
# 10 to End Ice: A Policy Roadmap for Abolishing Immigration and Customs Enforcement (ICE)

**These are our stakes in the ground.**
**These are our 10 demands.**
**This roadmap is our pathway to ending ICE.**

We were safe before ICE existed, and we will be safe(r) again in A World Beyond Ice. ICE as it currently operates—unaccountable, militarized, and expanding—is causing irreparable harm that must stop. We must act now in order to shape what comes next.

**#10toEndICE** are ten demands at the federal level—along with policy targets at state and local levels—that will make ICE abolition both lawful and achievable. Use this roadmap as a tool to demand that we **#AbolishICE** now.

## Contents

# The Case for Action

## GOALS

| **North Star:** | **Negotiating Floor:** |
| --- | --- |
| Zero budget and full abolition of ICE. | The roadmap below. These are actionable, achievable demands that move us toward the abolition of ICE. They're the floor, not the ceiling. |

*Why both? Without clear demands up front, policies get watered down and support for meaningful change erodes. We've seen it happen. Better to stake your ground. You negotiate. You move the line.*

## THE EVIDENCE

Public support for ending ICE has grown steadily. As of January 28, 2026, **80%** of Democrats, **46%** of Independents, and **15%** of Republicans support abolishing ICE. And **11%** of people are undecided. Importantly, when given further options on another poll, **42%** of Republicans support "making significant changes to ICE to put more checks on its power."

## OUR WORK IN THIS MOMENT

Keep the message clear so our values don't shift, our commitment doesn't waver, and the line keeps moving forward.

## KEY CONSIDERATIONS:

**Structural Focus** This proposal targets the core structures enabling ICE and Border Patrol: funding allocation, due process protections, agency scope and power, and avenues for redress when government agencies harm people. *Structural change requires a comprehensive package of multiple solutions to each structure, none of these can solve the problem alone.*

**Informed By Wins** Campaign Zero has spent the past decade changing dozens of laws and hundreds of policies to end police violence and mass incarceration across cities and states nationwide. We've learned how systems and structures enable law enforcement to operate without accountability—and we're applying those lessons here. We operate over 20 campaigns nationally and locally, in coalition with community members, legislators, policy-makers, and activists, learning daily how to reshape systems to protect and honor life.

**"Accountability"** This plan does not rely on traditional accountability proposals because the administration has made it clear that the Department of Justice and US Attorney's Offices will not act. We focus instead on structural levers that don't require good faith from the Trump administration.

**Highest Impact** These 10 levers represent the items with the highest systemic impact. Combined, they dramatically reduce ICE and Border Patrol's footprint while increasing community safety and respect for

civil rights. Several other options were considered but ultimately excluded because they did not offer the same comparative scope.

**Work At Every Level** While Congress controls the existence of ICE and the Border Patrol, cities and states play crucial roles in limiting their presence and power. There is work for everyone to do in this plan.

**Spirit of Humility** We will be organizing forums and working sessions on our work. We know that informed people might reach different conclusions than we did, and we invite them into public conversations about this.

**Commitment to Safety** When all ten demands are met and ICE is ultimately abolished, we will still be safe. The United States will still have immigration law and there will still be enforcement. None of these proposals result in open borders.

**Is It Possible** Every demand is possible—today. Many are corrective, fixing longstanding structural problems that have plagued immigration enforcement for decades. Others invite honest, public conversation about goals and impact, without the boogeyman or bigoted talking points that have undergirded immigration conversations in the past. The public's will is present for each demand today. Our goal is to transform that public will into political power.

### THE 5 A's OF EVALUATING ICE REFORM PROPOSALS

When assessing any proposal related to ICE, this framework applies five guiding questions:

A. Does it reduce (and not increase) the number of ICE **agents**?
B. Does it reduce (and not increase) ICE's **authority** and funding?
C. Does it create actual **accountability** for ICE without depending on the DOJ or US Attorney?
D. Does it advance a new law or policy that is not **already** in place?
E. Is it **actionable** and not merely symbolic?

Each ***full policy package*** must answer **YES** to A and B. If a package fails to address either A or B, it should not be supported.

# “10 to End ICE” Federal Demands

Reducing and ultimately abolishing ICE must happen at the federal level.
These are our **10 To End: A Policy Framework to End ICE:**

1  **Cap ICE Staffing Levels and Reduce ICE’s Budget**

2  **Shrink Customs and Border Protection’s Jurisdiction and Require Warrants For All Searches**

3  **Protect Immigration Judges from Political Purges**

4  **Cancel Surveillance Contracts and Require Judicial Warrants for Data Collection or Usage**

5  **Guarantee the Right to a Lawyer in Immigration Court**

6  **No More ICE Detention Camps**

7  **Ban Private Prison and Detention Contracts**

8  **Unmask or Release: Any Arrest by a Masked ICE Agent Is Unlawful**

9  **Implement Real Standards for ICE Officers and Apply Them Retroactively**

10  **Give Victims a Pathway to Justice**

## 1. Cap ICE Staffing Levels and Reduce ICE's Budget

**Cap ICE enforcement staffing at 1,100 officers (a 95% reduction) and Customs and Border Protection at current levels. Reduce budgets to match staffing. Prohibit Customs and Border Protection from carrying out ICE operations.**

| Current Situation | Proposed Change & Justification |
|---|---|
| ***Budget and Scale***<br><br>President Trump's Big Beautiful Bill (July 2025) includes roughly $170 billion in *additional* funding for immigration-and border-related enforcement. This appropriation includes about $75 billion for ICE over four years, including $30 billion for enforcement operations and the hiring of 10,000 additional ICE hires.<br><br>This increase makes ICE the highest-funded federal law enforcement agency. ICE's effective annual resources now approach around $27.5 billion, which is roughly three times its previous baseline level**<br><br>Historical Context:<br>• 2017 (Trump's first term): $6.74 billion<br>• 2020s: Hovered around $8-10 billion annually<br>• 2025: $29 Billion (if spending is consistent year on year)<br><br>***Current Staffing***<br><br>Today, ICE is a large enforcement agency with roughly 22,000 sworn officers—almost double from this time last year. The majority of this workforce consists of these enforcement and removal officers who conduct deportations, raids, investigations, and detention operations. A smaller but still significant share are non-agent staff—lawyers, analysts, administrators, and support personnel—who handle legal, policy, and logistical functions. Under current law and funding, ICE operates as a frontline immigration-enforcement and detention agency, not as a case-management or legal-support body.<br><br>U.S. Customs and Border Patrol (CBP), the agency that patrols between U.S. ports of entry, currently employs approximately 46,000 enforcement agents (according to OPM data), up from historical lows of ~4,000 agents in the early 1990s. This force size has been sustained despite record-low border encounters in recent months, reflecting ongoing hiring under the Big Beautiful Bill.<br><br>*Note: This figure represents an averaged projection from multi-year funding, not a formal annual appropriation enacted for a single fiscal year.* | **A. Cap ICE at 1,100 Officers:** Cap ICE's enforcement corps at no more than 1,100 sworn officers nationwide. ICE's budget must be reduced to match this staffing level. Approximately 5% of the people ICE detains have convictions for violent offenses, showing that a drastic scale-down is not just idealistic, it's practical.<br><br>All other ICE employees must be classified by the Office of Personnel Management as non-enforcement positions who have no arrest authority, are not authorized to carry a weapon, cannot conduct investigations or field operations, and cannot carry out search and seizure operations. These employees may not carry out law enforcement duties as defined by 5 USC §8401(17) or any other federal statute.<br><br>ICE officers cannot be deployed to assist other agencies.<br><br>**B. Cap Customs and Border Protection Staffing and Budget:** Cap Customs and Border Protection staffing at current levels and prohibit CBP from being deployed to perform any other agency function, including ICE operations. Customs and Border Protection's budget must be frozen at current levels.<br><br>CBP and Border Patrol have been increasingly deployed for ICE operations and domestic crowd control—most notably during the 2020 racial justice protests, when agents were sent to Portland and Washington, D.C. in militarized fashion. These deployments exploit broad federal-property-protection statutes and an executive order that treats CBP as a flexible federal enforcement force beyond its mandate. Capping Border Patrol staffing and legally restricting CBP to border security would prevent future administrations from repurposing it as a riot-control or ICE-style operations force. |

**Why This Change is Necessary**

A decade ago, ICE's annual budget was less than $6 billion—notably smaller than other DHS agencies. Today it sits at $29 billion, making ICE larger than the FBI and DEA combined—a staggering transformation for an agency that didn't exist 25 years ago. As ICE's budget has grown, it has become the lead agency in Trump's immigration crackdown, sending thousands of agents into U.S. communities for workplace raids, highway stops, and home visits.

Capping ICE's budget would shift resources away from mass detention and deportation toward a rights-based immigration system. A capped corps of no more than 1,100 deportation officers—earning roughly $50,000–$85,000 annually with benefits and overtime—could operate on approximately $200 million per year, including training, equipment, and strong oversight. Any funding above that level should be redirected to non-enforcement case management and legal support.

## 2. Shrink Customs and Border Protection's Jurisdiction and Require Warrants For All Searches

**Remove the legal authority for CBP's warrantless searches from federal law—the Constitution should apply everywhere. Limit CBP jurisdiction to 10 air miles from any external boundary, ensuring the agency's focus is on the border.**

| Current Situation | Proposed Change & Justification |
|---|---|
| 8 U.S. Code § 1357 states that immigration officers, without a warrant, may board and search for non-citizens in any vessel (boat, train, plane, car, bus, etc.) within a "reasonable distance" of any external boundary of the United States. "Reasonable distance" is currently defined as 100 air miles per 8 CFR 287.1(a)(2). This 100-mile limit was defined in Federal Regulations published in 1953.<br><br>Over two-thirds of Americans live within 100 air miles of a US border, sacrificing Fourth Amendment protections against warrantless searches and seizures to an agency charged with protecting our "border." Twelve states (CT, DE, FL, HI, MA, ME, MI, NH, NJ, NY, RI, VT) lie entirely or almost entirely within this 100-mile zone.<br><br>CBP currently has jurisdiction to operate throughout the United States, assisting ICE in immigration enforcement (6 USC 211(c)(8)). Many outlets have reported that CBP cannot operate beyond 100 miles from a border, misinterpreting the "reasonable distance" for warrantless searches mentioned above. | **A. No federal agency should be authorized to conduct warrantless searches and seizures.** The Constitution should apply everywhere within our land, without exception. No person should surrender Fourth Amendment protections because of where they live.<br><br>Note: *Almeida-Sanchez v. United States* (1973) held that a warrantless, suspicionless search 25 air miles from the border violated the Fourth Amendment, undermining the idea that the entire 100-mile zone can be treated as a free-for-all border-search area.<br><br>**B. Limit CBP's jurisdiction to 10 air miles from any external boundary.** Customs and Border Protection (CBP) should live up to its name. CBP would be far more effective if it focused on entries into the country at our borders and international airports, not areas throughout our nation's interior. |

## 3. Protect Immigration Judges from Political Purges

**Protect immigration judges from political interference and ensure a fully staffed immigration court system.**

| Current Situation | Proposed Change & Justification |
|---|---|
| The Trump administration has fired or pushed out over 100 immigration judges since returning to office in 2025, from a bench that numbered about 700 judges at the start of the year. Nearly 15% of the immigration-court workforce have been dismissed- the most judges dismissed in a single year of any administration.<br><br>With fewer judges and a docket already swollen with over 3 million pending cases, the administration is intentionally clogging the system to justify its expedited removals, effectively bypassing core due-process protections guaranteed by the Constitution. | Insulate immigration judges from political pressure and retribution by implementing four safeguards:<br><br>**A. Demand that Congress establish a standalone independent immigration court system under Article I**, outside of the DOJ to ensure independence and integrity. This can be achieved by *reviving H.R. 6577*. This will ensure that immigration judges receive the same protections as federal judges under Article I such as:<br><br>• Removal only for cause, ot at-will firing;<br>• Oversight and discipline handled by internal judicial-branch bodies<br>• Ultimate removal power lies with Congress for the most serious cases<br><br>**B. Establish Statutory Tenure / Civil Service Protection.** Extend civil service protections to immigration judges via multi-year terms that cannot be terminated mid-term except for documented cause (i.e. misconduct, incompetence, etc.), replacing DOJs at-will firing by the Attorney General.<br><br>**C. Establish Merit-Based Hiring and Removal Standards.** Mandate objective criteria for hiring and removal based on qualifications, performance metrics, and documented violations.<br><br>**D. Establish Statutory Minimum Bench Size of 700 (~2025 pre-firing baseline).** Legislate a floor of 700 immigration judges to prevent the system from being intentionally overwhelmed through attrition or mass firing. The bench was 700 at the start of the year prior to the Trump administration firing or pushing out over 100 immigration judges. |

**Why This Change is Necessary**

Protecting immigration judges from political pressure and ensuring adequate, independent staffing creates essential procedural safeguards that slow mass deportation; a clogged court system with fair-process forces ICE to litigate every case, preventing rapid rubber-stamp removals and exposing legally indefensible claims to scrutiny and appeals.

Independent, well-resourced judges *(adequate funding, staff, technology, and time)* are more likely to require proper evidence, due process, and meaningful hearings before ordering removal, which lengthens individual cases and reduces the number of fast, rubber-stamp deportations.

When judges are shielded from executive pressure, they can push back on mass-raids-style enforcement, challenge inadequate legal representation, and demand clearer standards for detention and bond, all of which force ICE to slow down and document its actions.

## 4. Cancel Surveillance Contracts and Require Judicial Warrants for Data Collection or Usage

**Cancel contracts with Palantir, Clearview AI, NEC, Paragon Solutions, and L3Harris immediately to prevent further harm to communities and pass a federal law that requires a judicial warrant to collect or utilize personal data.**

| Current Situation | Proposed Change & Justification |
|---|---|
| The recent expansion of the ICE and CBP budgets has effectively given each agency a blank check to deploy, experiment with, and abuse surveillance technologies with no meaningful oversight. Many of these technologies were designed for warfare or counterterrorism operations but are now being used to identify suspected undocumented persons with no due process, and to intimidate or punish citizens who exercise First Amendment rights.<br><br>ICE currently has contracts worth $81 million with Palantir (since January 2025), including a $30 million agreement to build an "Immigration OS," plus a $9.2 million contract with Clearview AI, a facial recognition software company.<br><br>Recent reporting demonstrates how ICE is using such software to carry out harmful operations, targeting specific neighborhoods and groups that are deemed "most likely" to be undocumented. Unmanned aircraft vehicles (drones) are also increasingly used by ICE and DHS more broadly, not only for operational support in immigration enforcement, but also for surveillance of demonstrations protected by the Fourth Amendment.<br><br>For a brief overview of these specific companies, please see the Appendix. | **A. Immediately cancel ICE and CBP contracts with Palantir, Clearview AI, NEC, Paragon Solutions, and L3Harris.** Prohibit future contracts with any of these companies or their subsidiaries.<br><br>These companies are unapologetic in how they illegally collect biometric data, continue to use data analytics in ways that violate due process and equal protection, and violate Fourth Amendment protections that should safeguard personal data.<br><br>**B. Strengthen Fourth Amendment Protections.** Require a judicial search warrant to obtain or utilize personal data, including biometric data or any data obtained from private companies or third-party data brokers. This requirement would also apply to agencies seeking data from another federal agency. This includes a requirement that a judicial search warrant be obtained before deploying unmanned aircraft for surveillance, data collection, or operational support.<br><br>Both federal and state laws have failed to keep pace with evolving technologies and the use of personal and/or biometric data for law enforcement purposes. Congress can fix this by passing legislation that would subject the collection or use of this type of data to Fourth Amendment protections against unreasonable searches and seizures. |

**Why This Change is Necessary**

There are many other harmful technologies that should be banned. The solution to this problem lies with Congress to modernize Fourth Amendment protections to safeguard personal and biometric data. In the immediate term, we must end any federal contracts with known bad actors who enable ICE and CBP.

## 5. Guarantee the Right to a Lawyer in Immigration Court

**Guarantee government-funded representation and case management for all people in immigration proceedings.**

| Current Situation | Proposed Change & Justification |
|---|---|
| Currently, people in immigration court have to represent themselves or acquire an attorney at their own expense (or receive *pro bono* services)-- outlined in (8 U.S.C. § 1362) as the right to legal counsel at no cost to the government. | **Guarantee government-funded representation and case management for everyone in immigration court.**<br><br>Every person in immigration court should have a statutory right to be represented by an attorney provided at government expense and supported by a dedicated case manager, just as public defense in criminal trials and safety-net programs guarantee core protections regardless of income.<br><br>Unaccompanied minors are far more likely to receive immigration relief with legal representation vs. when they must represent themselves, but only slightly more than half (~58%) have an attorney.<br><br>Please see our recommended line edits to 8 U.S.C. § 1362 in our Appendix. |

## 6. No More ICE Detention Camps

**Prohibit ICE from obtaining any new property for immigration detention.**
Any property purchased after January 20, 2025, must be sold, with cities having the right of first refusal before it is opened to the broader market. Any leases on property must end immediately.

| Current Situation | Proposed Change & Justification |
|---|---|
| **Happening Now:** ICE currently operates a fragmented detention system when someone is arrested for being undocumented. Detainees are scattered across multiple facilities nationwide (prisons, county jails, private detention centers). When ICE needs to move someone, they shuttle the individual around the country to wherever space is available. This method is intended to make it difficult for lawyers to defend clients held in immigration detention. ICE currently has $45 billion allocated from the "Big Beautiful Bill" to construct new detention facilities.<br><br>**Proposed:** The Trump administration wants to build a massive, centralized detention infrastructure designed as a "feeder system" for rapid deportation:<br>• **Seven large "hub" warehouses** (5,000-10,000 people each) in Virginia, Texas, Louisiana, Arizona, Georgia, and Missouri—located near major logistics hubs<br>• **Sixteen smaller warehouses** (up to 1,500 people each)<br>• **Total capacity: 80,000+ detainees at one time**<br><br>ICE's acting director Todd Lyons stated openly his goal to treat the proposed warehouse system like Amazon: "Like Prime, but with human beings." Strip away individual case review, speed up deportations, and move bodies efficiently.<br><br>This infrastructure is built explicitly to *scale up* the deportation machine—to detain more people faster and remove them with minimal to zero due process. | **A. Prevent ICE from obtaining any new properties for immigration detention or temporary detainment.**<br><br>ICE does not actually purchase or lease these properties directly in most cases. Instead, DHS purchases them on behalf of ICE. To effectuate this change, there should be a prohibition on any federal agency purchasing or leasing new properties to be used by ICE for immigration detention or detainment.<br><br>The Trump administration is actively attempting to build an immigration detention infrastructure that is both unnecessary and inhumane. Studies on alternatives to detention (ATD) programs show that 95% of people on full-service ATD appeared for final hearings, with other studies showing even higher rates of compliance.<br><br>**B. Sell any property purchased for ICE detainment after January 20, 2025, with cities having the right of first refusal before it is opened to the broader market. Any leases on property must end immediately.**<br><br>The Trump administration has already purchased or leased numerous facilities for immigration detention. These facilities are unnecessary for effective immigration processing and operate for the purpose of intimidation and punishment rather than sound immigration policy.<br><br>**C. Prohibit DHS or any other federal agency from purchasing or leasing aircraft or other vessels for deportation or detention purposes related to immigration enforcement.**<br><br>ICE and the Trump administration have shown that, when they anticipate legal challenges to their immigration detention, they will rapidly deport immigrants without due process. Preventing their capacity to do so is essential to ensuring that immigration enforcement is based on due process and not arbitrary punishment. |

### Why This Change is Necessary

People comply when they're treated as human beings, not prisoners. Replacing warehouses with robust alternatives to detention is not just more humane but also more effective enforcement.

**End detention, return to case management:**

1. **Case Management Programs** - Offer regular check-ins with a caseworker instead of detention. The person reports to a local office periodically.
2. **Recognizance** - Release people pending their hearing with a personal recognizance (promise to appear). Currently, people are detained indefinitely awaiting hearings.
3. **Legal Orientation Programs** - Guarantee meetings with attorneys to receive legal orientation so people can navigate their cases without being detained.
4. **Community Support Networks** - Allow churches, nonprofits, and community organizations to sponsor people through the process, providing housing and support while they await proceedings.

## 7. Ban Private Prison and Detention Contracts

**End all federal contracts with any private entity that owns, manages, provides, or supplies detention facilities.**

| Current Situation | Proposed Change & Justification |
|---|---|
| Private Prison Companies operate facilities where 80% to 90% of immigrants are detained, and profit directly from contracts with guaranteed minimum payments and bed quotas, ensuring they are paid for beds, whether filled or not:<br><br>• **GEO Group**: largest detention operator, also runs GTI (transportation subsidiary for deportation flights)<br>• **CoreCivic:** runs family detention centers in the cities of Dilley, TX and Karnes, TX, with plans to expand.<br><br>Although the federal government began to phase out private prisons under the Biden administration in 2021, they allowed the detention of immigrants in private facilities to continue unchecked. Companies like CoreCivic and GEO Group quickly recognized the opportunity presented by the Trump administration's immigration crackdown, and have received hundreds of millions in federal contracts from the Big Beautiful Bill, for which they lobbied the government.<br><br>Further, Congressional appropriations bills have long mandated that ICE fill more than 30,000 beds in immigration detention facilities, recently increasing the quota to 41,500 beds under the new Trump administration. This policy effectively forces ICE to arrest people to meet the "bed mandate."<br><br>Additionally, private prisons operate outside the scope of typical public oversight for jails/prisons, since they are not government entities. Instead of responding to Freedom of Information Act or similar public record requests, these companies can cite "sensitive information" and "trade secrets" to shield conditions and practices inside their facilities. | **A. End all federal contracts with any company or private organization that manages, provides, or supplies any "detention" facility.**<br><br>Federal detention contracts should not go to private entities that operate outside of Congressional / public oversight of their conditions. Furthermore, private corporations should not profit from increased detention operations, especially given that these companies themselves have lobbied for such policies. Policies like a minimum number of beds further perpetuate this cycle of incarceration and profit, the goal of which is not about effective immigration enforcement but profiteering.<br><br>**B. Prohibit private prison and detention contracts in the future.**<br><br>The use of private contractors and companies for immigration detention is a longstanding problem, and while the recent immigration enforcement surge has exacerbated this issue, Congress needs to establish a long-term solution. This would remove the influence of these companies in affecting public policy for their own benefit.<br><br>*Note: For the purposes of this policy, "detention" means the physical confinement of people in facilities or programs operated or contracted by the federal government for the purpose of immigration enforcement or criminal incarceration, including: jails, prisons, immigration detention centers, temporary holding facilities, "soft sided" detainment facilities, or any facilities used for "custodial" holding.* |

**Why This Change is Necessary**

There is no justification for private companies to profit from the detention of any person, and companies like CoreCivic and GEO Group have been transparent in expressing how they can reap the benefits of expanded immigration detention. Despite having a track record of administering facilities with abusive conditions, these companies lobbied effectively for expanded immigration enforcement. Private companies should not drive public policy, especially as it pertains to the imprisonment of human beings.

## 8. Unmask or Release: Any Arrest by a Masked ICE Agent Is Unlawful

**An arrest conducted by an ICE or CBP agent who conceals their face, fails to visibly identify their agency, or fails to display proper identification shall be unlawful under federal law.**

| Current Situation | Proposed Change & Justification |
|---|---|
| Masked ICE and CBP agents are routinely carrying out operations with their faces covered and are refusing to identify themselves. While DHS and these agencies claim that the policy exists to prevent "doxing" federal agents, masking creates barriers for accountability when ICE and CBP agents abuse their authority.<br><br>Numerous politicians, civil rights leaders, and the broader public have recognized that masked federal agents are an unacceptable mode of law enforcement in a democratic society. The majority of Americans disapprove of these agents wearing face coverings, which serve no practical purpose for lawful immigration enforcement. | **Prohibit arrests by unidentifiable agents:** A federal officer may not effectuate an arrest or conduct a search for purposes of immigration enforcement unless the officer is clearly identifiable as law enforcement.<br><br>An officer is "clearly identifiable as law enforcement" only if the officer:<br><br>• Does not mask, cover, or otherwise obscure their face;<br>• Visibly displays a badge and unique identification name or number on their person; and<br>• Visibly displays the name of the federal agency under whose authority they are acting. |

**Why This Change is Necessary**

Arrests made by masked or unidentifiable officers undermine two Constitutional protections: the Fourth Amendment's requirement that seizures (of persons or property) be reasonable and the Sixth Amendment's right to confront your accuser. When individuals cannot easily determine whether they are being detained by lawful authority, the risk of mistaken compliance and violent escalation increases. Clear officer identification protects constitutional rights and promotes individual accountability.

## 9. Implement Real Standards for ICE Officers and Apply Them Retroactively

**Prohibit accelerated training programs, require comprehensive background checks before any enforcement duties, ban hiring of individuals affiliated with hate groups, and require all current officers to meet these standards retroactively.**

| Current Situation | Proposed Change & Justification |
|---|---|
| IC3E officers have been hired and onboarded at unprecedented speed, with the agency reducing the training time to 47 days simply because Donald Trump is the 47th President. Standards have been lowered significantly. Recently, a Slate journalist was offered a position without providing any paperwork, drug test, or background check. This reflects President Trump's urge to rapidly expand the agency's workforce.<br><br>Length and structure of current training:<br><br>• Academy duration: New Enforcement and Removal Operations (ERO) officers now complete about 42 days (roughly 6 weeks) of basic training at the Federal Law Enforcement Training Centers (FLETC), down from about five months (roughly 20 weeks) before the 2025–2026 hiring surge.<br>• Pace: Training runs 6 days per week, compressed into a single intensive block focused on core law-enforcement skills.<br>• Online component: Many new hires with prior law-enforcement experience complete online courses instead of the full academy, which the administration uses to expedite deployment.<br><br>Rapid hiring with weaker qualification requirements plus shortened training has led to a cohort of officers who are overwhelmed, under-prepared, and prone to escalation. | The following demands are addressed in the proposed Federal Law Enforcement Standards and Accountability Act (FLESA ACT). Introduced by Senator Alex Padilla (D-CA), these changes would add requirements and prohibitions regarding federal officers' behavior, hiring, and training:<br><br>**A. Prohibit accelerated or abbreviated training programs**, ensuring that federal law enforcement officers receive comprehensive preparation before being entrusted with the authority to use force, including lethal force.<br><br>**B. Prohibit conditional or provisional appointments** that allow individuals to perform federal law enforcement duties before completing all required background checks, hiring requirements, and pre-employment training. This must be applied retroactively to all officers on the force.<br><br>**C. Prohibit the hiring of individuals affiliated with hate groups**, affirming that federal law enforcement must be free from extremism and bias.<br><br>**D. Require all currently employed federal law enforcement officers to meet the FLESA Act's proposed hiring and training standards**. This includes 2025's expedited "48-day academy" hires and any other officers hired prior to when this change is implemented. including those hired prior to when this change is implemented. Currently, officers who underwent an expedited hiring process are patrolling without de-escalation or scenario training, and have not completed adequate education or psychological evaluations. |

**Note**

Immigration enforcement frequently places agents into high stress, volatile situations. Training should never be sacrificed or shortened.

It is critical to note that adequate training does not prevent all wrongdoing, nor does it guarantee people's safety. The officer who killed Renee Good was a 10-year veteran of the force. However, the current administration has contributed to a culture of lawlessness by reducing training, rapidly onboarding new, unqualified ICE officers, and telling officers they can flout constitutional norms. More extensive training can increase the likelihood of agents following procedures and prevent both the excessive use of force and even the killing of civilians.

## 10. Give Victims a Pathway to Justice

**Allow citizens to file lawsuits against federal law enforcement officers when those officers have violated their civil rights, inflicted serious harm, or egregiously violated policies, laws, and standards. Strip qualified immunity from ICE officers and pass the Bivens Act, making federal accountability real and enforceable.**

| Current Situation | Proposed Change & Justification |
|---|---|
| Victims of federal law enforcement abuse (including ICE and CBP) have essentially no recourse.<br><br>In 1971, the Supreme Court ruled in *Bivens v. Six Unknown Named Agents* that people could sue federal officers for violating their constitutional rights. It was a small victory—but it's the *only* federal statute-level remedy that exists.<br><br>However, the Supreme Court has been steadily narrowing it for decades. Courts refuse to extend Bivens to new situations and defer to Congress to create stronger laws. The result: Bivens has become so weak and limited that it almost never works in practice.<br><br>Qualified immunity then blocks nearly all remaining suits, with 99% of cases dismissed before trial. Under this doctrine, officers are shielded from liability unless they violated a "clearly established" law—a standard so high that even obviously unconstitutional conduct often clears the bar. A family suing over a warrantless raid, excessive force, or wrongful detention must prove not just that their rights were violated, but that *identical* circumstances were previously ruled unconstitutional in their specific jurisdiction. In practice, this means almost every suit fails before reaching trial.<br><br>Result: federal agents operate with near-total civil impunity. | **A. Pass the Bivens Act** (HR 6091)<br><br>Right now, if a federal officer violates your constitutional rights, you can't easily sue them. This is because of the Supreme Court's erosion of Bivens, and the protection that qualified immunity offers federal employees. The Bivens Act would change that, by creating a federal statute allowing civilians to sue federal law enforcement—including ICE and CBP—for constitutional violations. Currently, this right exists only through weak judicial precedent; a statute would make it enforceable and predictable.<br><br>**B. End Qualified Immunity**<br><br>Qualified immunity is a legal shield that prevents officers from being held accountable, even when they violate clearly established rights. Eliminating it for federal law enforcement means victims of ICE and CBP abuse can potentially receive justice in court for civil rights violations. |

**Why This Change is Necessary**

A statutory cause of action and an end to qualified immunity would create a degree of consequence and recompense for families harmed by ICE and CBP violence—families torn apart by unlawful raids, separated from children, or mourning loved ones who died in custody.

Right now, these families have no legal recourse. Bivens as a judicial remedy is weak and eroding, and qualified immunity blocks nearly every suit. Officers face no consequences for constitutional violations.

This change ensures families can hold ICE and CBP accountable in court, just as state reforms in Colorado and New Mexico have enabled families to seek justice from local police. Families deserve the same path to accountability.

# State and Local Demands

In the absence of federal action from Congress and the White House, local jurisdictions can implement safeguards to hinder ICE and slow down the deportation machine.

## A. Prohibit 287(g) Agreements (State Level)

**Pass state laws prohibiting local law enforcement from joining 287(g) programs.**

| Current Policy | Proposed Change & Justification |
|---|---|
| 287(g) programs authorize ICE to "deputize" state and local law enforcement officers as ICE agents, giving them the authorization to perform immigration officer functions under ICE's oversight. These local officers are permitted to make immigration arrests and participate in the deportation process.<br><br>287(g) agreements let local sheriffs and jail staff act as ICE agents, screening people in custody and flagging them for immigration arrest. In 2025, nearly half (about 48%) of ICE's 1,000+ daily arrests occurred in local jails. | **Pass state laws prohibiting local law enforcement from joining 287(g) programs.**<br><br>Ending 287(g) cuts a major arrest pipeline. Without the program, ICE loses its pre-screening arm inside jails and can no longer automatically pull people into immigration custody simply for being arrested.<br><br>Eight states (CA, CT, DE, IL, ME, NJ, OR, WA) have already prohibited 287(g) agreements. States and counties that have prohibited 287(g) already show much lower rates of ICE arrests from local lock-ups. |

## B. Increase the Number of Sanctuary Cities and Strengthen City Response (Local Level)

**Pass local laws to prohibit police from asking people about their immigration status, prohibit local departments from sharing access to resources with ICE, restrict ICE access to city-owned buildings, and refuse to allocate local funds for ICE-related infrastructure, data-sharing, and task forces.**

| Current Policy | Proposed Change & Justification |
|---|---|
| Sanctuary city laws limit or prohibit sharing information and providing assistance between local law enforcement and federal immigration law enforcement.<br><br>Contrary to a common public misconception, sanctuary city laws cannot prohibit federal law enforcement from operating in that city. They only limit the level of assistance from local government.<br><br>More than a dozen states and hundreds of cities and counties have some form of sanctuary or non-cooperation policy with ICE. Many of the nation's largest cities—including New York City, Los Angeles, Chicago, San Francisco, Boston, and Philadelphia—have sanctuary policies.<br><br>Ex: Sanctuary city governments would not participate in the 287(g) program, featured above. | **A. Prohibit local law enforcement participation**<br><br>Local police will not ask about immigration status and will not honor ICE detainers unless required by a court order or in limited circumstances (e.g., serious violent crime).<br><br>**B. Prohibit local government cooperation**<br><br>Prohibit city employees from honoring ICE detainers, sharing databases, or providing transportation or jail-time for immigration purposes.<br><br>**C. Limit access to facilities**<br><br>Prohibit ICE access to city-owned buildings (jails, schools, hospitals, shelters) unless a judicial warrant is presented.<br><br>**D. Prohibit Budgetary Assistance**<br><br>Refuse to allocate local funds for ICE-related infrastructure, data-sharing systems, or joint task forces, requiring ICE to bear the operational cost itself. |

## C. Disrupt ICE's Purchasing, Leasing, and Usage of Detention Facilities (Local Level)

**Pass local laws to prohibit or disrupt local facilities from detaining people on behalf of CBP / ICE, establish moratoriums on approvals for building, zoning, and utilities access for detention facilities, and establish steep tax penalties on all property that houses or services immigration detention.**

| Current Policy | Proposed Change & Justification |
|---|---|
| The right of states and local governments to prevent or prohibit the expansion of both private and public immigration detention into their jurisdictions remains an open legal question.<br><br>Several states and local municipalities have proposed or passed laws and ordinances aimed at preventing the expansion of federal immigration detention into their communities. Numerous states and localities have expressed legitimate concerns - which may be grounds for legitimate legal challenges - regarding the lack of water, sanitation, and other capacities for large detention centers to exist in their jurisdictions.<br><br>A federal court overturned a California law that had prohibited the use of private immigration detention facilities in 2023, and a similar law in New Jersey was struck down in July 2025. Nevertheless, states and cities are attempting a variety of measures to prevent ICE from expanding detention in their jurisdictions, and various strategies will have greater or lesser value in each local fight. Some examples include:<br><br>• New Mexico<br>• Hawaii<br>• California<br>• Providence<br>• Kansas City | **A. Prohibit Public Entities From Participating in Detention**<br><br>Pass a state law or local ordinance that explicitly prohibits public entities from entering into contractual agreements to detain individuals for immigration violations.<br><br>**B. Prohibit Local Law Enforcement Detainment on Behalf of ICE**<br><br>Pass a state law or local ordinance that explicitly prohibits local and state law enforcement from detaining individuals for immigration violations on behalf of ICE or CBP, or prohibits allowing their facilities to be used for such a purpose.<br><br>*Note: Mayors or Governors can also sign executive orders prohibiting the use of city- or state-owned property for civil immigration enforcement activities.*<br><br>**C. Moratorium on Approvals for Permitting**<br><br>Pass a state law or local ordinance establishing a moratorium on approvals for building permits, zoning applications, development plans, and utilities access for all non-state or non-municipal detention facilities.<br><br>**D. Enact Financial Penalties or Tax Penalties**<br><br>Establish a financial penalty or a revenue tax of more than 50% on all entities that administer or own detention facilities, or provide services to detention facilities used for immigration detention. |

**Why This Change is Necessary**

The federal government cannot unilaterally impose widely unpopular immigration enforcement and detention activities in states and cities. States and cities have the right to resist these policies, and should use every legal avenue possible to prevent ICE from using their facilities for these purposes.

Each state and municipality must determine its own best path forward for challenging immigration detention expanding into its jurisdiction. Lawmakers and councilpersons should anticipate legal challenges to these efforts, but in the process, they can both slow down the expansion of ICE detention and build local support for these efforts.

# Appendix

## GLOSSARY

**Department of Homeland Security (DHS)**

DHS includes all or part of 22 federal departments and agencies, most notably Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), the Transportation Security Administration (TSA), and the Federal Emergency Management System (FEMA). The Department of Homeland Security maintains a complete list of its Operational and Support Components.

**Customs and Border Protection (CBP)**

Oversees customs, immigration, border security, and agricultural protection. Traveler program applications and approvals such as Global Entry and TSA Pre-Check are housed under CBP.

**United States Border Patrol (USBP)**

A sub-agency of CBP, border patrol agents typically work between official ports of entry, often in rural areas, and monitor for illegal crossings.

**Immigration and Customs Enforcement (ICE)**

Enforces federal laws governing border control, customs, trade, and immigration.

## FREQUENTLY ASKED QUESTIONS

### 1. What's the difference between ICE and CBP?

Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) are both housed within the Department of Homeland Security, but have distinct responsibilities. Generally, CBP operates at the border (and has warrantless search authority of vessels within 100 miles of the border) and is in charge of screening all people, vehicles, and goods that come into the United States. ICE is tasked with enforcing immigration laws and arresting those who violate them, operating throughout the nation's interior. CBP currently has jurisdiction to operate throughout the United States to assist ICE in immigration enforcement (6 USC 211(c)(8)).

### 2. What's the difference between a CBP officer and a Border Patrol agent?

CBP officers are in charge of screenings at official ports of entry (seaports, official land border crossings, international airports, etc.) while Border Patrol agents work between official ports, often in rural areas, to prevent illegal border crossings.

### 3. What is the difference between a judicial and an administrative warrant?

A judicial warrant is provided by the courts, whereas an administrative warrant is provided by the Department of Homeland Security. To enter and search a person's house or non-public business, ICE must have a valid judicial warrant issued by a court and signed by a judge. An administrative warrant only permits the arrest of the person specified, not a search of private property.

### 4. Do ICE agents need a warrant to search my home?

Decades of legal precedent has specified that ICE needs a judicial warrant to enter anyone's home – without one, residents have the right to deny entry. However, an internal DHS memo said ICE agents can enter people's homes with only an administrative warrant.

### 5. Why are immigration judges able to be removed more easily than other federal judges?

Immigration courts are administrative courts, established within the Executive Branch under the Department of Justice (DOJ). Federal judges that most people know – judges with lifetime appointments, only removed via impeachment by Congress, etc. – are within the judicial branch and established under Article III of the U.S. Constitution.

## 4. Cancel Surveillance Contracts and Require Judicial Warrants for Data Collection or Usage

**Palantir:** Contracted to build tools exploiting personal data for immigration enforcement, including Immigration OS and "E.L.I.T.E.", a platform for identifying "targets" for deportation.

**Clearview AI:** Facial recognition software that scrapes "face prints" from sources like social media for law enforcement purposes.

**NEC:** Created the MobileFortify app, which ICE and CBP use for facial recognition in the field.

**Paragon Solutions:** Military software designed to hack into cell phones remotely, blocked by the Biden administration but since adopted by DHS.

**L3Harris:** Manufactures the "StingRay," a Cell-site simulator that mimics a cell-phone tower to enable tracking. Technically this requires a warrant but reporting has shown that ICE routinely ignores this.

## 5. Guarantee the Right to a Lawyer in Immigration Court

**Recommended Line Edits:** Amend 8 U.S.C. § 1362 to create a true right to counsel and case management in immigration court:

```
8 U.S.C. § 1362: Right to counsel

(a) Right to Counsel.
In any removal proceedings before an immigration judge and in any appeal proceedings before the
Attorney General from any such removal proceedings, the person concerned shall have the privilege
of being represented (at ~~no~~ expense to the Government) by such counsel, authorized to practice in
such proceedings, as he shall choose.

(b) Case Management.
Every person in proceedings described in subsection (a) shall be assigned a case manager to
provide court notifications, interpretation services, coordination of legal and social services,
and assistance with hearing compliance. Case management shall be provided as an entitlement at no
cost to the person.

(c) Administration and Funding.
The Attorney General shall administer a dedicated program to provide counsel and case managers
under this section, funded through annual appropriations sufficient to ensure full
implementation. Eligible persons shall have a statutory right to such services, enforceable by
mandamus or other appropriate relief.

(d) Private Counsel.
Nothing in this section shall preclude a person from retaining private counsel at their own
expense or waiving assigned counsel.
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