



WRITTEN STATEMENT OF
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American Civil Liberties Union of Minnesota
FOR A HEARING ON
“Europe’s Threat to American Speech and Innovation: Part II”

February 4, 2026

Chairman Jordan, Ranking Member Raskin and distinguished members of Congress, thank you for the invitation to testify today. My name is Deepinder Mayell and I am honored to serve as executive director of the ACLU of Minnesota.

I appreciate this committee's interest in free speech, and I'm here today because my hometown of Minneapolis feels like a city under siege, where the First Amendment rights we cherish are under an attack more grave than any I have seen in my lifetime. If you have not been on the ground there over the last month, it is hard to imagine how un-American it has felt, and I want to give you a first-hand account.

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 sued to stop ICE's attack on Minnesotans exercising their First Amendment right to assemble, document, and protest federal agents' immigration enforcement activities in our streets.
- 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 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; and

- 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.

Although the Trump administration’s direct assault on our constitutional rights should occupy lawmakers’ attention, we have also defended those rights in online spaces, opposing legislation that undermines the rights of people of all political views to speak freely and enjoy online spaces, free from government surveillance.

The ACLU is on the ground in all 50 states. We are mobilizing millions of people in peaceful events. 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

For the people of Minneapolis, this is 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.

Two people have been shot and killed for observing and protesting the actions of federal agents: Renee Good and Alex Pretti. Witnesses to their deaths are their neighbors and fellow Minnesotans. One of the witnesses to Mr. Pretti’s killing submitted a sworn statement to court in our lawsuit, *Tincher v. Noem*, saying they were so afraid of retaliation by agents of their own government, they went into hiding.¹ “I do not feel safe in my city,” said another witness to Mr. Pretti’s death, a doctor who had run to the scene and performed CPR on him. “I worry that I or someone I love will be shot and killed for voicing their displeasure and being in the wrong place at the wrong time.”²

This is not an America we recognize. It is not the “free country” that we cherish. It is not the America we deserve, nor the one our laws or Constitution allow.

At the worst moments, it has felt like we are living in a police state. Agents have stormed our parks and schoolyards, blocked our streets, barricaded store parking lots, thrown tear gas in front of our homes and pepper sprayed peaceful protestors in the face. They have pointed semiautomatic weapons in the faces of elderly American citizens, detained them for hours and treated them like enemies in their own hometown.

¹ Declaration of Tiffany “Stella” Carlson, *Tincher v. Noem*, No.0:25-cv-04669 (D. Minn. Jan. 24, 2026).

² Declaration of [Name Redacted, Witness No. 2], *Tincher v. Noem*, No.0:25-cv-04669 (D. Minn. Jan. 24, 2026).

People living in the United States are not – and should not have to be – accustomed to armed agents demanding to see their papers, but that’s now happened far too many times in some neighborhoods in Minneapolis. Heavily armed, masked squads have broken into people’s homes and dragged American citizens into the street. In Minneapolis, if you appear to ICE and Border Patrol personnel to possibly be an immigrant, you risk being snatched off the street, often with physical violence, and put in detention. In several cases documented by partners, ICE arrested and detained individuals without asking for documentation of their status, and even refusing to look at it – people were pulled from their cars, cuffed and taken to detention.³

Although many Minnesotans are peacefully protesting, between the officer violence and the “show your papers” stops, thousands 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.⁴ Across the region, children are still learning online due to fear of attending school, and administrators are packing groceries for families.⁵

Last week, the superintendent of the Columbia Heights school district just north of Minneapolis reported that three of her high school students’ cars were surrounded by ICE vehicles and stopped.

This is the same school district attended by 5-year-old Liam Conejo Ramos, who was only just released home – after he was detained with his father, depicted in a searing photo that reminds us of the stakes of all of this.⁶ Our communities, and our children, deserve safety.

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.⁷ 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

³ See Declaration of O., The Advocates for Human Rights v. DHS, No. 0:26-cv-00749 (D. Minn. Feb. 3, 2026); Declaration of J.I.B.C., The Advocates for Human Rights v. DHS, No. 0:26-cv-00749 (D. Minn. Jan. 28, 2026); Declaration of J.J.B., The Advocates for Human Rights v. DHS, No. 0:26-cv-00749 (D. Minn. Jan. 28, 2026), available at <https://www.courtlistener.com/docket/72196538/the-advocates-for-human-rights-v-us-department-of-homeland-security/>.

⁴ “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>.

⁵ Sarah Mervosh and Jamie Kelter Davis, “How Fear of ICE Upended Life in One Minnesota School District,” The New York Times, Jan. 31, 2026, <https://www.nytimes.com/2026/01/31/us/minneapolis-school-district-ice-agents.html>.

⁶ See Scott Tong and Will Walkey, “Minnesota superintendent on ‘fearful’ students being followed by masked immigration agents,” WBUR, Jan. 29, 2026, <https://www.wbur.org/hereandnow/2026/01/29/ice-minnesota-schools>.

⁷ 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>.

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.

Refugees and other immigrants – including spouses of U.S. citizens and others who entered through government programs – 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.

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, agency policies and the faith of the American communities they are meant to protect.

Attacks on Observers and Peaceful Protestors

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 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. Our plaintiffs and their accounts include:

- Susan Tincher, a Minneapolis resident, who was observing masked agents in her neighborhood from a distance of at least six feet. She asked a female officer, outside the officers’ perimeter and on the public sidewalk, “Are you ICE”? Seconds later, agents forced her to the ground, handcuffed her and took her to the Bishop Henry Whipple Federal Building in Minneapolis, where they cut off some of her clothes and her wedding ring – the original band from her wedding 32 years ago – shackled her legs and left her in a cell for five hours. She was later released without charge.⁸

⁸ Declaration of Susan Tincher, *Tincher v. Noem*, No.0:25-cv-04669 (D. Minn. Dec. 17, 2025).

- John Biestman, a 69-year-old Minneapolis resident and retired banker who witnessed ICE vehicles circling a Catholic church as morning service was finishing up. He drove to the church to observe and document ICE activity. He began following what he thought might be an ICE vehicle – not too closely, and without blocking, impeding or interfering with it. “Almost immediately, we were boxed in and stopped by four unmarked ICE vehicles,” he said in a sworn statement. Masked agents surrounded his car, pointed semi-automatic weapons at him and his wife, and demanded they roll down their windows, threatening them with arrest.” One agent told him, “we have your license plate, we now know where to find you.” In a sworn statement, he concluded: “I am a patriot and a proud American. I love my country as a place where I have been able to thrive and raise a productive family in peace until this incident. The behavior of these agents made me ashamed for my country.”⁹
- Abdikadir Noor, who observed ICE detaining two Latino men and another woman and attempted to inform the men of their right not to answer questions. He witnessed ICE agents throwing a woman to the ground and pinning her, facedown, in the snow for nearly 30 minutes, with his knee on her back. The woman had been telling people to exercise their rights and telling ICE to leave. Eventually officers let the woman go, and turned to Noor – throwing him to the ground, handcuffing him, and eventually driving him to the Whipple Federal Building. An officer who looked at his passport said to another officer, “they all come here fraudulently” and made other racist comments – ultimately releasing him without charge.¹⁰

On January 24, 2026, federal agents in the Whittier neighborhood of Minneapolis beat, shot and killed Alex Pretti, a 37-year-old nurse who cared for veterans. Two witnesses to this horrific killing and its aftermath filed declarations in *Tincher*. One of the witnesses, who was five feet from Pretti when he was shot, recorded a video. She recounted the moments before Pretti was beaten and killed:

Then the man tried to help up the woman the ICE agent had shoved to the ground. The ICE agents just kept spraying. More agents came over and grabbed the man who was still trying to help the woman get up... The agents pulled the man on the ground. I didn't see him touch any of them-he wasn't even turned toward them. It didn't look like he was trying to resist, just trying to help the woman up. I didn't see him with a gun. They threw him to the ground. Four or five agents had him on the ground and they just started shooting him. They shot him so many times.¹¹

She recounted the hours after the shooting:

⁹ Declaration of John P. Biestman, *Tincher v. Noem*, No.0:25-cv-04669 (D. Minn. Dec. 17, 2025).

¹⁰ Declaration of Abdikadir Noor, *Tincher v. Noem*, No.0:25-cv-04669 (D. Minn. Dec. 17, 2025).

¹¹ Declaration of Tiffany “Stella” Carlson, *Tincher v. Noem*, No.0:25-cv-04669 (D. Minn. Jan. 24, 2026).

I feel afraid. Only hours have passed since they shot a man right in front me and I don't feel like I can go home because I heard agents were looking for me. I don't know what the agents will do when they find me. I do know that they're not telling the truth about what happened. I've heard that other witnesses might have been arrested and taken to the Whipple Building.¹²

First Amendment Rights to Record and Document

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.¹³ 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.¹⁴ This includes the right to livestream such content.¹⁵

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 protesters and physically assault them—including veterans, members of the clergy and the elderly.

As a federal district court judge in southern California noted, “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 observers, and journalists – as well as the public that relies on them to hold their government accountable. The First Amendment demands better.”¹⁶

Law Enforcement Violence, Racial Profiling and Warrantless Arrests

As we documented in a lawsuit filed last month, *Hussen v. Noem*, these masked federal agents are violently stopping and arresting countless people based on nothing more than their race and perceived ethnicity.¹⁷ At the center of DHS’s campaign are Somali and Latino people in the Twin

¹² *Id.*

¹³ 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-of-ficers-our>.

¹⁴ *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).

¹⁵ 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).

¹⁶ 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).

¹⁷ *Hussen v. Noem*, No. 0:26-cv-00324 (D. Minn. Jan. 15, 2026).

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.¹⁸

For Americans—especially Black 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. More than 90 percent of Somali Minnesotans are U.S. citizens. The same is true for 79 percent of Latino Minnesotans.¹⁹ 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 subjected to facial scanning, and wrongfully arrested.

One such American citizen is Mubashir Khalif Hussen. On December 10, 2025, he was on his way 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. Several other plaintiffs and declarants likewise presented clear documentation of citizenship or immigration status, including passport cards and green cards, and were nevertheless detained by federal agents.²⁰

Another declarant 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. ICE detained her, and she had no opportunity to

¹⁸ *Id.*

¹⁹ See Alyssa Chen, “Most Somali people in America and Minnesota Are citizens,” Minnesota Reformer, December 8, 2025, <https://minnesotareformer.com/briefs/most-somali-people-in-america-and-minnesota-are-citizens/>; Minnesota Council on Latino Affairs, “A Portrait of Hispanic/Latinx in Minnesota,” Oct. 2021, https://mn.gov/mcla/assets/10_12_21%20-%20Hispanic-Latinx%20in%20Minnesota%20Report_tcm1099-502857.pdf.

²⁰ *Hussen v. Noem*, No. 0:26-cv-00324 (D. Minn. Jan. 15, 2026).

communicate with her family. After she was 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.²¹

Fourth Amendment and Equal Protection Violations

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.”²²

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.²³ But race or ethnicity cannot be the basis of such a suspicion.²⁴

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.”²⁵ Probable cause “must be particularized with respect to the person to be searched or seized.”²⁶

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

²¹ *Id.*

²² U.S. Const. amend IV.

²³ *Terry v. Ohio*, 392 U.S. 1, 30 (1968).

²⁴ *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).

²⁵ *United States v. Quintana*, 623 F.3d 1237, 1239 (8th Cir. 2010).

²⁶ *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.”²⁷

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).²⁸ 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.²⁹

Attacks on Free Speech and Privacy Online

Before turning to what Congress must do, I want to touch on free speech and privacy online. The ACLU’s 106-year history is oriented around civil rights and civil liberties guaranteed by the U.S. Constitution; we do not regularly weigh in on foreign policy or foreign countries’ legal regimes.

However, we have steadfastly defended the right of people of all political persuasions to speak online and defended their right to be free from intrusive governmental surveillance. Many of the harms to speech and privacy online that have garnered this Committee’s attention also exist in legislation pending before this body. The ACLU has long raised concerns about threats to free speech and privacy posed by this legislation.

Congress: Rein In the Supersized, Dangerous Deportation Force

Congress must address these harms – and rein in the federal agencies, particularly ICE and Border Patrol, that have grown out of control in part due to an unprecedented infusion of federal funding. 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.³⁰ 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

²⁷ 8 C.F.R. § 287.8(c)(2).

²⁸ *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).

²⁹ *Castañon Nava v. Dep’t of Homeland Sec.*, --- F. Supp. 3d ----, 2025 WL 2842146, at *21, 23 (N.D. Ill. Oct. 7, 2025).

³⁰ 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>.

American communities.³¹ 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.³²

The administration hired 12,000 ICE agents in a matter of months, while dropping basic hiring standards, like age and education requirements, and slashing its training programs. ICE is spending around \$100 million on a "wartime recruitment" campaign, working with 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.³³ 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.³⁴

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 reckless operations by agents who do not appear to know the law, or be trained to interact professionally with the public or 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, fire tear gas at high schoolers, point 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 of 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 of voters oppose expanding ICE's enforcement and detention budget, including 93 percent of Democrats and 64 percent of Independents.³⁵

³¹ 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>.

³² 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>.

³³ "ICE recruitment error meant some officers were sent out into field without proper training, sources say," NBC, January 15, 2026, <https://www.nbcnews.com/politics/immigration/ice-error-meant-recruits-sent-field-offices-proper-training-sources-s-a-rcna254054>.

³⁴ Democracy Now, "Journalist Tests ICE Recruitment; Surprised to Find Herself Hired With No Background Check," Jan. 14, 2026, https://www.democracynow.org/2026/1/14/laura_jedeed_ice.

³⁵ ACLU to Interested Parties, Jan. 15. 2026, "New polling shows bipartisan opposition to ICE tactics after fatal Minneapolis shooting," <https://www.aclu.org/documents/aclu-yougov-rapid-response-poll-ice-shooting-in-minnesota-jan-2026>.

Critical Reforms in Appropriations Bill

We beseech Congress: We need you to act, to use the power of the purse to rein in 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 shutting our businesses, stop them from attacking peaceful protestors—and stop them from destroying our very way of life.

Among the critical safeguards, we need Congress to:

- Ensure remedies are available for abuses committed by federal law enforcement agencies, including through measures such as the Bivens Act and the Constitutional Accountability Act;
- Mandate a use of force standard for federal agents, similar to state and local law enforcement, and restrain DHS's use of teargas, pepper spray and rubber bullets, reserving them for actual emergencies and limiting their use near schools, hospitals, retirement homes, and other locations with vulnerable groups;
- Ensure that community members are not surveilled by federal agents for engaging in First Amendment-protected activities;
- Prohibit ICE street arrests without an administrative warrant, and strengthen the reliability of administrative warrants;
- Prohibit routine law enforcement masking, require agents wear identifying information, and require agents wear body cameras—with footage controlled and managed by an independent body, to ensure access;
- End profiling in stops, including so-called “Kavanaugh stops” by enacting provisions of the End Racial Profiling Act;
- Prohibit the immigration detention of toddlers and other children and families, as well as mass detention in warehouses and other abusive settings.

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).