



WRITTEN STATEMENT OF

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FOR A HEARING ON

“Kidnapped and Disappeared: Trump’s Deadly Assault on Minnesota”

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Ranking Member Jayapal and distinguished members of Congress, thank you for holding this important field hearing. My name is Deepinder Mayell and I am honored to serve as executive director of the ACLU of Minnesota.

The ACLU’s Work in this Moment

The ACLU and our state affiliates have 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, in a case now before the Supreme Court;
- 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—here in Minneapolis—as well as 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;

The ACLU is on the ground in all 50 states. We are mobilizing millions of people in peaceful events And we are surging Know Your Rights trainings and legal support to millions of people across our communities. We are advocating in state legislatures, city councils and on the ground to protect our rights and freedoms.

The Administration's Attack on Minneapolis

You visit our beautiful city at a time of profound grief and fear, as well as outrage. In recent weeks, we have experienced violence, chaos and abuse at the hands of hundreds—and now thousands—of masked law enforcement agents brandishing weapons of war on American streets, at American children and families.

Agents have stormed our parks and schoolyards, blocked our streets, barricaded store parking lots, and thrown tear gas in front of our homes. While many Minnesotans are peacefully protesting, millions of Minnesotans are now afraid to leave their homes.

Public schools in Minneapolis closed the week of January 8, 2026, after federal agents pepper sprayed, tackled and handcuffed multiple people. According to school district officials from Fridley and Richfield, more than 30 percent of students were absent from classes that week.¹ Parents are afraid to drop off their children, including U.S. citizens, at school. Refugees and other immigrants with are facing the agonizing decision of separating their families through self-deportation or uprooting their children from the only home they have ever known in order to stay together.

Business and commercial districts of our city are like ghost-towns, as the very presence of federal agents makes people terrified to go about daily.² Business owners who have lived in the city for 15 to 20 years and have lawful permanent status are afraid to go outside despite not being able to afford closing up shop. Many of our immigrant neighbors have not left their homes in days—avoiding even basic daily activities like buying groceries, picking up prescriptions, or going to work.

This is not an unintended impact—it is intentional. The administration has deployed thousands of agents in a bid to terrorize our communities. Its brutality is 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, cause people to flee the country they call home, and make the rest of us too afraid to speak out as good people must.

These agents swore an oath to our Constitution. Yet, these agents have broken dozens of our laws and agency policies and the faith of the American communities they are meant to protect.

¹ *Twin Cities schools reopen with security measures tied to ICE operations*, MPR News (Jan. 12, 2026), <https://www.mprnews.org/story/2026/01/12/ice-operations-prompt-changes-at-minnesota-schools>.

² See Nicole Ki & Matthew Alvarez, *A week into immigration operation, Minnesota Somalis remain on edge but vow resilience*, MPR News (Dec. 8, 2025), <https://www.mprnews.org/story/2025/12/08/minnesota-somalis-remain-on-edge-in-face-of-immigration-operation-but-vow-resilience>.

As we documented in a lawsuit filed just yesterday, *Hussen v. Noem*, these masked federal agents are violently stopping and arresting countless people based on nothing more than their race and perceived ethnicity.³ At the center of DHS’s campaign are Somali and Latino people in the Twin Cities, who are being targeted for arrest irrespective of their immigration status (including U.S. citizenship) or their personal circumstances. Dragnet arrests are sweeping numerous U.S. citizens and individuals with immigration status—shackling them and scanning their faces while ignoring documentation of U.S. citizenship.

President Trump called people from Somalia “garbage,” said “we don’t want them in our country,” and told them to “go back to where they came from.” Following President Trump’s comments, ICE and CBP agents have indiscriminately arrested — without warrants or probable cause — Minnesotans solely because the agents perceived them to be Somali or Latino.⁴

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 or lawful status. Consider the makeup of our city: The overwhelming majority of Somali and Latino individuals in Minnesota are U.S. citizens. 95% of Somali Minnesotans are U.S. citizens, according to 2024 U.S. Census Bureau data. The same is true for 76% of Latino Minnesotans. The small percentage who are not U.S. citizens include legal permanent residents (green card holders) and others with immigration status. Because of the dragnet tactics of federal agents, we know this is guaranteed to happen: American citizens are being detained for investigation, questioned and subject to facial scanning, and wrongfully arrested.

One such American citizen is Mubashir Khalif Hussen, whom you will hear from shortly. As Mubashir will recount, on December 10, 2025, he was walking to lunch when an unmarked SUV approached him. A man wearing a ski mask and police style vest, who refused to identify himself, pushed him into a restaurant. With a second agent, they dragged him outside and put him into a headlock.

Despite being presented with clear documentation of his citizenship, federal agents took Mubashir into custody. They eventually forced him to submit to a “face scan.” He lives now with the fear and terror of these moments.

Another plaintiff in our lawsuit, Luisa Doe, was driving to work in Saint Paul when ICE agents in unmarked cars activated flashing lights and stopped her. They ordered her out of her car and arrested her without presenting a warrant or asking any questions about her immigration status. ICE detained her, and she had no opportunity to communicate with her family. After she was

³ *Hussen v. Noem*, No. 0:26-cv-00324 (D. Minn. Jan. 15, 2026).

⁴ *Id.*

missing for 24 hours, one of her children filed a missing person's report with local police – only learning from that process that her mother was in ICE custody.

Racial Profiling and Warrantless Arrests -- Flouting Constitutional Requirements and Congressional Limitations

The constitutional guarantees of the Fourth Amendment and equal protection, and federal law, prohibit the kinds of tactics we are seeing from federal agents in Minneapolis. Police cannot simply stop and arrest people based only on their appearance.

Under the Fourth Amendment to the U.S. Constitution, “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”⁵

Officers are able to briefly stop individuals to “make[] reasonable inquiries” based on “unusual conduct which leads [the officer] reasonably to conclude in light of his experience that criminal activity may be afoot and that the persons with whom he is dealing may be armed and presently dangerous,” and only then is such a stop reasonable.⁶ But race or ethnicity cannot be the basis of such a suspicion.⁷

Congress requires immigration arrests to be based on warrants, with certain narrow exceptions. Under 8 U.S.C. § 1357(a)(2), two conditions must be met before an agent may conduct a warrantless arrest: the agent must have “reason to believe” *both* that (1) the individual “is in the United States in violation of any [immigration] law or regulation,” and (2) the individual “is likely to escape before a warrant can be obtained for his arrest.” “[T]he term ‘reason to believe’ in § 1357(a)(2) means constitutionally required probable cause.”⁸ Probable cause “must be particularized with respect to the person to be searched or seized.”⁹

The statute's two-pronged probable cause requirement is mirrored in DHS's regulations for enforcement activities. Specifically, 8 C.F.R. § 287.8(c)(2) provides that “[a]n arrest shall be made only when the designated immigration officer has reason to believe that the person to be arrested has committed an offense against the United States or is an alien illegally in the United States” and that “[a] warrant of arrest shall be obtained except when the designated immigration

⁵ U.S. Const. amend IV.

⁶ *Terry v. Ohio*, 392 U.S. 1, 30 (1968).

⁷ *Lopez-Fernandez v. Holder*, 735 F.3d 1043, 1047 (8th Cir. 2013); *Buffkins v. City of Omaha*, 922 F.2d 465, 470 (8th Cir. 1990); *United States v. Clay*, 640 F.2d 157, 159-60 (8th Cir. 1981).

⁸ *United States v. Quintana*, 623 F.3d 1237, 1239 (8th Cir. 2010).

⁹ *Maryland v. Pringle*, 540 U.S. 366, 371 (2003).

officer has reason to believe that the person is likely to escape before a warrant can be obtained.”¹⁰

In addition to the cases detailed in Minnesota, individuals in Colorado, Illinois and the District of Columbia have been subject to warrantless arrests made without probable cause of flight risk, which courts in those jurisdictions have held unlawful under § 1357(a)(2).¹¹ In a long-running lawsuit challenging warrantless arrests in Chicago, the district court recently found that ICE had arrested at least 22 class members without probable cause of flight risk in violation of a settlement agreement.¹²

Attacks on Refugees

The administration is also arresting refugees who waited months if not years for permission to come to the United States, as part of “Operation PARRIS”¹³, under which the Trump administration is targeting thousands of refugees, ostensibly reinterviewing them for fraud. But we understand from partners that already, over 100 people have been arrested at home and at work and taken from their families and communities to horrendous detention centers like Fort Bliss in Texas.¹⁴ It appears that the administration intends to terminate their status—at the same time that it is ending temporary protected status for Somalis, Venezuelans, and many others—and to deport them back to the countries they fled. This is yet another attack on our community, and an attempt to strip them of lawful status and banish them from their lives here.

Attacks on Legal Observers and Peaceful Protest

In recent weeks, ordinary Minnesotans have banded together to bear witness and peacefully protest the brutal, reckless actions of federal agents. In response, federal agents have engaged in an unprecedented attack on dissent, as we have documented in our lawsuit, filed in December 2025, *Tincher v. Noem*. Federal agents have abducted U.S. citizens and held them

¹⁰ 8 C.F.R. § 287.8(c)(2).

¹¹ *Ramirez Ovando v. Noem*, --- F. Supp. 3d ----, 2025 WL 3293467, at *15 (D. Colo. Nov. 25, 2025); *Escobar Molina v. U.S. Dep’t of Homeland Sec.*, --- F. Supp. 3d ----, 2025 WL 3465518, at *26-27 (D.D.C. Dec. 2, 2025).

¹² *Castañon Nava v. Dep’t of Homeland Sec.*, --- F. Supp. 3d ----, 2025 WL 2842146, at *21, 23 (N.D. Ill. Oct. 7, 2025).

¹³ USCIS, “DHS Launches Landmark USCIS Fraud Investigation in Minnesota,” Jan. 9, 2026, <https://www.uscis.gov/newsroom/news-releases/dhs-launches-landmark-uscis-fraud-investigation-in-minnesota>.

¹⁴ Miriam Jordan, *New York Times*, *ICE Arrested Dozens of Refugees in Minnesota and Sent Them to Texas*, *Lawyers Say*, Jan. 13, 2025, <https://www.nytimes.com/2026/01/13/us/ice-arrests-refugees-minnesota.html>.

incommunicado for hours. They have pepper sprayed, violently subdued and aimed assault rifles at protestors and observers, and even followed observers home to scare them.

Our lawsuit aims to vindicate the rights of Minnesotans who have been victimized by their own government simply for exercising their First Amendment rights, to end the false sense of impunity that fuels the worst of federal agents' misconduct, and to ensure that Minnesotans can assemble, observe, document and criticize – without fear of retaliation.

One of the plaintiffs in *Tincher v. Noem* is Susan Tincher, a Minneapolis resident, was observing masked agents in her neighborhood from a distance of at least six feet. She asked a female officer, outside their perimeter and on the public sidewalk, “Are you ICE”? Seconds later, agents forced her to the ground, handcuffed her and took her to Bishop Henry Whipple Federal Building in Minneapolis, where they cut off some of her clothes and her wedding ring, shackled her and left her in a cell for hours. She was later released without charge.

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.¹⁵ 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.¹⁶ This includes the right to livestream such content.¹⁷

The repression I have described is not just happening in Minnesota. From Illinois to southern California, again and again, we have seen federal agents threaten peaceful protestors and physically assault them—including veterans, members of the clergy and the elderly.

As a federal district court judge in southern California note, “federal agents’ indiscriminate use of force...will undoubtedly chill the media’s effort to cover these public events and protestors seeking to express peacefully their views on national policy....Indeed, under the guise of protecting the public, federal agents have endangered large numbers of peaceful protestors, legal

¹⁵ 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>.

¹⁶ *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).

¹⁷ 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).

observers, and journalists – as well as the public that relies on them to hold their government accountable. The First Amendment demands better.”¹⁸

Congress: Act to Restrain the Supersized, Dangerous Deportation Force

In summer 2025, Congress appropriated \$170 billion to the Department of Homeland Security to supersize its deportation force and detention network, including \$45 billion for immigration detention and a \$22 billion slush fund for the DHS secretary.¹⁹ This congressional funding enabled DHS to become what it is today: a dangerous agency operating with impunity.

The administration is consolidating power and expanding its grip on our communities by building out a massive, national policing force. More than 25,000 federal law enforcement agencies have been cannibalized from across the federal government, drawn from their missions to fight fraud, human trafficking and serious crime, to instead intimidate and terrorize American communities.²⁰ More than 10,000 state and local agents have enlisted in ICE’s 287(g) program, using traffic stops and checkpoints to stop Americans and create a dystopian “show me your papers” police state.²¹

The administration hired 12,000 ICE agents in a matter of months, while dropping basic standards and requirements. ICE is spending around \$100 million on a “wartime recruitment” campaign, working with right-wing influencers and advertising at gun shows. And meanwhile, this week, news reports showed that many ICE recruits were sent into the field without the necessary training.²² One reporter’s investigation suggests she was able to get an offer to work from ICE without meeting basic standards, completing paperwork or undergoing any vetting.²³

We are seeing the results of this hiring spree here in Minnesota. There is not just a lack of professionalism; this race to enlist immigration agents appears to be resulting in dangerous and

¹⁸ See *Los Angeles Press Club et al. v. Noem, et al.*, Case No. 25-cv-05563, 2025 WL 2658327 (C.D. Cal. Sep. 10, 2025).

¹⁹ 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>.

²⁰ 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>.

²¹ 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>.

²² “ICE Recruitment Error Meant Some Officers Were Sent Out Into Field Without Proper Training, Sources Say,” January 15, 2026, <https://www.nbcnews.com/politics/immigration/ice-error-meant-recruits-sent-field-offices-proper-training-sources-sa-rcna254054>.

²³ Democracy Now, “Journalist Tests ICE Recruitment; Surprised to Find Herself Hired With No Background Check,” *Democracy Now!*, January 14, 2026, https://www.democracynow.org/2026/1/14/laura_jedeed_ice.

reckless operations by agents who do not appear to know the law or be trained to interact professionally with the public, for the raids they are conducting in our neighborhoods.

Even as masked federal agents, equipped for war, drag people from their cars, zip-tie children, firing tear gas at high schoolers, pointing guns at peaceful observers and protestors, ICE and Border Patrol are seeking more funding from Congress to ramp up their hideous assault on our communities. All our freedoms are on the line.

New polling released from the ACLU and conducted in partnership with YouGov shows that voters across party lines oppose ICE's recent actions in Minnesota and nationwide, and want elected officials to rein in ICE's abuses. According to the poll, 54 percent oppose expanding ICE's enforcement and detention budget, including 93 percent of Democrats and 64 percent of Independents.²⁴

We beseech Congress: We need you to act, to use the power of the purse to demand an end to the Trump administration's unprecedented, lawless and dangerous escalation in our community. We urge you to demand that federal forces withdraw now, before another life is taken. We urge you to stop federal agents from besieging our community in the hundreds and thousands, stop them from terrorizing our schoolchildren and effectively shuttering our businesses, stop them from attacking peaceful protestors—and stop them from destroying our very way of life.

This is not the America we deserve, nor the one our laws or Constitution allow. We need Congress to act.

Thank you for your time and attention to these matters. For inquiries or support, please contact ACLU National's Director of Policy and Government Affairs for Immigration, Naureen Shah (nshah@aclu.org).

²⁴ ACLU & YouGov, *Rapid Response Poll - ICE Shooting in Minnesota - Jan 2026*, (Jan. 15. 2026), available at <https://www.aclu.org/documents/aclu-yougov-rapid-response-poll-ice-shooting-in-minnesota-jan-2026>.