“We Reverse:” Massachusetts Council of Churches Celebrates Legal Victory for Freedom of Religion against Department of Homeland Security in Appeal Case

Thursday October 29, 2026

(Boston, MA) On Tuesday October 20, 2026, the United States Court of Appeals for the District of Columbia ruled that the Massachusetts Council of Churches and twenty-six other Christian and Jewish organizations have standing to pursue their claims in Mennonite Church USA et al v. Department of Homeland Security, reversing the district court's ruling to the contrary. Of the three-judge panel, Judge Florence Y. Pan wrote the majority decision with Judge Wilkins joining, and Judge Rao dissented.

On January 20, 2025, the current Trump administration rescinded a 30-year policy prohibiting immigration enforcement at sensitive locations including houses of worship, such as churches, temples, and synagogues. This change in bipartisan policy compromised our ability to freely worship and exercise our religious obligations, including feeding and clothing our immigrant kin and neighbors, practices protected under both the First Amendment of the US Constitution and the Religious Freedom Restoration Act. In the time since the recission, our churches have been surveilled by Department of Homeland Security agents, as documented in our court filings.

“No church secretary should have to turn away ICE agents from a food pantry. No pastor should have to guard the door to the sanctuary from a Customs and Border patrol agent. No Sunday School teacher should have to worry about the safety of releasing her students. We are thrilled that the DC Court of Appeals agrees with our claims and upholds our appeal to the First Amendment and points us back to sane policies,” said Rev. Laura Everett, Executive Director of the Massachusetts Council of Churches.

The DC District Court did not enter a preliminary injunction to stop the Department of Homeland Security from entering houses of worship of the twenty-seven litigants. In the days ahead, the plaintiffs of *Mennonite Church USA et al* will be asking the lower court to do that on remand. The lawsuit was filed on behalf of *Mennonite Church USA et al* by the Institute for Constitutional Advocacy & Protection at Georgetown Law School.

“Because of this ruling, each and every one of the eighteen member denominations of the Massachusetts Council of Churches and our thousands of member congregations are safer to worship and practice our faith. Today, we can follow the teachings of Jesus Christ more fully and freely. Jesus teaches us to always welcome the stranger, because in doing so, we welcome Him. Today, we can come closer to becoming the people God calls us to be: first and foremost children of God, and kin to one another, regardless of where we were born.” said Rev. Dave Woessner, Congregational Coordinator for Immigrant Ministries.

Further questions can be addressed to council@masscouncilofchurches.org