

March 5, 2026

Aaron Frey
Maine Attorney General
6 State House Station
Augusta, ME 04333
attorney.general@maine.gov

Jacqueline Sartoris
Cumberland County District Attorney
142 Federal Street
Portland, ME 04101
districtattorney@cumberlandcounty.org

Kathryn Slattery
York County District Attorney
208 Graham Street
Biddeford, ME 04005
kmslattery@yorkcountymaine.gov

Neil McLean
District Attorney, District Three
184 Main Street
4th Floor, Suite 400
Lewiston, ME 04240
neil.mclean@maineprosecutors.com

Kevin Joyce
Cumberland County Sheriff
36 County Way
Portland, ME 04102
kjoyce@cumberlandcounty.org

Eric Samson
Androscoggin County Sheriff
2 Turner Street
Auburn, ME 04210
esamson@androscoggincountymaine.gov

Dear Attorney General Frey, District Attorney Sartoris, District Attorney Slattery, District Attorney McLean, Sheriff Joyce, and Sheriff Samson,

We respectfully urge your offices to open investigations into the unlawful activities of federal agents in Maine, and to take steps to ensure that residents are aware of Attorney General Frey’s dedicated email address for reporting abuse by immigration agents. As part of an orchestrated campaign against Mainers in retaliation for their perceived political affiliation and to terrorize the Somali and immigrant communities in Maine, federal agents, in coordination with senior officials, have kidnapped and assaulted residents who had no criminal records, often using violent and unlawful force. Federal agents have also systematically attempted to silence dissent by threatening protestors, going to their homes and claiming to have put them in a national database. Publicly available information indicates that these operations are part of a criminal conspiracy directed and condoned by President Donald Trump and senior officials in the Trump administration with full knowledge of their unlawful nature, and warrant prompt investigation by your offices.

Background

On December 2, 2025, Trump delivered a racist diatribe against Somali Americans, saying that “we’re going to go the wrong way if we keep taking in garbage into our country,” and that Somalia “stinks” and is “hell.”¹ Vice President Vance thumped on the table in encouragement. The following day, Trump continued to berate Somali Americans, claiming “[t]hey’ve destroyed our country” and that Representative Ilhan Omar “shouldn’t be allowed to be a congresswoman” and “should be thrown the hell out of our country.”² Simultaneously, the Trump administration began “Operation Metro Surge” in St. Paul, targeting Somali residents based on their race.³ That occupation has since resulted in the murders of two citizens and countless assaults and kidnappings of residents.⁴ Indeed, Chief Judge Patrick Shiltz of the District of Minnesota (a Republican appointee) recently

¹ Zolan Kanno-Youngs & Shawn McCreesh, *Trump Calls Somalis ‘Garbage’ He Doesn’t Want in the Country*, N.Y. Times (Dec. 2, 2025), <https://www.nytimes.com/2025/12/02/us/politics/trump-somalia.html> (last accessed Dec. 9, 2025).

² Dareh Gregorian, *Trump disparages Somali immigrants for the second straight day, saying they've ‘destroyed our country’*, NBC (Dec. 3, 2025), <https://www.nbcnews.com/politics/donald-trump/trump-disparages-somali-immigrants-second-straight-day-ilhan-omar-rencna247271> (last accessed Dec. 15, 2025).

³ Hamed Aleaziz et al, *New ICE Operation Is Said to Target Somali Migrants in Twin Cities*, N.Y. Times (Dec. 2, 2025), <https://www.nytimes.com/2025/12/02/us/politics/ice-somali-migrants-minneapolis-st-paul.html> (last accessed Dec. 9, 2025).

⁴ Talya Minsberg et al, *Alex Pretti’s Friends and Family Denounce ‘Sickening Lies’ About His Life*, N.Y. Times (Jan. 25, 2026), <https://www.nytimes.com/2026/01/25/us/alex-pretti-minneapolis-shooting.html> (accessed Jan. 30, 2026); Amanda Musa, *Mother of 3 who loved to sing and write poetry shot and killed by ICE in Minneapolis*, CNN (Jan. 9, 2026), <https://www.cnn.com/2026/01/08/us/renee-nicole-good-minneapolis-ice-shooting-hnk> (accessed Jan. 30, 2026).

held in an order that he had identified 96 court orders that ICE had violated in 74 cases, noting that “[t]he extent of ICE’s noncompliance is almost certainly substantially understated”; that “ICE has likely violated more court orders in January 2026 than some federal agencies have violated in their entire existence”; and that such noncompliance should “give pause to anyone – no matter his or her political beliefs – who cares about the rule of law.”⁵

On January 21, 2025, just two weeks after the murder of Renee Nicole Good (and just three days before the murder of Alex Pretti), the U.S. Department of Homeland Security announced an operation in Maine.⁶ Though the Trump administration provided no explanation for its attack on Maine, it seems clear that Trump targeted the state only because of his long-standing feud with Governor Mills over transgender rights,⁷ and because the state’s immigrant population (one of the smallest in the country⁸) disproportionately hails from Africa.⁹

Immediately, federal agents inflicted on Mainers the same lawless abuses we have seen across the country.¹⁰ In Cumberland County alone, several blatantly illegal actions were documented, all against civilians with no criminal history:

- Jean-Peirre Obiang, an 18-year-old asylum seeker with a work permit, was detained by ICE after he got into a fender-bender on his way to school. The other driver did not report him to the police and told ICE that Obiang hadn’t done anything wrong.¹¹ He has been moved out of state and remains in prison.
- A Cumberland County Corrections Officer with a pending asylum claim was arrested off the street by federal agents without a warrant, despite having

⁵ *Robles v. Noem*, 26-cv-0107, Order, at 2–3 (D. Minn. Jan 28, 2026),

<https://www.courtlistener.com/docket/72120823/10/tobay-robles-v-noem/>.

⁶ Press Release, *ICE Launches “Operation Catch of the Day” Targeting the Worst of Worst Criminal Illegal Aliens Across Maine*, Department of Homeland Security (Jan. 21, 2026),

<https://www.dhs.gov/news/2026/01/21/ice-launches-operation-catch-day-targeting-worst-worst-criminal-illegal-aliens> (accessed Jan. 26, 2026).

⁷ Jenna Russell, *Maine Governor, Staring Down Trump, Says She Is Unfazed by ‘Loud Men’*, N.Y. Times (April 10, 2025), <https://www.nytimes.com/2025/04/10/us/janet-mills-donald-trump-maine.html> (accessed Jan. 29, 2026).

⁸ 4% of Maine’s population are immigrants and around half of them are naturalized citizens.

American Immigration Council, *Immigrants in Maine*,

<https://map.americanimmigrationcouncil.org/locations/maine/> (accessed Jan. 30, 2026). In contrast, 14.3% of the American population was born in another country. American Immigration Council, *Map the Impact*, <https://data.americanimmigrationcouncil.org/map-the-impact/> (accessed Jan. 30, 2026).

⁹ Joshua Barajas, *‘We’re being terrorized.’ What Mainers are seeing as ICE launches operation in the state*, PBS (Jan. 23, 2026), <https://www.pbs.org/newshour/nation/were-being-terrorized-what-mainers-are-seeing-as-ice-launches-operation-in-the-state> (accessed Jan. 30, 2026).

¹⁰ *Id.*

¹¹ Salomé Cloteaux, *ICE detains 18-year-old USM student in Westbrook*, Portland Press Herald (Jan. 22, 2026), <https://www.pressherald.com/2026/01/21/ice-detains-18-year-old-usm-student-in-westbrook/> (accessed Jan. 26, 2026).

work authorization and having taken time off work to attend his last immigration hearing.¹² Cumberland County Sheriff Kevin Joyce (one of the officials to whom we have addressed this letter) described the arrest as “bush league” because the officer’s car and personal belongings were left unsecured on the side of the street.¹³

- After Sheriff Joyce’s remarks, ICE removed all immigration detainees out of Cumberland County jail to out-of-state locations, in violation of court orders, as the U.S. Attorney’s office admitted in open court.¹⁴
- Restaurant workers who could not prove they were citizens were arrested in South Portland.¹⁵
- An asylum seeker was arrested at the Scarborough ICE field office during a routine check-in and transferred to Massachusetts in defiance of a court order.¹⁶
- An asylum seeker with no criminal record was detained as she was dropping off her child at Portland High School.¹⁷
- An asylum seeker with a pending green card application was pulled over, detained, and sent to Massachusetts.¹⁸ His car was towed and his citizen wife was only able to find and retrieve his truck out of a private lot for \$300 when she threatened to file a stolen vehicle report.¹⁹
- Juan Sebastian Carvajal-Munoz, a civil engineer with a work visa, was driving in Portland when an unmarked vehicle cut him off. Federal agents then got out of the unmarked vehicle, immediately used a crowbar to smash open his window, pulled him out of the car, and kidnapped him. Within two minutes, they drove away with Carvajal-Munoz, leaving his car running with

¹² Russ Reed & Cate McCusker, *'Bush league policing': Cumberland County sheriff calls out ICE for how it detained recruit*, WMTW (Jan. 22, 2026), <https://www.wmtw.com/article/cumberland-county-sheriff-maine-ice-operation/70095060> (accessed Jan. 26, 2026).

¹³ *Id.*

¹⁴ Morgan Womack et al, *ICE removes detainees from Cumberland County Jail, cancels contract after sheriff’s criticism*, Portland Press Herald (Jan. 23, 2026),

<https://www.pressherald.com/2026/01/23/ice-detainees-removed-from-cumberland-county-jail/> (accessed Jan. 29, 2026).

¹⁵ Daniel Kool, *ICE arrests 6 Biddeford, South Portland restaurant workers*, Portland Press Herald (Jan. 23, 2026), <https://www.pressherald.com/2026/01/23/federal-agents-arrest-6-restaurant-workers-in-coordinated-visits-to-2-locations-in-maine/> (accessed Jan. 26, 2026).

¹⁶ Emily Allen, *Asylum seeker arrested at ICE field office in Scarborough now in Massachusetts*, Portland Press Herald (Jan. 22, 2026), <https://www.pressherald.com/2026/01/22/asylum-seeker-arrested-at-ice-field-office-in-scarborough-now-in-massachusetts/> (accessed Jan. 27, 2026).

¹⁷ Rose Lundy, *Mother of 4 detained after dropping off 1 child at Portland High School*, Portland Press Herald (Jan. 22, 2026), <https://www.pressherald.com/2026/01/21/mother-of-4-detained-in-portland-as-immigration-enforcement-ramps-up-in-maine/> (accessed Jan. 27, 2026).

¹⁸ Riley Board, *Wife of detainee questions morality of ICE enforcement in Maine*, Portland Press Herald (Jan. 23, 2026), <https://www.pressherald.com/2026/01/23/wife-of-ice-detainee-questions-morality-of-ice-enforcement-in-maine/> (accessed Jan. 27).

¹⁹ *Id.*

the smashed window on the street.²⁰ Only the actions of helpful bystanders ensured his car and personal belongings were secured.²¹

- Francoise Makuiza, an asylum-seeker, was forcibly removed from her car on her way to work, dragged out of her car in the middle of a busy street, and detained.²²
- ICE agents shattered the window of a car to arrest an asylum seeker, despite protests that there was a 1-month infant in the car.²³ Agents left the woman, who speaks little English and cannot drive, with her 1-month old child in a smashed car on the side of the road—again, civilian bystanders prevented further injury.²⁴

Although Cumberland County suffered the worst, other counties were also targeted. In York County, immigration officials arrested restaurant workers if they could not prove they were citizens,²⁵ and harassed an immigrant with a work permit at his home, threatening to “come back for your whole family” if he did not open his door and surrender himself.²⁶ It does not appear that the agents had a warrant and eventually left.²⁷ In Androscoggin County, immigration officials detained Delfino Nsuka, who had a pending asylum application and work authorization and was married to a citizen, then transported him out of state.²⁸

²⁰ Rose Lundy & Josh Keefe, *Masked agents detain civil engineer in Portland, leave his car running in the street with a smashed window*, Portland Press Herald (Jan. 23, 2026), <https://www.pressherald.com/2026/01/23/masked-agents-detain-civil-engineer-in-portland-leave-his-car-running-in-the-street-with-a-smashed-window/> (accessed Jan. 29, 2025)

²¹ *Id.*

²² Sabrina Shankman & Giulia McDonnell Nieto del Rio, *‘We’re not safe right now’: Woman’s dramatic ICE arrest ignites fear in Maine’s immigrant communities*, Boston Globe (Jan. 28, 2026), <https://www.bostonglobe.com/2026/01/28/science/maine-ice-arrest-video-shows-terror/?p1=Article Inline Related Box> (accessed Jan. 29, 2026); Emily Allen, *Asylum seeker detained by ICE on Friday had no criminal history in Maine, attorney says*, Portland Press Herald (Jan. 27, 2026), <https://www.pressherald.com/2026/01/26/asylum-seeker-detained-by-ice-on-friday-had-no-criminal-history-in-maine-attorney-says/> (accessed Jan. 29, 2026).

²³ Dylan Tusinski & Salomé Cloteaux, *ICE agents shatter window, leave 1-month-old baby, mother in car after Portland arrest*, Sun Journal (Jan. 28, 2026), <https://www.sunjournal.com/2026/01/28/ice-agents-shatter-window-leave-1-month-old-baby-mother-in-car-after-portland-arrest/> (accessed Jan. 29, 2026).

²⁴ *Id.*

²⁵ Daniel Kool, *ICE arrests 6 Biddeford, South Portland restaurant workers*, Portland Press Herald (Jan. 23, 2026), <https://www.pressherald.com/2026/01/23/federal-agents-arrest-6-restaurant-workers-in-coordinated-visits-to-2-locations-in-maine/> (accessed Jan. 26, 2026).

²⁶ Kyler Alvord, *ICE Agent Filmed at Man’s Front Door Warning ‘We’re Gonna Come Back for Your Whole Family’ as Immigration Raids Reach Maine*, People (Jan. 23, 2026), <https://people.com/ice-agent-filmed-warning-gonna-come-back-for-your-family-11891398> (accessed Jan. 26, 2026).

²⁷ *Id.*

²⁸ Staff Report, *The Mainers detained by ICE*, Portland Press Herald (Jan. 28, 2026), https://www.pressherald.com/2026/01/23/the-mainers-detained-by-ice/?_gl=1*1wzznf3*_gcl_au*MjY4OTgyMTAwLjE3Njk0NTc4OTg.*_ga*MjYwOTk2NjU0LjE3Njk0NTc4OTg.*_ga_ZYHMH0BHHB*czE3Njk0NTc4OTgkzbzEkZzAkdDE3Njk0NTc4OTgkajYwJGwwJGgw (accessed Jan. 29, 2026).

The victims were civilians without criminal backgrounds, with jobs, school responsibilities, and families. In many of the incidents above, ICE agents transported their victims across state lines, apparently to evade court review of their illegal detentions.

The incidents above represent a sample of publicly reported operations. Those who are still detained are unlikely to be able to report assaults, thefts, or other crimes themselves, and witnesses may be fearful of doing so. For this reason, and because ICE was targeting individuals who may be undocumented or who may be related to undocumented residents, these reported incidents of unlawful violence against Maine residents likely represent only a sliver of the criminal acts being committed by federal agents in Maine.

Mainers have begun to peacefully protest the militarized occupation of their state.²⁹ Many have also exercised their First Amendment rights to document ICE operations. Federal agents have responded by harassing and threatening them. Agents have shown up at observers' houses, telling them that they know where they live,³⁰ and agents have claimed that they are adding observers to a "domestic terrorist" database.³¹ This is consistent with "Border Czar" Tom Homan's comments that "we're going to create a database where those people that are arrested for interference, impeding, and assault, we're going to make them famous."³² These threats are also consistent with the Trump administration's treatment of protesters in other states, where individuals who engaged in protected First Amendment activity have had privileges revoked by the federal government.³³

Notwithstanding the Trump administration's blatantly false internal guidance to federal officers,³⁴ "the First Amendment protects the filming of government officials in public spaces," *Glik v. Cunniffe*, 655 F.3d 78, 83 (1st Cir. 2011). Furthermore, "the First Amendment protects a significant amount of verbal

²⁹ Jenna Russell, *Portland, Maine, Feels Like a Small Town — And ICE Isn't Welcome*, N.Y. Times (Jan. 23, 2026), <https://www.nytimes.com/2026/01/23/us/portland-maine-resistance-ice-immigration.html> (accessed Jan. 30, 2026).

³⁰ Salomé Cloteaux & Dana Richie, *ICE watchers in Maine say they were threatened by federal agents*, Portland Press Herald, (Jan. 23, 2026), <https://www.pressherald.com/2026/01/23/ice-watchers-in-maine-say-they-were-threatened-by-federal-agents/> (last accessed Jan. 26, 2026).

³¹ Sabrina Shankman, *ICE to legal observer in Maine: 'Now you're considered a domestic terrorist'*, Boston Globe (Jan. 28, 2026), <https://www.bostonglobe.com/2026/01/28/metro/ice-protestor-domestic-terrorist/?event=event12> (accessed Jan. 29, 2026).

³² *Id.*

³³ *Tincher v. Noem*, Affidavit, 25-cv-04669 (D. Minn. Jan. 20, 2026) (plaintiff had her "Global Entry" status revoked for observing federal agents).

³⁴ Forbes Breaking News, *Kristi Noem Claims Videotaping ICE Agents Is 'Violence' Following Camarillo, California Farm Raids*, YouTube (July 14, 2025), <https://www.youtube.com/watch?v=uDFX4q6huH8>, at 0:26 min (last visited Oct. 14, 2025); see also Dell Cameron, *DHS Tells Police That Common Protest Activities Are 'Violent Tactics'*, Wired (July 10, 2025), <https://www.wired.com/story/dhs-tells-police-that-common-protest-activities-are-violent-tactics/> (last accessed Oct. 14, 2025).

criticism and challenge directed at police officers.” *Houston. v. Hill*, 482 U.S. 451, 461 (1987). “The freedom of individuals verbally to oppose or challenge police action without thereby risking arrest is one of the principal characteristics by which we distinguish a free nation from a police state.” *Id.* at 462–63.

Maine’s residents are subject to these deprivations because Trump sees Maine’s elected officials as political foes, and because Maine is home to a diverse community of Somali-Americans and immigrants from several African countries, many of whom are citizens, permanent residents, or have legal status in this country. This is not a lawful use of power and Maine has a duty to protect its residents from federal abuse.

The Supremacy Clause Does Not Preclude Prosecution

The Supremacy Clause “is designed to ensure that states do not ‘retard, impede, burden, or in any manner control’ the execution of federal law.” *New York v. Tanella*, 374 F.3d 141, 147 (2d Cir. 2004) (quoting *McCulloch v. Maryland*, 17 U.S. (4 Wheat.) 316, 436 (1819)). However, it does not “gran[t] a license to federal officials to flout state laws with impunity.” *Whitehead v. Senkowski*, 943 F.2d 230, 234 (2d Cir. 1991); *see also Idaho v. Horiuchi*, 253 F.3d 359, 362 (9th Cir.), *vacated as moot*, 266 F.3d 979 (9th Cir. 2001) (“When federal officers violate the Constitution, either through malice or excessive zeal, they can be held accountable for violating the state’s criminal laws.”).

Under the test set forth by the Supreme Court in *Cunningham v. Neagle*, a federal officer is entitled to immunity from state criminal prosecutions if “he was authorized to [act] by the law of the United States,” and that “in doing that act, he did no more than what was necessary and proper for him to do.” 135 U.S. 1, 75 (1890); *see also Tanella*, 374 F.3d at 147; *Clifton v. Cox*, 549 F.2d 722, 726, 728 (9th Cir. 1977). To satisfy the “necessary and proper” part of the test, (1) the officer must subjectively believe his acts to be reasonable; and (2) his conduct must be objectively “reasonable under the existing circumstances.” *Id.* at 728. Where any one of these qualifications are not met, federal officers may be held criminally liable for violating state laws. *Morgan v. People of State of California*, 743 F.2d 728, 733–34 (9th Cir. 1984) (federal agents who may have instigated an altercation with civilians while intoxicated were not immune to state prosecution); *Pales v. Paoli*, 5 F.2d 280, 280–82 (1st Cir. 1925) (federal agent who fired on a car after attempting to stop it without reasonable suspicion acted in a “wholly illegal and unauthorized” manner and could be prosecuted).

The military-style deployment of federal agents in Maine is an act of political retribution, racism, and stifling of dissent. No lawful authority empowers the executive to punish political adversaries with assault and detainments—let alone to do so based on a disfavored national origin (or perceived national origin). *NRA v. Vullo*, 602 U.S. 175, 188 (2024) (the government may not “use the power of the State

to punish or suppress disfavored expression”); *Bolling v. Sharpe*, 347 U.S. 497, 499 (1954) (“the constitution of the United States . . . forbids . . . discrimination by the general government, or by the states, against any citizen because of his race.”) (citation omitted). Federal agents are not President Trump’s private army that he can wield in defiance of state law with impunity.

Nor are federal agents authorized to unlawfully detain, harass, or abuse civilians. Federal agents may not detain individuals, including noncitizens, without warrant or probable cause, and they may not preemptively detain people and then require proof of citizenship as the price of freedom. *Almeida-Sanchez v. United States*, 413 U.S. 266, 273–75 (1973); *see also id.* at 275 (“Among deprivations of rights, none is so effective in cowering a population, crushing the spirit of the individual and putting terror into every heart. Uncontrolled search and seizure is one of the first and most effective weapons in the arsenal of every arbitrary government.”) (quoting *Brinegar v. United States*, 338 U.S. 160, 180 (1949) (Jackson, J., dissenting)). And they may not harass or abuse protesters engaged in protected speech, which includes recording public officials in public spaces and even verballing criticizing the officers. *See Glik v. Cunniffe*, 655 F.3d 78, 83 (1st Cir. 2011); *Houston. v. Hill*, 482 U.S. 451, 461 (1987).

Nor was the manner in which they carried out these unauthorized acts necessary or proper. Even if the agents’ or their superiors subjectively believed that their actions were authorized—which they likely did not³⁵—their belief was not objectively “reasonable under the existing circumstances.” *Clifton*, 549 F.2d at 278. For example, a reasonable officer would know that the use of justifiable use of force depends on “the severity of the crime at issue, whether the suspect pose[d] an immediate threat to the safety of the officers or others, and whether [the suspect was] actively resisting arrest or attempting to evade arrest by flight.” *Gray v. Cummings*, 917 F.3d 1, 8 (1st Cir. 2019). Given that the detainees had not committed any crime, posed no public safety threat, and in most cases did not resist arrest, the force used was plainly excessive and unlawful.

Nor can the perpetrators evade culpability by claiming that they were following orders when the acts otherwise fail the *Neagle* test. *Cf. Pales v. Paoli*, 5 F.2d 280, 280–82 (1st Cir. 1925) (an agent who followed orders to carry out unlawful searches did not have immunity for crimes committed in the course of those

³⁵ Indeed, public remarks from President Trump and officials like Gregory Bovino with regard to other raids present compelling evidence that federal agents know their assignments and duties now are to enact political retribution, not to undertake legitimate law enforcement activities. *Cf.* YouTube, *Trump on L.A. Protesters: ‘They Spit, We Hit’*, Wall Street Journal (June 8, 2025), <https://www.youtube.com/watch?v=-Wh4c2iUEIw> (last accessed Dec. 8, 2025); Connor Sheets et al, *Border Patrol agents stage show of force at Newsom’s ‘big beautiful press conference’*, L.A. Times (Aug. 14, 2025), <https://www.latimes.com/california/story/2025-08-14/border-patrol-conducts-immigration-operation-outside-gov-newsom-event> (last accessed Dec. 8, 2025) (remarking that “[w]e’re here making Los Angeles a safer place since we won’t have politicians that’ll do that.”).

searches); *Drury*, 200 U.S. at 8 (fatally shooting a surrendered suspect on a superiors’ orders “could not reasonably be claimed [to have been done] in the performance of a duty imposed by the Federal law.”). Instead, it suggests that senior officials who give these orders or orchestrate unlawful raids should themselves be subject to investigation.

The available evidence does not support a claim of immunity, but even if there is a dispute of fact over immunity, immunity does not and should not prevent state criminal investigations. *Drury*, 200 U.S. at 7–8; *Whitehead*, 943 F.2d at 235–36 (fact disputes precluded federal immunity); *Morgan*, 743 F.2d at 733–34 (same).

Investigating Federal Abuses

We applaud Cumberland County District Attorney Sartoris for publicly stating she will prosecute crimes committed by federal agents,³⁶ and urge Maine prosecutors, law enforcement, and officers to join her in making what should be an uncontroversial statement: when Maine residents are illegally assaulted and kidnapped, the perpetrators of those crimes should be prosecuted.

We recognize that the federal government has adopted a policy of noncooperation with local and state authorities in investigating incidents involving its federal officers.³⁷ Therefore, we urge you to take steps to ensure that neither the administration’s targeting of on vulnerable communities nor its attempts to cover up the abuses of its agents disrupt the enforcement of the rule of law in Maine.

First, we urge you to ensure that residents have a safe way to report violations of state criminal law by federal agents. We applaud Attorney General Frey for creating a dedicated email address to report abuses,³⁸ and encourage the other recipients of this letter to make sure their residents are aware of this resource. Victims and witnesses must be able to report instances of abuse without fear of retribution or retaliation from the Trump administration.

Second, we encourage the Attorney General and the various District Attorneys to release guidance to Maine law enforcement in line with that recently

³⁶ Emily Allen, *Cumberland County DA says she is willing to prosecute illegal use of force by ICE agents*, Portland Press Herald (Jan. 22, 2026), <https://www.pressherald.com/2026/01/16/cumberland-da-willing-to-prosecute-illegal-use-of-force-by-ice-agents/> (accessed Jan. 26, 2026).

³⁷ Ernesto Londoño, *Once Again, Federal Officials Exclude Minnesota From Investigation of a Fatal Shooting*, N.Y. Times (Jan. 25, 2026), <https://www.nytimes.com/2026/01/25/us/federal-exclude-minnesota-shooting-investigations.html> (accessed Jan. 29, 2026).

³⁸ Press Release, *Attorney General's Office Establishes Dedicated Email Address to Report Federal Government Action in Maine*, Maine Attorney General’s Office (Jan. 26, 2026), <https://www.maine.gov/ag/news/article.shtml?id=13341312> (accessed Jan. 29, 2026).

released by Ramsey County Attorney John Choi in Minnesota.³⁹ Finally, if you have a basis to request or subpoena information from a federal official or agency about incidents in Maine, we urge you to do so.⁴⁰

By undertaking these steps and by investigating potential state crimes, you will be joining other proactive investigatory and prosecutorial agencies in the country. Investigations of federal agents are underway in Illinois, Colorado, Minnesota, and Oregon.⁴¹ Prosecutors in Arizona, California, Illinois, Pennsylvania, Texas, and Virginia have made public statements that federal officers do not have absolute immunity from state criminal prosecution.⁴² Local law enforcement officials in Colorado, Illinois, and Minnesota have taken steps to secure evidence or

³⁹ Mohamed Ibrahim, *Ramsey County prosecutor opens investigations into federal officers, calls for public reports*, Sahan Journal (Jan. 27, 2026), <https://sahanjournal.com/public-safety/ramsey-county-attorney-john-choi-investigates-federal-officers/> (accessed Jan. 29, 2026).

⁴⁰ Such requests can be enforced in federal court, if not in state court. For example, Minnesota officials successfully moved for a TRO to preserve evidence of Alex Pretti's murder. Caroline Cummings, *Federal judge orders feds to preserve evidence in Border Patrol shooting of Alex Pretti*, CBS (Jan. 26, 2026), <https://www.cbsnews.com/minnesota/news/preserve-evidence-alex-pretti-shooting-minneapolis-federal-judge-ruling/> (accessed Jan. 29, 2026).

⁴¹ Ernesto Londoño, *Once Again, Federal Officials Exclude Minnesota From Investigation of a Fatal Shooting*, N.Y. Times (Jan. 25, 2026), <https://www.nytimes.com/2026/01/25/us/federal-exclude-minnesota-shooting-investigations.html> (accessed Jan. 29, 2026); Press Release, Hennepin County Attorney's Office (Jan. 9, 2026), <https://www.hennepinattorney.org/news/news/2026/January/HCAO-Evidence-Submission-Portal> (last accessed Jan. 10, 2026); Yesenia Amaro, *Can Oregon prosecute federal agents? State officials say they'll try*, The Oregonian (Dec. 1, 2025), <https://www.oregonlive.com/politics/2025/11/can-oregon-prosecute-federal-agents-state-officials-say-theyll-try.html> (accessed Dec. 10, 2025); Jack Healy, *An Altercation With ICE Prompts a Police Chief to Push Back*, N.Y. Times (Nov. 3, 2025), <https://www.nytimes.com/2025/11/03/us/politics/durango-colorado-ice-protester.html> (accessed Nov. 7, 2025); Dave Savini & Samah Assad, *Broadview police chief accuses ICE agents of making false 911 calls*, CBS News (Oct. 2, 2025), <https://www.cbsnews.com/chicago/news/broadview-police-chief-thomas-mills-ice-agents-false-911-calls/> (accessed Oct. 9, 2025).

⁴² Shaila Dewan, *Local Prosecutors Join Forces to Bring Charges Against Federal Agents*, N.Y. Times (Jan. 27, 2026), <https://www.nytimes.com/2026/01/27/us/prosecutors-charges-against-federal-agents.html> (accessed Jan. 30, 2026); *Law Enforcement Guidance Statement*, Rob Bonta, Attorney General (Jan. 27, 2026), <https://oag.ca.gov/system/files/media/2026-dle-07.pdf> (accessed Feb. 5, 2026); Public Statement, Lake County State's Attorney's Office, (Jan. 25, 2026), <https://lcsao.org/DocumentCenter/View/372/Statement-Minneapolis?bidId=> (accessed Jan. 29, 2026); Heather Knight & Kellen Browning, *Pelosi Says Police May Arrest Federal Agents Who Violate California Law*, N.Y. Times (Oct. 22, 2025), <https://www.nytimes.com/2025/10/22/us/politics/nancy-pelosi-ice-agent-arrest.html?smid=nytcore-ios-share&referringSource=articleShare> (accessed Nov. 14, 2025).

begin investigations of federal officials.⁴³ State officials in California,⁴⁴ Colorado,⁴⁵ Illinois,⁴⁶ New York,⁴⁷ Minnesota,⁴⁸ and Oregon⁴⁹ have created tools for residents to report abuses by federal officials.⁵⁰

State governments have a critically important role in this nation's system of laws that must prevent, not enable, the rise of a lawless regime. According to Senator Collins, the ICE "surge" has ended.⁵¹ Lawmakers should be skeptical of this claim, but even if true, the damage has been done. Individual victims have been threatened, assaulted, kidnapped, taken across state lines to evade court oversight, and had their belongings stolen or destroyed. And the federal government has sent a message to Maine's immigrant community and those that would exercise their First Amendment rights that it can violently strip them of their rights and dignity. Maine must hold the perpetrators of this illegal and unconstitutional attack accountable to publicly counteract that message.

Maine need not and should not wait for its residents to institute civil actions or for the criminal and removal proceedings to reveal the scope of the Trump

⁴³ Jack Morphet & Kris Maher, *Police Who Once Backed ICE's Mission Are Losing Faith in Its Tactics*, Wall Street Journal (Jan. 24, 2026), <https://www.wsj.com/us-news/police-who-once-backed-ices-mission-are-losing-faith-in-its-tactics-e123c348> (accessed Jan. 26, 2026); Alex Tablet, *Minneapolis police chief warns officers: Stop unlawful force by ICE or lose your job*, MS Now (Dec. 5, 2025), <https://www.ms.now/news/minneapolis-police-chief-unlawful-force-ice-jobs> (last accessed Dec. 17, 2025); Jack Healy, *An Altercation With ICE Prompts a Police Chief to Push Back*, N.Y. Times (Nov. 3, 2025), <https://www.nytimes.com/2025/11/03/us/politics/durango-colorado-ice-protester.html> (accessed Nov. 7, 2025); Dave Savini & Samah Assad, *Broadview police chief accuses ICE agents of making false 911 calls*, CBS News (Oct. 2, 2025), <https://www.cbsnews.com/chicago/news/broadview-police-chief-thomas-mills-ice-agents-false-911-calls/> (accessed Oct. 9, 2025).

⁴⁴ *Report Misconduct by Federal Agents to the California Attorney General*, California Department of Justice, <https://oag.ca.gov/ReportMisconduct>, (accessed Feb. 5, 2026).

⁴⁵ *Misconduct by Federal Agents*, Colorado Attorney General, <https://complaints.coag.gov/s/?varCFT=7> (accessed Feb. 5, 2026).

⁴⁶ Illinois Accountability Commission, <https://ilac.illinois.gov/>.

⁴⁷ Press Release, *Attorney General James Launches Portal to Collect Photos and Videos of ICE Activity in New York*, New York State Attorney General's Office (Oct. 22, 2025), <https://ag.ny.gov/press-release/2025/attorney-general-james-launches-portal-collect-photos-and-videos-ice-activity> (accessed Feb. 2, 2026).

⁴⁸ *Hennepin County (MN) Attorney's Office Evidence Submission Portal*, Hennepin County Attorney's Office, <https://hennepinprosecutor.evidence.com/axon/community-request/public/communityevidencerequest1-7-26> (accessed Feb. 5, 2026).

⁴⁹ *Report Concerns Related to Federal Actions*, Oregon Department of Justice, <https://www.doj.state.or.us/oregon-department-of-justice/federal-oversight/report-concerns-related-to-federal-actions/> (accessed Feb. 2, 2026).

⁵⁰ Press Release, *Attorney General James Launches Portal to Collect Photos and Videos of ICE Activity in New York*, New York State Attorney General's Office (Oct. 22, 2025), <https://ag.ny.gov/press-release/2025/attorney-general-james-launches-portal-collect-photos-and-videos-ice-activity> (accessed Nov. 4, 2025).

⁵¹ Steven Mistler, *Susan Collins says ICE surge in Maine has ended*, Maine Public (Jan. 29, 2026), <https://www.mainepublic.org/immigration/2026-01-29/susan-collins-says-ice-surge-in-maine-has-ended> (accessed Jan. 26, 2026).

Administration's abuses, particularly given the lengths to which the Trump Administration has gone to evade oversight and hide the identities and criminal behavior of individual agents.⁵² Maine has the power and duty to enforce its criminal laws, even against federal actors and even against powerful defendants. As the state of New York demonstrated in its prosecution of Donald Trump for falsifying business records to cover up his hush money payments to an adult film star during his 2016 campaign, *see New York v. Trump*, Verdict Sheet, Indictment No. 71543-23 (Sup. Ct. N.Y. Part 59, May 29, 2024), states have the authority and responsibility to protect their residents and enforce their laws, regardless of defendants' wealth, power, or prestige.

Conclusion

We urge your offices to immediately begin a thorough investigation to determine whether charges should be brought against those responsible for the unlawful conduct cited in this letter. Furthermore, we remain seriously concerned that federal officers will continue to violate your state's criminal laws in their raids and assaults on immigrant communities, protesters, and other residents in your city and state. We encourage you to ensure that victims and witnesses are able to safely and securely report on what they experienced; and to respond to, investigate, and, as appropriate, prosecute any crimes committed by federal agents and officials, consistent with the power of your office.

Sincerely,

Ben Horton, Counsel
Courtney Hostetler, Legal Director
John Bonifaz, President
Ben Clements, Chairman and Senior Legal Advisor
FREE SPEECH FOR PEOPLE
28 S. Main St, Suite 200
Sharon, Massachusetts 02067
(617) 244-0234 (office)
chostetler@freespeechforpeople.org

⁵² J. David McSwane & Hannah Allam, *Unfettered and Unaccountable: How Trump is Building a Violent, Shadowy Federal Police Force*, ProPublica (Oct. 18, 2025), <https://www.propublica.org/article/trump-dhs-ice-secret-police-civil-rights-unaccountable> (last accessed Dec. 8, 2025); The Associated Press, *Trump Administration Sues California Over Law Banning Masked Federal Agents*, NBC News (Nov. 18, 2025), <https://www.nbcnews.com/news/us-news/trump-administration-sues-california-law-banning-masked-federal-agents-rcna244679> (last accessed Dec. 8, 2025).