including the Middle East as well as racial and environmental justice. That work brings Philadelphia Yearly Meeting members into relationships with people from all walks of life who then learn about our faith.

27. Philadelphia Yearly Meeting, like Quakers generally, understand ourselves as a global community.
28. The global connection is not hypothetical or theoretical. Friends World Committee for Consultation conducts a worldwide Quaker census every decade (of which Philadelphia Yearly Meeting was a part). There are Quakers in 87 different countries.
29. Our beliefs, combined with the global nature of the Quaker faith, brings us into close relationship with immigrant populations.
30. For example, one of our monthly meetings developed a close relationship with a family of East Africans who are Quaker and lived in a refugee camp in Syria before relocating to the United States. The family began its own Quaker congregation, which is not a part of Philadelphia Yearly Meeting, but meets in the meeting house of the monthly meeting that is part of Philadelphia Yearly Meeting.
31. Another Philadelphia Yearly Meeting monthly meeting is located in an area with a high immigrant population. That monthly meeting is very involved in the local community, including through working with organizations made

up of immigrants. The monthly meeting does not inquire as to anyone's immigration status.

32. Our extensive work in our communities—especially with those most in need—is a way that people learn about, and become interested in, the Quaker faith.

My role in the Philadelphia Yearly Meeting and my faith

33. I am the General Secretary of Philadelphia Yearly Meeting. The position is roughly equivalent to that of Executive Director for the organization.
34. As General Secretary, I serve as the legal agent and representative of Philadelphia Yearly Meeting.
35. The position of General Secretary answers to councils, which together function like a Board of Directors.
36. Philadelphia Yearly Meeting has 25 full- or part-time staff.
37. I have been in my position for 10 years.
38. I have been employed in various positions in the Quaker faith since 1997.
39. I am an active member in the Religious Society of Friends through my membership at Chestnut Hill Friends monthly meeting.
40. I started attending Chestnut Hill Friends in 1995 and became a member in 1999.
41. A core part of my Quaker beliefs is that we must be open and welcoming to anyone who wants to join us in worship. I believe that a broader

representation of lived experience—including those of immigrants, regardless of their legal status—is critical to exercise of my faith.

42. I believe that any immigration-enforcement action at a Quaker house of worship would cause serious harm to the religious exercise of Philadelphia Yearly Meeting and its member monthly meetings. And I believe that the threat of immigration-enforcement actions at a Quaker house of worship causes serious harm to the religious exercise of Philadelphia Yearly Meeting and its member monthly meetings.
43. Quakers have held a religious commitment against violence in all forms as a founding principle of the faith.
44. I have never seen a weapon in a Quaker meeting. The presence of a weapon in a Quaker meeting would be absolutely unacceptable.
45. I understand the immigration-enforcement officers generally are armed.
46. I believe that the presence of armed officers at a meeting would cause significant harm to our religious exercise.
47. Knowing that immigration enforcement can happen at a monthly meeting, at any of our worship events throughout the year, or at our annual gathering, I cannot be as encouraging of immigrants joining us for worship. As much as their presence would benefit our religious experience, I do not feel comfortable knowing that their attendance could subject them to armed federal officers.

48. I believe that Department of Homeland Security's new immigration-enforcement policy burdens Philadelphia Yearly Meeting's ability to pursue its strategic directions of connecting and belonging, which are rooted in Quaker faith.

Philadelphia, Pennsylvania
January 25, 2025


Christie Duncan-Tessmer

Exhibit G

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF SARAH GILLOOLY

I, Sarah Gillooly, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

**The history and structure of Baltimore Yearly Meeting of the Religious
Society of Friends**

1. Baltimore Yearly Meeting of the Religious Society of Friends, Inc., is the association of the members of 43 local Quaker congregations—Monthly Meetings—in Maryland, Pennsylvania, Virginia, West Virginia, and Washington, D.C.
2. Baltimore Yearly Meeting is located at:

17100 Quaker Lane

Sandy Spring, MD 20912

3. Baltimore Yearly Meeting is a church and legally incorporated 501(c)(3) nonprofit organization.
4. Baltimore Yearly Meeting has met continuously (except for a single year during the influenza pandemic) since 1672. It is the third oldest Yearly Meeting in the world.
5. A Yearly Meeting in the Quaker religion is an association, a yearly gathering, and a way of describing Quakers within a certain region.
6. The Yearly Meeting is the highest organizational body in the Religious Society of Friends.
7. Monthly meetings are the heart and basic organizational unit in the Quaker religion. Generally, monthly meetings have their own governing instruments and budgets and own or rent a meeting house. Most community-based activities happen at monthly meetings.
8. To be a monthly meeting in the Religious Society of Friends, a meeting must be recognized by the yearly meeting.
9. Quarterly meetings are gatherings of monthly meetings. They gather 3-4 times a year for worship and to make decisions about issues that concern the monthly meetings in the region. Many, but not all, monthly meetings in Baltimore Yearly Meeting are members of a quarterly meeting.
10. Baltimore Yearly Meeting is composed of an estimated 5,558 members from its 43 constituent Monthly Meetings, as well as several informal worshipping communities.

11. Monthly meetings within Baltimore Yearly Meeting are guided by a common faith and practice.
12. Baltimore Yearly Meeting instructs its monthly meetings on minimum requirements to be recognized as a monthly meeting and retains the authority to discontinue a monthly meeting.
13. Each constituent monthly meeting sends an annual report to Baltimore Yearly Meeting on the spiritual state of the meeting. These reports are published for the information of all monthly meetings and are also summarized in the annual gathering. Baltimore Yearly Meeting will offer spiritual and practical support to monthly meetings based on the content of those reports.
14. Baltimore Yearly Meeting does not manage the budget of its monthly meetings. If a monthly meeting closes down, generally the monthly meeting's assets transfer to Baltimore Yearly Meeting.
15. Monthly meetings fund Baltimore Yearly Meeting in part. Approximately 1/6 of the budget of Baltimore Yearly Meeting comes from monthly meetings in the form of apportionment. These payments are made according to guidelines set by the yearly meeting, but each monthly meeting discerns the final amount.
16. A loss of members would harm the monthly meetings and Baltimore Yearly Meeting. Losing members would mean financial loss in addition to loss of spiritual and denominational unity.

17. Baltimore Yearly Meeting gathers four times per year for worship, fellowship, and decision-making about the development of the Quaker faith in our region.
18. We understand those gatherings to be gathered meetings for worship.
19. When we meet, we understand the Yearly Meeting to be its own worshipping body. As part of the worshipping body, Baltimore Yearly Meeting has its own clerk and those who guide its religious development and service in the world.
20. Baltimore Yearly Meeting emphasizes that all Quakers in its region are part of our community. Its gatherings are attended by the members of its constituent monthly meetings and others who are not official members but are active participants in our worshipping body.
21. All are welcome to attend Baltimore Yearly Meeting's gatherings. Baltimore Yearly Meeting would never turn anyone away, and we do not ask about immigration status.
22. It is generally understood that individuals not active in a monthly meeting will likely not play a substantial role in decision-making at Baltimore Yearly Meeting's gatherings, but all are welcome to attend and to worship.
23. Because we believe that anyone can experience God directly, and that such experiences is to be shared with others, our faith requires us to welcome anyone who wants to join.
24. We understand ourselves to be part of a worldwide body of Quakers.

25. Some of Baltimore Yearly Meeting's constituent monthly meetings are located in areas with large populations of immigrants.
26. Some monthly meetings of Baltimore Yearly Meeting have a substantial number of active members or attenders who are immigrants, particularly African immigrants.
27. The Quakers have a long tradition of hosting people who come from places where there is ongoing violence or civil unrest. Our hospitality is an exercise of our faith. Our hospitality does not turn on someone's legal status.
28. An important aspect of our faith in Baltimore Yearly Meeting is the practice of "intervisitation"—the spiritual practice of visiting Quakers from different parts of the world and different branches of Quakerism.
29. Practicing intervisitation is an important means of building and maintaining our relationship with our coreligionists across theological and geographical differences, as our Quaker faith requires.
30. As part of that effort, I and other members of Baltimore Yearly Meeting have attended events hosted by Evangelical Quakers, many of whom are Spanish-speaking.
31. In 2023, I was part of a delegation of Quakers to Kenya for a worldwide gathering with coreligionists.

My role in the Baltimore Yearly Meeting and my faith

32. I am General Secretary of Baltimore Yearly Meeting. The position is roughly equivalent to that of Executive Director for the organization.
33. As General Secretary, I serve as the legal agent and representative of Baltimore Yearly Meeting.
34. The position of General Secretary ultimately answers to the Trustees of Baltimore Yearly Meeting.
35. The General Secretary directly supervises approximately 12 staff members. Baltimore Yearly Meeting also employs approximately 150 seasonal workers in the four summer camps that it operates, which serve approximately 500 children.
36. I have been in my position for 3 1/2 years.
37. I am an active member of the Religious Society of Friends and a member of Adelphi Friends Meeting in Adelphi, Maryland.
38. I will complete my seminary education in Spring 2025 and am in the process to be recognized as a Recorded Minister.
39. I also volunteer part-time as a Quaker chaplain at a local hospital in Washington, D.C.
40. I believe that any immigration-enforcement action at a Quaker meeting house or at any place where a meeting for worship is occurring would cause serious harm to the religious exercise of Baltimore Yearly Meeting and its members in its constituent monthly meetings. And I believe that the threat

of immigration-enforcement actions at a Quaker meeting house or at any place where a meeting for worship is occurring causes serious harm to the religious exercise of Baltimore Yearly Meeting and its members in its constituent monthly meetings.

41. Knowing that immigration enforcement can happen at a monthly meeting, annual gathering, or other worship event, my ability be a servant-leader to these meetings is hampered, and I cannot be as encouraging of immigrants joining us for worship. As much as their presence would benefit our religious experience, I do not feel comfortable knowing that their attendance could subject them to armed federal officers.
42. Knowingly putting a person in harm's way or subjecting them to the possibility of a violent encounter would violate my religious beliefs.
43. I believe that threatened or actual immigration-enforcement action near or inside a Quaker meeting house or at any place where a meeting for worship is occurring may lead some to refrain from attending worship services.
44. Quakers have held a religious commitment against taking up arms for more than 350 years. I do not recall ever seeing a gun, or a weapon of any kind, in a Quaker meeting.
45. The presence of armed law enforcement officers in or near a meeting house would cause significant harm. It would cause immediate and lasting disruption to our ability to worship.

Sarah Gillooly
Sarah Gillooly

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

**Philadelphia Yearly Meeting of the
Religious Society of Friends, *et al.*,**

Plaintiffs,

v.

**U.S. Department of Homeland
Security, *et al.*,**

Defendants.

Civil Case No. _____

DECLARATION OF ROBIN MOHR

I, Robin Mohr, declare under penalty of perjury, under 28 U.S.C. § 1746, that the following is true and correct:

1. I am Clerk of the Green Street Meeting, located in Philadelphia, Pennsylvania.
2. Green Street Meeting is a Monthly Meeting. It is one of the seven Monthly Meetings that constitute the Philadelphia Quarterly Meeting, and it is part of the Philadelphia Yearly Meeting.
3. I have attended Green Street Meeting since 2011 and became a member in 2012.
4. I have served as Clerk of the Nominating Committee and Clerk of the Children's Religious Education Committee and been a member of the

Property Committee and Hospitality Committee at the Green Street Meeting.

5. And I am an attender and participant at annual sessions of Philadelphia Yearly Meeting.
6. I previously attended and was a member of the San Francisco Monthly Meeting, which I attended from 1995 to 2011.
7. While a member of the San Francisco Monthly Meeting, I was a member of the Ministry and Oversight Committee, Children's Religious Education Committee, News Committee, and Hospitality Committee.
8. From 2011 until 2024, I was formerly the Executive Secretary of the Friends World Committee for Consultation, Section of the Americas, which fosters fellowship among all the branches of the Religious Society of Friends.
9. I am also a speaker, writer, and movement leader within the Religious Society of Friends. I speak and write about the sustainability of the denomination, how our modern practice builds on our traditional practices, and building bridges among different branches of Friends and across differences of theology, language, geography, and cultural and racial divisions.

Relationship between Green Street Meeting and Philadelphia Yearly Meeting

10. Green Street Meeting is one of the member monthly meetings that makes up Philadelphia Yearly Meeting.

11. Members of Green Street Meeting have been staff members or volunteers with different committees of the Philadelphia Yearly Meeting.
12. The Philadelphia Yearly Meeting provides programming support to the Green Street Meeting, including spiritual formation programs and sessions for dealing with the business of the Philadelphia Yearly Meeting.
13. The Philadelphia Yearly Meeting also provides financial support to the Green Street Meeting, including for the education of children, for members experiencing economic hardships, and for those suffering for conscience's sake, including money to support the family of a Friend who has been imprisoned for conscience-related reasons.
14. Green Street Meeting makes a financial contribution every year to the Philadelphia Yearly Meeting.

My worship at the Green Street Meeting

15. I regularly attend weekly worship at the Green Street Meeting.
16. Worship is held in expectant waiting on the movement of the Holy Spirit.
17. It begins with people gathering in silence to listen for God speaking to us.
When we stop talking, we can hear more clearly.
18. If someone feels moved by the Holy Spirit to minister out loud, they may be moved to rise and speak.
19. Our worship is called "unprogrammed worship," because there is no plan for who will speak, or when. There may be messages for anyone in the room.

20. After worship concludes, we share food, which is an important part of our spiritual practice of community.
21. The Green Street Meeting offers remote participation in weekly worship via Zoom.
22. While it is important because it allows people who are not able to attend in person to participate in weekly worship, I have a much deeper and more profound experience when members are gathered together physically.

The importance of communal worship with all-comers, including immigrants

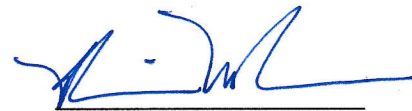
23. Communal worship is a core aspect of my faith and religious exercise, and restrictions on communal worship would negatively affect my religious exercise and ability to practice my faith.
24. Quakers have traditionally gathered together in person.
25. We believe that God is speaking all the time. We prepare ourselves to listen better when we gather together.
26. There is something in the spiritual nature of human beings coming together that enables us to listen better to the Holy Spirit speaking to us.
27. We believe in the ability of all people to minister.
28. Openness to all people who come through our doors is part of the Christian witness and our Quaker witness. We believe that all people are able to channel the Holy Spirit and to minister to our community.
29. Because everyone receives messages of the Holy Spirit in a different way, having as many people attend our meetings as possible allows for more

people listening, and more opportunities to grasp messages of the Holy Spirit from others.

30. Hearing from people who have different experiences and understandings of the Holy Spirit enriches our practice.
31. The Quakers have a long tradition of welcoming immigrants and refugees in our communities. Supporting the stranger in our midst is part of our religious practice.
32. Green Street Meeting has focused on ensuring that it is an open and welcoming community, including for members of the immigrant community. Among other things, we welcome people at the door before worship, invite visitors and new attenders to introduce themselves, share food together after worship, and ensure that our religious education and other materials reflect a diversity of faces, voices, and languages.
33. The threat or presence of armed law enforcement officers coming near or inside our meeting house during worship would disrupt the peaceful practice of our religion.
34. I believe that the threat or presence of armed law enforcement officers coming near or inside our meeting house may deter people from attending worship.
35. The Green Street Meeting has members who are immigrants. Some of them have shared their fear of immigration enforcement, even though they are U.S. citizens.

36. If some people cease attending weekly worship, it would negatively affect the ability of our attenders and members to gather together for communal worship.
37. If some people cease attending weekly worship, my own ability to worship will be diminished.
38. We are traditionally and currently opposed to the use of armed violence for any purpose.
39. Many Quakers have chosen our denomination because of our commitment to peace and nonviolence, and because they understand that Quaker meetings are a place of peace and nonviolence.
40. The threat or presence of armed law enforcement officers in or near our meeting house would be a violation of our space.
41. The threat or presence of armed law enforcement officers coming near or inside our meeting house during worship would also make it more difficult to center and listen to the word of God inside our hearts.

Philadelphia, Pennsylvania
January 26, 2025



Robin Mohr

Philadelphia Yearly Meeting of the Religious Society
of Friends, et al.

U.S. Department of Homeland Security and Kristi
Noem, in her official capacity as Secretary of the
Department of Homeland Security

Kristi Noem, in her official capacity as Secretary of the Department of Homeland
Security,

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Alethea Anne Swift, Bradley Girard, Sarah Goetz, Andrew Bookbinder, Audrey
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