



WRITTEN STATEMENT OF
THE AMERICAN CIVIL LIBERTIES UNION

The Harmful Impact of Immigration Enforcement on American Communities

Submitted to the Senate Judiciary Committee

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For a Hearing on

“ICE Under Fire: The Radical Left’s Crusade Against Immigration Enforcement”

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On behalf of the American Civil Liberties Union (ACLU), our more than 4 million members, supporters and activists, and our 53 affiliates nationwide, I submit this statement for the record to bring attention to the grave harm suffered by American communities due to the government's escalation of immigration enforcement actions in our nation's interior. This statement also addresses the First Amendment right to record law enforcement activity.

Protecting Our Rights Under Attack – The ACLU's Work In this Moment

For more than 100 years, the ACLU has fought to ensure the promise of the Constitution and expand its reach to people historically denied its protections. In recent months, the ACLU has filed more than 200 legal actions challenging the second Trump administration's attacks on our rights, particularly those occurring under the auspices of "immigration enforcement." These cases and advocacy efforts, in partnership with community members and organizations, include the following:

- We have twice blocked the administration's unconstitutional attacks on birthright citizenship, protecting the rights to citizenship of over 93,000 babies who were born since its executive order was issued;
- We have repeatedly blocked the administration from unlawfully deporting people without due process under the Alien Enemies Act;
- We have sued to stop federal agents' abuses in immigration raids and warrantless arrests in Los Angeles, Chicago, Colorado, and Washington, D.C.;
- We have freed immigrant students and scholars who were arrested in retaliation for their speech, including Mahmoud Khalil, Rümeysa Öztürk, Badar Khan Suri, and Mohsen Mahdawi;
- We have brought litigation challenging substandard, and often appalling, immigration detention conditions at Guantánamo Bay in Cuba; California City Detention Center in California; 26 Federal Plaza in New York; and the Everglades facility known as "Alligator Alcatraz" in Florida, among other locations. ACLU affiliates in Illinois California have filed litigation on detention conditions, as well.
- We are fighting for families and parents—to end the dangerous detention of pregnant people, where they have suffered miscarriages and medical neglect, to stop the "deportation" of American citizen children with their parents, and to fight attacks on unaccompanied children. In October, a federal judge granted our request to block the administration from excluding 310,000 preschoolers who are immigrants from Head Start, a federal program providing free education and development services to families and kids.¹

¹ Hibah Ansari, "Federal Judge Blocks Trump Effort to Bar Some Immigrant Families From Head Start," ACLU, Oct. 2, 2025, <https://www.aclu.org/news/womens-rights/federal-judge-blocks-trump-effort-to-bar-some-immigrant-families-from-head-start>.

We are on the ground in all 50 states, where we are:

- Surging Know Your Rights trainings and legal support to our communities;
- Fighting in state legislatures, city councils and on the streets to protect our rights-- through our Firewall for Freedom campaign, we have won more than 80 changes at the state and local level in recent months;
- Alongside our communities, demanding accountability and oversight over new immigration detention camps in our backyards, dangerous collaborations with Immigration and Customs Enforcement (ICE) through its 287(g) program, and the deployment of National Guard units in our streets and for immigrant detention.

We recently helped mobilize more than 7 million people in more than 2,700 peaceful events held in all 50 states and D.C. in October's No Kings protests.

The ACLU is grateful to work in partnership with Ranking Member Durbin and the many members of this Committee who are supporting constituents and impacted family members by visiting immigrant detention sites, demanding access to your detained constituents, and bearing witness to abuses on the ground. We are grateful for your work to hold federal agents accountable and demand answers of this administration, as it commits abuses in the name of immigration enforcement.

The Administration's "Immigration Enforcement" Attack on American Communities, Families and Children

Like many Americans, I am horrified by the videos, images and reports from the ground that I have seen in the last few months. Reports that include, for example:

- Kids teargassed on their way to celebrate Halloween in their local school parking lot;²
- Federal law enforcement firing tear gas on residential streets, exposing at least 13 local police officers; firing tear gas near a grocery store, exposing older people and children with families; and firing tear gas into an open car window, exposing a one-year-old baby who then reportedly struggled to open her eyes and breath;³
- A 79-year-old business owner violently slammed to the pavement outside the car wash he owns, despite being a U.S. citizen;⁴

² Tr. Of Proceedings, *Chicago Headline Club v. Noem*, 25-cv-12173 (N.D. Ill., Oct. 28, 2025), Dkt. No. 144; see also ACLU of Illinois, *Chicago Headline Club v. Noem*, <https://www.aclu-il.org/en/cases/chicago-headline-club-v-noem>.

³ Christine Fernando, "Protesters on Chicago's South Side are teargassed after high-speed Border Patrol chase ends in arrest," Associated Press, Oct. 15, 2025, <https://www.pbs.org/newshour/nation/protesters-on-chicagos-south-side-are-teargassed-after-high-speed-border-patrol-chase-ends-in-arrest>; Richard Luscombe, "ICE agents accused of pepper-spraying Illinois parents and their one-year-old," The Guardian, <https://www.theguardian.com/us-news/2025/nov/11/ice-agents-pepper-spray-man-baby-daughter>.

⁴ Doc Louallen, "79-year-old US citizen claims ICE agents body-slammed him at his business, seeks \$50M," ABC News, Sept. 27, 2025, <https://abcnews.go.com/US/79-year-us-citizen-claims-ice-agents-body/story?id=125978834>.

- A 67-year-old U.S. citizen dragged from his car and thrown to the ground, breaking six ribs, as children in Halloween costumes looked on in horror;⁵
- Federal agents wrongfully arresting a U.S. citizen at a Home Depot—then driving away with his one-year-old child;⁶
- Federal agents approaching a car with guns drawn, smashing the window and forcing a man out while his one-month-old baby and U.S. citizen partner were in the car;⁷
- Armed immigration agents dragging a teacher out of a daycare in front of toddlers, terrifying kids and parents;⁸
- ICE agents twice arresting a U.S. citizen while he was helping build new homes, keeping him restrained even after he showed his REAL ID;⁹
- ICE almost deporting a Native American woman, despite documentation of her citizenship;¹⁰

In the name of enforcing our nation’s immigration laws, federal agents have broken dozens of our laws and agency policies. Through these actions, they have also broken the faith of the American communities they are meant to protect and betrayed their oath to our Constitution.

Federal agents have brandished weapons and chased food delivery workers, menacing our vibrant downtown streets.¹¹ In Chicago last month, they rappelled from Black Hawk helicopters, descending on an apartment building where half-clad children were hauled from their beds and reportedly zip-tied.¹²

⁵ Andrea Cavallier, “US citizen, 67, ‘has ribs broken’ by Border Patrol agents after being dragged out of car while driving home into street they’d blocked off,” The Independent, Oct. 28, 2025, <https://www.yahoo.com/news/articles/us-citizen-67-six-ribs-185927801.html>.

⁶ Associated Press, “Federal agents drive off with 1-year-old girl after arresting her father in Los Angeles,” Nov. 5, 2025, <https://apnews.com/article/immigration-agents-child-arrest-los-angeles-home-depot-2681d62ec00efb09ebe76c47ecedf6c0>.

⁷ Priscilla Waggoner, “ICE agents draw weapon, break car window while arresting Alamosa man,” Alamosa News, Oct. 1, 2025, <https://www.alamosanews.com/stories/ice-agents-draw-weapon-break-car-window-while-arresting-alamosa-man,103677>.

⁸ Patrick Fazio and Alex Dvorak, “Teacher pulled out of Chicago daycare by armed ICE agents, alderman says,” BNC Chicago, <https://www.nbcchicago.com/news/local/teacher-pulled-out-of-chicago-daycare-by-armed-ice-agents/3847934/>.

⁹ Joshua Windham, “A U.S. citizen was detained by ICE twice – now he’s fighting back,” MS.NOW, Oct. 22, 2025, <https://www.ms.now/opinion/msnbc-opinion/ice-detained-us-citizen-immigration-crackdown-lawsuit-rcna238744>.

¹⁰ Malcolm Ferguson, “ICE Almost Deports Native American Woman,” The New Republic, Nov. 14, 2025, <https://newrepublic.com/post/203195/ice-almost-deports-native-american-woman-arizona>.

¹¹ See Priscilla Waggoner, “ICE agents draw weapon, break car window while arresting Alamosa man,” Alamosa News, Oct. 1, 2025, <https://www.alamosanews.com/stories/ice-agents-draw-weapon-break-car-window-while-arresting-alamosa-man,103677>; Dan Gooding, “ICE Agent Points Gun at Pregnant Woman During Arrest,” Newsweek, Oct. 23, 2025, <https://www.newsweek.com/ice-agent-pregnant-woman-firearm-illinois-10922067>; ABC7 Chicago, “ICE agent drops gun, appears to point it at bystanders during arrest in Maryland,” Sept. 28, 2025, <https://abc7chicago.com/post/ice-agent-drops-gun-appears-point-bystanders-during-arrest-prince-georges-county-maryland-video/17892345/>; Washington Post, “How Washington Became a Testing Ground for ICE,” Oct. 1, 2025, <https://www.nytimes.com/2025/10/01/us/politics/washington-dc-ice.html>.

¹² Sophia Tareen, “Using helicopters and chemical agents, immigration agents becoming increasingly aggressive in Chicago,” AP News (Oct. 6, 2025).

ProPublica recently identified more than 170 U.S. citizens detained by federal immigration agents at raids and protests, including nearly 20 children, two of whom have cancer.¹³ Federal agents have relied on perceived race or ethnicity to select who to stop, conducted suspicionless stops, executed warrantless home raids and carried out illegal worksite operations—violating the Fourth Amendment.¹⁴ For Americans — especially Black people and brown people—in cities where immigration enforcement is escalating, there is a grave risk of being wrongfully detained and even physically assaulted by law enforcement who ignore evidence of US citizenship.

These actions rupture families and hurt children. A September 2025 CNN report identified more than 100 U.S. citizen children—from newborns to teenagers—who have been left without their parents to due immigration enforcement actions.¹⁵ An estimated 5.62 million U.S. citizen children live with parent or other household member who is undocumented—a number of children that may grow, as the Trump administration strips more people of Temporary Protected Status and other legal protections.¹⁶ These millions of children must cope with the anxiety of not knowing whether their parents and other caregivers will be taken from them, and many live in fear of police and are afraid to attend school.¹⁷

This nationwide immigration escalation affects all Americans, even those without a loved one who is an immigrant. Right now, masked agents dressed in camouflage are deployed in communities across the country. On numerous neighborhood list-servs and WhatsApp groups neighbors report seeing these agents near schools, outside churches and in store parking lots. Millions of Americans have experienced a sense of harm and instability, as a result. Black and immigrant communities, which already experience gun violence and policing harms, are bearing the brunt in grave ways. Regardless of citizenship, communities of color are at heightened risk of

¹³ Nicole Foy, “We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days,” ProPublica, Oct. 16, 2025, <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>.

¹⁴ *In Vasquez Perdomo v. Noem*, plaintiffs challenged federal law enforcement practices in Los Angeles that relied on four combined factors — apparent race/ethnicity, speaking Spanish or English with an accent, presence in particular locations (e.g. near car washes, bus stops), and job type (e.g. day labor) — to detain people without individualized suspicion. The District Court found those practices likely unconstitutional and issued an injunction barring them in the L.A. area. In September 2025, the U.S. Supreme Court (on the “shadow docket,” with no full briefing or oral argument) stayed the injunction, effectively allowing ICE to resume using those profiling-based stops while litigation continues. The Court’s order sparked concern that it authorizes racial profiling by law enforcement. In reality, *Perdomo* is a procedural stay that does not change existing constitutional limits on racial or ethnic profiling.

¹⁵ Blake Ells, Melanle Hicken, Anna-Maja Rappard and Kyung Lah, “Are Mom and Dad not coming home?”: American kids left stranded when ICE takes their parents, CNN, Sept. 23, 2025, <https://www.cnn.com/2025/09/23/politics/us-citizen-children-separated-parents-deported-ice-invs>.

¹⁶ Matthew Lisiecki, Kevin Velasco, and Tara Watson, “What will deportations mean for the child welfare system?,” April 22, 2025, Brookings Institution, <https://www.brookings.edu/articles/what-will-deportations-mean-for-the-child-welfare-system/>.

¹⁷ Moriah Balingit, “Federal surge has taken a toll on children of immigrants in Washington,” Associated Press, Sept. 17, 2025, <https://www.pbs.org/newshour/politics/federal-surge-has-taken-a-toll-on-children-of-immigrants-in-washington>.

being profiled and stopped, which in this context, can mean federal agents aiming guns at them and their children, and being dragged from their cars.

This is not the America we want our children to see, nor is it an America that can be called safe and free. No parent should have to live in fear that when they go to school drop off, church or the grocery store, their child may witness what too many of us have witnessed: A person going about daily life and suddenly swarmed by masked agents who refuse to show their badge or say who they are; masked agents who smash car windows without warning¹⁸ or shoot pepper spray into cars with babies still harnessed in their car seats;¹⁹ or masked agents who slam old people to the ground and force Americans into unmarked vans.

Every person who calls this country home is harmed by the Trump administration's immigration enforcement agenda. Its actions intimidate and terrorize our neighbors and families. Its actions are choreographed, often with videographers and public relations staff brought along to record arrests and then broadcast for wide viewership. Its actions aim to spread fear and cause people to flee the country they call home.

What we have already seen from the administration is disturbing enough, but if White House Deputy Chief of Staff Stephen Miller's ambitions are realized, even more Americans will be impacted—in four particular ways I outline below.

First Amendment Attacks

Federal agents have threatened peaceful protesters and physically assaulted them—including veterans, members of the clergy and the elderly. Federal agents have used tear gas, pepper balls, rubber bullets and flash baton grenades—sometimes without warning. For example:

- In Portland, federal agents reportedly pushed an 84-year-old Vietnam veteran off his walker and fired a projectile on his wife, causing a concussion.²⁰
- In Southern California, DHS shot a reporter in the thigh with a pepper ball while she was covering demonstrations in downtown Los Angeles. The very next day, she was covering a protest near a Home Depot and DHS shot her again in the head with a projectile round.²¹

¹⁸ See Nicole Foy and McKenzie Funk, "We'll Smash the Fucking Window Out and Drag Him Out," ProPublica, July 21, 2025, <https://projects.propublica.org/trump-ice-smashed-windows-deportation-arrests/> (documenting nearly 50 cases of immigration agents breaking vehicle windows).

¹⁹ See, e.g., Associated Press, "Dad says he and his toddler were pepper sprayed by federal immigration agents," Nov. 10, 2025, <https://www.nbcnews.com/news/us-news/chicago-family-pepper-spray-allegations-ice-immigration-cicero-rcna242536>; Taylor Dolven, "'There's a baby!' ICE agents stop Alamosa family at gunpoint, smash car window," The Colorado Sun, Oct. 1, 2025, <https://coloradosun.com/2025/10/01/ice-alamosa-arrest-gunpoint-infant/>.

²⁰ See Gosia Wozniacka, "Federal Agents Knock Down Elderly Couple During Portland Protest," The Oregonian/OregonLive (Oct. 4, 2025).

²¹ ACLU of Southern California, "L.A. Press Club. V. Noem," <https://www.aclusocal.org/en/cases/la-press-club-v-noem>; First Amended Complaint for Declaratory and Injunctive Relief, *L.A. Press Club v. Noem*, Case No. 2:25-CV-05563-HDV-E (October 16, 2025).

- In Chicago, Pastor David Brown of the First Presbyterian Church of Chicago was repeatedly shot in the head with near-lethal projectiles and sprayed in the face with tear gas, without any warning or dispersal order, while he was in a traditional Christian posture of prayer.²²

The Freedom of the Press Foundation has tracked multiple reports of violence against journalists by law enforcement this year.²³

Despite an Illinois federal district court order enjoining excessive force against protestors and others in retaliation for their First Amendment activities, the abuses have continued.²⁴ “Bang, bang, and you’re dead, liberal,” a federal agent told a combat veteran who was peacefully protesting on the side of the road, while pointing a PepperBall gun and a firearm at him,” as the court recently noted.²⁵

The First Amendment Right to Record Law Enforcement Activity

Federal agents have threatened people observing and recording federal law enforcement activity with arrest. In September 2025, a DHS spokesperson stated that “videotaping ICE law enforcement and posting photos and videos of them online is doxing our agents,” adding that “(w)e will prosecute those who illegally harass ICE agents to the fullest extent of the law.”

In reality, taking photographs and video of things that are plainly visible in public spaces is a constitutional right—and that includes police and other government officials carrying out their duties.²⁶ Specifically, the First Amendment protects the right to photograph and video police conduct occurring in public both because it protects the right to gather information about what public officials do on public property, and because it protects the right to record matters of public interest.²⁷ This includes the right to livestream such content.²⁸

²² ACLU of Illinois, “Protesters and Members of the Press Challenge First Amendment Violations by Federal Forces at ICE Facility in Broadview, Illinois,” Oct. 6, 2025,

<https://www.aclu-il.org/en/press-releases/protesters-and-members-press-challenge-first-amendment-violations-federal-forces-ice>

²³ See U.S. Press Freedom Tracker, Incident Database, <https://pressfreedomtracker.us/all-incidents/?search=ICE&endpage=2>. See also CBS News, “Pepper ball fired at CBS Chicago reporter part of incidents involving media outside Broadview ICE facility” (Sept. 29, 2025), <https://www.cbsnews.com/chicago/news/incidents-involving-media-outside-broadview-ice-facility/>.

²⁴ See Tr. Of Proceedings, *Chicago Headline Club v. Noem*, 25-cv-12173 (N.D. Ill., Oct. 28, 2025), Dkt. No. 144.

²⁵ *Id.*

²⁶ ACLU of Illinois, “ACLU of Illinois Responds to DHS Claims That it Will Prosecute People for Recording ICE Officers on our Streets,” Sept. 9, 2025, <https://www.aclu-il.org/en/press-releases/aclu-illinois-responds-dhs-claims-it-will-prosecute-people-recording-ice-officers-our>.

²⁷ *Smith v. City of Cumming*, 212 F.3d 1332, 1333 (11th Cir. 2000). See also *Fields v. City of Philadelphia*, 862 F.3d 353, 358–59 (3d. Cir. 2017); *Turner v. Lieutenant Driver*, 848 F.3d 678, 688 (5th Cir. 2017); *Glik v. Cunniffe*, 655 F.3d 78, 82 (1st Cir. 2011); *ACLU of Ill. v. Alvarez*, 679 F.3d 583, 600 (7th Cir. 2012); *Fordyce v. City of Seattle*, 55 F.3d 436, 438–39 (9th Cir. 1995).

²⁸ See *Sharpe v. Winterville Police Dep’t*, 59 F.4th 674, 681 (4th Cir. 2023); *Fields v. City of Phila.*, 862 F.3d 353, 358–59 (3d. Cir. 2017); *Glik v. Cunniffe*, 655 F.3d 78, 82 (1st Cir. 2011).

Courts have also held that the First Amendment specifically protects identifying officers. For example, the Eleventh Circuit has held that the First Amendment protects recording police officers, their name badges, and license plates on their vehicles, and saying an officer's name out loud on video.²⁹

Border Patrol's Ascendancy

In the coming months, we anticipate continued, major deployments of federal agents to American cities, led by Border Patrol leadership recently installed at Immigration and Customs Enforcement (ICE). We have already witnessed Border Patrol's control of operations in Los Angeles, Chicago and now Charlotte, North Carolina.

Bringing Border Patrol, with its agency culture of abuse and impunity, to more American cities will put our communities in danger, including Americans who will be racially profiled or simply be caught up in operations during the course of daily life. In the last 15 years, at least 200 people have died as a result of encounters with Border Patrol. That number includes 70 people killed as a result of officers using force, six people killed in cross-border shootings with impunity, and more than 100 fatalities from Border Patrol-led car chases. Upon taking office, the Trump administration rescinded a hard-won agency policy to restrict these dangerous car chases.³⁰

Over the years, the ACLU and our partners have documented numerous abuses by Border Patrol agents against border communities, including at checkpoints and by roving patrols which Border Patrol operate within 100 miles of the border. Their role is to identify individuals who arrived in the U.S. without inspection and those who may be transporting illicit drugs into the country. But now, Border Patrol agents are going well beyond that mandate, patrolling deeper into the interior of the country and in some of our largest cities, and supporting a broader federal enforcement operation. This is concerning not only because of the Border Patrol's troubling track record but also because they are not trained in general, street-level immigration enforcement. Indeed, in the 100-mile zone, Border Patrol has incorrectly and illegally detained U.S. citizens and other lawful residents who live in the border; expanding their mandate to the interior goes beyond their training and is already inviting unlawful arrests.³¹

Surveillance of Americans

The Trump administration's deployment of federal agents will also threaten the privacy rights of millions of Americans. Among a myriad of new and developing surveillance measures is DHS's

²⁹ *Khoury v. Miami-Dade Cnty. Sch. Bd.*, 4 F.4th 1118, 1122, 1129 (11th Cir. 2021); *Toole v. City of Atlanta*, 798 F. App'x 381, 383, 388 (11th Cir. 2019).

³⁰ Sarah Mehta, "Border Patrol Agents Replace Top Leadership at ICE Offices Despite Human Rights Violations," ACLU, Nov. 6, 2025, <https://www.aclu.org/news/immigrants-rights/border-patrol-agents-replace-top-leadership-at-ice-offices-despite-human-rights-violations>.

³¹ ACLU, "American Exile: Rapid Deportations that Bypass the Courtroom," Dec. 3, 2014, <https://www.aclu.org/publications/american-exile-rapid-deportations-bypass-courtroom>; William Finnegan, The Deportation Machine, the New Yorker, April 22, 2013, <https://www.newyorker.com/magazine/2013/04/29/the-deportation-machine>.

new face recognition app called Mobile Fortify. Federal agents are using this app to take our photographs and retain them in government databases. It has taken steps to deploy a version of the app to state and local law enforcement officers designated by the 287(g) program to assist DHS efforts.³² The app, which only came to light through leaked emails and documents obtained by 404Media, allows agents to point a phone at anyone in public, compare their faces against a variety of government databases containing 200 million images, and get instant access to their name, date of birth, and a potentially deep well of data within those databases.³³

Rep. Thompson, Ranking Member of the House Homeland Security Committee, stated that ICE indicated that it treats Mobile Fortify as a “definitive” determination of a person’s status and that an ICE officer may ignore evidence of American citizenship, including a birth certificate, when the app says a person is undocumented. As Rep. Thompson noted, this is “a frightening, repugnant, and unconstitutional attack on Americans’ rights and freedoms.”³⁴ It is a recipe for illegal detention of American citizens, particularly because face recognition has proven less accurate when used on Black people and other people with darker skin. It is also troubling that CBP will retain all photographs, including that of U.S. citizens, as part of DHS’s Automated Targeting System (ATS), the foundation for DHS’s myriad watchlists.³⁵

Building A National Paramilitary Policing Force

Since June, the president has claimed unreviewable authority to deploy federal troops to American cities, without geographic or temporal limit, in response to political protests against federal policies and immigrant abuses.³⁶ In late September 2025, the president told a large assembly of senior military officials that troops should use American cities as “training grounds” for the military.³⁷

We anticipate continued deployments of federal agents and threats involving deployment and use of military troops to police our communities. In particular, we anticipate continued deployment of Border Patrol and the misuse of military resources and personnel, funded by the

³² Joseph Cox, “DHS Gives Local Cops a Facial Recognition App To Find Immigrants,” 404Media, Nov. 4, 2025, <https://www.404media.co/cbp-quietly-launches-face-scanning-app-for-local-cops-to-do-immigration-enforcement/>.

³³ Joseph Cox, “You Can’t Refuse To Be Scanned by ICE’s Facial Recognition App, DHS Document Says,” 404Media, Oct. 31, 2025, <https://www.404media.co/you-cant-refuse-to-be-scanned-by-ices-facial-recognition-app-dhs-document-says/>.

³⁴ Joseph Cox, “ICE and CBP Agents Are Scanning Peoples’ Faces on the Street To Verify Citizenship,” 404Media, Oct. 28, 2025, <https://www.404media.co/ice-and-cbp-agents-are-scanning-peoples-faces-on-the-street-to-verify-citizenship/>.

³⁵ See Jay Stanley, “Face Recognition and the ‘Trump Terror’: A Marriage Made in Hell,” ACLU, Nov. 13, 2025, <https://www.aclu.org/news/privacy-technology/ice-face-recognition>.

³⁶ See Memorandum from Donald J. Trump, President, to the Sec’y of Defense, et. Al., Department of Defense Security for the Protection of Department of Homeland Security Functions (June 7, 2025).

³⁷ Avery Lotz, “Trump says military should use U.S. cities as ‘training grounds,’” Axios, Sept. 30, 2025, <https://www.axios.com/2025/09/30/trump-military-training-grounds-chicago-portland>.

unprecedented \$170 billion in immigration enforcement that Congress appropriated in summer 2025.³⁸

Deploying military troops and masked federal agents is part of something larger that is happening under our noses. The Trump administration is attempting to build out a sprawling national paramilitary policing force—intended to further the president’s political agenda and be accountable only to him. First, the administration is cannibalizing federal law enforcement agencies—pulling thousands of agents off their assigned jobs to fight drug trafficking, organized crime, and consumer fraud—into one force. According to the CATO Institute, 25,000 federal law enforcement officers have been diverted to immigration enforcement.³⁹

Second, the administration is moving to pull in thousands of state and local police officers, too – building out “task forces” for immigration and criminal enforcement that blur the lines between local police, federal law enforcement, and the military.⁴⁰

In immigration enforcement street arrests and detention sites, we already see that the administration is intentionally blurring the lines of law and accountability that limit federal law enforcement, the military, and state and local police to their proper roles. The legal and ethical constraints that govern each of the law enforcement agencies involved, as well as the military, are critically important.

Pushing Back Through State and Local Action – Building Firewalls for Freedom

As the threats continue to grow, we need even more concrete protections. The ACLU and our partners are working with states and cities to limit or withdraw from partnerships with the Trump administration that are being used to attack our neighbors and loved ones, like ICE’s expanding 287(g) program. In 2026, governors and legislatures in upcoming state legislative sessions will enact measures to protect our communities, including by ensuring that no state employee volunteers state and local resources, such as data and equipment, to federal personnel who would use it to violate our rights. They will pass measures to support our schools, healthcare facilities, libraries, and shelters in establishing protocols to limit law enforcement access without a warrant so that they are safer for our community members to visit. We will continue to fight secret police-style tactics and build a firewall for freedom.

Conclusion

Congress, in particular, holds a vital role in shining a light on agency misdeeds, getting information to constituents, and demanding accountability for this administration’s abuses of

³⁸ Juliana Kim, “How Trump’s tax cut and policy bill aims to ‘supercharge’ immigration enforcement,” NPR, July 3, 2025, <https://www.npr.org/2025/07/03/g-s1-75609/big-beautiful-bill-ice-funding-immigration>.

³⁹ David J. Bier, “ICE Has Diverted Over 25,000 Officers from Their Jobs,” Cato Institute, Sept. 3, 2025, <https://www.cato.org/blog/ice-has-diverted-over-25000-officers-their-jobs>.

⁴⁰ Naureen Shah, “How Expanded 287(g) Program Turns Local Police Into Deportation Agents,” ACLU, Sept. 10, 2025, <https://www.aclu.org/news/immigrants-rights/how-expanded-287g-program-turns-local-police-into-deportation-agents>.

power. The ACLU stands ready to work with Congress to protect our Constitution, our rights and our democracy.

Thank you for your time and attention to these matters. I can be reached at nshah@aclu.org for further information.