

Additional Constitution Resources and Current Threats to Our Constitutional Rights

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DOJ Procedures

FBI AND Homeland Security Act Definitions of “Domestic Terrorism”

<https://www.fbi.gov/file-repository/counterterrorism/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>

DOJ Use of Force Memorandum. May 20, 2022.

https://www.justice.gov/d9/pages/attachments/2022/05/23/departments_updated_use-of-force_policy.pdf

DOJ Criminal Resource Manual [archived]

<https://www.justice.gov/archives/jm/criminal-resource-manual>

DOJ Criminal Manual 1565. - Use of Force [archived] punishing acts of “force”

<https://www.justice.gov/archives/jm/criminal-resource-manual-1565-forcible-act-required-18-usc-111-application-statute-threats>

First Amendment

Judge limits ICE’s crowd control tactics following Minneapolis shooting

Kyle Cheney et al. Politico. 1/16/2026

<https://www.politico.com/news/2026/01/16/ice-minneapolis-arrests-judge-protests-00735416>

You’re asked to prove you’re a U.S. citizen. Is that legal?

Hear from a co-director of UCLA School of Law’s Center for Immigration Law and Policy.

Noreen O’Donnell and Miguel Estrada Machado • NBC. January 16, 2026

<https://www.nbclosangeles.com/news/national-international/prove-citizenship-legal/3832660/>

The Government Unconstitutionally Labels ICE Observers as Domestic Terrorists

Bier. CATO Institute. 12/15/25.

https://www.cato.org/blog/dhs-policy-threatening-arresting-ice-observers-violates-their-rights?utm_source=hootsuite&utm_medium=facebook&utm_term=&utm_content=&utm_campaign=

DHS Claims Videotaping ICE Raids Is ‘Violence’

Cunningham-Cook. American Prospect. 9/9/25.

<https://prospect.org/2025/09/09/2025-09-09-dhs-claims-videotaping-ice-raids-is-violence/>

Tenth Circuit Recognizes Constitutional Right to Record the Police

Christopher Jackson and Nick Katz. Holland-Hart. August 11, 2022

<https://www.hollandhart.com/tenth-circuit-recognizes-constitutional-right-to-record-the-police>

First Amendment - Cases

Tincher et al v Noem. District Court of Minnesota. Judge Menendez. 1/16/26.

https://storage.courtlistener.com/recap/gov.uscourts.mnd.229758/gov.uscourts.mnd.229758.85.0_1.pdf

Second Amendment

The Second Amendment Is Meaningless If the Government Can Kill You for Exercising It

Matthew Cavedon. CATO Institute. Jan 27, 2026

https://www.cato.org/blog/second-amendment-meaningless-government-can-kill-you-exercising-it?utm_source=hootsuite&utm_medium=facebook&utm_term=&utm_content=&utm_campaign=

Fourth Amendment – in general

Fourth Amendment. Legal Information Institute. Cornell University.

https://www.law.cornell.edu/constitution/fourth_amendment

Fourth Amendment - Interests Protected. Legal Information Institute. Cornell University.

https://www.law.cornell.edu/wex/fourth_amendment

Fourth Amendment – Stop and Frisk. Legal Information Institute. Cornell University.

https://www.law.cornell.edu/wex/stop_and_frisk

Fourth Amendment – entering homes

Brief explainer: Judicial warrant – one signed by a judge, based on probable cause. Administrative warrant – one signed by someone working for the same agency as that which will carry out the warrant; also requires probable cause.

Whistleblower warns ICE told to enter homes without warrants

Brumley. Baptist News Global. Feb 9, 2026.

<https://baptistnews.com/article/whistleblower-warns-ice-told-to-enter-homes-without-warrants/>

The Whistleblower Complaint. Whistleblower Aid. Jan 7, 2026. [which exposed the change in use of warrants]

Includes the DHS guidelines BEFORE Lyons changed them Page 21-22

<https://s3.documentcloud.org/documents/26499371/dhs-ice-memo-1-21-26.pdf?inline=1#page=22>

Can ICE Enter a Home to Make an Arrest With Only an Administrative Warrant? Orin Kerr. Lawfare. 1/22/26

https://www.lawfaremedia.org/article/can-ice-enter-a-home-to-make-an-arrest-with-only-an-administrative-warrant?fbclid=IwY2xjawPfyEBleHRuA2FlbQlxMABicmlkETFzNE14T2ExVW5XeU5CVWhic3J0YwZhcHBfaWQQMjlyMDM5MTc4ODlwMDg5MgABHlyXOnvU-nCnnNPhYBFnl6jYu4ltJQmrAGq8d2-VXkoy31FADh-RjxSTqpsv_aem_id0-p9vKbMeiGL2g3JJdlw

Immigration officers assert sweeping power to enter homes without a judge's warrant, memo says

Santana. AP. Jan 21, 2026.

[https://apnews.com/article/ice-arrests-warrants-minneapolis-trump-00d0ab0338e82341fd91b160758aeb2d?link_source=ta_bluesky_link&taid=697145f23236d20001a01354&utm_campaign=trueAnthem:+New+Content+\(Feed\)&utm_medium=social&utm_source=bluesky](https://apnews.com/article/ice-arrests-warrants-minneapolis-trump-00d0ab0338e82341fd91b160758aeb2d?link_source=ta_bluesky_link&taid=697145f23236d20001a01354&utm_campaign=trueAnthem:+New+Content+(Feed)&utm_medium=social&utm_source=bluesky)

A U.S. citizen says ICE forced open the door to his Minnesota home and removed him in his underwear after a warrantless search. Brook. AP. PBS. 1/20/26.

<https://www.pbs.org/newshour/nation/a-u-s-citizen-says-ice-forced-open-the-door-to-his-minnesota-home-and-removed-him-in-his-underwear-after-a-warrantless-search>

Federal Agents Used a Battering Ram to Enter a Minneapolis Home Without Valid Warrant, Video Shows

Autumn Billings. Reason Magazine. 1/14/26

<https://reason.com/2026/01/14/federal-agents-used-a-battering-ram-to-enter-a-minneapolis-home-without-valid-warrant-video-shows/>

Fourth Amendment - warrantless arrests on street

Steve Vladeck, Law Professor, Georgetown University, talks about this in a short video. 1/25/26.

https://georgetown.app.box.com/v/Vladeck-ICE-4A?fbclid=IwY2xjawP97vFleHRuA2FlbQlxMQBzcnRjBmFwcf9pZBAyMjIwMzcxNzg4MjAwODkyAAEenDIdj8g3tKJb9qBf38pr9JHE0yuB_7y6tlx8IH9F6nLnwLiLZZbErm0wTs_aem_jR3Bm1kIW4Quup0X3cQ2sQ

Article from One First that continues this discussion <https://www.stevevladeck.com/p/206-administrative-warrants-and-the-ice-is-flipping-the-bird-at-judge-s-warrantless-arrest-order-as-agents-continue-to-snatch-parents-and-families-off-the-streets-without-checking-flight-risk>: **Lawyers.** Perez. Law and Crime. Feb 9, 2026.

<https://lawandcrime.com/high-profile/ice-is-flipping-the-bird-at-judges-warrantless-arrest-order-as-agents-continue-to-snatch-parents-and-families-off-the-streets-without-checking-flight-risk-lawyers/>

DHS Warrantless Home Entry Memo's Fourth Amendment Problem. James. Brennan Center for Justice. Feb 4, 2026.

<https://www.brennancenter.org/our-work/analysis-opinion/dhs-warrantless-home-entry-memos-fourth-amendment-problem>

ICE Expands Power of Agents to Arrest People Without Warrants

Aleaziz and Savage. NYT Jan 30, 2026

<https://www.nytimes.com/2026/01/30/us/politics/ice-expands-power-agents-warrants.html>

Memo: <https://static01.nyt.com/newsgraphics/documenttools/e3524bab7246ffa8/0e6654f6-full.pdf>

Fourth Amendment - warrantless arrests on street - cases

***Urquilla-Ramos v Trump.** Southern District of West Virginia. Judge Goodwin. 2/19/26.

<https://storage.courtlistener.com/recap/gov.uscourts.wvsd.242928/gov.uscourts.wvsd.242928.28.0.pdf>

***U.S. District Court of Oregon. Judge KASUBHAI. Feb 27, 2026**

<https://storage.courtlistener.com/recap/gov.uscourts.ord.190035/gov.uscourts.ord.190035.88.0.pdf>

Fourth Amendment – illegal detention

Locator for ICE detainees

<https://locator.ice.gov/odls/#/search>

Judges in a Trump stronghold condemn ICE tactics

Cheney. Politico. March 1/26.

<https://www.politico.com/news/2026/03/01/west-virginia-immigration-rulings-00804575>

'ICE is not a law unto itself,' Minnesota judge says after immigrant released following contempt threat

Mangan. CNBC. Jan 28. 2026.

<https://www.cnbc.com/2026/01/28/ice-immigrant-minnesota-contempt-released.html#:~:text=A%20top%20Minnesota%20federal%20court,in%20a%20new%20court%20filing.>

ICE Detentions Are an Affront to the Fourth Amendment — and We're All Paying the Price

Fox. CATO Institute. July 18, 2026

<https://www.cato.org/commentary/ice-detentions-are-affront-fourth-amendment-were-all-paying-price>

Courts have ruled 4,400 times that ICE jailed people illegally. It hasn't stopped.

Raymond et al. MPR. 1/14/2026

Pertaining to denying bond to those with immigration cases. This practice has become common under this administration.

<https://www.mprnews.org/story/2026/02/14/ice-continues-detaining-people-illegally-despite-4400-court-rulings>

ICE Detention 59,000: Record Levels, Horrible Overcrowding, Dwindling Due Process

American Immigration Council. Aug 21, 2025

<https://www.americanimmigrationcouncil.org/event/ice-detention-59000-record-levels-horrible-overcrowding-dwindling-due-process/#:~:text=ICE%20detention%20levels%20just%20hit,of%20basic%20due%20process%20protections>

Fourth Amendment – illegal detention – cases

Tracking Habeas Cases. ProPublica. Last accessed: 2/17/26

https://projects.propublica.org/habeas-tracker/?utm_campaign=propublica-sprout&utm_content=1771086511&utm_medium=social&utm_source=facebook&fbclid=IwY2xjawQQGyV5leHRuA2FibQIxMABicmlkETJFTmNidFkwWHJxYjRFdWZxc3J0YwZhcHBfaWQzMjlyMDM5MTc4ODIwMDg5MgABHnty1g4s18Dtin6OWoB3QOezz6FCJbrNJ4hdNGk2SiwW2E5PGyxFNucVTMlo_aem_gyNNTThDe1exiEXItB8v1BQ

A more broad litigation tracker for all types of cases against the administration is here:

Litigation Tracker: Legal Challenges to Trump Administration Actions

<https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/>]

Chief Judge threatens criminal contempt to get ICE to comply with court orders

According to Judge Schiltz, there have now been more than 200 orders where ICE officials did not comply.

Dachel. KARE. 2/26/28

<https://www.kare11.com/article/news/local/ice-in-minnesota/chief-justice-mn-criminal-contempt-court-orders-ice/89-51484227-a2b6-406a-a378->

[a17b5f9ba02a?utm_medium=social&utm_source=facebook_KARE_11&fbclid=IwY2xjawQQoxlleHRuA2FibQIxMABicmlkETFwTnFUWGtoWlhDU20yUjJwc3J0YwZhcHBfaWQzMjlyMDM5MTc4ODIwMDg5MgABHv0k0AP_ZKLC_gjLT7JzfUqQacLAAIw0AixDyVPs52DmoTHkqzwoR1baR7vO_aem_PPN3IKHI59SGuFRUWUusyKQ](https://www.kare11.com/article/news/local/ice-in-minnesota/chief-justice-mn-criminal-contempt-court-orders-ice/89-51484227-a2b6-406a-a378-a17b5f9ba02a?utm_medium=social&utm_source=facebook_KARE_11&fbclid=IwY2xjawQQoxlleHRuA2FibQIxMABicmlkETFwTnFUWGtoWlhDU20yUjJwc3J0YwZhcHBfaWQzMjlyMDM5MTc4ODIwMDg5MgABHv0k0AP_ZKLC_gjLT7JzfUqQacLAAIw0AixDyVPs52DmoTHkqzwoR1baR7vO_aem_PPN3IKHI59SGuFRUWUusyKQ)

Read the first and last pages from the opinion from US District Court Judge Goodwin on a West Virginia detention case.

Goodwin. 2/19/26.

<https://storage.courtlistener.com/recap/gov.uscourts.wvsd.242928/gov.uscourts.wvsd.242928.28.0.pdf>

Judges may have found a way to bypass 5th Circuit ruling upholding Trump's mass detention policy

Cheney. Politico. 2/10/26

https://www.politico.com/news/2026/02/10/texas-immigration-detention-rulings-00774124?fbclid=IwZXh0bGhZw0CMTEAc3J0YwZhcHBfaWQzMjlyODU2ODM3OQABHtOal3ejlVZwjTo14gPtksGBb0yoiP1ZBED_M-JOEMI8O6H277uTMsvGlpYp_aem_h9rOBYPdHiODCiR3523QSw

*'Will enforce the Constitution': Judge gives 'explicit notice to all officials' that more illegal ICE detentions will result in contempt and sanctions

Kalmbacher. Law and Crime. 2/28/26

<https://lawandcrime.com/high-profile/will-enforce-the-constitution-judge-gives-explicit-notice-to-all-officials-that-continued-illegal-ice-detentions-will-result-in-contempt-and-sanctions-without-qualified-immunity/>

Ruling: <https://storage.courtlistener.com/recap/gov.uscourts.wvsd.243036/gov.uscourts.wvsd.243036.18.0.pdf>

ICE – in general

In Minnesota, ICE Is Assaulting the Constitutional Rights of Citizens

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3/2026

Walter Olson. CATO. January 23, 2026
<https://www.cato.org/blog/ice-versus-fourth-amendment>

I've Covered Police Abuse for 20 Years. What ICE Is Doing Is Different.
Radley Balko. CATO Institute January 21, 2026 • Commentary
<https://www.cato.org/commentary/ive-covered-police-abuse-20-years-what-ice-doing-different>

ICE Wants to Go After Dissenters as well as Immigrants
[Faiza Patel](#) [Matthew Ruppert](#) Brennan Center for Justice Published November 21, 2025
<https://www.brennancenter.org/our-work/research-reports/ice-wants-go-after-dissenters-well-immigrants>

An Insider's View of the Immigration System
O'Herron and Sanchez. Brennan Center for Justice. Nov 12, 2025.
<https://www.brennancenter.org/our-work/research-reports/insiders-view-immigration-system>

Testimony of Mr Ryan Schwank in a Congressional Forum on Constitutional Violations, who was a legal trainer with ICE and just quit because of how the training is being conducted! [with computer-generated transcript from C-SPAN so some typos.]
Feb 23, 2026. <https://www.c-span.org/clip/public-affairs-event/user-clip-schwank-testimony/5194060>

"ICE is teaching cadets to violate the Constitution"
Use of Force DHS Oversight Hearing. Full Hearing. 2/3/26
<https://www.youtube.com/watch?v=qsTIJOrRbJs&t=9s>

Footage, documents at odds with DHS accounts of immigration enforcement incidents
Amanda Watford. Stateline. January 23, 2026. Very good article.
<https://stateline.org/2026/01/23/footage-documents-at-odds-with-dhs-accounts-of-immigration-enforcement-incidents/>

ICE Detention Centers
ICE Is Expanding Across the US at Breakneck Speed. Here's Where It's Going Next
ICE plans to lease offices throughout the US as part of a secret, monthslong expansion campaign. WIRED is publishing dozens of these locations.
Wired Magazine. Feb 10, 2026 <https://www.wired.com/story/ice-expansion-across-us-at-heres-where-its-going-next/>

Immigrants
U.S. Unauthorized Immigrant Population Reached a Record 14 Million in 2023
Note: "unauthorized" does NOT mean undocumented/illegal. In fact, 6 million of the 14 have some deportation protections. And, ALL of the 14 million have due process and other Constitutional protections.
""unauthorized immigrants" captures a complex array of statuses, including immigrants who entered the U.S. legally...it groups together immigrants living in the country with impermanent, precarious statuses."
Pew Research Center. August, 2025.
<https://www.pewresearch.org/race-and-ethnicity/2025/08/21/u-s-unauthorized-immigrant-population-reached-a-record-14-million-in-2023/>

From Pew:

Who are unauthorized immigrants?

- Lawful permanent residents (green card holders)
- Refugees formally admitted to the United States
- People granted asylum
- Former unauthorized immigrants granted legal residence under the 1986 Immigration Reform and Control Act
- Temporary legal residents under specific visa categories

Opinion: Denaturalization nation: Why is Trump's immigration policy targeting US citizens?
Reyes. The Hill. 1/24/26
<https://www.msn.com/en-us/news/politics/opinion-denaturalization-nation-why-is-trump-s-immigration-policy-targeting-us-citizens/ar-AA1UTmpW?ocid=msedgntp&pc=DCTS&cvid=69753ef2e36b493c8a86564e28e31a7c&ei=39>

Insurrection Act
Trump threatened to invoke the Insurrection Act in Minneapolis. What that would mean
Martinez. NPR. January 16, 2026
<https://www.npr.org/2026/01/16/nx-s1-5678556/trump-threatened-to-invoke-the-insurrection-act-in-minneapolis-what-that-would-mean#:~:text=But%20at%20that%20point%2C%20he,troops%20into%20Minnesota%2C%20into%20Minneapolis>

Will Trump invoke Insurrection Act in Minnesota? What he can—and can't—do if he does

Durkee, Forbes. Jan 15, 2026

<https://www.forbes.com/sites/alisondurkee/2026/01/15/will-trump-invoke-insurrection-act-in-minnesota-what-he-can-and-cant-do-if-he-does/> or

<https://www.msn.com/en-us/news/politics/will-trump-invoke-insurrection-act-in-minnesota-what-he-can-and-can-t-do-if-he-does/ar-AA1Oa3rz?ocid=msedgntp&pc=DCTS&cvid=696926e9bb2b41c3a0b6058467a297f7&ei=36>

Trump threatens Insurrection Act as Minnesota protests grow

Story by Courtney Subramanian. Bloomberg. Jan 15, 2026

<https://www.bloomberg.com/news/articles/2026-01-15/trump-threatens-insurrection-act-as-minnesota-protests-grow> or

<https://www.msn.com/en-us/news/us/trump-threatens-insurrection-act-as-minnesota-protests-grow/ar-AA1UhmSm?ocid=msedgntp&pc=DCTS&cvid=696926e9bb2b41c3a0b6058467a297f7&ei=30>

Trump threatens to invoke Insurrection Act in response to Minnesota protests

Thomas and Albert. Wall Street Journal. Jan 15, 2026.

<https://www.msn.com/en-us/news/us/trump-threatens-to-invoke-insurrection-act-in-response-to-minnesota-protests/ar-AA1UhwOu?ocid=msedgntp&pc=DCTS&cvid=696926f4769b411a9bc2cbd9da822372&ei=10>

Trump threatens to use the Insurrection Act to end protests in Minneapolis

Karnowski et al. AP. 1/15/26.

<https://apnews.com/article/immigration-crackdown-minnesota-shootings-renee-good-a0c368079c106b599245996fded8c1b9>