

# + Holding the Federal Government Accountable: How To Seek Compensation for Harm Caused by Federal Officers

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Across the country, immigration enforcement is increasing, and many people are experiencing serious harm during encounters with federal immigration officers. When federal employees abuse their authority or cause injury, there are legal tools to seek accountability. One of those tools is the **Federal Tort Claims Act (FTCA)**.

The FTCA is a law that allows people to sue the federal government for harm caused by federal employees acting within the scope of their jobs. This process is separate from immigration cases and **does not provide immigration status or stop deportation**, but it may provide financial compensation and accountability.

## Who can bring a claim, and which agencies can be sued?

Anyone, regardless of immigration status, can sue the federal government. Federal agencies that can be sued include Immigration & Customs Enforcement (ICE), Customs & Border Protection (CBP), U.S. Marshals, National Guard, and other federal officers acting within the scope of their employment.

## What kinds of harm might qualify?

Type of Harm	Example
Physical abuse or excessive force by officer	An officer injures someone while using unnecessary force during a home raid or arrest.
Property damage during enforcement actions	Phones are smashed or a car is damaged while officers execute a search.
Medical neglect while in detention or custody	A detained person is denied needed medication or medical care, leading to serious health complications.
Wrongful or unlawful solitary confinement	A person continues to be detained despite being eligible for release, or is placed in isolation for punitive reasons unrelated to safety.
Family separation or loss of custody caused by federal actions	Children are separated from parents due to enforcement actions that violate law, such as warrantless arrests.

## How the process works

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**Step 1:** File a written claim with the federal agency involved within 2 years of the incident. There is no filing fee.

**Step 2:** If the agency denies the claim or does not respond within six months, you may be able to file a lawsuit in federal court.

## Important things to know

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- You have the right to seek compensation when federal employees cause harm.
- Filing a claim does not guarantee compensation, but it is a formal step toward accountability.
- Strict deadlines apply.
- Cases can take several months or years to resolve.
- The FTCA provides **money damages only** - it does not directly change policies or stop enforcement. However, it can help cover medical bills, property loss, or other financial impacts, and serve as a mechanism for accountability.
- For non-citizens, obtaining legal advice from a licensed immigration attorney is important, especially if you are undocumented or have an ongoing immigration case.

## What to document if harm happens

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- Dates, times, and locations of incidents
- Officer names, badge numbers, and agency information
- Photos or videos of injuries or property damage
- Medical records and/or hospital paperwork
- Witness names and contact information
- Any documents given by officers



Reach out to your [local ACLU Affiliate](#) or other local civil rights organization to share information and documentation.

**Taking action and documenting harm are powerful ways to protect yourself and your community.**