

## **Statement for the Record**

*On behalf of*

**UnidosUS, America’s Voice, Aquí: The Accountability Movement, Children's Defense Fund, Children's Defense Fund - New York, Children's Defense Fund - California, Children’s Defense Fund - Ohio, Children’s Defense Fund Southern Regional Office, Children's Defense Fund - Texas, Franciscan Action Network, Immigrant Defenders Law Center (ImmDef), League of United Latin American Citizens (LULAC), National Action Network, National Council of Asian Pacific Americans, National Latina Institute for Reproductive Justice, National Urban League, NETWORK Lobby for Catholic Social Justice, Oasis Legal Services, Serving At-risk Families Everywhere, Inc., Voto Latino**

**Submitted to the Subcommittee on Border Security and Immigration**

*Of the*

**U.S. Senate Committee on the Judiciary**

*For a hearing titled*

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

**November 25, 2025**

Chairman Cornyn, Ranking Member Padilla, and Members of the Subcommittee:

We submit this joint statement for the hearing record to express our grave concern over the erosion of civil rights protections triggered by the President’s indiscriminate mass deportation operation. This effort is not focused on finding and deporting “the worst of the worst.” Instead, it represents a sweeping assault on the civil rights of the American people—an operation increasingly used to punish peaceful protesters, intimidate communities, suppress dissent, and inflict cruelty with impunity

Across the country, videos, photos, local reporting, and court findings reveal a consistent pattern of abusive tactics carried out with little transparency or accountability. These incidents reflect systemic failures within an enforcement regime that now operates far outside constitutional limits. In Texas, a teenager was beaten, choked, and subjected to racial slurs by masked officers who refused to identify themselves.<sup>1</sup> In California, an Army

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<sup>1</sup> Aguilar, Julián. “U.S.-born Houston Teen Says ICE Agents Beat Him and His Father during Early-Morning Stop.” *Houston Chronicle*, October 27, 2025 (Updated October 28, 2025).  
<https://www.houstonchronicle.com/news/houston-texas/immigration/article/ice-houston-citizen-choked-slurs-21122087.php>

veteran was forced to the ground with a knee on his neck on his way to work.<sup>2</sup> In Florida, ICE continued detaining a man even after his mother provided his birth certificate and a judge dismissed allegations that he was unlawfully present.<sup>3</sup> All were U.S. citizens.

For noncitizens, documented or undocumented, the harms are often even more severe.

In North Carolina, businesses have closed because customers were too afraid to leave their homes.<sup>4</sup> In Minnesota, families cannot locate detained loved ones.<sup>5</sup> In New Jersey, masked officers are harassing people in their own homes.<sup>6</sup> In Louisiana, Hispanic communities are bracing for intensified operations. And in Alabama, mass arrests are separating families and deepening fear of racial profiling.<sup>7</sup>

These cases are in states represented by members of this subcommittee, and they comprise only a small fraction of what is occurring nationwide. A ProPublica investigation documented more than 170 U.S. citizens, including children, wrongfully detained by enforcement officials – some kicked, dragged, handcuffed or held for days without access to loved ones or counsel.<sup>8</sup> Because the federal government keeps no comprehensive records on wrongful detentions, the true scope of violations is unquestionably larger.

### **A Threat to Due Process and the Rule of Law**

These abuses expose a profound threat to due process – the constitutional guarantee protecting every person in the United States from arbitrary government action. The administration’s mass deportation operation relies on opaque procedures, warrantless

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<sup>2</sup> Retes, George. “I’m a U.S. Citizen Who Was Wrongly Arrested and Held by ICE. Here’s Why You Could Be Next.” *San Francisco Chronicle*, September 16 2025. <https://www.sfchronicle.com/opinion/openforum/article/ice-racial-profiling-21045429.php>

<sup>3</sup> Baker, Peter. “A U.S. Citizen Was Held for Pickup by ICE Despite Proof He Was Born in the Country.” *PBS NewsHour*, April 19, 2025. <https://www.pbs.org/newshour/politics/a-u-s-citizen-was-held-for-pickup-by-ice-despite-proof-he-was-born-in-the-country>

<sup>4</sup> “Immigration Arrests in Charlotte Spark Fears of Business Closures.” *NBC News*, November 2025. <https://www.nbcnews.com/news/us-news/immigration-arrests-charlotte-fear-businesses-closed-rcna244357>

<sup>5</sup> Timar-Wilcox, Estelle, and Sarah Thamer. “‘We’re Very in the Dark’: Families Say They Can’t Reach Loved Ones Detained in St. Paul ICE Operation.” *MPR News*, November 19 2025. <https://www.mprnews.org/story/2025/11/19/community-members-speak-out-federal-law-enforcement-operation-st-paul-bro-tex>

<sup>6</sup> Santana, Raven. “Masked Officers, No Warrant: Video Raises More Concerns about ICE Tactics in NJ.” *NJ Spotlight News*, November 19 2025. <https://www.njspotlightnews.org/2025/11/masked-officers-no-warrant-video-raises-more-concerns-about-ice-tactics-in-nj/>

<sup>7</sup> Shelton, Ben, and Frances Tiafoe. “South Alabama Immigration Arrests Break Up Families, Breed ‘Racial Profiling’ Fears, Advocates Say.” *AL.com*, August 25 2025. <https://www.al.com/news/2025/08/south-alabama-immigration-arrests-break-up-families-breed-racial-profiling-fears-advocates-say.html>

<sup>8</sup> Foy, Nicole, et al. “We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days.” *ProPublica*, October 16 2025. <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>

arrests, expedited removals and militarized operations that deny individuals the ability to challenge mistakes, present evidence of their innocence or consult with counsel. When U.S. citizens are detained without cause, when families cannot locate loved ones and when officers refuse to identify themselves or provide warrants, the guarantees of the Fifth and Fourteenth Amendments are rendered meaningless.

This erosion of due process is breaking the very foundations of American democracy. A government that can detain citizens and residents without justification, transparency or oversight is a government operating outside the rule of law.

### **The Dangerous Militarization of Domestic Immigration Enforcement**

The assault on our civil rights is further intensified by the alarming militarization of domestic immigration enforcement. The deployment of National Guard troops and other military resources to help with internal immigration enforcement and local policing, blurs the long-standing line between military and civilian law enforcement. This is an arrangement the Posse Comitatus Act and decades of bipartisan congressional practice strictly limit.

Yet the administration has repeatedly pushed against these limits. National Guard troops have provided armed support for aggressive immigration operations in American cities, actions that experts warn could serve as a precursor for broader joint military–civilian enforcement.<sup>9</sup> This while the president continues to use dangerous rhetoric about an “invasion from within,” suggesting that American cities could serve as “training grounds” to confront supposed internal enemies.<sup>10</sup> Such statements recast American communities as threats requiring military intervention. This politicization of military force poses a direct danger to civilian control, democratic accountability and the civil rights of all Americans.

### **The Elimination of Sensitive Locations Protections**

The administration’s dismantling of long-standing “sensitive locations” protections – shielding schools, hospitals and places of worship from immigration enforcement – has destabilized institutions relied on daily by American citizens as much as by immigrant families. These protections were never solely about immigration policy; they existed because aggressive policing in classrooms, clinics and churches threatens the rights, wellbeing and constitutional freedoms of all Americans.

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<sup>9</sup> Greenberg, Alan. “National-Guard Deployment to Washington Faces Legal Blow.” *The New York Times*, November 20 2025. <https://www.nytimes.com/2025/11/20/us/politics/national-guard-washington-dc-trump.html>

<sup>10</sup> Stoddart, Michelle; Isabella Murray; Karen Travers; and Ivan Pereira. “Trump Directs Generals to Defend US from ‘War from Within’.” *ABC News*, September 30, 2025. <https://www.abcnews.go.com/Politics/trump-directs-generals-defend-us-war/story?id=126087035>

In schools, heightened enforcement has created fear among students – including U.S.-citizen children – leading to spikes in absenteeism, reduced engagement and anxiety that a parent may be taken while they are in class. Efforts in some states to collect immigration data or restrict enrollment jeopardize the public education access that *Plyler v. Doe* safeguards for every child in the U.S..<sup>11</sup>

Hospitals and clinics report steep drops in visits from immigrant and mixed-status families, resulting in U.S.-citizen children missing vaccinations, screenings and urgent care. Public-health experts warn that when families avoid treatment out of fear, entire communities – not just immigrants – face greater risks from untreated illness and preventable disease.<sup>12</sup>

Faith communities also feel the effects. Families are avoiding services due to fear of surveillance or detention, undermining religious practice and access to faith-based support.<sup>13</sup>

By turning schools, hospitals and places of worship into potential enforcement zones, the administration is not merely targeting immigrants – it is weakening the educational, public-health and religious institutions that millions of Americans depend on.

### **Congressional Action and the Urgent Need for Oversight**

The threat to our civil rights has been exacerbated by Congress’s recent reconciliation legislation, which allocated \$170 billion for immigration enforcement and authorized 10,000 additional ICE agents without meaningful guardrails or transparency mechanisms. Expanding the government’s enforcement capabilities while failing to build in accountability mechanisms has accelerated the administration’s most abusive practices.

To restore constitutional protections, our organizations have urged Congress to reassert its oversight responsibilities and enact basic protections.<sup>14</sup> These include:

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<sup>11</sup> McConnell, Micaela. “Learning in the Shadows: How Immigration Enforcement Harms Students and Schools.” *American Immigration Council Blog*, August 26, 2025. <https://www.americanimmigrationcouncil.org/blog/immigration-enforcement-harms-students-schools/>

<sup>12</sup> Physicians for Human Rights. “ICE Tactics and Deportation Fears Limit Access to Health Care for Children of Immigrants: Survey.” *Physicians for Human Rights*, November 19 2025. <https://www.phr.org/news/ice-tactics-and-deportation-fears-limit-access-to-health-care-for-children-of-immigrants-survey/#:~:text=Survey%20of%20691%20health%20care,immigrant%20and%20U.S.%20citizen%20children>

<sup>13</sup> Layne, Nathan. “Immigrant Faithful Turn to Virtual Sermons, Home Communion amid Trump Crackdown.” *Reuters*, September 7 2025. <https://www.reuters.com/world/us/immigrant-faithful-turn-virtual-sermons-home-communion-amid-trump-crackdown-2025-09-07/#:~:text=A%20coalition%20of%20churches%20and,that%20sin%2C%22%20Peters%20said>

<sup>14</sup> UnidosUS. “Civil Rights and Faith Leaders Urge Congress to Act after ProPublica Exposes Abuses in Immigration and Federal Law Enforcement.” *UnidosUS Publications*, October 23, 2025. <https://unidosus.org/press-releases/civil-rights-and-faith-leaders-urge-congress-to-act-after-propublica-exposes-abuses-in-immigration-and-federal-law-enforcement/>

- Ensuring that detained individuals have timely, meaningful access to family members and legal counsel.
- Banning mask use by federal agents and requiring body-worn cameras with publicly accessible footage.
- Reforming qualified immunity so lawful residents and U.S. citizens can seek redress for constitutional violations.
- Prohibiting the deployment of service members or military resources for domestic immigration or policing operations.
- Codifying sensitive-locations protections for schools, hospitals and places of worship.

The United States cannot be a nation committed to the rule of law while tolerating an immigration enforcement system that systematically disregards core civil rights protections. Congress must act decisively to restore transparency, accountability and constitutional safeguards before more families are harmed and more democratic norms eroded. We stand ready to work with this subcommittee and the full Congress to ensure that immigration enforcement reflects our nation's highest ideals and protects the rights and dignity of all who call this country home.