



February 6, 2026

Senator Susan Collins  
413 Dirksen Senate Office Building  
Washington, DC 20510

Senator Angus King  
133 Hart Building  
Washington, D.C. 20510

Representative Chellie Pingree  
2354 Rayburn House Office Building  
Washington DC 20515

Representative Jared Golden  
1107 Longworth HOB  
Washington, DC 20515

**Re: Imperative for Major Reforms of ICE As Condition of Bill to Fund  
the Department of Homeland Security**

Dear Senators Collins and King and Representatives Pingree and Golden:

Maine Lawyers for the Rule of Law was formed to stand up for the rule of law, which has been openly flouted by United States Immigration and Customs Enforcement (ICE) and its “Operation Catch of the Day” in Maine. We ask you, on behalf of all Maine people, to defend fairness, accountability, and democracy by refusing to support any Department of Homeland Security (DHS) funding bill that fails to rein in the blatant and widespread violations of the U.S. Constitution in Maine and nationwide by agents of ICE and U.S. Customs and Border Protection (CBP).

The evidence is overwhelming that ICE has been using excessive force, making unlawful arrests, asserting a right to enter homes without a judicial warrant, and violating basic due process rights. Indeed, its chosen name for its surge in Maine--Operation Catch of the Day--reflects its intentionally dehumanizing tactics.

ICE has repeatedly shown contempt for the courts and their rulings, bucking a fundamental check on its power - a check that is essential to our democracy. United States District Court Chief Judge Patrick Schiltz in Minnesota sounded the alarm in his recent ruling involving ICE's detention of a man who had entered the country almost thirty years ago. The Judge, who clerked for Justice Scalia and was appointed by President George W. Bush, identified 96 ICE violations of various court orders across 74 different cases. He stated the "list should give pause to anyone, no matter his or her political beliefs, who cares about the rule of law." The record from a recent hearing before another federal Judge in Minnesota shows that ICE will not listen to pleas from its own lawyers to obey court orders.

Right here in Maine, ICE has recently defied orders of U. S. District Judges Woodcock and Neumann by summarily moving Cumberland County Jail detainees out of state in direct violation of court orders mandating that they stay in Maine.

Another example of ICE's brazen disregard for the rule of law is its practice and written policy to invade people's homes to make arrests without judicial warrants. This policy highlights ICE's general modus operandi of operating outside of the limits of the Fourth Amendment and other fundamental constitutional protections. Although the Fourth Amendment explicitly requires judicial warrants to enter homes, ICE claims to be exempt from this requirement based solely on its own say so.

In an ICE memorandum dated May 12, 2025, but not made public until 8 months later, the Acting Director of ICE, Todd Lyons, stated that said ICE officers are authorized to rely on ICE's administrative warrants issued by ICE itself to arrest and detain "aliens" in their place of residence. This claimed power violates both the text of the Fourth Amendment and the case law mandating a judicial warrant to enter "houses" or other premises to arrest (as compared to an arrest in public) and that this warrant be based on probable cause and supported by facts presented under oath to an independent federal judge from the Article III branch of our federal

government. Thus, it is completely settled law that an arrest warrant must be signed by a federal judge presiding within the judicial branch of the federal government.

ICE has also been interfering with the First Amendment rights of Mainers to observe, monitor, and record all public activities of ICE and CBP, including by threatening to forcibly arrest Mainers under 18 U.S.C § 111 or to put them on a list of domestic terrorists merely for observing or following from a safe distance without forcibly impeding ICE or BCP agents.

We, of course, fully support the lawful enforcement of our immigration laws but we strongly oppose ICE using illegal and terrorizing tactics such as its claimed right to enter homes without a judicial warrant and threatening people for exercising their First Amendment rights.

We, therefore, express our strong opposition to—and ask you to refuse to support—any appropriations bill for DHS that does not effectively end the widespread unconstitutional actions of ICE and CBP and include the following reforms:

1. Stopping ICE and CBP from racial profiling including targeting people based on factors such as their race, language or accent, place of employment, or location at the time of the detention;
2. Stopping ICE and CBP from the routine use of masks or other measures to obscure their identities, undermining transparency and accountability, and creating a major risk of confusion that leads to resistance by people reasonably believing they are criminal actors and not legitimate law enforcement officers as well as criminal activity by imposters wearing masks;
3. Stopping ICE and CBP from interfering with the First Amendment rights of all people to observe, monitor and record all public activities of ICE and CBP, including prohibiting ICE and CBP from threatening to arrest based on 18 U.S.C § 111, or keeping a list or tracking in any way people because of their exercise of their First Amendment and other constitutional rights;
4. Stopping ICE from arresting and seizing people based on some daily quota for seizures handed down by DHS;

5. Stopping ICE and CBP enforcement at designated ‘sensitive locations’ such as houses of worship, daycare establishments, and hospitals;
6. Requiring ICE and CBP to scrupulously obey all court orders affecting its operations and the persons in its custody and to be subject to major losses of funding for violations of court orders;
7. Requiring appropriate minimum levels of training before agents of ICE or CBP are deployed to make arrests, including sufficient training on using the minimum amount of force, de-escalation, and on the constitutional and other legal limits on the use of force, making arrests, and making searches or entries into private premises or areas;
8. Stopping ICE and CBP from family detention or increasing private detentions;
9. Requiring all buildings where people are detained to comply with the same basic detention standards that require immediate access to a person’s attorney and prohibit limitations on visits by members of Congress to ICE & CBP facilities regardless of how those facilities are funded;
10. Requiring ICE and CBP agents to wear and turn on body worn cameras during enforcement operations and ensure all surveillance footage is controlled by an independent entity and is publicly accessible;
11. Mandating independent investigations of all reported abuses by federal agents, including full cooperation and information sharing with state and local authorities conducting their own independent investigations;
12. Stopping ICE and CBP from operating near polling places or in any way monitoring voting activity including acting in any way that intimidates voters exercising their lawful right to vote;
13. Stopping ICE and BCP from enforcement “surges” or the like based in any part on the political views of the area, its elected officials or the perceived political opposition of the population in an area to the current administration; and

14. Creating accountability by amending 42 U.S.C Section 1983, which already applies to state and local law enforcement officers, to state that officials “of the United States” can be held liable on the same basis as officials of any state.

We ask you to do your part to defend the rule of law and require ICE and CBP officials to uphold their oaths to support and defend the Constitution.

Respectfully,

**Maine Lawyers for the Rule of Law,  
Steering Committee**

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