

DEFEAT | DELAY | DILUTE

# ACLU vs. PRESIDENT TRUMP

A close-up, high-contrast photograph of the top of Donald Trump's head. The image focuses on his forehead, nose, and the side of his head, showing his characteristic hair and skin texture. The lighting is dramatic, with strong shadows.

ACLU

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**ACLU**

# INTRODUCTION

We are currently living through the most dangerous assault on our civil rights and civil liberties in recent memory. In 2025, President Trump issued over 225 executive orders — signing more orders than he did in all four years of his first term and more than have been signed in a single year by any president since Franklin D. Roosevelt in 1941.<sup>1</sup> This unprecedented blitz of executive orders, coupled with far-reaching executive actions and a Congress unwilling or unable to assert their authority, has unleashed an agenda designed to “shock and awe” by terrorizing vulnerable communities, chilling opposition and public debate, and steamrolling adversaries.<sup>2</sup>

## **Ruthless. Regressive. Unlawful. At odds with our Constitution.**

By any measure, the administration has been aggressive as well as effective. What is also true is that our response in this first year has been equally formidable and will provide a base for us to continue our work to preserve civil rights and liberties over the next three years.

The American Civil Liberties Union (ACLU) — battle-tested from the first Trump presidency — has been prepared for this fight from day one. During President Trump’s first term, The Washington Post called us “Trump’s main antagonist” for filing over a dozen legal actions against his policies within the administration’s first month.<sup>3</sup> Over the course of four years, we brought more than 434 legal actions against the administration — stopping or delaying many of the worst abuses.

We knew a second Trump administration would require even more from us. Months before the 2024 election, we examined President Trump’s campaign promises, including those outlined in Project 2025. In our series of Trump memos, we detailed the civil rights and civil liberties challenges a second Trump presidency would likely present and outlined how we would fight to protect the rights and liberties of all people.<sup>4</sup> We spent months plotting out our litigation and advocacy strategy across the country — building a plan to ensure that cities and states would be a Firewall for Freedom against a federal government attacking civil rights and civil liberties.

In the past year we have ramped up our work, taking over 230 legal actions against the Trump administration — on track to double our total during the first Trump administration.



**Legal Actions Taken by ACLU**  
(including lawsuits, records requests, amicus briefs, and agency complaints)

**Lawsuits Filed by ACLU**

**Congressional Briefings**

**Constituent Meetings with Congressional Offices**

## **We’re not just challenging the Trump administration’s policies — we’re successfully thwarting their plans.**

On day one, when President Trump issued an executive order attempting to unlawfully end birthright citizenship, we filed a case within two hours.<sup>5</sup> When the government began arresting non-citizen students and scholars for their speech, we moved quickly to challenge their detention and secure their release.<sup>6</sup> As Congress made multiple attempts to block access to critical health care for trans people, we worked relentlessly on Capitol Hill to block these provisions from becoming law.<sup>7</sup> When the administration bullied ABC into suspending Jimmy Kimmel, we mobilized nearly 500 artists and entertainers and 53,000 Americans to protect free speech. Kimmel was back on air within hours of our letter becoming public.<sup>8</sup>

**64%**

**Success of ACLU Lawsuits  
in Delaying, Diluting, or  
Defeating Trump Agenda**

Through our Firewall for Freedom campaign, 26 state affiliates have helped to enact over 80 executive, legislative, or municipal actions to blunt the administration’s attacks.<sup>9</sup> This work to protect immigrant communities, free speech, equal rights, reproductive freedom, and voting rights proves that even in hostile times, we can advance long-standing civil rights and civil liberties goals and protect our communities by leveraging our collective power in cities and states. At the federal level, of the 37 anti-civil rights or anti-civil liberties bills and amendments we opposed, we helped prevent 86 percent of them from becoming law in 2025.

## ACLU Firewall for Freedom: Protecting & Expanding Civil Liberties & Civil Rights in the States

- **51** State Laws Passed
- **14** State Executive Actions
- **19** Municipal Actions

Despite our accomplishments thus far, **we cannot underestimate the continued speed and ferocity of this assault on civil rights and civil liberties, or the impact it will continue to have on us all.** As one example, the administration states it deported 600,000 immigrants in the first year and pushed out an additional 1.9 million immigrants through what it calls “self-deportation” — ripping apart families and communities, deeply ingraining fear and distrust of law enforcement, and putting a strain on public resources.<sup>10</sup>

Their strategy is deliberate: Overwhelm civil society by threatening everything — people, laws, and norms — all at once, to the point that a crisis feels inevitable. But, as our Executive Director Anthony Romero put it plainly:

**“We are in a constitutional crisis if we allow it. We aren’t if we resist it.”**

**Anthony Romero**  
*Executive Director of the ACLU*

**And resist we will.** With over 2,200 staff nationwide, including litigators, policy experts, and organizers on the ground in every state, Puerto Rico, and Washington, D.C., the ACLU is well poised to meet the challenges of this moment. Millions of Americans, alarmed by the threats they’re witnessing, have joined us in our fight. We have built close partnerships with allies to collectively resist the Trump administration’s policies. **Together, we are forging a movement strong enough to confront whatever comes next.**

Last year tested our democracy, and so will the years ahead, as more executive directives, federal bills, and policy changes demand immediate action. As difficult as the road ahead may be, we must not succumb to despair. We must act. The ACLU is getting ready once again — mapping out our plans, increasing our staff, and preparing for what is in store for 2026 and beyond. We are examining the Trump administration’s successes and failures to develop targeted and innovative responses to challenge future efforts. We are continuing to work closely with our state affiliates and partners to build our movement.

With this report we hope to distill key lessons from the past year, dispelling the myth that resistance to the Trump administration’s policies has not borne fruit. We do not endeavor to capture every threat the administration has posed to civil rights and civil liberties or to document every challenge the ACLU has made. We merely hope to tell the story of the first year of this ongoing fight, highlighting the broad themes and accomplishments across our work to safeguard free speech, protect immigrants’ rights, defend equal protection, and build power.

We trust that this clear-eyed assessment of progress and setbacks will embolden us all in continuing our efforts against the Trump administration’s anti-civil rights and civil liberties agenda.

# SAFEGUARDING FREE SPEECH

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The Trump administration is openly trying to suppress First Amendment rights and silence opposition through deliberate and unconstitutional intimidation tactics. These efforts have included attacking law firms and lawyers who represent disfavored causes or clients, deploying federal troops to suppress protests, and using excessive force against journalists, legal observers, and protesters. The administration has also banned books in federally-run K-12 schools, cut funding for colleges and universities that don't comply with its demands, and sought to detain and deport students and scholars to silence criticism. As the nation's premier defender of free speech and dissent, the ACLU is fighting back.

## Targeting Non-Citizen Students and Scholars

**In early 2025, the Trump administration quickly began detaining non-citizen students and scholars, including green card holders, solely for their constitutionally protected political speech.** Mahmoud Khalil, a U.S. green card holder and Columbia University graduate, was arrested for his campus advocacy in support of Palestinian rights, transferred to a Louisiana detention facility 1,400 miles from his then-pregnant wife, and ultimately forced to miss the birth of his first child.<sup>11</sup> Rümeysa Öztürk, a Ph.D. student at Tufts University on a valid student visa, was grabbed off the street by masked U.S. Immigration and Customs Enforcement (ICE) agents after co-authoring an op-ed critical of her university's response to student resolutions on Gaza.<sup>12</sup> Mohsen Mahdawi, a green card holder and Columbia student, was detained at his own naturalization interview because of his participation in student protests.<sup>13</sup> And Dr. Badar Khan Suri, a Georgetown postdoctoral scholar known for his work on peace and conflict, was detained outside his home and then transferred to five different ICE facilities across three states before being detained for months in a Texas detention center thousands of miles away from his U.S. citizen wife and children.<sup>14</sup>

These cases strike at the heart of First Amendment protections: The government cannot weaponize immigration law to silence people expressing viewpoints it disagrees with. Working with state affiliates and legal partners, we secured the release of all four clients, ensuring they are free and protected from deportation while we continue to fight their cases in court.<sup>15</sup>

**“There is no power that can silence the people.”**

**Mohsen Mahdawi**  
ACLU Client

## Deploying Federal Agents and National Guard Troops

**The administration's assault on immigrant communities, free speech, and our right to dissent became unmistakably visible — and frightening — in the streets.** Starting in June 2025, when the Department of Homeland Security (DHS) conducted violent raids on immigrant communities throughout Southern California, protests erupted in Los Angeles.<sup>16</sup> DHS responded with brutal force — deploying tear gas, rubber bullets, and other weapons against protesters, journalists, and legal observers.<sup>17</sup> President Trump then used the protests as a pretext to justify military deployment.

The ACLU of Southern California, alongside co-counsel and partners, sued DHS on behalf of protesters, legal observers, and journalists for violating their First Amendment rights.<sup>18</sup> In September 2025, a district court judge issued a preliminary injunction blocking DHS from using excessive and indiscriminate force against journalists and peaceful protesters.<sup>19</sup>

As the Trump administration continued its efforts to sow fear and consolidate their power by deploying federal agents and National Guard troops to other cities, the ACLU and our affiliates responded with a coordinated strategy combining litigation with organizing, advocacy, and public pressure. In addition to the Los Angeles litigation, the ACLU and our affiliates filed amicus briefs in cases in Washington, D.C., Chicago, and Portland.<sup>20</sup> Over 400,000 ACLU supporters nationwide took action with us to challenge the administration's efforts. More than 80,000 people joined us for Know Your Rights Trainings to learn about their legal protections and prepare for protests. We brought veterans from across the country to Capitol Hill to meet with more than 40 congressional offices, sharing their stories to urge Congress to stop President Trump's militarization of American cities.<sup>21</sup>

As we explained to the Supreme Court in our amicus brief supporting Illinois' challenge to federal troop deployment, a president with unchecked power to deploy troops against our communities poses an existential threat to individual liberty.<sup>22</sup> Thanks to a string of court victories prohibiting deployments, including in *Illinois v. Trump*, as well as sustained political opposition, President Trump announced on New Year's Eve that he was abandoning efforts to use the Guard in Los Angeles, Chicago, and Portland.<sup>23</sup>

**“My message that I carried to Congress was our federal troops do not belong in the streets. They do not belong policing civilians.”**

**Tom Alonzo**  
Veteran and Participant in  
ACLU Day of Action on Capitol Hill

## Banning Books in Defense Department K-12 Schools

**Children of military families were also drawn into the Trump administration's attacks on the First Amendment as public schools on military bases faced sweeping censorship.** The Department of Defense, which operates public schools serving military families worldwide, removed nearly 600 books, altered curricula, and canceled events the Trump administration accused of promoting “gender ideology” or “divisive equity ideology.”<sup>24</sup> The administration censored materials on slavery, Native American history, women’s history, LGBTQ+ people, and even portions of Advanced Placement Psychology. The ACLU, along with two of our affiliates, sued on behalf of six military families and 12 students ranging from pre-K to 11th grade, arguing the administration’s actions violated students’ First Amendment rights.<sup>25</sup> A federal court agreed, blocking the censorship and ruling that the government cannot scrub references to race and gender from public school libraries and classrooms simply because it dislikes certain viewpoints.<sup>26</sup>

## Attacking Law Firms and Universities

**In March, President Trump launched a concerted effort to scare law firms away from taking disfavored cases and clients.** He issued a series of directives and executive orders expressly intended to punish firms for their work on lawsuits he disliked — including a transgender rights case filed with the ACLU — and their past employment of attorneys he considers adversaries, such as Robert Mueller.<sup>27</sup>

Though President Trump’s attacks on law firms were unexpected, the rapid capitulation of many leading firms to his pressure tactics was even more surprising. Nine law firms ended up pledging nearly \$1 billion in “settlement fees” via pro bono services to the administration’s favored causes — a stunning outcome given the patently unconstitutional nature of the executive orders.<sup>28</sup> But some firms were willing to fight back against the administration’s strong-arm tactics. We coordinated closely and organized amicus briefs with a cross-ideological group of organizations, including right-of-center partners, to support litigation filed by Jenner & Block, WilmerHale Perkins Coie, and Susman Godfrey, asking the courts to strike down the orders for violating the First Amendment.<sup>29</sup> In all four cases, the courts issued a resounding rebuke to President Trump’s attempts to chill the legal profession and prevent ordinary people from accessing justice.<sup>30</sup>

**The administration’s campaign against free speech hit campuses head-on, making universities another focal point of its crackdown.** In January, President Trump issued two executive orders pressuring university officials to censor and punish non-citizen scholars and students for speech about Palestinians and Israel.<sup>31</sup> The ACLU responded with an open letter urging schools to protect free expression on campus.<sup>32</sup>

The administration then targeted university funding, threatening institutions — including Brown, Columbia, Harvard, Cornell, Duke, and Northwestern Universities — with cuts unless they altered admissions policies, hiring practices, and other programs to better reflect the Trump administration’s preferred ideology.<sup>33</sup> As many of the universities buckled under the pressure of the administration, university administrators began to target faculty and students whose political beliefs were thought to bring legal jeopardy to the schools.<sup>34</sup>

We filed amicus briefs, alongside free speech allies across the political spectrum, in support of challenges at Harvard and Columbia.<sup>35</sup> In a major victory for academic freedom, a federal court in Massachusetts

blocked the attempted sanctions on Harvard.<sup>36</sup> Thus far, Brown, Northwestern, Cornell, the University of Pennsylvania, Columbia, and the University of Virginia have entered settlements or agreements with the federal government, while Harvard and UCLA continue their litigation.<sup>37</sup>

With universities facing intense pressure to settle with the administration rather than resist, the fight to preserve academic freedom remains critical. If the government can punish universities for viewpoints it dislikes, and if universities capitulate to pressure tactics and extortionist settlements with the federal government, then no field of research, no classroom discussion, and no scholar's speech is safe.

## Targeting Independent Media and Silencing Critical Voices

**Over the course of several months, President Trump launched a full-throttle attack on the press by pushing to defund independent public media, suing news outlets for defamation, and interfering with journalists' reporting — all to silence public scrutiny of his administration.**<sup>38</sup> The ACLU repeatedly warned that these moves amounted to a coordinated campaign to chill the freedom of the press by restricting public access to critical reporting.

This climate of hostility became starkly visible when Emmy Award-winning journalist Mario Guevara was detained by ICE after reporting at a Georgia No Kings protest.<sup>39</sup> Even after prosecutors dismissed the charges and an immigration judge ordered his release on bond, ICE refused to release Guevara, claiming his reporting on law enforcement activity was dangerous. He spent more than 100 days in ICE detention in retaliation for his journalism. The ACLU, alongside our partners and co-counsel, fought for Guevara's release for months, arguing that his detention was unconstitutional retaliation against protected First Amendment activity.<sup>40</sup> Ultimately, Guevara was deported to El Salvador, becoming the only journalist in the United States to be detained — and then deported — for their reporting.<sup>41</sup>

**Not even popular culture was spared from President Trump's relentless attacks on the First Amendment.** In September, Federal Communications Commission Chairman Brendan Carr threatened to revoke broadcast licenses if ABC affiliates didn't take action against late-night host Jimmy Kimmel for remarks he made criticizing the response of President Trump and his supporters to Charlie Kirk's assassination. Within hours, ABC suspended Kimmel's show indefinitely.<sup>42</sup>

The ACLU organized an open letter signed by nearly 500 actors, musicians, and directors, with more than 50,000 individuals adding their names in solidarity.<sup>43</sup> Hours after the letter's publication, ABC announced Kimmel would return to the air, turning a chilling moment of government coercion into a resounding victory for free speech and a necessary reminder that collective action works.<sup>44</sup>

### By the Numbers: ACLU Safeguarding Free Speech

- 17 lawsuits filed with a 71% success rate in delaying, diluting, or defeating President Trump's anti-free speech agenda.
- We lobbied against two bills that threatened free speech; both were ultimately defeated and did not become law in 2025.

### In the States: Safeguarding Free Speech

**Affiliates strengthened protections against government overreach and safeguarded the right to dissent.**

- The Portland City Council passed a resolution, supported by the ACLU of Oregon, aimed at protecting residents from abusive federal deployments.<sup>45</sup>
- The ACUs of Delaware and Iowa staff successfully advocated for bills strengthening their state's existing anti-SLAPP laws to defend future generations of students, journalists, activists, and others who exercise their right to speak out.<sup>46</sup>
- The ACLU of Washington helped pass a critical bill restricting out-of-state armed forces from entering the state.<sup>47</sup>

# PROTECTING IMMIGRANTS' RIGHTS

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With immigrants making up more than 15 percent of American residents, President Trump's mass deportation and detention efforts threaten to fracture millions of families nationwide.<sup>48</sup> On January 20, 2025, he unleashed a barrage of executive orders aimed at dismantling immigrants' rights and due process — striking simultaneously at birthright citizenship, asylum, and any semblance of fairness in the deportation process.<sup>49</sup> The ACLU was prepared for this moment and immediately sprang into action, filing lawsuits to block his opening salvo, educating our membership, and rallying our allies in Congress to stand firm against the administration's efforts.

**“The Constitution  
protects all of us,  
whether we are citizens  
or not; documented  
or undocumented.”**

**Maribel Hernández Rivera**  
National Director of Immigrant  
Community Strategies at the ACLU

## Attempting to End Birthright Citizenship

**One of the most alarming executive orders from the administration sought to strip U.S. citizenship from babies born on American soil in a plainly unconstitutional act.<sup>50</sup>** For the first time since the end of the Civil War and the ratification of the Reconstruction Amendments, families across the United States faced the prospect that their children could grow up unrecognized as citizens in the only country they have ever known. The ACLU, along with state affiliates and partner organizations in the immigrants' rights and civil rights communities, filed suit within two hours of the Inauguration Day order, blocking the unconstitutional policy from taking effect.<sup>51</sup>

When the Supreme Court issued a procedural ruling potentially opening the door for partial enforcement

of the order in the summer, we responded within hours with a new lawsuit — a nationwide class action, designed to ensure that the order would not be applied to any child born in the United States.<sup>52</sup> We won a preliminary injunction safeguarding birthright citizenship and protecting the rights of the over 129,000 babies born since the order was signed.<sup>53</sup> Thanks to the ACLU and our partners, the policy has never gone into effect.

We will argue this case before the Supreme Court this term, and we are confident we will prevail. The 14th Amendment is abundantly clear: People born in the United States are citizens of this country, and no one can be denied this right based on their parents' immigration status.<sup>54</sup>

## Invoking the Alien Enemies Act

**In March, President Trump secretly signed a proclamation unlawfully invoking the 18<sup>th</sup>-century Alien Enemies Act (AEA) — a wartime statute rarely invoked over the past 127 years** — to bypass the procedures and protections of immigration laws and rapidly deport Venezuelans he accused, without evidence, of being Tren de Aragua gang members.<sup>55</sup> The move was a dangerous and sweeping abuse of executive power, furthering the administration's deportation agenda by stripping away due process rights.

The day after the order was issued — and before it was even made public — the ACLU and its partners filed a class-action lawsuit on behalf of five Venezuelans.<sup>56</sup> The court held a Saturday hearing and ordered the government not to proceed with AEA removals, including any that were then in progress. The government defied that order, transferring hundreds of Venezuelan men to a prison in El Salvador notorious for human rights violations, without any due process.<sup>57</sup> The ACLU is currently working for the return of our clients sent to El Salvador in violation of the court order. We are also arguing the government is in contempt for failing to follow a judicial order.<sup>58</sup>

We have filed nine habeas petitions challenging the unlawful use of the AEA and won two emergency rulings from the Supreme Court making clear that people are entitled to challenge the government's attempt to remove them under the AEA and that due process protections

apply.<sup>59</sup> In September, the Fifth Circuit, one of the most conservative courts in the country, rejected the administration's claim that Venezuelan migrants constituted an "invasion" by a foreign power.<sup>60</sup> The surge of litigation has prevented any AEA removals from taking place since the illegitimate day-one flights. This fight is likely to return to the Supreme Court, which will be faced with a high-stakes question: Can the government twist a centuries-old law to strip away basic rights from immigrants on American soil?

## Accelerating Deportation and Detention Throughout the Country

**In a deeply unjust executive order, President Trump announced a plan to fast-track deportations** through an expedited removal deportation procedure that unlawfully circumvents due process.<sup>61</sup> The ACLU, along with state affiliates, swiftly filed suit to block the rule.<sup>62</sup> As the case proceeded, the government ramped up enforcement procedures to meet a ruthless and arbitrary goal of arresting 3,000 people daily. In total, the Trump administration deported over 600,000 immigrants in its first year. Coupled with the 1.9 million self-deportations in which immigrants were effectively pushed — or terrorized — out of the country, our nation of immigrants has been fundamentally transformed.<sup>63</sup>

The administration snatched people up at courthouses and their places of work, subjecting them to an inhumane, unfair, and error-prone system. In August, a court blocked the policy, sparing thousands of people from unjust deportations while the ACLU litigation continues.<sup>64</sup>

President Trump's allies in Congress sought to strengthen the administration's hand in unleashing mass deportation through a series of anti-immigrant bills. Due to our mobilization on Capitol Hill and with our members, only one anti-immigrant bill was enacted: the Laken Riley Act, a bill forcing immigration authorities to detain individuals whether or not law enforcement deems them a threat.<sup>65</sup> We stalled a bill to defund so-called "sanctuary" cities and states entirely, while three bills passed the House but received so little bipartisan support that they are unlikely to be enacted. In December, more than 35 members of Congress who had voted for the Laken Riley Act voted against the year's final anti-immigrant bill, demonstrating a rising opposition to the Trump administration's reckless anti-immigrant agenda.<sup>66</sup>

Unfortunately, the "One Big Beautiful Bill" provided an additional \$170 billion in funding for immigration enforcement.<sup>67</sup> Over the next three years we expect this enormous bump in funding to be used to fundamentally transform the U.S. immigration enforcement system — increasing detention and the potential for abuses. While some members of Congress have begun to walk back from the hard line on immigration, continued public pressure will be necessary to truly turn the tide.

**The Trump administration has vastly expanded the immigration detention system, with ICE detaining a record number of over 68,000 people in its more than 200 detention prisons.**<sup>68</sup> These prisons are often remote and abusive, cutting detained people off from counsel and subjecting them to inhumane conditions. The immigration detention conditions are so dire that 2025 marked the deadliest year for people in ICE custody in two decades, with 32 deaths announced by the administration.<sup>69</sup>

The ACLU mobilized members of Congress to demand access to immigrant detention sites. Even as the Trump administration indicted New Jersey Rep. LaMonica McIver and threatened to prosecute other members of Congress, we supported dozens of members in visiting detention facilities across the country.<sup>70</sup> These visits generated significant press coverage and gave the public insight into detention conditions.<sup>71</sup>

Along with our partners, we sued the Trump administration for detaining immigrants at Guantánamo Bay — one of the world's most notorious prisons, hundreds of miles from counsel, isolated from the world, and surrounded by military personnel.<sup>72</sup> We are currently leading lawsuits challenging Florida's authority to operate "Alligator Alcatraz," a hastily constructed detention center in the middle of the Everglades where people have been held without charge, cut off from attorneys, and disappeared from the detainee locator system.<sup>73</sup> With our partners and state affiliates, we won injunctions against abusive conditions in ICE's short-term "hold room" detention centers in New York City, Broadview, Illinois, and San Francisco.<sup>74</sup> And with co-counsel and partners, we filed a class action lawsuit on behalf of immigrants detained at California City Detention Facility. This suit against California's largest immigration detention center — where people face punitive conditions, inadequate medical care, excessive isolation, and denial of access to counsel — is the first large-scale challenge to conditions of detention under this second Trump administration.<sup>75</sup> This wave of litigation is critical in ensuring that thousands of immigrants have access to counsel and their conditions of confinement meet basic humanitarian standards.

# Shuttering the Asylum System

**In a brazen attempt to slam the doors on asylum, President Trump invoked the sweeping authority of Section 212(f) of the Immigration and Nationality Act under the false justification of “invasion.”<sup>76</sup>**

The asylum system was already deeply degraded by policies promulgated by the Biden administration and the previous Trump administration. Then, with a single proclamation, President Trump attempted to fully dismantle protections Congress had deliberately written into law for people fleeing persecution — an audacious attempt to rewrite the nation’s obligations by executive fiat — exposing countless people to an increased risk of being sent to places where they faced torture, death, or other severe mistreatment.<sup>77</sup>

The ACLU, joined by our legal partners and state affiliates, filed suit in February, arguing that no president can erase the rights guaranteed by Congress.<sup>78</sup> In July, the court agreed, ruling that Trump had exceeded his authority and warning that his actions threatened to create a “presidentially decreed, alternative immigration system.”<sup>79</sup> The case is now on appeal.

## Racial Profiling Allowed by the Supreme Court

**Alongside our victories, we’ve faced some painful setbacks — and found new ways to fight.** In June, the federal government unleashed immigration agents across Los Angeles and surrounding counties. ICE swept through immigrant neighborhoods, targeting anyone they believed to be an undocumented immigrant based on skin color, language, accent, and presumed occupation. Being Latine at a car wash, Home Depot, or another location ICE deemed indicative of undocumented status — in an overt act of racial profiling — was enough to get you detained.<sup>80</sup> ICE then confined people at a federal building in illegal conditions while denying them access to attorneys.<sup>81</sup>

The ACLU of Southern California, along with legal partners and co-counsel, filed a class action lawsuit challenging these unlawful stop-and-arrest tactics.<sup>82</sup> In July 2025, the district court granted a temporary restraining order.<sup>83</sup> But in September, the Supreme Court lifted that order when it granted the government’s emergency stay application.<sup>84</sup> This decision was a devastating blow for millions in our communities who have endured — and continue to endure — relentless

targeting because of how they look and sound, or where they work. But the decision did not declare such profiling legal, nor did it close off other avenues to challenge abusive immigration enforcement. ACLU affiliates have since won important limitations on immigration arrests in cases brought in Illinois, Colorado, and Washington, D.C.<sup>85</sup> We will continue to fight in all these cases, and to bring new cases challenging unlawful enforcement, for as long as it takes.

### By the Numbers: ACLU Protecting Immigrants’ Rights

- 106 lawsuits filed with a 69% success rate in delaying, diluting, or defeating President Trump’s immigration agenda.
- We took action against 6 federal anti-immigrant bills and amendments in Congress and helped prevent 83% from becoming law in 2025.

### In the States: Protecting Immigrants’ Rights

**Affiliates made major gains on immigrants’ rights, helping to pass 20 new state laws and enacting 10 executive actions across 16 states.**

- The ACLU of Delaware helped pass a bill outright barring state and local law enforcement from entering into cooperation agreements with ICE, known as 287(g) agreements.<sup>86</sup> And the ACLU of Maine helped secure legislation limiting state and local agencies’ participation in federal immigration enforcement.<sup>87</sup>
- Wisconsin and Nevada passed local and state resolutions limiting ICE arrests at state courthouses and urging Congress to protect schools and places of worship.<sup>88</sup>
- When a mother and her three children were detained in Upstate New York and sent to ICE detention in Texas, our affiliates in Texas and New York supported mobilizations alongside local leaders to win their release, showing how organized communities can stop ICE in its tracks.<sup>89</sup>

# DEFENDING EQUAL PROTECTION UNDER THE LAW

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The Trump administration has censored academic discussions about race and gender, abandoned civil rights enforcement on behalf of historically marginalized groups, used funding cuts and sweeping purges of federal grants to impose an ideological agenda, and launched ruthless attacks on transgender people. We're fighting to ensure the promise of equal justice is a guaranteed reality, not a selective privilege.

## Targeting Education Equity

### Censoring K-12 School Curricula and Activities

**In February, the U.S. Department of Education issued a “Dear Colleague” letter declaring it would consider diversity, equity, and inclusion (DEI) efforts unlawful and threatening swift cuts to schools’ federal funding if it determined they engaged in “DEI” activities.<sup>90</sup>**

The directive was a brazen attempt to intimidate educators into abandoning inclusive learning environments and teaching about the history and experiences of people of different races, genders, and abilities.

The ACLU, joined by our partners and state affiliates, sued on behalf of the National Education Association’s three million members nationwide.<sup>91</sup> In our complaint, teachers described being suddenly afraid to teach the very lessons they had always taught — from the history of the Jim Crow Era and the Civil Rights Movement to seminal books like “To Kill a Mockingbird” — because the new, vague rules could brand their lessons as unlawful. When education is censored, students of color, immigrant students, LGBTQ+ students, and those from low-income communities are harmed the most as their histories and identities are erased from the classroom.<sup>92</sup> In a victory for teachers and students, the court granted a preliminary injunction in April blocking enforcement of the letter.<sup>93</sup>

The “Dear Colleague” letter was only one front in a broader effort to weaken protections for students. President Trump escalated his assault on education equity in March, **issuing an executive order that directed Education Department Secretary Linda McMahon to begin dismantling the department itself**, eroding its ability to carry out the responsibilities mandated by Congress, including its duty to safeguard

students’ civil rights.<sup>94</sup> In response, the ACLU immediately called on Congress to defend the department’s existence, and more than 50,000 people joined us to demand equal access to education for all students.<sup>95</sup>

### Targeting Preschool Children and Working Families

**The administration attempted to radically alter the Head Start program — a cornerstone federal program that has provided free early education and services to low-income families for decades — by attempting to interfere with providers’ ability to meet the needs of the diverse communities they serve.** In July, the administration issued a directive that banned many eligible children from Head Start based on immigration status, compounding the fears that many immigrant families already face.<sup>96</sup> The ACLU, alongside our state affiliates and partners, challenged this unprecedented directive, which threatened to shut students out of classrooms, childcare, and critical support.<sup>97</sup> We secured a court order that blocks enforcement of the directive to exclude immigrant families and preserves access to Head Start for over 100,000 children while the lawsuit proceeds.<sup>98</sup>

## Slashing Millions in NIH Health Grants

**Starting in February, the National Institutes of Health (NIH) abruptly cancelled hundreds of grants, directing staff to cut research on topics and populations disfavored by the Trump administration.<sup>99</sup>** Officials offered only vague references to “gender identity,” “diversity, equity, and inclusion,” and “vaccine hesitancy” in their directives, wiping out rigorously vetted projects and jeopardizing discoveries vital to cancer care, HIV prevention, infectious disease research, Alzheimer’s disease, and reproductive health.<sup>100</sup>

In April, the ACLU, alongside partners and co-counsel, sued to stop political ideology from unlawfully dictating public health.<sup>101</sup> In June, a federal district court judge in Massachusetts ruled that the NIH’s research purge was unlawful, arbitrary, and capricious, calling the NIH’s actions the most palpable record of bias he had seen in 40 years on the bench.<sup>102</sup>

In a troubling turn, the Supreme Court temporarily stayed the district court's order on the terminated grants but left undisturbed the court's finding that the NIH directives violated the Administrative Procedures Act, preserving a legal path to continue our fight.<sup>103</sup> In late December, the NIH agreed to evaluate and review stalled scientific grants, allowing for applications addressing urgent public health issues to move forward — a victory in its own right.<sup>104</sup>

## Discriminating Against Transgender People

### Mandating Discrimination Through Government IDs

**On his first day back in office, President Trump signed an executive order directing the State and Homeland Security Departments to require identification documents — including passports and visas — to reflect sex “at conception.”<sup>105</sup>** The effect of the order was immediate. Within 48 hours, the State Department paused processing for some passport applications from transgender, intersex, and nonbinary people and returned others with documents marked with sex assigned at birth.<sup>106</sup> For transgender people, carrying a passport with the wrong marker is not a bureaucratic inconvenience — it is a terrifying exposure to harassment and violence every time they travel or must show identification.

The ACLU and Advocates for Transgender Equality helped collect over 214,000 public comments opposing the policy.<sup>107</sup> In February 2025, we filed suit alongside the ACLU of Massachusetts and our co-counsel.<sup>108</sup> While we initially secured nationwide relief that allowed many transgender and intersex people to access accurate passports, the Supreme Court later stayed the injunction, permitting enforcement of the policy in a heartbreakingly setback for the freedom of all people to live authentically.<sup>109</sup> While we continue fighting as this case returns to the lower courts, transgender and intersex people remain at risk as they are denied accurate identity documents and forced to live with fear each time they use their passports.

### Ending Care for Transgender People

### **In the same sweeping order, President Trump banned gender-affirming medical care for transgender people in federal prisons and immigration detention centers.<sup>110</sup>**

Following the order, the Bureau of Prisons (BOP) instructed federal prisons to cease treatments like hormone replacement therapy previously prescribed

by BOP medical providers, forcing people to lose medically necessary care and exposing them to heightened risk of harassment and violence.<sup>111</sup>

On behalf of three plaintiffs, the ACLU filed a class-action lawsuit with our partners and co-counsel, winning a court order blocking enforcement of the executive order's prohibition on hormone therapy.<sup>112</sup> Our victory preserved access to critical health care for over 2,000 transgender people currently incarcerated in federal prisons, offering immediate protection in the face of sweeping harm.<sup>113</sup>

**In February, President Trump signed an executive order directing federal agencies to withhold funds from medical providers and institutions that provide gender-affirming medical treatments to anyone under 19.<sup>114</sup>** If enforced, the order would deny critical federal funds to hospitals, clinics, doctors, and other providers, a threat which led some providers to abruptly halt medical care for transgender people under the arbitrary age limit.<sup>115</sup> The ACLU and our partners swiftly challenged the order, and a court temporarily blocked the Trump administration from enforcing it.<sup>116</sup>

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**“The Trump administration does not have absolute power like they pretend to have.”**

**Zaya Perysian**  
ACLU Client

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Meanwhile, throughout the year, the administration's allies in Congress continued these attempts to block access to critical health care for transgender people. In June, the ACLU worked with key members of Congress to ensure that a Medicaid coverage ban on gender-affirming medical care was stripped out of the “One Big Beautiful Bill.”<sup>117</sup> We also worked intensively to ensure that prohibitions on gender-affirming care for servicemembers and their families were removed from the defense bill.<sup>118</sup> Finally, as the year wound down, we mobilized our grassroots volunteers to spearhead opposition to a House bill that would criminalize the provision of gender-affirming care.<sup>119</sup>

## By the Numbers: ACLU Protecting Equal Rights

- 12 Lawsuits filed with 67% success rate in delaying, diluting, or defeating the administration's anti-equality agenda.
- We took action against 14 federal anti-LGBTQ+ bills and amendments in Congress and helped prevent 86% from becoming law in 2025.

## In the States: Protecting Equal Rights

**Our affiliates safeguarded equal rights by helping to pass 20 new laws and supporting 2 executive orders across 11 states while defeating harmful proposals.**

- Oregon and Delaware affiliates helped successfully pass Freedom to Read Acts into law, protecting students' right to read, learn, and share ideas free from discriminatory censorship.<sup>120</sup>
- In Arizona, the affiliate worked with lawmakers to block sweeping bills that would have prevented gender marker changes on birth certificates, eliminated legal recognition of trans people, and stripped funding to colleges and universities teaching about "gender identity" — all of which were ultimately vetoed by the governor.<sup>121</sup>

# BUILDING POWER

To confront this administration's aggressive agenda, we're organizing at every level — mobilizing volunteers, partnering with allies nationwide, and working with our state affiliates to defend civil liberties and civil rights. In 2025, the ACLU played a key role in building the national infrastructure for protests by establishing shared standards for safety and nonviolence and equipping protesters with the tools and confidence to safely, peacefully, and joyfully exercise their First Amendment rights.

## Rallying Millions in Resistance at Nationwide Protests

The administration's unyielding attacks on democracy and our core freedoms have left many Americans feeling dispirited and disenfranchised. But as the year progressed, the American people showed their strong opposition, taking to the streets to make their voices heard in visible displays of peaceful resistance — including in a growing number of jurisdictions that voted for President Trump.<sup>122</sup>

**"We do think we're seeing a shift in the willingness of people in pro-Trump areas in the country to participate in a broader mass movement emerging in opposition to many of his administration's policies."**<sup>123</sup>

**Erica Chenoweth**  
*Political Scientist, Harvard University*

In April, the ACLU proudly served as a national partner to the Hands Off! demonstrations. Over 1,300 events drew millions of attendees demanding a democracy that works for all of us, with nearly two dozen ACLU affiliates helping organize and support local actions.<sup>124</sup>

In June, we co-sponsored the nationwide No Kings protests with Indivisible and a broad coalition of labor, environmental, and human rights organizations. More than five million people rallied at over 2,100 events.<sup>125</sup> By October, the No Kings rallies grew even larger, peacefully bringing together over seven million people across 2,700 events, from small towns to big cities, to stand together against abuses of power.<sup>126</sup> It was one of the largest single-day political protests in U.S. history, a resounding affirmation that no one is above the Constitution.

Leading up to the demonstrations, the ACLU educated tens of thousands of participants through Know Your Rights trainings, and we sent legal observers to protect protestors exercising their core First Amendment rights. The ACLU played a pivotal role in ensuring people could exercise their freedoms confidently and safely — including by rallying 33 ACLU affiliates to participate, training 44,000 participants online, and distributing millions of Know Your Rights cards.

These actions have demonstrated that people — when organized and trained — can meet any crisis with discipline, courage, and solidarity. The Trump administration thrives on fear, silence, and divisiveness, and these moments of collective resistance shift the balance of power back to the people.

## By the Numbers: **Building Power**

- Over 180,000 new people signed up to be part of our People Power activist program, and tens of thousands turned out at protests across the country.
- Over 84,000 people attended ACLU-led Know Your Rights trainings, preparing them for protest activations and what to do if confronted by ICE in their own communities.
- Volunteers and staff sent 5.5 million texts and 6.9 million emails to mobilize communities across the country.
- Advocates completed over 3 million online digital actions, petitions, sign-up forms, and messages to legislators — including over 56,000 constituent calls to legislators.

**“We must assert our First Amendment rights to show that fear will not win.”**

**Suzanne Potts**  
*Savannah Indivisible Co-Chair*

# WHAT'S NEXT: MIDTERM ELECTIONS & BEYOND

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The years ahead will test us in profound ways. We are already seeing efforts to subvert the outcome of the upcoming midterm elections through the disenfranchisement of voters via mid-decade redistricting as well as other voter suppression tactics.<sup>127</sup> We are fighting the federal government's attempt to gain access to state voter rolls, create new barriers to registration and purge voters from the lists, and limit access to mail-in voting. To counter these threats, the ACLU, along with our state affiliates, will launch our largest-ever voter safeguarding program.

## In the States: Voting Rights

**We worked to strengthen the foundation of fair elections at a moment when democratic participation was under direct threat.**

- Our affiliates in Colorado and Maryland won sweeping legislation to address voting inequities and expand language access.<sup>128</sup>

Regardless of the outcome of the midterms, there is one stark reality that must be faced: President Trump and his allies will control the White House for the next three years. We can expect hundreds of executive actions as the president and his party double down on their anti-civil rights and anti-civil liberties agenda and set the stage for the national election in 2028.

As the Trump administration expands its military operations overseas, we will continue to advocate for transparency and a robust system of checks and balances. We have filed a Freedom of Information Act lawsuit seeking the release of an Office of Legal Counsel opinion that purports to justify the legality of boat strikes in the Caribbean, which have resulted in the deaths of at least 104 people.<sup>129</sup> The United States may not, under any circumstances, summarily execute civilians who are merely suspected of smuggling drugs. We will continue our efforts to expose these clearly illegal acts and hold those responsible accountable.

In the next year, the Supreme Court will decide several ACLU cases — rulings that will shape the future of birthright citizenship, voting rights, and the rights of trans youth. The outcome of these cases will surely give rise to additional litigation that will shape the remainder of the Trump administration.

The ACLU will continue to defeat, delay, and dilute the Trump administration's most dangerous attacks, and we will do it with the same resolve, creativity, and focus that have carried us through this past year. And we are not in this fight alone — we are joined by a growing community of activists, volunteers, and donors that believe that our collective power can turn the tide.

**As we approach the 250th anniversary of the Declaration of Independence, we are reminded that the promise of this country — equality, freedom, and justice for all — has never been self-executing. It's been carried forward, generation after generation, by the many people willing to defend it and turn its principle into practice.**

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