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July 15, 2025

Members of the U.S. House of Representatives
Washington, DC 20515

Members of the U.S. Senate
Washington, DC 20510

Via email

Dear Members of Congress:

We write to urge you to consider and advance legislation that would generally prohibit federal immigration agents from wearing masks that conceal their identity and require them to show their identification and agency-identifying insignia. It is shocking that we have reached a point in America where such a common-sense set of measures must be enshrined into law. But in light of recent events, such legislation is necessary to protect the public, ensure accountability, and preserve the reputation and effectiveness of law enforcement at every level of government.¹

The images of masked, armed men and women, dressed in plainclothes and traveling in unmarked vehicles, snatching people from streets, homes, workplaces, and courthouses has become common in recent weeks and are now emblazoned in the public consciousness. We have watched these detentions with alarm, as the imagery evokes comparisons to repressive tactics that have no place in a free country. Immigration and Custom Enforcement (ICE) officers' now routine practice of carrying out arrests in public spaces through masked agents who do not identify themselves as law enforcement has the effect of terrorizing communities rather than protecting them.

¹ Several pieces of legislation have been introduced in the House, see "No Secret Police Act," H.R. 4176; "No Anonymity in Immigration Enforcement Act of 2025," H.R. 4004; "ICE Badge Visibility Act," H.R. 4298, and in the Senate, see "Visible Identification Standards for Immigration-Based Law Enforcement (VISIBLE) Act of 2025," available at <https://www.padilla.senate.gov/wp-content/uploads/VISIBLE-Act-07.07.25.pdf>.

ICE's opaque conduct is in stark contrast to traditional practices that highlight accountability and transparency in our law enforcement system. The concealment of officers' identities limits the ability of individuals to challenge unlawful government acts, stripping our citizens of their basic rights to hold government actors accountable. Indeed, the lack of clear identification contradicts federal standards for law enforcement conduct, which stipulate that at the time of arrest, an immigration officer "shall, as soon as it is practical and safe to do so[,] [i]dentify himself or herself as an immigration officer who is authorized to make the arrest." 8 C.F.R. 287.8(c)(2)(iii).

ICE's tactics pose significant public safety risks. ICE's stated mission is the enforcement of immigration laws "to preserve national security and public safety."² The confusion generated by masked, plainclothes agents makes it difficult or impossible for individuals to know whether they are being legally detained by an ICE agent. Without proper identification as law enforcement, witnesses to these arrests could reasonably believe a kidnapping is underway.³ They may attempt to intervene or call on local law enforcement for assistance, creating unsafe situations and tying up important local resources.

As former ICE official Scott Shuchart noted, this situation could be "setting ourselves up for a kind of vigilante problem where people either don't know, or at least aren't sure, that these officers who are dressed up like bank robbers are actually law enforcement officers."⁴ And not only is the safety of those targeted jeopardized, so too is the safety of those ICE agents themselves. Individuals who are unsure whether they are being detained by legitimate law enforcement or are being kidnapped may understandably choose not to obey commands and instead resist law enforcement efforts. These tactics have also reportedly given rise to horrific incidents of impersonation of officers, where individuals seeking to extort or do harm have posed as immigration officials to victimize others.⁵

ICE's practices also reduce accountability and transparency within law enforcement, as they prevent the public from reporting and seeking recourse for unlawful practices or violations of rights that occur during an arrest. This lack of accountability further

² U.S. Immigration and Customs Enforcement (ICE), <https://www.ice.gov/mission> (last visited July 14, 2025).

³ See, e.g., Alex Stone, *Los Angeles police responded to a kidnapping call. But instead found an ICE operation*, LA Times, June 25, 2025, available at <https://abcnews.go.com/US/los-angeles-police-responded-kidnapping-call-found-ice/story?id=123204661>.

⁴ Ray Sanchez, *Masked ICE officers: The new calling card of the Trump administration's immigration crackdown*, CNN, June 21, 2025, available at <https://www.cnn.com/us/ice-immigration-officers-face-masks>.

⁵ See, e.g., Artemis Moshtaghian, *Multiple ICE impersonation arrests made during nationwide immigration crackdown*, CNN, Feb. 5, 2025, available at <https://www.cnn.com/2025/02/04/us/ice-impersonators-on-the-rise-arrests-made-as-authorities-issue-national-warning>; Dylan Gentile, *Florida woman accused of impersonating ICE agent to kidnap ex-boyfriend's wife*, USA Today, April 25, 2025, available at <https://www.usatoday.com/story/news/nation/2025/04/25/ice-agent-impersonate-kidnapping-florida-woman/83271541007/>.

erodes public trust and encourages rather than deters rights violations by federal law enforcement.

While measures to protect the identity of federal agents may be necessary in limited circumstances,⁶ the commonplace use of masks and the failure of ICE to identify themselves as law enforcement makes everyone less safe and weakens the integrity of our justice systems. Acting Director Todd Lyons has defended the use of masks by citing concerns about harassment against agents and their families.⁷ This justification ignores the severe risks posed to public safety and civil liberties. In the limited circumstances where concerns are warranted, they can be resolved through targeted means. But as a general rule, if the federal authorities are confident that their practices are lawful and just, they should not fear identifying themselves. This Administration is willing to tout its arrests and tactics in press releases, social media posts, and speeches, but refuses to take ownership or accountability for their policies on the ground in our communities. As a routine practice, this is inconsistent with democratic values and the rule of law.

We call upon both houses of Congress to prohibit the practice of deploying masked agents and those in plain clothes during immigration enforcement operations. We urge you to adopt legislation accordingly to protect public safety and uphold important principles of transparency and accountability.

Sincerely,



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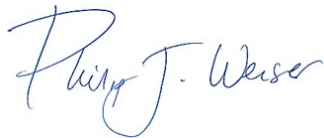
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⁶ We encourage consideration of amendments to House legislation that would clarify its application to civil immigration enforcement and provide for appropriate exceptions for undercover or covert criminal enforcement activity.

⁷ Leah Willingham, *Immigration official defends tactics against criticism of a heavy hand as arrests rise nationwide*, AP, June 2, 2025, available at <https://apnews.com/article/ice-agents-masked-boston-deportations-todd-lyons-4fa874908a64b12f1b1ee0be3825fb39>.



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