UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

CENTREVILLE IMMIGRATION FORUM;

ALVARO ALVAREZ FLORES;

BRITNEY RAMIREZ CORONA;

CATARINA REBECA US LOPEZ;

EDGAR CHAVEZ CALIX;

JOSE ROSITO ROCA ESTRADA;

JUAN EMANUEL LOPEZ TREJO,

on behalf of themselves and others similarly situated,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY;

MARKWAYNE MULLIN, *in his official capacity as Secretary of the U.S. Department of Homeland Security*;

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;

DAVID VENTURELLA, *in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement*;

ROBERT GUADIAN, *in his official capacity as Field Office Director of U.S. Immigration and Customs Enforcement, Washington Field Office*,

Defendants.

Case No.

COMPLAINT FOR VACATUR, DECLARATORY RELIEF, AND INJUNCTIVE RELIEF

CLASS ACTION

CLASS ACTION COMPLAINT FOR VACATUR, DECLARATORY RELIEF, AND INJUNCTIVE RELIEF

(Policy and practice of making warrantless immigration arrests without probable cause in Virginia)

INTRODUCTION

1. Defendants' unlawful and dangerous warrantless-arrest policy and practice has swept up Virginians from all walks of life, including individuals who plainly posed no risk of escape and were lawfully present in the country. One such example occurred in Norfolk, Virginia, where Defendants arrested Plaintiff Britney Ramirez Corona—an 18-year-old U.S. citizen—without a warrant after she arrived with her four-year-old sister at the scene of an earlier immigration arrest to retrieve a vehicle. Even though Ms. Ramirez Corona repeatedly told officers that she was a U.S. citizen and that her identification was in her wallet, Defendants refused to release her. Instead, they handcuffed her beside a busy roadway, prevented her from returning to her vehicle, and ignored her pleas to protect her four-year-old sister, who was left crying and wandering near traffic while Ms. Ramirez Corona remained restrained. She was shackled in handcuffs, ankle cuffs, and a waist chain, taken to the Norfolk U.S. Immigration and Customs Enforcement ("ICE") office, and detained for hours. Instead of a lawful exercise of immigration authority, Ms. Ramirez Corona's arrest was a stark abuse of the laws Defendants purportedly swear to uphold.

2. Congress sharply limited federal officers' authority to make warrantless civil immigration arrests. Under 8 U.S.C. § 1357(a)(2), officers may arrest a person without a warrant only if they have reason to believe (*i.e.*, probable cause) both that the person is unlawfully present in the United States and that the person is likely to escape before a warrant can be obtained. Those determinations must be individualized and particularized to the person being arrested and must be made before the arrest. Yet throughout Virginia, Defendants are systematically conducting warrantless arrests without first making the probable-cause determinations that federal law requires. In the first year of the current Administration, immigration arrests in Virginia increased dramatically, with ICE averaging approximately 970 arrests each month in Virginia and

Washington, D.C.—nearly five times the average monthly arrest volume in 2024.[1] Rather than assessing whether a particular person is lawfully present in the United States and likely to escape before a warrant can be obtained, Defendants simply arrest first and investigate later, if at all.

3. This case challenges Defendants' policy and practice of making warrantless immigration arrests in Virginia without individualized determinations of probable cause that the person arrested is both (1) unlawfully present in the United States and (2) likely to escape before a warrant can be obtained. Congress requires both of those determinations to be made before a warrantless arrest occurs. This policy and practice violates 8 U.S.C. § 1357(a)(2), 8 C.F.R. § 287.8(c)(2), the Administrative Procedure Act, and the longstanding principle that federal agencies must follow their own regulations.

4. Defendants' conduct is not the product of isolated mistakes by individual officers. It stems from a broader enforcement campaign designed to maximize civil immigration arrests through the adoption of a policy and practice that violates 8 U.S.C. § 1357(a)(2). The Administration has publicly imposed immigration-arrest quotas reaching 3,000 arrests per day nationwide and has repeatedly directed officers to increase arrest activity notwithstanding numerous federal courts' conclusions that materially similar warrantless-arrest practices violate federal law. *See, e.g.*, *Ramirez Ovando v. Noem*, 810 F. Supp. 3d 1209 (D. Colo. 2025); *Escobar Molina v. U.S. Dep't of Homeland Sec.*, 811 F. Supp. 3d 1 (D.D.C. 2025); *United Farm Workers v. Noem*, 823 F. Supp. 3d 1112 (E.D. Cal. 2026); *M-J-M-A- v. Lyons*, 822 F. Supp. 3d 1147 (D.

[1] Tate Hewitt, *Officers in ICE Garb Smash Windows, Detain 2 Men at Marshall Gas Station*, Prince William Times (Aug. 6, 2026), https://www.princewilliamtimes.com/localnews/officers-in-ice-garb-smash-windows-detain-2-men-at-marshall-gas-station/article_b866aa54-3b88-59ea-844c-2da3f715eb0c.html [https://perma.cc/NTP9-UJFH].

Or. 2026); *Vasquez Perdomo v. Mullin*, 2026 WL 2751388 (C.D. Cal. Sep. 2, 2026). Defendants nevertheless maintain the same unlawful warrantless arrest policy and practice in Virginia.

5. The experiences of the Individual Plaintiffs,[2] Plaintiff Centreville Immigration Forum's ("CIF") members, and others similarly situated illustrate how Defendants' arrest-first, investigate-later approach operates in practice. Plaintiffs were stopped not while fleeing or evading authorities, but while going about ordinary daily life. Agents boxed in vehicles with unmarked cars, displayed weapons, placed individuals in handcuffs, and transported them to immigration facilities. Yet when agents stopped or arrested Individual Plaintiffs, the agents often knew little about them beyond their names, if anything at all. They did not conduct the individualized inquiry required by 8 U.S.C. § 1357(a)(2). They did not determine whether Individual Plaintiffs were unlawfully present in the United States or were likely to escape before a warrant could be obtained. Defendants could have obtained a warrant and subsequently located any Individual Plaintiffs whom they had probable cause to believe were unlawfully present in the country. Instead, Defendants arrested Individual Plaintiffs without first making the individualized probable-cause determinations Congress requires.

6. Defendants' policy and practice of making warrantless immigration arrests without the individualized, pre-arrest probable-cause determinations required by law inflicts harms far beyond those suffered by the named Individual Plaintiffs. It has generated widespread fear throughout immigrant communities in Virginia. Residents have curtailed ordinary activities such as going to work, shopping, worshipping, attending medical appointments, taking children to school, and participating in community life because they fear being arrested and detained.

[2] Individual Plaintiffs refers to Plaintiffs Alvaro Alvarez Flores, Britney Ramirez Corona, Catarina Rebeca Us Lopez, Edgar Chavez Calix, Jose Rosito Roca Estrada, and Juan Emanuel Lopez Trejo.

Families have altered daily routines, avoided public spaces, and struggled to care for detained loved ones, and some community members have become reluctant to report crimes or cooperate with law enforcement out of fear that contact with authorities could end in tragedy. It also has forced community organizations to divert substantial resources toward emergency response efforts, legal referrals, community-defense initiatives, and other activities necessitated by Defendants' unlawful conduct. Plaintiff CIF, a membership organization serving immigrant communities across Virginia, primarily in Northern Virginia, has experienced those harms directly. Defendants' policy and practice has perceptibly impaired CIF's ability to carry out a central part of its core mission of providing members with the tools and opportunities to improve their lives and become more integrated into the community. Defendants' practices have led to a significant decrease in member participation in CIF's employment, educational, wage-theft, and leadership programs; caused CIF staff to divert substantial time from those programs to address urgent arrest- and detention-related requests; and caused CIF to incur additional expenses including maintaining a separate incident database and security protocols. Further, Defendants' practices have directly injured CIF's members, many of whom have experienced unlawful arrests and, as a result, face a substantial risk of being subjected to the same unlawful arrest practices in the future. *See Outdoor Amusement Bus. Ass'n v. Dep't of Homeland Sec.*, 983 F.3d 671, 680 (4th Cir. 2020) ("[P]ast wrongs are evidence bearing on whether there is a real and immediate threat of repeated injury." (citing *O'Shea v. Littleton*, 414 U.S. 488, 495–96 (1974))).

7. Defendants have repeatedly signaled that they will continue their unlawful policy and practice, and recent public statements, enforcement directives, and ongoing operations confirm that warrantless arrests, aggressive street-level enforcement, and "collateral" arrest operations remain a central component of Defendants' enforcement strategy. For example, Defendants

recently declared that "[w]hat makes someone a target for immigration enforcement is whether they are illegally in the U.S. - full stop," and that they will continue to "arrest any and all illegal aliens that come into our path."[3] These cavalier statements demonstrate that Defendants view alleged unlawful presence, standing alone, as sufficient to justify arrest, notwithstanding the separate requirement that officers have reason to believe the individual is likely to escape before a warrant can be obtained.

8. Without judicial intervention, Individual Plaintiffs, CIF members, and similarly situated Virginia residents remain at risk of being subjected to unlawful warrantless arrests and enforcement practices while going about their ordinary lives, thereby affecting their ability to work, spend time with families, attend church, and otherwise participate in and contribute to their communities lest they end up injured, detained, or deported. Plaintiffs therefore seek declaratory and injunctive relief requiring Defendants to comply with the limits Congress imposed on warrantless civil immigration arrests, prohibiting arrests that lack the individualized probable-cause determinations required by law, and setting aside the unlawful agency policy and practice described in this Complaint.

JURISDICTION AND VENUE

9. This Court has jurisdiction under 28 U.S.C. § 1331 (federal question) and 5 U.S.C. § 702 (right of review). It has remedial authority pursuant to 5 U.S.C. §§ 702, 705, and 706 (Administrative Procedure Act), 28 U.S.C. § 1651 (All Writs Act), 28 U.S.C. §§ 2201–02 (Declaratory Judgment Act), and the inherent equitable powers of this Court.

[3] U.S. Dep't of Homeland Sec. (@DHSgov), X (Aug. 29, 2026, 2:33 PM), https://x.com/DHSgov/status/2093769059838066858 [https://perma.cc/MB4Z-PKRH]; Homeland Security (@DHSgov), X (Sep. 26, 2026, 11:50 PM), https://x.com/DHSgov/status/2104056103357018118 [https://perma.cc/WK2Q-TCJ9].

10. Venue is proper in this District pursuant to 5 U.S.C. § 703 and 28 U.S.C. § 1391(e)(1) because Defendants include agencies of the United States and officers or employees of the United States sued in their official capacities, and a substantial part of the events or omissions giving rise to the claims occurred in this District. Venue in the Alexandria Division is appropriate because a substantial part of the challenged enforcement activity occurred in this Division at ICE's Washington Field Office in Chantilly, Virginia.

PARTIES

11. **Plaintiff Centreville Immigration Forum** is a nonprofit membership organization headquartered in Centreville, Virginia. Founded in 2011, CIF serves working-class and immigrant communities through employment services, leadership development, skills training, community education, workers' rights advocacy, and related services throughout Virginia. CIF's core activities include operating the Centreville Labor Resource Center ("CLRC"), assisting workers with the prevention and recovery of wage theft, offering English-language and other skills classes, and convening member trainings and assemblies. CIF also sometimes engages in immigrants' rights advocacy as related to the economic mobility of its members. The vast majority of its members are immigrants. In 2025, approximately 99 percent of CIF's members identified as Hispanic, and more than 75 percent were from Central or South America. Since at least early 2025, Defendants' warrantless arrest policy and practice has directly impaired CIF's ability to carry out its mission and core activities, forcing the organization—which only has five paid full-time staff—to divert substantial staff time, resources, and programmatic capacity away from its longstanding worker-rights programming to respond to arrest- and detention-related emergencies affecting its members and their families. This includes purchasing and maintaining a separate database to track reports of arrests and detention, implementing additional security measures, creating a dedicated staff position, and expending additional funds to support those efforts. As a

direct result of Defendants' policy and practice, CIF's members and prospective members have declined or been unable to attend CIF programs, seek services, or participate in organizational activities because of fear of arrests or, in some cases, actual detention. Participation in CIF's core programs, including employment-assistance services, skills-training courses, and member assemblies, has declined, impairing CIF's ability to deliver those services effectively. Reports of arrests among CIF's membership and their loved ones have increased dramatically since early 2025, including reports of members or family members being arrested without warrants or individualized probable cause while traveling to or from CIF's programs, going to work, or otherwise going about their daily lives. Since February 2025, CIF has received reports of approximately 61 arrests or detentions involving members or their family and friends. Thirty-five of those 61 arrests or detentions occurred at or near places where CIF conducts programming, or while members were traveling to or from those programs.

12. **Plaintiff Alvaro Alvarez Flores** is a 41-year-old man from Mexico who has lived in Newport News, Virginia, for approximately fourteen years. He works as a mechanic, regularly attends church, and has substantial family ties in Virginia, including his parents, as well as his sister and brother-in-law, both of whom are U.S. citizens. On July 13, 2026, while driving alone to work in Newport News, Virginia, around 8:10 a.m. and complying with traffic laws, Mr. Alvarez Flores was forced to stop when an unmarked SUV abruptly cut him off and activated flashing emergency lights. After he provided a valid Virginia driver's license, multiple officers wearing tactical vests surrounded his vehicle. One officer raised a baton, appearing ready to break the car window if Mr. Alvarez Flores did not comply. After asking where he was from and learning that he was from Mexico, an officer ordered him out of the vehicle and placed him in handcuffs. Before arresting him, the officers did not identify themselves, explain the basis for the stop, present a

warrant, or ask about his immigration status. Nor did they inquire where he lived, how long he had lived in Virginia, whom he lived with, or otherwise investigate his ties to the community. After he was placed in handcuffs, Mr. Alvarez Flores told the officers to no avail that his sister and brother-in-law lived nearby and were U.S. citizens. Defendants then transported Mr. Alvarez Flores around Hampton Roads for approximately two hours while he personally observed officers relay license plate numbers over a handheld radio for approximately six cars and receive names in response. When a non-Hispanic-sounding name was returned, the officers took no further action and said statements such as, "No, not that one." After receiving what appeared to be a Latino surname, an officer directed other agents by radio to stop the identified vehicle as it exited the highway. The officer transporting Mr. Alvarez Flores then drove erratically at high speed to reach the vehicle. Mr. Alvarez Flores personally observed agents activate emergency lights, surround the vehicle, break its windows, remove two women and two men from the vehicle, and place them in handcuffs. All four individuals appeared to be Latino. Mr. Alvarez Flores did not observe officers using a computer or other records system during this process; instead, the officers appeared to rely on information received through the radio when deciding which vehicles to target. After those arrests, officers transported Mr. Alvarez Flores to the Norfolk ICE office, where he was shackled, fingerprinted, photographed, and subjected to a DNA swab to investigate his identity. During his detention, officers sought to pressure him to sign documents consenting to his removal, telling him that he had no hope of release, and failed to provide medical care for an infected molar despite his requests for treatment. Defendants ultimately transferred him through multiple detention facilities, including the Chesapeake jail and Farmville Detention Center, where he remained detained until a habeas petition secured his release ten days later on July 23, 2026. Following his release, Mr. Alvarez Flores has become afraid to drive and relies on family members

for transportation because he fears being arrested again while engaging in ordinary daily activities and as he returns to work. Prior to July 13, 2026, he had never been arrested, charged with a crime, or interacted with immigration authorities.

13. **Plaintiff Britney Ramirez Corona** is an 18-year-old U.S. citizen who has lived in Norfolk, Virginia, her entire life. She graduated from Granby High School in May 2026. She lives with her fiancé near her parents and siblings. On August 7, 2026, after learning that immigration officials arrested her fiancé, along with his brother and brother-in-law, during a traffic stop, Ms. Ramirez Corona drove to the scene while caring for her four-year-old sister to retrieve a vehicle parked along the shoulder of the road in order to prevent it from being towed. After arriving on the scene of her fiancé's arrest, Ms. Ramirez Corona was approached by a female ICE officer who demanded her name and identification. When Ms. Ramirez Corona attempted to return to her vehicle, officers blocked her access to it, accused her of lying about who owned the vehicle, grabbed her, and placed her in handcuffs. While Ms. Ramirez Corona remained handcuffed and pinned beside her vehicle, her four-year-old sister exited the car, cried, and wandered around the scene in the middle of a busy street as officers ignored Ms. Ramirez Corona's repeated requests to allow her to care for the child or ensure that she was safe. Although Ms. Ramirez Corona repeatedly informed officers that she was a U.S. citizen and that she had identification in her wallet, officers detained her while checking her identification and informed her that she would be taken to a federal building to verify her identity because her name was not coming up in their system. On information and belief, Ms. Ramirez Corona's name would not appear in immigration databases because she is a natural-born U.S. citizen. Officers eventually permitted Ms. Ramirez Corona to make a phone call, and her fifteen-year-old sister came to the scene to retrieve their four-year-old sister. Officers then forced Ms. Ramirez Corona into an ICE vehicle. Her fifteen-

year-old sister and four-year-old sister were also placed in a separate ICE vehicle and transported to a nearby parking lot before being released and allowed to walk home together. Officers transported Ms. Ramirez Corona to the Norfolk ICE office, placed her in restraints that included handcuffs, ankle shackles, and a waist chain, fingerprinted and photographed her, and attempted to obtain a DNA sample. She remained detained for hours until her sister produced her birth certificate establishing that she is a U.S. citizen. The arrest was deeply traumatic for Ms. Ramirez Corona, disrupting plans to marry her fiancé the weekend following the arrest and causing her to lose her sense of safety and security. She has seen ICE officers regularly patrol her neighborhood and is afraid she will again be arrested by ICE officers despite being a U.S. citizen.

14. **Plaintiff Catarina Rebeca Us Lopez** is a 24-year-old woman from Guatemala who has lived in Virginia since 2019 and resides in Manassas, Virginia, with three-year-old child who is a U.S. citizen. On April 22, 2026, while riding in a vehicle driven by her partner in Centreville, Virginia, around 6:00 a.m., multiple unmarked vehicles surrounded and blocked the car at a traffic light. Several officers, including masked officers, opened the vehicle doors, forced her from the vehicle, handcuffed her, and detained her along with her partner. One of the officers falsely stated that Ms. Us Lopez's partner was subject to a deportation order. After her partner asked for the basis of the seizure, the agents pepper sprayed him in the face and threatened to draw their firearms. Before arresting Ms. Us Lopez, Defendants did not identify themselves or ask her name, inquire about her immigration status, ask where she lived, inquire about her family, ask about her ties to the community, or otherwise conduct any individualized investigation concerning whether she was lawfully present in the United States or likely to escape before a warrant could be obtained. Officers immediately forced her out of the car and threw Ms. Us Lopez's partner's driver's license into the street. While held in the officers' car, Ms. Us Lopez explained that she had work

authorization and did not have a deportation order, but the officers ignored her. During her detention, officers repeatedly mocked her requests for answers and legal assistance. During their initial transportation to a detention facility, officers drove Ms. Us Lopez and her partner to a remote location. Officers gave her partner a small cup of water to wash the pepper spray from his face but laughed at him when he requested more water to clean his face. Defendants ultimately released Ms. Us Lopez with an ankle monitor to be worn for an indefinite period of time and ordered her to report back to ICE the following day. Prior to April 22, 2026, she had not been arrested or detained by immigration authorities since her release following her entry into the United States. Since her arrest, Ms. Us Lopez has continued to travel to work, has learned of ICE activity near her home from community members, and fears being rearrested and separated from her child whenever she must leave her home.

15. **Plaintiff Edgar Chavez Calix** is a 36-year-old man from Honduras who lives in Virginia and works for a remodeling company in Woodbridge, Virginia. He entered the United States on humanitarian parole in October 2024, which remained valid at the time of his arrest. On February 27, 2026, at approximately 7:00 a.m., Mr. Chavez Calix was traveling to work near Woodbridge with his father and brother. His father was driving the vehicle, which Mr. Chavez Calix understood to be registered to either his father or brother. Several unmarked vehicles surrounded their car and one of the vehicles struck it. Officers wearing vests marked "ICE," some of whom were masked and armed with guns, ordered Mr. Chavez Calix, his father, and his brother out of the car. Although the officers indicated that they were looking for Mr. Chavez Calix's brother, they handcuffed Mr. Chavez Calix before asking his name and then searched him and took his Honduran identification from his wallet. Before handcuffing him or placing him in their vehicle, officers did not ask about his immigration status, present a warrant, or otherwise inquire

whether he was likely to escape before a warrant could be obtained. After an officer checked Mr. Chavez Calix's name on a tablet and stated that "he doesn't have anything," another officer forced him into an ICE vehicle. Mr. Chavez Calix did not resist or attempt to flee. Officers ultimately transported him to the Chantilly ICE office and then through multiple detention facilities, including Riverside Regional Jail and Farmville Detention Center. While detained at Farmville, Mr. Chavez Calix repeatedly sought medical and mental health care after developing insomnia, headaches, muscle pain, depression, weight loss, and mental anguish, but his requests went unanswered. He remained detained for 200 days, until September 15, 2026, when he was released after a federal judge determined that he should not have been arrested or detained because he had humanitarian parole. His detention caused him to lose his job and has significantly affected his ability to support his family as their primary economic provider. He continues to live in Woodbridge and travel to work but limits unnecessary outings and avoids areas where he has seen or heard that ICE is present because he fears being arrested and detained again, despite his humanitarian parole. Mr. Chavez Calix has no criminal history and, before this incident, never had any interaction with law enforcement.

16. **Plaintiff Juan Emanuel Lopez Trejo** is a 44-year-old man from Mexico who has lived in Virginia since 2012 and currently resides in Greene County with his wife and two U.S.-citizen children. He and his brother own a small construction and remodeling company that works throughout Virginia, and he has a pending T visa application, a form of immigration relief available for certain victims of human trafficking. On June 2, 2026, at approximately 9:00 a.m., Mr. Lopez Trejo was driving his company work van to a work site with his father when an unmarked SUV driven by a sheriff's deputy activated its emergency lights. Mr. Lopez Trejo pulled over, and the deputy and two or three men wearing what appeared to be green military fatigues and vests marked

"Police ICE" exited the SUV. The deputy approached the driver's side while the ICE officers surrounded the van, including one officer who stood on the passenger side where Mr. Lopez Trejo's father was seated. Mr. Lopez Trejo provided his license, registration, and insurance to the deputy, who stated that he had stopped the van because one of its lights was out—but the van was in complete working order and no lights were out. The deputy took Mr. Lopez Trejo's documents back to his car for approximately five minutes, then returned and asked where Mr. Lopez Trejo was from. When Mr. Lopez Trejo asked why, the deputy, without asking any further questions, told him to exit the vehicle because he was under arrest. Officers then handcuffed Mr. Lopez Trejo without asking about his pending T visa application, his family and employment ties to Virginia, or other circumstances bearing on whether he was likely to escape before a warrant could be obtained. Mr. Lopez Trejo was taken to the Greene County Sheriff's Office and then to an ICE office in Harrisonburg, Virginia, where officers pressured him to sign his deportation order. After he refused, officers transported him through the Chantilly ICE office to Farmville Detention Center, where he initially spent the night in a lobby without a bed, blanket, or pillow. He remained detained until his release on June 17, 2026, following the filing of a habeas petition. Since his release, Mr. Lopez Trejo has continued working to support his family but takes routes that add at least 30 minutes to his travel to avoid the location of his arrest and areas where he has seen or heard of other arrests.

17. **Plaintiff Jose Rosito Roca Estrada** is a 24-year-old man from Guatemala who resides in Woodbridge, Virginia, works in construction, pays taxes, and is an active member of a nearby church. On June 27, 2026, while Mr. Roca Estrada was traveling in a work van to a job site, a car slammed on its brakes in front of the van before coming to a stop and ramming the van in reverse while multiple vehicles boxed in the van. Immediately after the crash, approximately

ten to twelve officers smashed the vehicle's back windows, screamed at the occupants to leave the van, and sprayed the occupants with pepper spray through the lowered side windows. Blinded, in pain, and disoriented, Mr. Roca Estrada was forcibly removed from the vehicle, thrown to the ground, searched, stripped of his belongings, physically restrained, and ultimately arrested. The agents failed to identify themselves and Mr. Roca Estrada believed he was being kidnapped. Before arresting him, officers did not ask about his immigration history, whether he possessed lawful status, where he worked, how long he had lived in Virginia, whom he lived with, whether he had family or community ties in the United States, or similar questions to assess whether he was likely to escape before a warrant could be obtained. During transportation to the first detention facility, officers again forcibly removed Mr. Roca Estrada from the vehicle onto the ground. Mr. Roca Estrada begged the agents for water to wash the pepper spray from his face, but the officers ignored him. After officers seized Mr. Roca Estrada's phone and wallet, they threw him to the ground and pinned him beneath an officer's knee, causing injuries that later required extensive medical treatment. Officers then dragged him into a vehicle, repeatedly punched him, and forcibly bent his arms and fingers behind his back despite the absence of any resistance. After his arrest, officers repeatedly ignored obvious signs that Mr. Roca Estrada required urgent medical care. Medical personnel at multiple facilities advised that he needed hospital treatment, yet officers transported him through detention centers in West Virginia, Chantilly, Caroline, and Farmville before finally taking him to a hospital nearly two days later. When Mr. Roca Estrada was eventually examined, doctors diagnosed a broken clavicle and a lung injury and advised that he immediately undergo emergency surgery. After medical personnel offered to document his injuries and consult a forensic physician, officers abruptly removed him from the hospital and returned him to detention, where he remained in severe pain and was repeatedly denied the

treatment that physicians had recommended. For weeks thereafter, Defendants failed to provide the promised follow-up care, leaving Mr. Roca Estrada to manage debilitating pain with over-the-counter medication while his requests for additional treatment, diagnostic imaging, and meaningful pain management went unanswered. Following his release, Mr. Roca Estrada lost his apartment, and his personal belongings were sent to Guatemala without his consent. The physical injuries and trauma resulting from Defendants' actions left him unable to work or drive for over a month, impacted his ability to attend church in person, made him afraid to go grocery shopping or otherwise leave home, and left him with a persistent fear that he will be detained again. Prior to June 27, 2026, he had never been arrested, charged with a crime, or interacted with immigration authorities.

18. **Defendant U.S. Department of Homeland Security ("DHS")** is the federal agency responsible for administering and enforcing the nation's immigration laws pursuant to 8 U.S.C. § 1103(a).

19. **Defendant Markwayne Mullin** is the Secretary of DHS and is sued in his official capacity. As Secretary, he oversees DHS and its component agencies, including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection, of which the U.S. Border Patrol is a component.

20. **Defendant U.S. Immigration and Customs Enforcement ("ICE")** is a component agency of DHS and is tasked with managing enforcement of laws related to immigration. Among other functions, ICE carries out stops and arrests of individuals believed to be in violation of civil immigration law, assumes custody over individuals in immigration detention, and is responsible for management and oversight of the civil immigration detention system.

21. **Defendant David Venturella** is Acting Director of ICE and is sued in his official capacity. As Acting Director of ICE, he oversees its functions, including managing enforcement of laws related to immigration, carrying out stops and arrests of individuals believed to be in violation of civil immigration law, and managing the civil immigration detention system.

22. **Defendant Robert Guadian** is the ICE Field Office Director for Enforcement and Removal Operations at the ICE Washington Field Office ("WFO"). As Field Office Director, he oversees immigration-enforcement operations and decisions regarding arrest, detention, and removal within the WFO, including in Virginia. He is responsible for the supervision of ICE personnel and implementation of ICE enforcement policies within the WFO.

FACTUAL ALLEGATIONS

I. The National Immigration Enforcement Surge

23. Since January 2025, Defendants have systematically escalated immigration enforcement efforts across the United States, often deploying illegal, discriminatory, and violent tactics to meet extreme arrest quotas set by the Trump Administration. Shortly after taking office in January 2025, the Trump Administration imposed an arrest quota of 75 arrests per day on each ICE field office nationwide, with a stated goal of up to 1,500 arrests per day.[4] By May 2025, the Administration raised that quota to 3,000 arrests per day nationwide, with Stephen Miller, then serving as Homeland Security Advisor (and now as the White House Chief of Staff), warning that the President was "going to keep pushing to get that number higher each and every single day,"[5]

[4] Nick Miroff & Maria Sacchetti, *Trump Officials Issue Quotas to ICE Officers to Ramp Up Arrests*, Wash. Post (Jan. 26, 2025), https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota [https://perma.cc/7GHZ-C5G6].

[5] Cameron Arcand, *Trump Administration Sets New Goal of 3,000 Illegal Immigrant Arrests Daily*, Fox News (May 29, 2025, 3:25 PM), https://www.foxnews.com/politics/trump-administration-aims-3000-arrests-illegal-immigrants-each-day [https://perma.cc/566M-LEQ5]; Rebecca Beitsch, (continued…)

and that leaders of field offices that failed to meet the quota could be fired.[6]

24. Federal data reflects the scale of this surge. In February 2025, the first full month after President Trump's inauguration, ICE made 17,410 arrests—which was more than the total arrests during the final two months of the previous administration combined.[7] By mid-October 2025, ICE officers had carried out nearly 110,000 at-large arrests, exceeding the annual total for any of the previous fifteen years and marking a nearly 600 percent increase in average daily arrests since President Trump's second inauguration.[8] By the end of the year, DHS had deported more than 500,000 noncitizens.[9]

25. The Trump Administration's numerical goals for deported individuals have continued to ramp up over time. In December 2025, DHS publicly promoted an ultimate goal of deporting 100 million people—nearly ten times the number of undocumented people believed to

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Trump Administration Seeking to Triple Immigrant Arrests: Stephen Miller, The Hill (May 29, 2025), https://thehill.com/homenews/administration/5323491-stephen-miller-trump-triple-arrests-deportatoins/ [https://perma.cc/72GP-MG4E].

[6] Julia Ainsley et al., *Under Trump Administration, ICE Scraps Paperwork Officers Once Had to Do Before Immigration Arrests*, NBC News (Sep. 9, 2025, 5:00 AM), https://www.nbcnews.com/politics/national-security/trump-administration-ice-scraps-paperwork-officers-immigration-arrests-rcna229407 [https://perma.cc/H7WU-ZT6J].

[7] Deportation Data Project, https://ice-arrests.apps.deportationdata.org/ [https://perma.cc/9DPK-CGYB] (set dataset to "Arrests"; set "Summarize by" filters to calculate the number of arrests "By month" with the "Location" set to "Nationwide" and the "Category" set to "None"; hover over data points corresponding to "Nov 2024," "Dec 2024," and "Feb 2025").

[8] *Immigration Detention Expansion in Trump's Second Term*, Am. Immigr. Council (Jan. 14, 2026), https://www.americanimmigrationcouncil.org/report/immigration-detention/ [https://perma.cc/UW28-2RZ5].

[9] Eric Bazail-Eimil, *ICE Remains Far From Meeting Mullin's Deportation Goals*, Politico (Aug. 3, 2026, 8:50 PM), https://www.politico.com/news/2026/08/03/ice-remains-far-from-meeting-mullins-deportation-goals-01023411 [https://perma.cc/UVP8-9BKL].

reside in the United States[10]—after initially aiming to deport one million people in the first year of the second Trump Administration.[11] Although Defendants temporarily lowered their daily arrest quota to 2,000 arrests, they have since increased the daily goal back to 3,000.[12]

26. Arrests have increased accordingly. By the end of June 2026, arrests reached a new peak of 2,400 in a single day.[13] The following month, ICE arrested nearly 50,000 people—the highest single monthly arrest total during the second Trump Administration, as the White House highlighted[14]—and a 70 percent increase from February 2026.[15] In total, between January 1, 2026, and July 31, 2026, ICE made over 250,000 arrests—an average of about 35,700 arrests per month.[16] But even that striking estimate may still undercount the total number of arrests. Indeed,

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[10] Priscilla Alvarez & Michael Williams, *Greg Bovino Was Trump's Immigration Enforcer. Now He Thinks the Administration Isn't Tough Enough*, CNN (Sep. 5, 2026), https://www.cnn.com/2026/09/05/politics/greg-bovino-trump-deportations [https://perma.cc/BC7E-5GUL]; Katie J.M. Baker & Hamed Aleaziz, *Gregory Bovino's Final Days: Harsh Words and Few Regrets*, N.Y. Times (Mar. 24, 2026), https://www.nytimes.com/2026/03/24/us/gregory-bovino-border-patrol.html [https://perma.cc/KA97-EPGW].

[11] U.S. Dep't of Homeland Sec. (@DHSgov), X (Dec. 31, 2025, 4:06 PM), https://x.com/DHSgov/status/2006472108222853298 [https://perma.cc/L6HC-PUQE].

[12] Priscilla Alvarez & Michael Williams, *Exclusive: ICE Agents Told to Ramp Up Daily Immigration Arrests Despite GOP Unease as Midterms Near*, CNN (Oct. 8, 2026), https://www.cnn.com/2026/10/08/politics/ice-immigration-arrests [https://perma.cc/9E3Q-NXCT].

[13] Deportation Data Project, https://deportationdata.org/index.html (set dataset to "Arrests"; set "Summarize by" filters to calculate the number of arrests "By day" with the "Location" set to "Nationwide" and the "Category" set to "None"; hover over data points corresponding to June 26, 2026).

[14] Rapid Response 47 (@RapidResponse47), X (Aug. 25, 2026, 1:16 PM), https://x.com/RapidResponse47/status/2092300023677542769 [https://perma.cc/5CJ4-2VHE].

[15] Rebecca Santana, et al., *ICE Arrests Jumped to Nearly 50,000 in July, the Highest Monthly Total of Trump's Second Term*, AP (Aug. 25, 2026, 3:37 PM), https://apnews.com/article/border-immigration-customs-enforcement-data-statistics-f07f56a34bda225e5afa356781ac1740 [https://perma.cc/RV9M-AZNW].

[16] Deportation Data Project, https://deportationdata.org/index.html [https://perma.cc/C9H2-5PJX] (set dataset to "Arrests"; set "Summarize by" filters to calculate the number of arrests "By month" with the "Location" set to "Nationwide" and the "Category" set to "None"; hover over data points (continued…)

the Trump Administration itself publicly announced that it arrested 981,000 individuals between January 20, 2025, and June 24, 2026—an average of roughly 57,200 arrests per month.[17] And in November 2026, the Trump Administration boasted that it had carried out the highest number of arrests and deportations ever in a fiscal year in ICE's history: 491,000 arrests in just 2026 alone.[18]

27. Arrests are only trending upward,[19] as Defendants increasingly pursue people with no criminal record and people who pose little to no escape risk—including individuals married to U.S. citizens and individuals pursuing asylum claims.[20] More than half of all the people ICE arrested in July 2026 did not have a criminal record.[21] And more than 500 people detained by ICE since January 2025 are U.S. citizens—another likely undercount—like Ms. Ramirez Corona.[22]

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corresponding to the months between January 2026 and July 2026); *see also* Hamed Aleaziz, *Immigrant Arrests Surge to 10,000 in 5 Days as ICE Clamps Down*, N.Y. Times (July 1, 2026), https://www.nytimes.com/2026/07/01/us/politics/ice-immigrant-arrests-surge.html [https://perma.cc/NU7H-ZGCY].

[17] Lauren Villagran, *Amid Increased Scrutiny, ICE Detention and Deportation Data Goes Dark*, The Marshall Project (July 15, 2026, 4:25 PM), https://www.themarshallproject.org/2026/07/15/ice-data-immigration-detention-transparency [https://perma.cc/G2EN-CN2X].

[18] U.S. Immigr. & Customs Enf't, *ICE Breaks Records in Fiscal Year 2026, with Most Arrests and Deportations in Agency's History* (Nov. 12, 2026), https://www.ice.gov/news/releases/ice-breaks-records-fiscal-year-2026-most-arrests-and-deportations-agencys-history [https://perma.cc/N3DW-3YLS].

[19] *See* Santana et al., *ICE Arrests Jumped*, *supra* note 15.

[20] Albert Sun & Allison McCann, *ICE Arrests Soar as People With No Criminal Record Are Increasingly Targeted*, N.Y. Times (Aug. 27, 2026), https://www.nytimes.com/interactive/2026/08/27/us/ice-immigrant-arrests-trump-deportation-dhs.html [https://perma.cc/FG3J-YSE9].

[21] David Nakamura & Emmanuel Martinez, *How ICE is Arresting Soaring Numbers of Immigrants with No Criminal Record*, Wash. Post (Aug. 28, 2026), https://www.washingtonpost.com/immigration/2026/08/28/how-ice-arrests-immigrants-with-no-criminal-record-are-soaring-under-trump/ [https://perma.cc/5DTA-FCVY].

[22] Nicole Foy, et al., *Federal Agents Have Detained More Than 500 American Citizens in Trump's Immigration Crackdown*, ProPublica (Oct. 6, 2026), https://projects.propublica.org/american-citizens-detained-dhs-civil-rights/ [https://perma.cc/9XN3-7Z9G].

28. Defendants' unlawful policy and practice of conducting warrantless arrests without individualized probable cause as required by 8 U.S.C. § 1357(a)(2) is what enables them to pursue these record numbers. Indeed, to meet the Administration's escalating quotas, senior officials directed immigration agents to abandon targeted, investigation-based enforcement in favor of indiscriminate arrests in public spaces. Mr. Miller directed agents to "just go out there and arrest" unauthorized noncitizens by rounding up people in locations such as Home Depot parking lots and convenience stores.[23] As one ICE insider who spoke to the press about the Administration's 3,000 arrests-per-day quota explained, the arrest mandate to ICE's Enforcement and Removal Operations ("ERO") division and U.S. Customs and Border Protection ("CBP") has been "numbers, pure numbers. Quantity over quality."[24]

29. Former Acting ICE Director Todd Lyons has echoed this rhetoric, asserting that he would like to see a mass deportation system "like [Amazon] Prime, but with human beings."[25] Senior ICE officials have likewise encouraged agents to "turn the creative knob up to 11" when arresting individuals in proximity (*i.e.*, collateral) to anyone named in a warrant.[26]

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[23] Elizabeth Findell, et al., *The White House Marching Orders That Sparked the L.A. Migrant Crackdown*, Wall St. J. (June 9, 2025, 9:00 PM), https://www.wsj.com/us-news/protests-los-angeles-immigrants-trump-f5089877 [https://perma.cc/H9RU-BJNX].

[24] Jennie Taer, *Trump Admin's 3000 ICE Arrests Per Day Quota is Taking Focus Off Criminals and 'Killing Morale': Insiders*, N.Y. Post (June 17, 2025, 4:02 PM), https://nypost.com/2025/06/17/us-news/trump-admins-3000-ice-arrests-per-day-quota-is-taking-focus-off-criminals-and-killing-morale-insiders/ [https://perma.cc/ZK6F-PRWR].

[25] Jerod Macdonald-Evoy, *ICE Director Envisions Amazon-Like Mass Deportation System: 'Prime, But with Human Beings*,' Arizona Mirror (Apr. 8, 2025, 6:33 PM), https://azmirror.com/2025/04/08/ice-director-envisions-amazon-like-mass-deportation-system-prime-but-with-human-beings/ [https://perma.cc/MKX2-VPRS].

[26] José Olivares, *US Immigration Officers Ordered to Arrest More People Even Without Warrants*, The Guardian (June 4, 2025, 7:00 AM), https://www.theguardian.com/us-news/2025/jun/04/immigration-officials-increased-detentions-collateral-arrests [https://perma.cc/2Y6P-3PGJ].

30. And immigration enforcement is only set to increase more: Congress appropriated approximately $8 billion for ICE to hire 10,000 new agents and additional funding for CBP to hire 3,000 more Border Patrol agents,[27] while a companion appropriations measure devoted $170 billion to immigration enforcement generally, including more than $45 billion for expanded detention capacity.[28] Up to $20 million could be spent on furnishing agents with gloves that can deliver electric shocks, sparking fears that agents could use these new tools to continue escalating their use of force.[29]

31. Indeed, Defendants' rhetoric suggests that they intend to use every tool at their disposal to further their agenda. For example, Secretary Mullin has stated that Defendants are going to "hunt them down,"[30] and DHS has stated that it will "stop at nothing" to arrest unauthorized noncitizens.[31]

32. ICE is on track to hire 5,000 additional employees by the end of 2026, with most of the new hires expected to be deportation officers.[32]

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[27] *DHS Readies for Funding Surge After "Big Beautiful Bill" Passage*, FedAgent (July 10, 2025), https://www.fedagent.com/news/dhs-readies-for-funding-surge-after-big-beautiful-bill-passage [https://perma.cc/FEH6-CR37].

[28] *New Funding Increases Immigration Enforcement*, Nat'l Immigr. L. Ctr. (Sep. 16, 2025), https://www.nilc.org/resources/new-funding-increases-immigration-enforcement/ [https://perma.cc/T7BC-KNRR].

[29] Madeleine Ngo & Shaila Dewan, *ICE Plans to Give Officers Gloves That Can Deliver Electric Shocks*, N.Y. Times (Aug. 12, 2026), https://www.nytimes.com/2026/08/12/us/politics/ice-gloves-shock.html [https://perma.cc/LN6H-9HGT].

[30] Secretary Markwayne Mullin (@SecMullinDHS), X (Aug. 7, 2026, 1:25 PM), https://x.com/SecMullinDHS/status/2085779423672852703 [https://perma.cc/S2TQ-6BPW].

[31] Homeland Security (@DHSgov), X (Aug. 21, 2026, 3:11 PM), https://x.com/DHSgov/status/2090879537768694089 [https://perma.cc/EKV6-X947] ("We will stop at nothing to find, arrest, and REMOVE illegal aliens from our nation[.]").

[32] Alexandra Berzon & Hamed Aleaziz, *ICE Plans 5,000 New Hires to Help with Deportation Drive*, N.Y. Times (Sep. 29, 2026), https://www.nytimes.com/2026/09/29/us/ice-hiring-immigration-enforcement-vetting.html [https://perma.cc/QWE4-GWTF].

33. Equipped with more bodies and more resources, ICE has deployed severe and reckless tactics in Virginia as it has throughout the country. Defendants have "moved from targeted enforcement to broad street sweeps."[33] Enforcement operations have been carried out by agents who are frequently masked, dressed in military-style or plainclothes attire, and armed, creating a climate of fear well beyond the individuals actually arrested.[34] Agents routinely decline to identify themselves or the agency they represent and use unmarked vehicles to surround and box in pedestrians and drivers.[35] Relying on these tactics, agents have effected collateral arrests[36] without the individualized probable-cause determinations that federal law requires, as has been documented in numerous lawsuits similar to the instant case. *See, e.g.*, First Am. Compl. ¶¶ 10–14, *Ramirez Ovando v. Noem*, No. 1:25-cv-03183 (D. Colo. Feb. 3, 2026), ECF No. 60.

34. Defendants' efforts to reach the Administration's arbitrary quotas have also resulted in the intentional and unlawful targeting of racial and ethnic minorities. Defendants' operations have followed a consistent and unlawful pattern of stopping and arresting individuals based on their perceived race or ethnicity rather than any individualized determination of an immigration

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[33] Ainsley et al., *ICE Scraps Paperwork*, *supra* note 6.

[34] *See, e.g.*, Allie Preston, *Masked and Unidentifiable: The Risks of Federal Law Enforcement Operating Without Identification*, Ctr. Am. Progress (Aug. 28, 2025), https://www.americanprogress.org/article/masked-and-unidentifiable-the-risks-of-federal-law-enforcement-operating-without-identification/ [https://perma.cc/5B8N-YSKD].

[35] *Id.*

[36] *See* U.S. Dep't of Homeland Sec. (@DHSgov), X (Sep. 18, 2026, 1:14 PM), https://x.com/DHSgov/status/2100996855769252155 [https://perma.cc/8EJP-SUGT] ("'We go after the worst of the worst every single day, but when we make contact with an illegal because you're hanging out with the worst of the worst, we're also arresting you.' @SecMullinDHS"); U.S. Immigr. & Customs Enf't (@ICEgov), X (Sep. 18, 2026, 9:47 AM), https://x.com/ICEgov/status/2100944860144369900 [https://perma.cc/C3DZ-MKF2] ("ICE makes targeted arrests, but if ICE encounters you during an operation and you're in the U.S. illegally . . . You WILL be arrested, even if you weren't the target of the operation. Self-deporting comes with a $3,000 exit bonus and other incentives.").

violation, disproportionately burdening Latino communities. Indeed, body-camera footage, text messages, and other documents emerging from lawsuits around the country confirm Defendants' use of racial profiling to satisfy Administration quotas.[37]

35. Significantly, Defendants' enforcement activity has been lethal. On July 7, 2026, ICE officers fatally shot Lorenzo Salgado Araujo during an immigration enforcement operation in Houston, Texas.[38] Six days later, on July 13, 2026, ICE officer David Brouillette fatally shot Johan Sebastián Durán Guerrero during an immigration enforcement operation in Biddeford, Maine.[39] Neither victim was reportedly the target of the operation that ended in his death.[40] Following those incidents, ICE headquarters temporarily directed field offices to cease most vehicle-stop arrests nationwide before the policy was quickly reversed within a day at President Trump's request.[41]

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[37] Jazmine Ulloa, et al., *New Evidence Shows Agents Using Slurs, Bolstering Profiling Claims*, N.Y. Times (Aug. 11, 2026, 9:14 AM), https://www.nytimes.com/2026/08/11/us/videos-ice-agents-racial-profiling.html [https://perma.cc/C3HC-4CGM].

[38] Edgar Sandoval & Jazmine Ulloa, *For 35 Years, Undocumented, and Chasing the American Dream*, N.Y. Times (July 13, 2026), https://www.nytimes.com/2026/07/13/us/lorenzo-salgado-araujo-houston.html [https://perma.cc/G3UD-EMHW]; John Wayne Ferguson, *Everything We Know About the Fatal Houston ICE Shooting of Lorenzo Salgado Araujo So Far*, Hou. Chron. (July 16, 2026, 1:22 PM), https://www.houstonchronicle.com/news/houston-texas/article/lorenzo-salgado-araujo-what-we-know-22336680.php [https://perma.cc/N3MA-Q6W5].

[39] Emily Allen, *A Month After a Man Was Shot by ICE in Biddeford, His Family Is Waiting for Answers*, Portland Press Herald (Aug. 12, 2026), https://www.pressherald.com/2026/08/11/a-month-after-a-man-was-shot-by-ice-in-biddeford-his-family-is-waiting-for-answers/ [https://perma.cc/7TSY-TXW8].

[40] Luke Barr & Meredith Deliso, *Man Fatally Shot by Federal Officer in Houston Was Not ICE Target, DHS Says*, ABC News (July 9, 2026, 9:59 PM), https://abcnews.com/US/ice-officers-wearing-body-cameras-deadly-houston-ice/story?id=134628571 [https://perma.cc/BA4W-HPPQ]; Rachel Ohm, *Sen. King Says Biddeford Shooting Victim was not Intended Target of Warrant*, Portland Press Herald (July 17, 2026), https://www.pressherald.com/2026/07/13/sen-king-says-biddeford-shooting-victim-was-not-intended-target-of-warrant/ [https://perma.cc/BS2B-VBM9].

[41] Madeleine Ngo, et al., *ICE Ordered to Cease Most Vehicle Stops After 2 Killings in a Week*, N.Y. Times (July 14, 2026), https://www.nytimes.com/2026/07/14/us/ice-agents-traffic-stops.html [https://perma.cc/S6FB-D36K]; Nicole Sganga, et al., *Trump Overturns Pause of ICE Vehicle Stops Implemented After Maine, Texas Shootings*, CBS News (July 15, 2026, 9:21 PM), (continued…)

36. At the same time that Defendants have embraced these extraordinary tactics, they have eliminated previously existing forms of accountability. For example, under the second Trump Administration, ICE scrapped the paperwork officers were previously required to complete before making immigration arrests, reflecting the elimination of a policy that had been on the books for more than fifteen years and a critical administrative safeguard that served as a check on officers' exercise of warrantless arrest authority.[42]

37. While expanding its recruitment, operations, and partnerships with law enforcement agencies in the midst of its funding bonanza, ICE simultaneously reduced training for new officers regarding use of force and other arrest topics and slashed training for law enforcement partners by 75 percent, including cutting sessions on the proper bases for immigration arrests.[43]

38. Measures to safeguard against ICE's aggressive tactics likewise have been eroded. The Administration has asserted that immigration enforcement officers enjoy "absolute immunity" for actions taken in the course of their duties.[44] DHS's own watchdog has reported that its attempts to investigate ICE's excesses have been undermined by the agency.[45] This comes after DHS

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https://www.cbsnews.com/news/ice-agents-halt-vehicle-stops-after-shootings-maine-texas/ [https://perma.cc/QKT9-MR55].

[42] *See* Ainsley et al., *ICE Scraps Paperwork*, *supra* note 6.

[43] Sarah Blaskey, *Former ICE Instructor Says Agency Slashed Training for New Officers*, Wash. Post (Feb. 23, 2026), https://www.washingtonpost.com/immigration/2026/02/23/former-ice-instructor-says-agency-slashed-training-new-officers/ [https://perma.cc/TH9J-PLH6]; Silvia Foster-Frau, *Emails Show How ICE Trimmed Training for Deputized Officers*, Wash. Post (Oct. 6, 2026), https://www.washingtonpost.com/immigration/2026/10/06/emails-show-how-ice-trimmed-training-deputized-officers/ [https://perma.cc/5EME-ZJDG].

[44] Hamed Aleaziz & Nicholas Nehamas, *Under Trump, A Shift Toward 'Absolute Immunity' for ICE*, N.Y. Times (Jan. 15, 2026), https://www.nytimes.com/2026/01/15/us/politics/trump-ice-immunity.html [https://perma.cc/YU84-X3QR].

[45] Letter from Joseph V. Cuffari, Inspector General, U.S. Dep't of Homeland Sec. (Mar. 2, 2026), https://immpolicytracking.org/policies/dhs-inspector-general-launches-investigations-into-ice-cbp/#/tab-policy-documents [https://perma.cc/FS3D-DGNF] ("I am writing to notify you that over (continued…)

separately gutted its main watchdog team overseeing civil rights, the Office for Civil Rights and Civil Liberties, cutting a staff of 150 to just nine workers.[46] More recently, federal agents have been told that the FBI will no longer investigate confrontations between the public and immigration agents—sharply limiting independent law enforcement scrutiny of the very officers responsible for implementing Defendants' unlawful policy and practice.[47]

39. Despite the severity of these enforcement operations, ICE has also resisted common-sense forms of accountability like the adoption of body-worn cameras.[48] Indeed, deployment of body cameras has remained uneven, notwithstanding former DHS Secretary Kristi Noem promising in February 2026 that agents would be equipped with body cameras after federal immigration officers shot and killed U.S. citizens Renée Good and Alex Pretti in Minnesota.[49] That failure persisted months later: when both Salgado Araujo and Durán Guerrero were killed in

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the last several months the Department of Homeland Security (DHS or Department) has systematically obstructed the work of the DHS Office of Inspector General (OIG).").

[46] José Olivares, *Gutting of Key US Watchdog Could Pave Way for Grave Immigration Abuses, Experts Warn*, The Guardian (Nov. 30, 2025, 6:00 AM), https://www.theguardian.com/us-news/2025/nov/30/us-watchdog-human-rights-department-homeland-security [https://perma.cc/ZNZ3-5S2M].

[47] Michael Kosnar, et al., *Federal Agents Were Told F.B.I. Will No Longer Investigate ICE Confrontations*, NBC News (July 19, 2026, 5:19 PM), https://www.nbcnews.com/politics/immigration/fbi-agents-told-no-longer-investigate-confrontations-ice-rcna588276 [https://perma.cc/Y583-CC6W].

[48] Joe Augustine, *Some ICE Agents Wear Body Cameras, But Not Everywhere*, Fox 9 (Jan. 7, 2026, 6:49 PM), https://www.fox9.com/news/some-ice-agents-wear-body-cameras-but-not-everywhere [https://perma.cc/Z38A-J7C3]; *see also* Ryan J. Foley, *ICE Will Release Body Camera Video Only When Seen in the Agency's 'Best Interests,' Policy Says*, AP (Aug. 7, 2026, 5:40 PM), https://apnews.com/article/ice-body-cameras-officers-shootings-dab1b294c8dc412d9ef8557ccbebfd57 [https://perma.cc/98Z8-X9UA].

[49] Rebecca Schneid, *ICE Is Getting Body Cameras. But Will They Help Hold Agents Accountable?*, Time (Aug. 12, 2026, 2:01 PM), https://time.com/article/2026/08/12/ice-is-getting-body-cameras-but-will-they-help-hold-agents-accountable-/ [https://perma.cc/P8HP-CD46].

Texas and Maine, neither shooting officer was equipped with a body camera.[50] And even though ICE promised to deploy body cameras to field agents by September 2026, access to footage may prove an even greater obstacle.[51] Within weeks of taking office, the Trump Administration rescinded ICE's prior guidance and replaced it with a policy expressly conditioning expedited release on disclosure being in the best interests of the agency.[52] DHS has also rejected recommendations from the Government Accountability Office that body cameras automatically activate.[53]

40. Given Defendants' aggressive enforcement and negligible accountability, the importance of warrants has come into sharp focus, with victims of ICE's reckless warrantless arrests increasingly seeking relief in court.[54] Indeed, Defendants' policy and practice has faced

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[50] Ferguson, *Everything We Know*, *supra* note 38; Reuben M. Schafir, *ICE Agent Kills Man in Biddeford, Spurring Protests*, Portland Press Herald (July 17, 2026), https://www.pressherald.com/2026/07/13/immigration-agent-kills-man-in-biddeford-spurring-protests/ [https://perma.cc/7MA5-ATH3].

[51] Foley, *ICE Will Release Body Camera Video*, *supra* note 48.

[52] U.S. Immigr. & Customs Enf't, *ICE Directive 19010.3: Body Worn Camera (BWC)* (Feb. 19, 2025), https://www.ice.gov/doclib/foia/policy/19010.3.pdf [https://perma.cc/YN6Q-6QRL]. The previous policy did not contain such a provision. *See* U.S. Immigr. & Customs Enf't, *ICE Directive 19010.2: Body Worn Camera (BWC)* (Nov. 17, 2023), https://www.ice.gov/doclib/foia/policy/19010.2.pdf [https://perma.cc/N76Z-VW7P].

[53] Rebecca Santana, *ICE Rejects Suggestion That Its Officers Wear Body Cameras That Automatically Activate*, Associated Press (Oct. 14, 2026), https://apnews.com/article/body-camera-immigration-trump-administration-us-immigration-customs-enforcement-us-customs-border-protection-8bfc73abea866f565c06e03cbf18a3dc [ ]

[54] It bears noting, however, that numerous courts have expressed concerns about ICE's failure to comply with their orders. For example, the District of Minnesota recently concluded that, across 143 cases, ICE had violated upwards of 200 court orders. *See Juan T.R. v. Noem*, 2026 WL 555601, at *1, *3 (D. Minn. Feb. 26, 2026); *see also Urquilla-Ramos v. Trump*, 821 F. Supp. 3d 603, 619 (S.D.W. Va. 2026) ("Today, ICE's operational practices raise new constitutional concerns. While undercover operations in organized crime or anti-terrorism units may justify limited identity concealment, routine immigration enforcement lacks such extraordinary circumstances."); *Briceno Solano v. Mason*, 818 F. Supp. 3d 802, 835 (S.D.W. Va. 2026) (stating (continued…)

legal challenges nationwide and has been enjoined in multiple materially identical cases. Federal courts in the District of Colorado, the District of Columbia, the Eastern District of California, the Central District of California, and the District of Oregon have found that Defendants' policy and practice of making warrantless immigration arrests without an individualized, pre-arrest determination of both immigration status and likelihood of escape violates 8 U.S.C. § 1357(a)(2), and have entered injunctive relief accordingly. *See supra* ¶ 4.[55] Notwithstanding these rulings, Defendants have continued and, in some instances, escalated the same unlawful practices in the jurisdictions where injunctions have issued, as well as in jurisdictions—including Virginia—where no injunction yet exists.[56] This includes re-arresting noncitizens previously ordered released by federal courts.

41. With more funding and less oversight, Defendants have maintained their mass arrest campaign across the country, fulfilling their directive to prioritize deportation numbers while ignoring Congress's statutory mandate and their own regulations. Defendants have continued this unlawful policy and practice, even as they try to incorporate quieter tactics aimed at avoiding public scrutiny.[57] As Secretary Mullin indicated at his confirmation hearing, "his goal [is] to shift

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that "this Court has no faith that the Government would comply with an order to hold a bond hearing").

[55] In *United Farm Workers*, the Ninth Circuit in late August entered a limited remand in the Government's appeal for the district court to consider standing arguments that the Government presented for the first time on appeal. *See United Farm Workers v. Noem*, No. 25-4047 (9th Cir. Aug. 24, 2026), ECF No. 69. The Ninth Circuit "lift[ed] the preliminary injunction" in the meantime. *Id.*

[56] *See, e.g.*, Mot. Prelim. Inj., *Benitez v. U.S. Dep't of Homeland Sec.*, No. 2:26-CV-02082 (E.D.N.Y. Apr. 13, 2026), ECF No. 21; Mot. Prelim. Inj., *Guzmán v. U.S. Dep't of Homeland Sec.*, No. 1:26-CV-03579 (D. Md. Sep. 9, 2026), ECF No. 5; Mot. Prelim. Inj., *Aceituno v. U.S. Dep't of Homeland Sec.*, No. 3:26-CV-00146 (W.D.N.C. Oct. 1, 2026), ECF No. 36.

[57] Meg Anderson & Jake Shore, *After the Minnesota Surge, ICE is Moving to a Quieter Enforcement Approach*, NPR (Apr. 4, 2026), https://www.npr.org/2026/04/04/nx-s1-5768273/after-minnesota-ice-surge-shift-to-quieter-enforcement [https://perma.cc/5W2Z-L6KE].

to an enforcement strategy that would keep the agency out of daily news headlines" while still "turning up the heat on the streets."[58] Or, as Defendants put it, "promises made and promises kept."[59]

II. The Immigration Enforcement Surge in Virginia

A. Immigration Arrests in Virginia Since January 20, 2025

42. Virginia has felt the impact of this national surge in lawless immigration enforcement. Between January 2025 and February 2026, ICE averaged 970 arrests each month in Virginia and Washington, D.C.[60] That is nearly a five-fold increase from the average of 200 monthly immigration arrests in 2024.[61] As of August 5, 2026 (the last date for which data are available), ICE had arrested more than 15,000 people across Virginia—including more than 130 children—since President Trump took office on January 20, 2025.[62] That vastly outpaces the 3,800 arrests conducted across the entire D.C., Maryland, and Virginia region in all of 2024.[63] This

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[58] Julia Ingram, *More People Booked into ICE Detention in June than in any Month Since Crackdown Began*, CBS News (July 22, 2026), https://www.cbsnews.com/news/more-people-booked-into-ice-detention-june-2026/ [https://perma.cc/DB4B-R5H3] (noting that ICE arrests have "rebounded" following an earlier decline in February 2026).

[59] Homeland Security (@DHSgov), X (Sep. 28, 2026, 3:09 PM), https://x.com/DHSgov/status/2104649764654715238 [https://perma.cc/PW2N-Z2NG].

[60] Hewitt, *Officers in ICE Garb*, *supra* note 1.

[61] *Id.*

[62] Ryan Nadeau, *Over 15,000 People Arrested by ICE in Virginia Since Trump Took Office*, WRIC (Aug. 24, 2026, 7:54 PM), https://www.wric.com/news/taking-action/ice-arrests-over-15000-people-across-virginia/ [https://perma.cc/QD2S-TSQ5]; *see also* Ryan Nadeau, *Nearly 11,000 People Arrested by ICE in Virginia Since Trump Inauguration*, WRIC (Apr. 16, 2026, 7:17 PM), https://www.wric.com/news/taking-action/ice-arrests-nearly-11000-across-virginia/ [https://perma.cc/XTZ5-AWYP]; Keyris Manzanares, *Immigration Enforcement in Virginia Has Risen Sharply in the Last Year*, VPM (May 1, 2026, 5:00 AM), https://www.vpm.org/news/2026-05-01/virginia-detention-ice-287g-data [https://perma.cc/X2NF-LHME].

[63] Joe Heim & Emmanuel Martinez, *ICE Arrests in D.C. Region Reach Nearly 20,000 During Trump's Second Term*, Wash. Post (Apr. 6, 2026), https://www.washingtonpost.com/dc-md-va/2026/04/06/ice-arrests-dc-maryland-virginia-surge/ [https://perma.cc/S79P-EUWU].

summer, federal immigration officials only accelerated arrests across the country,[64] including in Virginia, as described in more detail below.[65]

43. The chilling effects of Defendants' enforcement surge have rippled across Virginia's communities—undermining public safety, tearing apart families, and destabilizing local businesses. For example, community advocates in Virginia have noticed that crime increasingly goes underreported in Latino neighborhoods, as many residents "are afraid to call 911 or cooperate in investigations because they're worried it could lead to their deportation."[66] It is not hard to understand why: in mid-August, local law enforcement in Catlett requested assistance from a DHS task force after a shooting at a quinceañera; Defendants subsequently detained at least 20 people in a mobile home for several hours—and took several of them into custody on grounds seemingly unrelated to the shooting.[67]

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[64] Aleaziz, *Immigrant Arrests Surge*, *supra* note 16; Julia Ingram, *ICE Arrested a Record Number of People Without Criminal Records in Summer Enforcement Surge, New Data Shows*, CBS News (Aug. 27, 2026, 10:36 AM), https://www.cbsnews.com/news/ice-arrests-record-high-july-new-data/ [https://perma.cc/6U7P-5TWU].

[65] *See, e.g.*, Patrick Lewis & Hanna Pampaloni, *Loudoun Leaders, Community Advocates Concerned About Rise in ICE Operations in County*, Loudoun Now (Aug. 14, 2026), https://www.loudounnow.com/news/loudoun-leaders-community-advocates-concerned-about-rise-in-ice-operations-in-county/article_c1d2630e-b167-4bc6-9578-39e0a399fde8.html [https://perma.cc/Z5V8-PWYA].

[66] Keyris Manzanares, *Ripple Effects of Federal Immigration Raids Play Out in Richmond*, VPM (Aug. 21, 2025, 5:39 PM), https://www.vpm.org/news/2025-08-21/rva-immigration-raids-ice-trump-de-la-cruz-castillo-airington-fisher [https://perma.cc/HG2F-YHNB].

[67] Daniel Berti, et al., *Report: ICE Detained 'At Least 20 People' After Quinceañera Shooting*, Fauquier Times (Aug. 14, 2026), https://www.fauquier.com/news/report-ice-detained-at-least-20-people-after-quincea-era-shooting/article_bb256f60-f8f3-4def-a5d4-6bcb7d289333.html [https://perma.cc/GCP4-WKPK].

44. In Richmond, a high school student stopped attending school to support his family after ICE arrested his lawfully present father while the student waited for the school bus.[68] More broadly, Richmond Public Schools noted student attendance "became inconsistent" following increased immigration enforcement activity, with many school stakeholders expressing fear based on ICE's presence in the community.[69] Indeed, high school students in Virginia Beach have recounted "an overwhelming sense of dread" due to increased ICE enforcement.[70] These trends have persisted into the 2026–27 school year.[71]

45. The effects of this enforcement extend well beyond the schoolyard. Businesses have reported workforce and homebuilding disruptions tied to immigration enforcement, and residents have raised concerns about Richmond's role in facilitating detention and removal operations.[72]

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[68] Keyris Manzanares, *ICE Detains Lawfully Present Richmond Father as Son Waits for School Bus*, VPM (Oct. 9, 2025, 5:41 PM), https://www.vpm.org/news/2025-10-02/silviano-mora-vera-ice-u-nonimmigrant-visa-farmville-riverside [https://perma.cc/F2XM-4HY6].

[69] *Id.*; *see also* Keyris Manzanares, *Immigration Policy Takes Center Stage at Richmond School Board Meeting*, VPM (Feb. 4, 2026, 12:10 PM), https://www.vpm.org/news/2026-02-04/rva-school-board-immigration-ice-budget-virtual-academy-galan-blackwell [https://perma.cc/SSS8-P2ZG].

[70] Toby Cox, *Hampton Roads Saw 16 Times More ICE Arrests Last Year as Dread Ripples Through the Community*, WHRO (May 8, 2026, 5:42 PM), https://www.whro.org/business-growth/2026-05-08/hampton-roads-saw-16-times-more-ice-arrests-last-year-as-dread-ripples-through-the-community [https://perma.cc/4LWB-5XBC].

[71] *See* Tisha Lewis, *Hispanic Student Enrollment Declines in Virginia, Maryland Amid Immigration Enforcement*, Fox 5 DC (Aug. 25, 2026, 5:45 PM), https://www.fox5dc.com/news/hispanic-student-enrollment-declines-virginia-maryland-amid-immigration-enforcement [https://perma.cc/A7K3-2QMY].

[72] *See* Sabrina Moreno, *Virginia Homebuilders Brace for Labor Shortages Amid ICE Enforcement*, Axios Richmond (Sep. 28, 2026), https://www.axios.com/local/richmond/2026/09/28/virginia-homebuilders-ice-enforcement-construction [https://perma.cc/3M25-DPW6]; Keyris Manzanares, *ICE Flights Are Using Richmond International Airport. Who Controls Them?*, VPM (Sep. 29, 2026, 5:00 AM), https://www.vpm.org/news/2026-09-29/ice-flights-are-using-richmond-international-airport-who-controls-them/ [https://perma.cc/2V3P-FMVG].

46. In Chesapeake, a family-run Latino grocery store that has been in business since 2007 has seen an estimated 70 to 80 percent drop in sales, forcing the owner to cut her workforce in half—all because many longtime customers now leave home only when necessary based on spreading reports of ICE activity.[73] The owner reported that "not even during the pandemic was business this bad."[74]

47. In Roanoke, the owner of a popular local bistro became concerned when her kitchen manager—who had worked at the restaurant for four years and lived in the Roanoke area for nearly twelve years—unexpectedly did not come to work one day.[75] After investigating his whereabouts, she learned that their "worst nightmare" had occurred: the manager had been detained by ICE.[76] More broadly, the restaurant industry writ large has been rattled by increased ICE enforcement, which has included sweeps through nearly 200 restaurants in the D.C. area alone.[77]

48. In Luray, a pastor recounted that immigration arrests in the area "left families shaken" after agents had arrested a congregant. In his own words, the situation is "heart-wrenching. You

[73] Karina F. Garcia, *Longtime Chesapeake Market Struggles as Customers Change Routines Amid ICE Activity*, WAVY (July 22, 2026, 11:44 PM), https://www.wavy.com/news/local-news/chesapeake/longtime-chesapeake-market-struggles-as-customers-change-routines-amid-ice-activity/ [https://perma.cc/5KQJ-X424].

[74] *Id.*

[75] Austin Hicks, *"Our Worst Nightmare." Roanoke Kitchen Manager Detained by ICE*, WDBJ 7 (Aug. 5, 2026, 10:07 PM), https://www.wdbj7.com/2026/08/06/roanoke-business-owner-speaks-out-after-kitchen-manager-detained-by-ice/ [https://perma.cc/PU84-QW4T].

[76] *Id.*; *see also* Abbie Coleman, *Roanoke Restaurant Searching for Answers After Chef's ICE Detention*, WSLS (Aug. 7, 2026, 6:37 PM), https://www.wsls.com/news/local/2026/08/06/chef-at-evies/ [https://perma.cc/BEJ8-3DEL].

[77] Mason Adams, *Roanoke ICE Incident Spotlights Restaurant Industry's Reliance on Migrants*, Radio IQ (Aug. 11, 2026, 6:52 AM), https://www.wvtf.org/news/2026-08-11/roanoke-ice-incident-spotlights-restaurant-industrys-reliance-on-migrants [https://perma.cc/9FVR-9LE3].

could hear like women screaming, and babies screaming as they're pulling them apart."[78]

49. Nor have U.S. citizens been spared from Defendants' escalating enforcement. In August, an agent in Northern Virginia pointed a gun at a U.S. citizen in her vehicle while threatening to arrest her after she protested while agents arrested individuals on a nearby sidewalk.[79] According to the agent, the woman tried to run them over—but dash camera video evidence showed otherwise.[80] The encounter left the woman feeling like it almost had been another "Renée Good situation," invoking the January 2026 fatal shooting of a Minnesota mother by ICE agents.[81]

50. These incidents have reinforced a growing belief among Virginia residents that Defendants' enforcement efforts operate with little regard for whom they target and affect. Virginians, including local political leaders, have noted that ICE does not "particularly care" whether its targets "own a home here or a business here" or whether they "have been upstanding members of the community[.]"[82] One Virginia Beach resident observed that ICE is "just going

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[78] Mason Willett, *"It's Just so Heart-Wrenching": Luray Pastor Speaks Out After Recent ICE Arrests*, WHSV (June 22, 2026, 11:37 PM), https://www.whsv.com/2026/06/23/its-just-so-heart-wrenching-luray-pastor-speaks-out-after-recent-ice-arrests/ [https://perma.cc/RC8M-94R8].

[79] Madaleine Rubin, *ICE Agent Points Gun at Woman in Car in Virginia, Videos Show*, N.Y. Times (Aug. 12, 2026), https://www.nytimes.com/2026/08/12/us/ice-gun-driver-virginia-immigration.html [https://perma.cc/B366-KNY6]; *see also, e.g.*, Homa Bash, *Viral Video Shows ICE Agent Pointing Gun at Driver During Falls Church Encounter*, Fox 5 DC (Aug. 11, 2026, 4:11 PM), https://www.fox5dc.com/news/viral-video-shows-ice-agent-pointing-gun-driver-during-falls-church-encounter [https://perma.cc/D6UE-ATAW].

[80] Juan Benn Jr., *It 'Felt Like a Renée Good Situation,' U.S. Citizen Says After ICE Encounter*, Wash. Post (Aug. 12, 2026), https://www.washingtonpost.com/dc-md-va/2026/08/12/video-shows-ice-agent-pointing-gun-virginia-woman-who-is-us-citizen/ [https://perma.cc/XWW6-AUKS].

[81] *Id.*

[82] Ryan Nadeau, *'Everyone is in Jeopardy': Henrico Leader Warns About Reported ICE Activity Across County, Door-to-Door Visits*, WRIC (Jan. 16, 2026, 9:38 PM), https://www.wric.com/news/local-news/henrico-county/reported-ice-activity-door-to-door/ [https://perma.cc/HA35-886G].

after anybody that looks Latino and looks Hispanic."[83] For these reasons, nonprofit organizations have advised local residents to stay indoors during periods of increased enforcement.[84]

51. Virginia's representatives in Congress likewise have raised serious concerns about Defendants' illegal, discriminatory, and dangerous tactics. Numerous legislators have called for investigations into ICE following recent violence by agents in Virginia, noting that these examples "echo the larger pattern of dishonesty and dangerous, unjustified escalation we have unfortunately seen from DHS agents across the country."[85] One representative urged his constituents to "exercise extreme caution" when going out in public in light of increased warrantless detentions.[86]

52. As a result of Defendants' policy and practice, ICE's presence in Virginia has led to

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[83] Angela Bohon, *'We Were on Full Alert': Virginia Beach Residents Witness ICE Arrests in Their Yards*, WAVY (July 9, 2026, 7:40 AM), https://www.wavy.com/news/local-news/virginia-beach/we-were-on-full-alert-virginia-beach-residents-witness-ice-arrests-in-their-yards/ [https://perma.cc/J7EV-QTJJ].

[84] James Cullum, *Housing Alexandria Residents Advised to Stay Indoors as ICE Reports Arrests in City, Region*, ALXnow (Aug. 27, 2026, 4:53 PM), https://www.alxnow.com/2026/08/27/housing-alexandria-residents-advised-to-stay-indoors-as-ice-reports-arrests-in-city-region/ [https://perma.cc/K5G4-VXDE].

[85] Hanna Pampaloni, *Subramanyam, NOVA Representatives Open Investigation into ICE Agents*, Loudoun Now (Aug. 19, 2026), https://www.loudounnow.com/news/subramanyam-nova-representatives-open-investigation-into-ice-agents/article_1b8b3cde-a035-4354-8c62-358d16e8843c.html [https://perma.cc/69DP-T4N8]; *see also* Liam Bowman, *Virginia Lawmakers Demand Answers After Man Says ICE Officers Assaulted Him*, Wash. Post (Aug. 20, 2026), https://www.washingtonpost.com/dc-md-va/2026/08/20/virginia-lawmakers-demand-answers-after-man-says-ice-officers-assaulted-him/ [https://perma.cc/FGG2-DLWQ]; Drew Wilder, *Virginia Congressmen Announce Investigation Into 'ICE Brutality,'* NBC 4 (Aug. 20, 2026, 1:24 PM), https://www.nbcwashington.com/news/local/northern-virginia/virginia-congressmen-announce-investigation-into-ice-brutality/4144287/ [https://perma.cc/S842-DEVH].

[86] Press Release, Congressman Don Beyer, Beyer Warns of Increased ICE Violence and Warrantless Detention in Northern Virginia (Aug. 18, 2026), https://beyer.house.gov/news/documentsingle.aspx?DocumentID=9196 [https://perma.cc/EJ2A-4CKH].

"insecurity affecting the daily routines of residents regardless of immigration status."[87]

B. Defendants Have Escalated Enforcement in Retaliation for Virginia's Efforts to Curb Community Impacts of Defendants' Lawlessness

53. In light of these far-reaching community impacts, Governor Abigail Spanberger has implemented a series of measures since taking office in January 2026 to disentangle Virginia's state and local law enforcement resources from federal civil immigration enforcement and to curb Defendants' impacts on Virginia communities.

54. For example, on her first day in office, Governor Spanberger rescinded Executive Order 47, which her predecessor had signed to direct state law enforcement to assist in federal immigration enforcement.[88] Pursuant to Executive Order 47, the Virginia Department of Corrections and the Virginia State Police entered into agreements with ICE under Section 287(g) of the Immigration and Nationality Act, commonly known as "287(g) agreements."[89] On February 4, 2026, Governor Spanberger issued Executive Directive 1, directing state law enforcement agencies to terminate all 287(g) agreements and related memoranda of understanding with ICE.[90]

55. In April 2026, Governor Spanberger approved Senate Bill 783, which imposes substantive conditions on any future federal immigration enforcement agreement entered into by

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[87] Keyris Manzanares, *Persistent ICE Activity at Richmond's Southwood Highlights Monitoring Efforts*, VPM (Apr. 20, 2026, 2:24 PM), https://www.vpm.org/news/2026-04-20/immigration-enforcement-southwood-apartments-rva-ice-scream-watchers [https://perma.cc/K27G-7EHR].

[88] *See* Jahd Khalil, *Here Are the 10 Executive Orders Gov. Abigail Spanberger Signed Day 1*, VPM (Jan. 17, 2026, 8:30 PM), https://www.vpm.org/news/2026-01-17/governor-abigail-davis-spanberger-eos-trump-hr1-dei-287g-ice [https://perma.cc/89N4-LT58].

[89] Va. Exec. Order No. 47, Keeping Virginians Safe From Dangerous Criminal Illegal Immigrants (Feb. 27, 2025), https://iptp-production.s3.amazonaws.com/media/documents/2025.02.27_Virginia_EO_47_Keeping_Virginians_Safe.pdf [https://perma.cc/78SG-7PVH].

[90] Exec. Directive 1, Directing the Commonwealth's Law Enforcement Agencies to Terminate Any and All Section 287(g) Agreements (Feb. 4, 2026).

a Virginia law-enforcement agency.[91]

56. In May 2026, Governor Spanberger signed two additional measures limiting federal immigration enforcement practices in Virginia: (1) Executive Order 16, which, among other things, directs executive branch departments and agencies to confirm that federal immigration officers entering nonpublic areas of Commonwealth property for the purpose of facilitating federal enforcement of civil immigration law possess a valid warrant or order authorizing access to the specific property,[92] and (2) House Bill 1482, which prohibits any law-enforcement officer—including federal agents—from wearing a facial covering that conceals, obscures, or otherwise covers the officer's face while engaged in the performance of official duties, subject to limited exceptions.[93]

57. And in July 2026, Virginia continued to push back against Defendants' practices, joining a coalition of 22 states urging Defendants to reverse a new federal policy that ended a requirement to disclose and investigate when detainees had died within 30 days of being released from ICE custody.[94]

58. These actions, in turn, have prompted an escalating response from Defendants directed specifically at the Commonwealth. Indeed, Defendants' public statements and actions

[91] Va. Code Ann. § 15.2-1726.1 (2026).

[92] Va. Exec. Order No. 16 at 2, A Safer Virginia for All (May 20, 2026).

[93] Va. Code Ann. § 19.2-83.6:2(A)–(E). On July 2, 2026, however, the Eastern District of Virginia enjoined enforcement of House Bill 1482, concluding that the statute likely violated the Supremacy Clause by imposing requirements on federal law-enforcement officers beyond those prescribed by the federal government. *See United States v. Virginia*, 2026 WL 1909995, at *9–11 (E.D. Va. July 2, 2026), *as amended*, 2026 WL 2411521 (E.D. Va. Aug. 18, 2026).

[94] Markus Schmidt, *Virginia Joins Multistate Push Against ICE Rollback on Detainee Death Reporting*, Va. Mercury (July 7, 2026, 5:28 AM), https://virginiamercury.com/2026/07/07/virginia-joins-multistate-push-against-ice-rollback-on-detainee-death-reporting/ [https://perma.cc/6SMB-Y8AR].

have made clear that the enforcement surges across Virginia are in direct retaliation for Virginia's and Governor Spanberger's efforts to curtail ICE's abusive practices in the Commonwealth.

59. Days after Governor Spanberger rescinded Executive Order 47, White House Border Czar Tom Homan vowed to "work around" the Governor's action.[95] Mr. Homan professed that states like Virginia "are not friendly" because they "won't work with ICE," so "it just means we've got to send more resources to those states."[96] As for Defendants' relationship with Virginia, Mr. Homan stated that "it doesn't look good."[97]

60. In April, after the Virginia legislature passed legislation to restrict local cooperation agreements with ICE, Mr. Homan threatened to "just send more teams into the streets, into the neighborhoods."[98] Mr. Homan added that Defendants had their "foot on the gas" when it came to deporting noncitizens.[99]

61. In May, after Governor Spanberger announced plans to sign Executive Order 16, Mr. Homan reiterated that any efforts to limit immigration enforcement would only escalate the fight between Virginia and the federal government, stating: "When you make it more difficult to do our

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[95] Joseph A. Wulfsohn, *Tom Homan Vows to Work Around New Dem Virginia Gov. Spanberger's Executive Order Ending ICE Cooperation*, Fox News (Jan. 22, 2026, 8:50 PM), https://www.foxnews.com/media/tom-homan-vows-work-around-new-dem-va-gov-spanbergers-executive-order-ending-ice-cooperation [https://perma.cc/5PS2-XPER].

[96] *Id.*

[97] Ray Lewis, *Virginia-Washington Immigration Partnership 'Doesn't Look Good,' Border Czar Says*, Nat'l News Desk (Jan. 23, 2026, 12:17 PM), https://thenationaldesk.com/news/americas-news-now/virginia-abigail-spanberger-washington-dc-trump-administration-immigration-partnership-doesnt-look-good-border-czar-tom-homan-says [https://perma.cc/P2K5-N24A].

[98] Preston Mizell, *Homan Warns Spanberger Blocking Access to Virginia Jails Could Force More ICE Street Operations: 'Do the Job,'* Fox News (Apr. 9, 2026, 9:53 AM), https://www.foxnews.com/politics/homan-warns-spanberger-blocking-access-virginia-jails-could-force-ice-street-operations-job?intcmp=xpal_politics [https://perma.cc/T5UJ-DZPH].

[99] *Id.*

job, . . . that means we send more agents to your state."[100] Around this time, Secretary Mullin himself participated in on-the-ground enforcement operations in Virginia.[101]

62. Mr. Homan's threats were not isolated remarks. Since Governor Spanberger took office, Defendants have repeatedly singled out Virginia as a purported "magnet" and "HOTBED for illegal aliens."[102] Defendants have mocked the Governor as "Sanctuary Spanberger," reinforcing their unrelenting obsession with enforcement in Virginia—which they have dubbed "Sanctuary Spanberger's Commonwealth of Criminals."[103] Defendants advance this incendiary

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[100] Salem News Channel (@WatchSalemNews), X (May 19, 2026, 3:01 PM), https://x.com/WatchSalemNews/status/2056812576751689904 [https://perma.cc/2QBZ-JNMC].

[101] *See* Fox News (@FoxNews), X (May 15, 2026, 10:04 AM), https://x.com/FoxNews/status/2055288303562178815 [https://perma.cc/NBX9-9FE6].

[102] *Id.*; Homeland Security (@DHSgov), X (Aug. 27, 2026, 5:06 PM), https://x.com/DHSgov/status/2093082843048006039 [https://perma.cc/TWH9-84VH] ("Under Sanctuary Spanberger, Virginia has become a HOTBED for illegal alien sickos like these."); Homeland Security (@DHSgov), X (Aug. 17, 2026, 5:49 PM), https://x.com/DHSgov/status/2089469816339886549 [https://perma.cc/8BMU-CWNM] ("Virginia continues to be a HAVEN for criminals like this who know that @GovernorVA and Virginia sanctuary politicians will try to shield them from justice."); Homeland Security (@DHSgov), X (June 18, 2026, 10:45 AM), https://x.com/DHSgov/status/2067619702197690591 [https://perma.cc/349F-F6DG] ("Sanctuary Spanberger can't hide the fact that she has turned the commonwealth into a safe haven for illegal alien crime[.]").

[103] *E.g.*, Homeland Security (@DHSgov), X (Aug. 20, 2026, 12:21 PM), https://x.com/DHSgov/status/2090474287719162305 [https://perma.cc/9EXN-GBKT] ("At every step on the way to make America safe again, Sanctuary Spanberger and her fellow sanctuary politicians have REFUSED to cooperate with ICE. The result: Virginia is now a haven for illegal murderers like this monster."); Homeland Security (@DHSgov), X (Aug. 19, 2026, 12:19 PM), https://x.com/DHSgov/status/2090111505878458789 [https://perma.cc/JCK6-YFBB] ("Under Sanctuary Spanberger, Virginia has become the Commonwealth of Criminals."); Homeland Security (@DHSgov), X (July 23, 2026, 1:30 PM), https://x.com/DHSgov/status/2080344691858362680 [https://perma.cc/2R8V-XWX3] ("Under Sanctuary Spanberger, Virginia has become a HOTBED for illegal alien crime."); Homeland Security (@DHSgov), X (July 8, 2026, 3:21 PM), https://x.com/DHSgov/status/2074936940076388681 [https://perma.cc/F6WM-8VCX] ("This is Sanctuary Spanberger's Commonwealth of Criminals."); Homeland Security (@DHSgov), X (May 29, 2026, 2:24 PM), https://x.com/DHSgov/status/2060427144765849841 [https://perma.cc/XGJ9-UMK4] ("Sanctuary Spanberger continues to put criminal illegal aliens over Virginians.").

rhetoric even though their own data shows that the vast majority of arrestees booked in Virginia have no criminal record.[104]

63. Defendants have left no doubt that they intend to continue and intensify immigration enforcement activities in Virginia. On many occasions, they have explicitly stated their intent to continue enforcement in Virginia,[105] promising that the law "will be ENFORCED in Virginia,"[106] and that they will get undocumented immigrants "OUT of the Commonwealth."[107] More broadly, Mr. Homan has repeatedly confirmed that so-called "sanctuary" jurisdictions like Virginia would be targeted for increased warrantless and collateral arrests. Mr. Homan stated that, "unlike the last administration," agents would no longer be told to refrain from arresting an unauthorized noncitizen encountered with the specific target of an operation,[108] and he warned that sanctuary

[104] Ryan Nadeau, *Majority of Virginia ICE Detainees Aren't Criminals, Let Alone Violent Ones, Despite Rhetoric: ICE Data*, WRIC (Aug. 26, 2026, 3:52 PM), https://www.wric.com/news/taking-action/central-virginia-detainee-statistics-aug-2026/ [https://perma.cc/8PDD-6XDV]; Ryan Nadeau, *Vast Majority of Central Virginia ICE Detainees Are Not Violent Criminals: ICE Data*, WRIC (Jan. 5, 2026, 2:14 PM), https://www.wric.com/news/taking-action/ice-detention-crime-stats/ [https://perma.cc/T792-E465].

[105] *E.g.*, Homeland Security (@DHSgov), X (May 11, 2026, 8:00 PM), https://x.com/DHSgov/status/2053988775311667502 [https://perma.cc/SEJ4-G3HX] ("Another day, another criminal illegal alien ARRESTED in @GovernorVA's sanctuary Virginia."); Homeland Security (@DHSgov), X (Mar. 4, 2026, 2:10 PM), https://x.com/DHSgov/status/2029273348761694451 [https://perma.cc/3FER-RV5D] ("ICE will continue to arrest and remove criminal illegal aliens from our streets while Governor Spanberger RELEASES them from jails into Virginia communities to commit more crimes against Americans.").

[106] Secretary Markwayne Mullin (@SecMullinDHS), X (Aug. 18, 2026, 2:48 PM), https://x.com/SecMullinDHS/status/2089786508479705221 [https://perma.cc/C74R-ZRK5].

[107] Homeland Security (@DHSgov), X (Aug. 20, 2026, 9:55 AM), https://x.com/DHSgov/status/2090437515496899028 [https://perma.cc/2H3F-356P].

[108] Adam Shaw, *Trump Border Czar Tom Homan Reveals ICE Teams Are Already Arresting 'Public Safety Threats'*, Fox News (Jan. 21, 2025, 4:42 PM), https://www.foxnews.com/politics/trump-border-czar-tom-homan-reveals-ice-teams-already-arresting-public-safety-threats [https://perma.cc/838F-YY5S].

jurisdictions would see "[m]ore agents in the neighborhood, and more collateral arrests."[109]

64. Defendants' broader posture confirmed that these were not idle threats; in their own words, "ICE is operating at full force."[110] They are "[l]ocked in" and will make "[z]ero compromises"—all in the pursuit of "deportationmaxing."[111]

65. Defendants' retaliation was evident, for example, shortly before Virginia's new laws restricting local cooperation with ICE were slated to take effect on July 1, 2026. On June 23, ICE arrested 49 people in Greene County near Ruckersville in cooperation with 287(g) partners.[112] As one local observer recounted, "anyone who looked brown was pulled over and stopped."[113] Others noted that two dozen Sheriff's office patrol vehicles and unmarked SUVs roamed the streets and highways around Ruckersville, mainly stopping what they described as "work trucks."[114] Virginia's Attorney General Jay Jones is investigating whether local officers deprived people of

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[109] *The Source with Kaitlan Collins: Trump DOJ Fires Officials Who Prosecuted Him; Homan on Mass Deportation Effort: "There's No Safe Haven"; Trump Calls DeepSeek A.I. "Positive Development" But Also a "Wake-Up Call" For U.S. Tech Industry*, CNN (Jan. 27, 2025), https://transcripts.cnn.com/show/skc/date/2025-01-27/segment/01 [https://perma.cc/3CPV-56ME].

[110] U.S. Immigr. & Customs Enf't (@ICEgov), X (July 29, 2026, 4:25 PM), https://x.com/ICEgov/status/2082563299946668459 [https://perma.cc/YA6D-9BGM].

[111] Homeland Security (@DHSgov), X (July 24, 2026, 1:02 PM), https://x.com/DHSgov/status/2080700183289954407 [https://perma.cc/9NX3-QGMJ].

[112] Dakota Griffin, *ICE Confirms Almost 50 Arrests in Greene County Immigration Operation*, WVIR (June 29, 2026, 5:43 PM), https://www.29news.com/2026/06/29/ice-confirms-almost-50-arrests-greene-county-immigration-operation/ [https://perma.cc/U2VN-5SAB].

[113] *Id.*

[114] Jessie Higgins, et al., *49 People Were Arrested in a Joint Operation Between the Greene County Sheriff and ICE, a Week Before a New State Law Would Have Restricted Cooperation*, Charlottesville Tomorrow (July 8, 2026), https://www.cvilletomorrow.org/49-people-were-arrested-in-a-joint-operation-between-the-greene-county-sheriff-and-ice-a-week-before-a-new-state-law-would-have-restricted-cooperation/ [https://perma.cc/Q5UR-KMX6].

state and federal rights during the Greene County operation.[115]

66. The effects of the June arrests in Greene County persist months later. Community members reported that many immigrants were afraid to travel through Greene County because of the risk of detention, with one local advocate explaining, "There isn't a number that exists to tell you the amount of fear there is, especially driving through Greene County or [for] people who live in Greene County," and that "[a] lot of people do not feel safe."[116]

67. Further illustrating Defendants' increased enforcement efforts in Virginia and the surrounding areas, ICE arrested more than 1,300 people in Virginia and Maryland over the first two weeks of August—which amounted to nearly 100 people per day.[117] Fox News aptly described this as a "jaw dropping number" of arrests.[118] For their part, Defendants have unabashedly confirmed that this kind of enforcement is exactly what they mean when they declare that there is "NO SAFE HAVEN FOR ILLEGAL ALIENS."[119] These kinds of increased enforcement efforts

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[115] Nick Minock, *Virginia AG Jay Jones Cracks Down on Local Law Enforcement Operations with ICE*, 7News (Aug. 28, 2026, 6:45 PM), https://wjla.com/news/local/virginia-attorney-general-jay-jones-greene-county-sheriff-steven-smith-ice-immigration-enforcement-traffic-stops-arrests-investigation-civil-rights-abigail-spanberger-287g-agreements-karen-hamilton-jonathan-fahey-us-route-29-albemarle-deputies-federal [https://perma.cc/GB99-AW4X].

[116] Heather Price Ives, *One More ICE Operation in Greene County. Dozens More Unanswered Questions*, Daily Progress (Sep. 16, 2026), https://dailyprogress.com/news/local/crime-courts/article_124298fe-1aef-496f-9014-7a757c95bdd0.html [https://perma.cc/4VG6-M3XC].

[117] Joseph Olmo, *1,328 People Arrested by ICE in Maryland and Virginia Over 2 Weeks, DHS Says*, NBC 4 (Aug. 25, 2026, 1:42 PM), https://www.nbcwashington.com/news/local/1328-people-arrested-by-ice-in-maryland-and-virginia-over-2-weeks-dhs-says/4145997/?amp=1 [https://perma.cc/GX4F-GJ6F].

[118] Peter Pinedo & Bill Melugin, *FIRST ON FOX: ICE Quietly Arrests Jaw Dropping Number of Illegal Immigrants in Massive DC Area Operation*, Fox News (Aug. 24, 2026, 2:26 PM), https://www.foxnews.com/politics/ice-quietly-arrests-jaw-dropping-number-illegal-immigrants-massive-dc-area-operation?msockid=105279cd8b8661420a3f6f618a6a60d1 [https://perma.cc/4EKT-9586].

[119] Homeland Security (@DHSgov), X (Aug. 25, 2026, 5:48 PM), https://x.com/DHSgov/status/2092368432113062240 [https://perma.cc/JRQ5-95SU] ("In just two weeks, @ICEgov (continued…)

are becoming routine—in the words of ERO Washington, the early-August effort was just them "[d]oing what we do"[120]—and are emblematic of Defendants' actions across Virginia.

III. Defendants' Policy and Practice of Unlawful Warrantless Arrests

68. Defendants have a policy and practice of making warrantless immigration arrests without establishing individualized pre-arrest probable cause that the person being arrested is both unlawfully present in the country and likely to escape before a warrant can be obtained, as required by 8 U.S.C. § 1357(a)(2).

69. Congress requires immigration arrests to be based on warrants, with certain narrow exceptions. *See, e.g.*, *Wassmer v. Field Off. Dir.*, 2026 WL 2838433, at *2 (E.D. Va. Sep. 17, 2026) (noting the INA requires "a valid warrant or finding of probable cause" to effectuate an arrest); *see also Arizona v. United States*, 567 U.S. 387, 408 (2012). Under 8 U.S.C. § 1357(a)(2), two conditions must be met before an agent may conduct a warrantless arrest: the agent must have "reason to believe" both that (1) the individual "is in the United States in violation of any [immigration] law or regulation," and (2) the individual "is likely to escape before a warrant can be obtained for his arrest." "Reason to believe" is "considered the equivalent of probable cause," *Lau v. U.S. Immigr. & Naturalization Serv.*, 445 F.2d 217, 222 (D.C. Cir. 1971), which "must be particularized with respect to the person to be searched or seized," *Barham v. Ramsey*, 434 F.3d 565, 573 (D.C. Cir. 2006) (describing Fourth Amendment's probable cause requirement) (quoting *Maryland v. Pringle*, 540 U.S. 366, 370–71 (2003)); *see also United States v. Santos-Portillo*,

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removed more than 1,300 illegal aliens from Virginia and Maryland."); *see also* ICE Washington D.C. (@EROWashington), X (Aug. 24, 2026, 9:50 PM), https://x.com/EROWashington/status/2092066949412913312 [https://perma.cc/MER2-M2EE] (posting about "jaw dropping" arrest numbers during first two weeks of August).

[120] ICE Washington D.C. (@EROWashington), X (Aug. 28, 2026, 4:18 PM), https://x.com/EROWashington/status/2093433042366833064 [https://perma.cc/E7ZJ-LT8G].

2019 WL 3047427, *3 (E.D.N.C. May 31, 2019), *report and recommendation adopted*, 2019 WL 3059774 (E.D.N.C. July 10, 2019), *aff'd*, 997 F.3d 159 (4th Cir. 2021).

70. Defendants' policy and practice flouts these statutory restrictions.

A. Virginia Residents' Experiences Confirm Defendants' Policy

71. The circumstances of the immigration arrests in Virginia illustrate Defendants' policy and practice of conducting warrantless arrests without individualized probable cause that the person both is unlawfully present in the United States and is likely to escape—consistent with recent confirmation from Defendants that the latter statutory factor in particular bears no relevance during on-the-ground enforcement. *See infra* ¶ 96.

72. Upon information and belief, based on DHS's standard practice, Defendants create a record of these unlawful arrests, which they maintain even if they later release the individual they illegally arrested. *See* U.S. Dep't of Homeland Sec., DHS/ICE/PIA-015 Enforcement Integrated Database (May 2019), https://www.dhs.gov/publication/dhsicepia-015h-enforcement-integrated-database-eid-criminal-history-information-sharing [https://perma.cc/GP38-JHVV] ("The Enforcement Integrated Database . . . stores and maintains information related to the investigation, arrest, booking, detention, and removal of persons encountered during immigration and criminal law enforcement investigations and operations conducted by [ICE and other] components within DHS.").

73. Defendants frequently implement their policy and practice through vehicle stops and containment tactics designed to prevent individuals from leaving before officers conduct any meaningful investigation. Defendants routinely surround vehicles with multiple unmarked government vehicles, block or restrict movement, deploy numerous armed and/or masked agents, and immediately assert control over occupants before acquiring, or even attempting to acquire, individualized information concerning immigration status or likelihood of escape.

74. For example, Plaintiff **Alvaro Alvarez Flores** was arrested while driving alone to work around 8:10 a.m. As he was driving, an unmarked black SUV abruptly stopped in front of his vehicle, forcing Mr. Alvarez Flores to slam on his brakes to avoid hitting the SUV. Only after that point did the SUV turn on flashing lights. Then, an officer approached his car wearing a tactical vest and asked for Mr. Alvarez Flores's ID without identifying himself. Mr. Alvarez Flores provided his valid Virginia driver's license. Minutes later, other unmarked cars arrived, and numerous officers surrounded Mr. Alvarez Flores's car. None of the officers identified themselves or showed Mr. Alvarez Flores any warrant or other documents. The officers ordered Mr. Alvarez Flores out of his vehicle, placed him in handcuffs, and drove him around for about two hours before taking him to the Norfolk ICE office. Officers did this even though Mr. Alvarez Flores plainly did not present a likelihood of escape based on his ties to the community: he explained that his family members were U.S. citizens. Mr. Alvarez Flores was detained for ten days before obtaining habeas relief.

75. Plaintiff **Britney Ramirez Corona**, a U.S. citizen, was arrested when she arrived at the scene of her fiancé's arrest early in the morning as he traveled to work. When she arrived shortly after hearing that her fiancé was being arrested, an ICE officer wearing a green tactical vest emblazoned with "POLICE" asked whether Ms. Ramirez Corona had ID. At that point, Ms. Ramirez Corona returned to her vehicle, but the officer blocked Ms. Ramirez Corona's access to her driver-side door. When Ms. Ramirez Corona explained that the vehicle was hers, the agent accused her of lying and grabbed her and placed her in handcuffs. Ms. Ramirez Corona repeatedly insisted that she was a U.S. citizen, and officers even retrieved her Virginia-issued ID. Nevertheless, agents ignored Ms. Ramirez Corona's explanations and took her to the Norfolk ICE office, where she was detained for hours. During this ordeal, Ms. Ramirez Corona's four-year-old

sister, who had been in the back seat of the vehicle when Ms. Ramirez Corona arrived at the scene, was left wandering in the middle of a busy street while agents arrested Ms. Ramirez Corona.

76. Plaintiff **Catarina Rebeca Us Lopez** was a passenger in a borrowed car being driven by her partner when multiple unmarked vehicles surrounded their car. Multiple men wearing vests or uniforms—and some wearing masks—surrounded their car, knocked on the windows, and forcibly opened the doors. One of the officers stated that Ms. Us Lopez's partner was subject to a deportation order—even though he was not. When Ms. Us Lopez's partner tried to explain as much, an agent pepper sprayed him and threatened to draw a weapon. Agents forced both Ms. Us Lopez and her partner into one of the unmarked vehicles and only then asked them their names for the first time. Ms. Us Lopez and her partner tried to explain to the agents that they had work authorization, paid taxes, and had a child, who is a U.S. citizen. In response, the agents searched their vehicle without permission, tossed Ms. Us Lopez's partner's driver's license and other paperwork into the street, taunted and mocked Ms. Us Lopez and her partner, and threatened to go pick up their child as well. During this ordeal, the agents never identified themselves or showed any warrant or other documentation.

77. Plaintiff **Edgar Chavez Calix** was on his way to work with his father and his brother, Daniel, when four unmarked vehicles suddenly surrounded their car; one of the unmarked vehicles hit their car. Multiple officers, including some wearing masks, surrounded the vehicle, and one told Mr. Chavez Calix's father that the agents were "coming for" him for allegedly staying in the country illegally. After reviewing both Mr. Chavez Calix's father's ID and Daniel's ID, the officers indicated they were actually targeting Daniel. The officers ordered all three out of the car, and officers placed Mr. Chavez Calix in tight handcuffs before asking him his name. One officer threw Mr. Chavez Calix's phone to the ground, and another pulled his ID card from his wallet.

Mr. Chavez Calix observed one of the officers check his name on a tablet, after which the officer stated, "He doesn't have anything." Another officer who appeared to be a supervisor then said, "Put him up," and the officers forced Mr. Chavez Calix into one of the patrol vehicles before asking him anything about his immigration status. The officers never presented a warrant, nor did they ask any questions except to see Mr. Chavez Calix's ID. The officers then drove them to a school and then to a fire station before transferring them to the Chantilly ICE office. When they arrived at Chantilly, Mr. Chavez Calix heard officers celebrate that they had found "Hondurans." Officers later transferred Mr. Chavez Calix to the Riverside jail and then to the Farmville Detention Center. He was detained for 200 days until a federal judge ordered his release because he had humanitarian parole at the time he was arrested. During his detention, Mr. Chavez Calix felt like he "was treated like a rat."

78. Plaintiff **Jose Rosito Roca Estrada** was on his way to work with two coworkers when a car in front of his vehicle slammed on its brakes, before reversing into his car and hitting it. Immediately following the crash, a group of ten to twelve officers approached Mr. Roca Estrada's vehicle and, without warning or any statement, smashed out the back windows of the vehicle and sprayed the occupants with pepper spray. The men yanked Mr. Roca Estrada out of the vehicle, handcuffed him, and forced him to the ground, and only then asked him questions about his name and where he lived. Mr. Roca Estrada answered all of the officers' questions, but they did not ask about his immigration status or work authorization. Eventually, the officers told Mr. Roca Estrada to stand up so they could search his pockets. Mr. Roca Estrada complied, but when he asked what they were doing (because he still could not see due to the pepper spray), the officers threw him to the ground—causing Mr. Roca Estrada to hit his head on the concrete—and another officer forced his knee into Mr. Roca Estrada's back. The officers dragged him to their

vehicle, stated they needed to take him away to determine his identity, and told him he was illegal and had no rights. The officers never presented a warrant or any other documentation supporting the arrest.

79. Plaintiff **Juan Emanuel Lopez Trejo**, who owns a small construction and remodeling company, was driving to work in his company van with his father when an unmarked vehicle turned on flashing police lights as Mr. Lopez Trejo was stopped at an intersection. After Mr. Lopez Trejo pulled over, a sheriff's deputy and two or three other agents wearing vests marked "Police ICE" surrounded the van. The deputy indicated they pulled over Mr. Lopez Trejo because a light was out, but no lights were out. The deputy took Mr. Lopez Trejo's license, registration, and insurance back to his vehicle for around five minutes. The deputy returned and asked Mr. Lopez Trejo where he was born; when Mr. Lopez Trejo asked why, the deputy replied that Mr. Lopez Trejo needed to exit the vehicle because he was under arrest. Mr. Lopez Trejo complied, and officers placed him in handcuffs and placed him in another unmarked van that had arrived at the scene; a few minutes later, the officers also handcuffed his father and placed him in the van as well. The agents drove Mr. Lopez Trejo and his father to the Greene County Sheriff's Office where they were shackled, then to a Harrisonburg ICE office where agents tried to force them to sign deportation orders, then to the Chantilly ICE office where agents loaded about eighteen more people into the van, and then to the Farmville Detention Center. While at Farmville, Mr. Lopez Trejo met many Latino men who were arrested in a similar manner: without notice and without any stated reason, often while they were on their way to work at construction sites. Mr. Lopez Trejo was detained for about two weeks before obtaining habeas relief.

80. Numerous members of CIF have also been arrested in a similar manner—without any warrant, and without any individualized determinations regarding immigration status or likelihood

of escape. Indeed, since February 2025, CIF has received reports of approximately 61 arrests or detentions of its members or their family and friends. Among other circumstances, these arrests have occurred while members were in vehicles, on the way to or from work, or traveling in connection with CIF programming.

81. For example, **Jacob** is a 50-year-old man from Guatemala who identifies as indigenous Mayan. Jacob has lived in Centreville since 2019, when he arrived with his child, whom CIF helped register in Fairfax County Public Schools. Since then, Jacob has repeatedly updated his membership, obtained work through the CLRC, attended CIF's classes and trainings, and sought CIF's assistance in recovering unpaid wages. Jacob has even volunteered for CIF by teaching skills classes related to drywalling and painting. On August 5, 2026, Jacob was a passenger in a work truck when five unmarked vehicles followed the truck. When the work truck turned into a neighborhood, some of the vehicles turned on flashing lights. When the truck stopped, officers pulled Jacob out of the vehicle. Jacob told the officers he had a work permit, and he asked on-scene witnesses to call his lawyer as an agent escorted him in handcuffs to one of the unmarked cars. When Jacob asked the witnesses to call his lawyer, another agent physically picked up Jacob and shoved him into the unmarked car. Jacob did not resist in any way. Within a few days, agents had transferred him to California. Jacob was released over a month later on September 10, 2026.

82. **A.S.R.** is a 23-year-old man originally from Guatemala who has been a CIF member since 2025. On May 6, 2026, around 7:25 a.m., A.S.R. was riding with three Latino co-workers—including one other CIF member—in a work van belonging to their boss. While they were at an intersection, six unmarked vehicles suddenly turned on flashing lights; within seconds, one of the vehicles cut in front of the van and then reversed into it. Multiple agents wearing vests and masks

with guns and spray cans appearing to be pepper spray then surrounded both sides of the van. The agents then showed the van's driver a photo of a man and asked whether they knew the man. Although A.S.R. did not know the man, the man's name sounded Latino. The agents then forced open the van doors, put everyone in handcuffs, searched their pockets, and drove them to a parking lot behind a Dollar Tree. The agents did not ask A.S.R. for his name until they were behind the Dollar Tree. And the agents never asked A.S.R. about his immigration status or his ties to the community, nor did they provide any documentation supporting his arrest. A.S.R. was detained for around three weeks until he received habeas relief. Since his release, A.S.R. has returned to work, which requires driving around the same area where he was originally arrested.

83. **Felix** is a CIF member who came to the United States in 2008. He was one of CIF's founding members and was instrumental to efforts that led to the opening of CLRC in December 2011. On or around December 29, 2025, Felix was a passenger in a car driven by his nephew, traveling from the Centreville library to a job that had been arranged through CLRC, when four unmarked vehicles that had been following them surrounded their car and stopped them. The agents indicated they were looking for Felix's nephew, but they also opened the passenger side door where Felix was sitting, pulled Felix out, pushed him against the car, and handcuffed him without asking any questions. The officers then put Felix in a van, and Felix was later deported.

84. Upon information and belief, many other Latino and immigrant residents of Virginia were similarly stopped and arrested while in vehicles without any warrant and without any individualized probable cause as required by statute.

85. For example, **G.C.V.**, who was born in Honduras in 1976, came to the United States in 2001. Since September 2010, he has lived with his wife in Virginia, where he owns a small painting and drywalling business. Together, they have a nine-year-old son, who is a U.S. citizen.

On June 1, 2026, G.C.V. was driving to work in his car around 8:00 a.m. After stopping for gas, G.C.V. noticed three unmarked vehicles following him. G.C.V. turned into a grocery store parking lot to confirm whether the vehicles were following him; the vehicles followed him into the parking lot but did not indicate that he needed to stop. G.C.V. then left the parking lot and drove for about two miles when, all of a sudden, one of the unmarked vehicles raced in front of G.C.V.'s car, slammed on the brakes, and reversed into the front of his car. The remaining vehicles boxed in G.C.V. and then—only after he was surrounded—one of the vehicles turned on emergency lights. Approximately eight officers surrounded G.C.V.'s vehicle, some of whom were wearing masks or vests. One of the officers yelled that if G.C.V. did not lower the window, they would break the glass. The officers did not identify themselves, explain why they had stopped G.C.V., or ask any questions. G.C.V. got out of his car, and the officers immediately pushed him against his car and placed him in handcuffs. G.C.V. asked whether the officers had a warrant, and one of the officers responded that they did not need a warrant. G.C.V. explained that he had a work permit and a pending asylum application, but the officers placed him in the back of one of their vehicles and took him to a nearby shopping center. While at the shopping center, officers looked up G.C.V.'s name in their system and reviewed his work permit; although one of the officers indicated that G.C.V. could then leave, another officer who appeared to be a supervisor ordered that G.C.V. be taken to an ICE office. G.C.V. was detained for months until August 14, 2026.

86. **Daniel Castro**, who is originally from Honduras, came to the United States in March 2024 and has lived in Virginia with his wife and two stepchildren for about a year. On August 4, 2026, he was driving to work with his 27-year-old stepson. While near a stoplight, four unmarked SUVs surrounded his vehicle, leaving Mr. Castro blocked from all sides. Officers approached Mr. Castro's vehicle and, after Mr. Castro partly lowered his window, asked for his license. Mr. Castro

asked why they needed his license, the agents did not respond, and Mr. Castro asked if he could call his attorney. As Mr. Castro put his phone to his ear, one of the agents smashed in the driver's side window of the car. One of the officers reached into the car, unlocked and opened the door, unbuckled Mr. Castro's seatbelt, and pulled him out of the car; Mr. Castro did not resist. One of the officers then reached into Mr. Castro's pocket and pulled out his wallet with his Honduran identification card. The officer said, "Hondurans," and the other officers laughed. Another officer pulled Mr. Castro's stepson from the car and placed both in handcuffs in one of the unmarked vehicles. The officers did not ask any other questions, explain who they were or why they had stopped Mr. Castro, or show a warrant or any other paperwork. Mr. Castro was detained for more than six weeks, during which time he worried about his wife, who has terminal cancer.

87. **Juan Doe** is a 30-year-old man from Honduras who has lived in the United States since 2017. Although he moved from Virginia to Maryland in the summer of 2025, he regularly travels to Virginia as part of his work and activities as a Pentecostal minister. On July 12, 2026, Mr. Doe borrowed his brother's car to travel to Manassas for a Sunday worship service. On the way, he stopped at a restaurant in Chantilly that serves Honduran food and is frequented by other Latino immigrants. Defendants have detained other people at the restaurant. As Mr. Doe was departing, three or four unmarked vehicles surrounded his car. Numerous agents wearing vests gathered around Mr. Doe's car, and one said there was an arrest order for the person listed on the car's registration. Although Mr. Doe explained that he was not the car's owner, agents placed him in handcuffs and put him in one of the unmarked vehicles. Agents did not show any warrant, nor did they ask any questions about his immigration status or how long he had been living and working in and around Virginia. Mr. Doe was detained for approximately two weeks.

88. These and numerous other examples illustrate and establish Defendants' policy and practice of conducting warrantless immigration arrests in Virginia without individualized probable cause regarding whether a person is unlawfully present or likely to escape.

B. Defendants Have Previously Implemented Versions of this Unlawful Policy

89. This is not the first time Defendants have instituted a version of this unlawful policy. For example, in 2018, Chicago residents and nonprofit organizations sued ICE for its policy and practice of conducting warrantless arrests in the Chicago area without complying with the probable cause requirements in § 1357(a)(2).[121] After the district court denied the Government's motion to dismiss, the case was resolved by a three-year settlement agreement that required ICE to adopt a nationwide policy to prohibit warrantless arrests that failed to meet the requirements of § 1357(a)(2). As part of the settlement, on November 23, 2021, ICE issued a Broadcast Statement of Policy (the "Broadcast Statement") making clear that "mere presence within the United States in violation of U.S. immigration law is not, by itself, sufficient to conclude that [a noncitizen] is likely to escape before a warrant for arrest can be obtained."[122] The Broadcast Statement also listed specific factors that may be relevant to determine likelihood of escape, including "knowledge of that individual's prior escapes or evasions of immigration authorities, attempted flight from an ICE Officer, [and] ties to the community (such as a family, home, or employment) or lack thereof."[123]

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[121] Second Am. Compl., *Castañon Nava v. Dep't of Homeland Sec.*, No. 1:18-cv-03757 (N.D. Ill. Dec. 18, 2018), ECF No. 58.

[122] ICE Broadcast Statement of Policy, *Castañon Nava v. Dep't of Homeland Sec.*, No. 1:18-cv-03757 (N.D. Ill. Nov. 23, 2021), Appendix A to Settlement Agreement at 17–18 ("*Castañon Nava* Broadcast Statement"), available at https://www.ice.gov/doclib/legalNotice/220527castanonSettlement_attA.pdf [https://perma.cc/38E7-5JX8].

[123] *Id.*

90. Notably, the Northern District of Illinois expressly ruled that the Broadcast Statement constituted "the ICE policy governing warrantless arrests until further notification by DHS and ICE," rejecting ICE's assertions that the Broadcast Statement was limited in geographical scope to the States of Illinois, Wisconsin, Missouri, Kentucky, and Kansas. *See* Order, *Castañon Nava v. Dep't of Homeland Sec.*, No. 1:18-cv-03757 (N.D. Ill. Feb. 23, 2026), ECF No. 309.[124]

91. Since approximately January 20, 2025, Defendants have systematically disregarded the safeguards embodied in the Broadcast Statement and guaranteed by statute and the Constitution in order to carry out mass arrests in Virginia. Instead, Defendants have "moved from targeted enforcement to broad street sweeps."[125]

92. As explained above, Defendants have re-implemented their unlawful policy and practice in jurisdictions around the country, giving rise to multiple court cases that have resulted in injunctions against implementation of materially similar policies in those jurisdictions. *See supra* ¶¶ 4, 40.

C. ICE's Policy and Practice of Warrantless Arrests Without Probable Cause Persists in Virginia Notwithstanding the January 2026 Lyons Memorandum

93. On January 28, 2026, against the backdrop of widening litigation challenging ICE's warrantless-arrest practices, including the rulings in *Ramirez Ovando* and *Escobar Molina* holding that materially similar practices violated 8 U.S.C. § 1357(a)(2), then-Acting Director of ICE Todd M. Lyons issued a memorandum to all ICE personnel (the "Lyons Memorandum"), which

[124] In April 2026, the plaintiffs in *Castañon Nava* agreed to relieve defendants in that case "from the Consent Decree's provisions concerning the Broadcast Policy . . . to the extent that those provisions operate to enjoin Defendants outside the Chicago Area of Responsibility." No. 1:18-cv-03757 (N.D. Ill. Apr. 3, 2026), ECF No. 342. Nevertheless, the Broadcast Statement accurately stated Defendants' statutory obligation, as imposed by Congress, to execute warrantless arrests only upon probable cause that the individual is unlawfully present *and* is likely to escape before a warrant can be obtained.

[125] Ainsley et al., *ICE Scraps Paperwork*, *supra* note 6.

purported to provide "guidance for the lawful and consistent exercise of warrantless arrest authority for civil violations of immigration laws."[126]

94. Notwithstanding the Lyons Memorandum, ICE has continued to implement a policy and practice of warrantless arrests without any individualized determination of probable cause of unlawful presence or likelihood of escape in Virginia. *See supra* ¶¶ 71–88. Accordingly, to the extent that the Lyons Memorandum does purport to require such an individualized determination, it nevertheless is not the policy and practice that ICE is in fact implementing in Virginia.

95. Both before and after the issuance of the Lyons Memorandum, DHS expressed that a "reasonable suspicion" standard is the law, and after the issuance of the Memorandum, DHS stated explicitly that nothing had changed. For example, less than two weeks before the Lyons Memorandum was issued, DHS's own social media accounts stated that "[l]aw enforcement uses 'reasonable suspicion' to make arrests, as protected under the Fourth Amendment," a standard materially lower than the "reason to believe"—*i.e.*, probable cause—standard that both § 1357(a)(2) imposes and the Lyons Memorandum itself purports to require.[127] And shortly after the Memorandum was issued, a DHS spokesperson—claiming that "reasonable suspicion [is] protected by the U.S. Constitution"—publicly dismissed the Memorandum as "nothing new."[128]

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[126] Memorandum from Todd M. Lyons, Civil Immigration Arrest Authority: Administrative Arrest Warrants and Warrantless Arrests, at 2 (Jan. 28, 2026), available at https://capitolnewsillinois.com/wp-content/uploads/2026/02/Lyons-memo-1.28.pdf [https://perma.cc/4QER-SQB8].

[127] Homeland Security (@DHSgov), X (Jan. 16, 2026, 5:49 PM), https://x.com/DHSgov/status/2012296163278405727 [https://perma.cc/AXX4-ZESL]; Homeland Security (@DHSgov), X (Jan. 17, 2026, 9:45 PM), https://x.com/DHSgov/status/2012718004480393474?s=43&t=pQLW6yQSvs7Dffqc7nGs_w [https://perma.cc/W59J-KMH3].

[128] *See* Ashley Oliver, *ICE Reveals Legal Theory Behind Warrantless Immigration Arrests*, Fox News (Feb. 3, 2026, 11:05 AM), https://www.foxnews.com/politics/ice-reveals-legal-theory-behind-warrantless-immigration-arrests [https://perma.cc/ANN9-E5KU]; Anthony Iafrate, *Nothing But Green Lights: ICE Memo Expands Agents' Warrantless Arrest Powers*, Daily Caller (Jan. 31, (continued…)

In May 2026, Mr. Homan confirmed that Defendants continued to apply a reasonable suspicion standard.[129]

96. More recently, Defendants and their leadership have repeatedly confirmed that whether an individual is "likely to escape," even as defined in the Lyons Memorandum, bears no relevance during on-the-ground enforcement, conclusively asserting—without any mention of that statutory requirement—that "if you are encountered by an ICE officer and are here unlawfully, you will be ARRESTED."[130] According to Defendants, "[a]nyone in our country illegally will be arrested and deported."[131] "No one is off the table," and they will "arrest any and all illegal aliens that come into our path."[132] More succinctly, "[w]hat makes someone a target for immigration enforcement is whether they are illegally in the U.S. - full stop."[133]

97. As discussed *supra*, Defendants began implementing, before January 28, 2026, their policy and practice of conducting warrantless arrests (1) without probable cause that the subject is

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2026, 2:33 PM), https://dailycaller.com/2026/01/31/immigration-customs-enforcement-memo-expands-agents-warrantless-arrest-powers/ [https://perma.cc/HY3E-AFLU].

[129] Transcript, Press Briefing: Tom Homan Speaks to Reporters Outside the White House, Roll Call (May 7, 2026), https://rollcall.com/factbase/trump/transcript/donald-trump-press-briefing-tom-homan-the-white-house-may-7-2026/ [https://perma.cc/7HE6-LPGM].

[130] Homeland Security (@DHSgov), X (Aug. 25, 2026, 11:37 AM), https://x.com/DHSgov/status/2092275134161699084 [https://perma.cc/6CXF-WNMK] (quoting Acting Assistant Director of ICE ERO Patricia Hyde).

[131] Homeland Security (@DHSgov), X (Sep. 26, 2026, 11:50 PM), https://x.com/DHSgov/status/2104056103357018118 [https://perma.cc/WK2Q-TCJ9].

[132] *Id.*; *see also* Homeland Security (@DHSgov), X (Sep. 27, 2026, 6:14 PM), https://x.com/DHSgov/status/2104333937506243060 [https://perma.cc/B4YB-HYWX] (same); Alejandra Guzman, *Fiancé Says ICE Agents Posed as Customers Before Lynnwood, WA Arrest*, Fox 13 Seattle (Oct. 20, 2026, 9:20 PM), https://www.fox13seattle.com/news/ice-agents-pose-customers-lynnwood [https://perma.cc/XG8Y-AJVC] ("We will continue to arrest any and all illegal aliens that come into our path.").

[133] Homeland Security (@DHSgov), X (Aug. 29, 2026, 2:33 PM), https://x.com/DHSgov/status/2093769059838066858 [https://perma.cc/MB4Z-PKRH].

unlawfully present and (2) without probable cause that the subject is likely to escape before an arrest warrant can be obtained, and they have continued to implement it since January 28, 2026.

98. Even if Defendants were acting in accordance with the Lyons Memorandum—which they are not—they would still be implementing a policy and practice inconsistent with the likelihood of escape prong of 8 U.S.C. § 1357(a)(2). The Lyons Memorandum correctly acknowledges that § 1357(a)(2) authorizes a warrantless arrest only where an officer has "reason to believe"—which the Memorandum itself equates with probable cause[134]—*both* that the subject "is in the United States in violation of any [immigration] law or regulation" *and* that the subject is "likely to escape" before a warrant can be obtained.[135]

99. But that is where the Lyons Memorandum's fidelity to § 1357(a)(2) and the Broadcast Statement largely ends. Although the Lyons Memorandum purports to rely on individualized factors, it departs markedly from prior ICE guidance, is internally inconsistent, and fails to comport with the requirements of 8 U.S.C. § 1357(a)(2). For example, the Memorandum first states that the standard is satisfied if an officer determines that the individual "is unlikely to be located at the scene of the encounter or another clearly identifiable location once an administrative warrant is obtained,"[136] but later narrows the inquiry to whether the individual can be located "at the scene of the encounter."[137]

100. The Memorandum also lists a series of factors purportedly relevant to likelihood of escape—including a person's "age and health," "ability and means to promptly depart the scene of the encounter," and control over a vehicle in which the person was encountered—but it

[134] Lyons Memorandum, *supra* note 126, at 1 n.5.

[135] *Id.* at 2, 3.

[136] *Id.* at 3.

[137] *Id.*

conspicuously omits any and all reference to a person's "ties to the community (such as a family, home, or employment)," which the Broadcast Statement enumerated as a relevant factor. Also missing from the Lyons Memorandum is the Broadcast Statement's clear and unambiguous statement that "mere presence within the United States in violation of U.S. immigration law is not, by itself, sufficient to conclude that" a person "is likely to escape before a warrant for arrest can be *obtained*."[138]

101. The factors identified in the Memorandum for the "likely to escape" inquiry are so generic that they would sweep in virtually anyone an officer encounters in public.[139] As ICE's policy and practice encompasses stopping pedestrians and vehicles in public areas, this guidance improperly and arbitrarily defines virtually all individuals encountered by ICE as "likely to escape," effectively rewriting the concept of probable cause out of the statute. If anything, the Lyons Memorandum is a further admission that ICE has a policy and practice of not making individualized probable-cause determinations of likelihood of escape.

IV. Plaintiffs and Virginia Residents of Immigrant Backgrounds Face an Ongoing Threat of Unlawful Warrantless Arrests and Ongoing Injuries from Their Arrests

A. Plaintiffs and Putative Class Members Are Likely to Be Unlawfully Arrested in the Future and Justifiably Fear Imminent Illegal Arrests

102. Given the widespread nature of the arrests carried out pursuant to Defendants' unlawful warrantless-arrest policy and practice—and Defendants' systemic disregard for the requirements of federal law—Plaintiffs and others who live and work in Virginia, particularly those of Latino ethnicity, face a substantial and imminent risk of unlawful warrantless arrest. This is especially so because Defendants have targeted discrete and identifiable communities in

[138] *Compare id.* at 3–5, *with Castañon Nava* Broadcast Statement at 17–18 (emphasis in original).

[139] Lyons Memorandum, *supra* note 126, at 3–4.

Virginia—namely, individuals they perceive to be Latino or Hispanic. Defendants' practice of targeting individuals in construction vans or pickup trucks carrying construction or landscaping equipment further suggests that Defendants use these occupational proxies as a basis for their unlawful enforcement actions.

103. Plaintiff Alvaro Alvarez Flores saw Defendants' discriminatory targeting in action, illustrating how agents go about their roving patrols arresting individuals without a warrant and without individualized probable cause. After federal agents descended on Mr. Alvarez Flores and arrested him, agents drove him around for approximately two hours before taking him to the Norfolk ICE office. During this time, Mr. Alvarez Flores witnessed an officer in the car relay license plate numbers from passing vehicles over a handheld radio. After each transmission, someone on the other end responded with a name, presumably identifying the vehicle's registrant. If the registrant had a non-Hispanic name, the officer would say something like, "No, not that one." In just these two hours, the officer repeated this practice with approximately six vehicles. After receiving a name that appeared Latino, the officers stopped the corresponding vehicle and arrested the occupants, all of whom appeared to be Latino. Upon information and belief, this practice was not undertaken to locate a previously identified immigration target, but instead to generate enforcement targets based on information obtained through database queries and the identities associated with those queries.

104. Importantly, there is no sign Defendants' enforcement efforts will slow down.[140] To the contrary, Defendants have boasted that they are "UNLEASHED" and "out in FULL FORCE,"

[140] *E.g.*, Homeland Security (@DHSgov), X (July 30, 2026, 5:09 PM), https://x.com/DHSgov/status/2082936651081207879 [https://perma.cc/YX7U-QVGA] ("ICE is NOT slowing down").

proclaiming that their "mission never stops."[141] Indeed, ICE plans to build one of its largest detention centers on the East Coast near the Virginia border, which will "greatly increase" ICE's "capacity to detain more people across neighboring states."[142] And as explained above, ICE arrests have only accelerated in Virginia and across the country in recent months. According to Mr. Miller, Defendants have achieved "record deportation numbers."[143] Speaking on Fox News, Mr. Homan confirmed that Defendants conducted more arrests in June 2026 than "at any time in the history" of ICE, and that in July, "they blew June numbers away" and "set another historic record."[144] Still, according to Mr. Homan, there "should" be "a lot more."[145] The message to Plaintiffs and putative class members is clear: Defendants are going to "hunt them down,"[146] they

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[141] U.S. Immigration and Customs Enforcement (@ICEgov), X (Aug. 26, 2026, 5:00 PM), https://x.com/ICEgov/status/2092718962995782013 [https://perma.cc/TDU6-WBNU]; Homeland Security (@DHSgov), X (Aug. 8, 2026, 10:05 PM), https://x.com/DHSgov/status/2086272717947331041 [https://perma.cc/8VR5-ZYV8]; Homeland Security (@DHSgov), X (July 28, 2026, 4:45 PM), https://x.com/DHSgov/status/2082205827302146164 [https://perma.cc/XG2Q-AKP5]; Secretary Markwayne Mullin (@SecMullinDHS), X (July 27, 2026, 5:37 PM), https://x.com/SecMullinDHS/status/2081856438494695599 [https://perma.cc/GJ2A-8ANY].

[142] Eduardo Medina & Hamed Aleaziz, *ICE Detention Center in North Carolina to Be Among Largest on East Coast*, N.Y. Times (July 24, 2026), https://www.nytimes.com/2026/07/23/us/winton-nc-ice-detention-center.html [https://perma.cc/4G65-45X9].

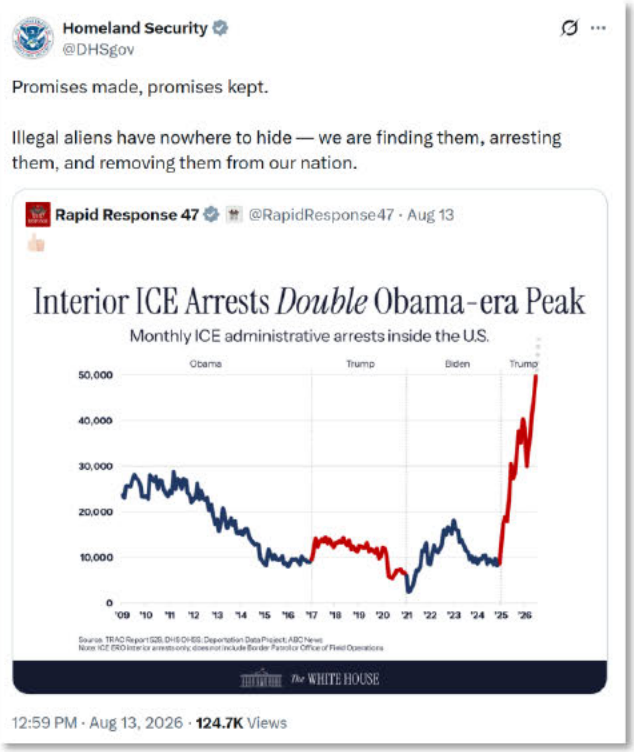
[143] Rapid Response 47 (@RapidResponse47), X (July 24, 2026, 5:20 PM), https://x.com/RapidResponse47/status/2080765075942494458 [https://perma.cc/5M4H-SLU4].

[144] Ingraham Angle, *DC had a 'Total Change' Because of Trump's Crime Crackdown: Tom Homan*, Fox News (Aug. 10, 2026), at 3:40–3:58, https://www.foxnews.com/video/6403188892112?msockid=369a372377506db217f8209176de6c5e [https://perma.cc/AK9S-ZVEP]; *see also* U.S. Immigration and Customs Enforcement (@ICEgov), X (July 28, 2026, 11:00 PM), https://x.com/ICEgov/status/2082300135535485411 [https://perma.cc/N6UP-5FR5] (confirming that in July, ICE was "on schedule to set arrest records for a second consecutive month").

[145] *Id.*

[146] Secretary Markwayne Mullin (@SecMullinDHS), *supra* note 31; *see also* Homeland Security (@DHSgov), X (Aug. 18, 2026, 2:18 PM), https://x.com/DHSgov/status/2089779054094217703 [https://perma.cc/TY4D-6AHM] ("If you're here illegally, we will hunt you down and send you BACK."); Homeland Security (@DHSgov), X (Aug. 14, 2026, 9:39 AM), https://x.com/DHSgov/status/2088259166808719748 [https://perma.cc/TJA5-YXJ2] ("Illegal (continued…)

will "stop at nothing" to arrest them,[147] and there is "nowhere to hide" as arrests skyrocket.[148]



105. Even after the November 2026 midterm elections, Defendants have confirmed that their policies "will continue."[149] Indeed, according to one report, "ICE has so much money that it

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aliens cannot hide. We will continue hunting these criminals down, arresting them, and removing them from our nation."); Secretary Markwayne Mullin (@SecMullinDHS), X (Aug. 11, 2026), https://x.com/SecMullinDHS/status/2086923226983067652 [https://perma.cc/W9XR-CPEJ] ("If you are in our country illegally, you do NOT belong here. We will find you, arrest you, and deport you."); U.S. Immigration and Customs Enforcement (@ICEgov), X (Aug. 8, 2026, 9:05 PM), https://x.com/ICEgov/status/2086257422381850804 [https://perma.cc/63MH-ATUA] ("In the U.S. illegally? LEAVE NOW or we will find you, arrest you and deport you.").

[147] Homeland Security (@DHSgov), *supra* note 31; U.S. Immigration and Customs Enforcement (@ICEgov), X (Aug. 20, 2026, 4:09 PM), https://x.com/ICEgov/status/2090531773738324259 [https://perma.cc/YKF7-2JPA] ("Illegal aliens do NOT belong in our nation -- and we will stop at nothing to get them OUT. We are undeterred.").

[148] Homeland Security (@DHSgov), X (Aug. 13, 2026, 12:59 PM), https://x.com/DHSgov/status/2087947242577482067 [https://perma.cc/4QTF-JZCV].

[149] Jessica A. Botelho, *'Deportations Will Continue': DHS Shares Reminder as Democrats Set to Take Over Congress*, Fox 45 (Nov. 5, 2026, 12:55 PM), https://foxbaltimore.com/news/nation-wo (continued…)

will have to double its rate of spending to use it all before its deadline at the end of the 2029 fiscal year."[150]

106. Moreover, Defendants' particular obsession with Virginia—or as Defendants refer to it, the "Commonwealth of Criminals"[151]—further confirms that enforcement efforts in the Commonwealth are not likely to decline anytime soon, leaving Plaintiffs and similarly situated Virginia residents at acute risk of unlawful arrest. Accordingly, Plaintiffs and residents of Virginia with immigrant backgrounds anticipate and fear future unlawful arrests due to Defendants' policy and practice.

107. This is only compounded by the fact that Plaintiffs and putative class members cannot avoid the routine conduct that led to their original arrests. In light of Defendants' discriminatory and undiscerning policy of "arrest now, investigate later," Plaintiffs justifiably fear they will face future unlawful arrest when they go about their daily lives in public. By the nature of Defendants' policy and practice, once Plaintiffs or putative class members are stopped, they are not given the opportunity to provide details that could negate probable cause and prevent their arrests.

108. For example, Plaintiff **Alvaro Alvarez Flores** fears he will be re-arrested by immigration officials in the same arbitrary manner as his first arrest, especially because he witnessed officers discriminatorily target individuals with Latino-sounding names while he was in

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rld/deportations-will-continue-dhs-shares-reminder-as-democrats-set-to-take-over-congress-republicans-house-senate-midterms-midterm-elections-ice-illegal-immigration-immigrants-department-of-homeland-security-secretary-markwayne-mullin-president-donald-trump [https://perma.cc/5AN8-CNUY].

[150] Nick Miroff, *ICE After the Blowout*, The Atlantic (Nov. 7, 2026, 7:00 AM), https://www.theatlantic.com/politics/2026/11/ice-midterms-deportations-dhs/689329/ [https://perma.cc/CYG4-28CJ].

[151] *E.g.*, Homeland Security (@DHSgov), X (Aug. 28, 2026, 3:38 PM), https://x.com/DHSgov/status/2093423058442670093 [https://perma.cc/XTU6-AV6Z] ("Sanctuary Spanberger has welcomed sickos like this into her Commonwealth of Criminals.").

custody. Like many other Virginia residents who have been subjected to Defendants' unlawful policy and practice, Mr. Alvarez Flores was arrested on his way to work. Nevertheless, Mr. Alvarez Flores—who was released from detention pursuant to a habeas petition in late July 2026—had no option but to return to work in order to support himself, and his family member still drives him the same route to work that he was driving when he was originally arrested. Similarly, Mr. Alvarez Flores is very active at his church and attends services multiple times per week. Every time Mr. Alvarez Flores goes out in public for work or to attend church, he risks and fears being re-arrested, especially because he lives in a predominantly Latino community where ICE is regularly patrolling and making vehicle stops.

109. Similarly, Plaintiff **Britney Ramirez Corona** fears being arrested again. Based on her previous warrantless arrest, Defendants have her address, fingerprints, and picture. She has witnessed ICE stalking her neighborhood and has witnessed ICE vehicles outside of her parents' home—which is the address she provided following her first arrest—on numerous occasions. Because agents did not believe she was a citizen the first time she was arrested, Ms. Ramirez Corona worries that, given ICE's constant presence around the area she lives, it is only a matter of time before she is arrested again.

110. Likewise, Plaintiff **Catarina Rebeca Us Lopez** was arrested after agents blocked the vehicle she was in while she was on the way to work. Since her release and because her partner was deported, Ms. Us Lopez has continued to go to work to support her family—requiring her to pass by the same area where she was previously arrested—even though there are constant reports of ICE's presence in her neighborhood. As the sole provider for her family, she must go out in public and fears she will be arrested again for no reason every time she does go out in public, especially given that Defendants can track her with an ankle monitor everywhere she goes.

111. Plaintiff **Edgar Chavez Calix** is the primary economic provider for his family, so he has returned to work since his release. Each time he goes out in public, he is anxious that he is being followed. Because agents did not care that he had humanitarian parole the first time he was arrested, he faces the same risk of being arrested in the future.

112. Plaintiff **Jose Rosito Roca Estrada**'s experience has left him with an unshakeable fear that he experiences every day. Due to Defendants' extreme deliberate indifference to his medical needs while he was detained—which left doctors telling him after he was released that he could have lost his life—Mr. Roca Estrada's life has changed completely. Although his fear leaves him reluctant to leave his house, he has started to leave more often to attend church and go to work. Every time he goes out in public, he risks arrest again.

113. Plaintiff **Juan Emanuel Lopez Trejo** has also continued to go to work since his release in order to support his family—especially because his wife no longer works to minimize the risk that both of them are arrested and separated from their children. Having been originally arrested following a fabricated traffic stop, Mr. Lopez Trejo faces the risk that officers will again unlawfully stop and arrest him—a risk that is only magnified by the fact that Mr. Lopez Trejo lives in Greene County, where local officers cooperate closely with Defendants to effect immigration arrests.

114. Putative class members share similar fears because they, like Plaintiffs, face a substantial risk of being arrested pursuant to Defendants' illegal and discriminatory policy and practice every time they inevitably leave home and partake in public life.

B. Plaintiffs and Putative Class Members Suffer Ongoing Injuries

115. Defendants' policy and practice is also causing ongoing harm to Plaintiffs and other residents of Virginia assumed to be of immigrant backgrounds. As described above, Defendants' policy and practice has chilled Virginia residents from engaging in ordinary public conduct that

can reasonably be minimized or avoided, such as going out for groceries, for fear that they will be subjected to another illegal warrantless arrest. *See supra* Section II.A. Plaintiffs' experiences are illustrative. After he was released, Mr. Roca Estrada tried going grocery shopping with a friend, but he saw a vehicle similar to one of the ICE vehicles from his arrest, which left him terrified; he is still too afraid to go grocery shopping or to be in public except when necessary. Ms. Us Lopez now stays at home with her child unless she is going to work. Mr. Alvarez Flores now relies on his niece to handle grocery shopping, and he remains too afraid to drive on his own. And Mr. Lopez Trejo travels routes to work that require him to go at least 30 minutes out of his way to avoid the area where he was arrested.

116. Additionally, Defendants' illegal policy and practice has chilled Plaintiffs' and putative class members' engagement in constitutionally protected activity, including religious worship. For example, Mr. Roca Estrada stopped attending his church in Maryland for some time after his arrest based on his fear that he will be arrested and severely injured again if he goes out in public. In addition, the physical injuries and economic harm he sustained while in Defendants' custody also prevented him from traveling to his church in Maryland. Similarly, because Mr. Alvarez Flores fears that he will be re-arrested if he begins driving again, he now attends church only when family members are able to drive him there.

117. For Plaintiff CIF, since Defendants' implementation of their unlawful policy and practice, member engagement in CIF's programs (such as the CLRC, wage theft prevention and recovery programs, leadership development, and English classes) has decreased dramatically. Prior to 2025, CIF member engagement increased steadily, reaching approximately 12,000 member interactions in 2024; membership interaction dropped to 7,000 in 2025 and as of October 2026 was estimated at 4,000.

118. Upon information and belief, other putative class members have likewise minimized or altered their religious practices, associations with family and community members, public engagements, and other constitutionally protected activity due to the substantial risk they will be targeted and arrested pursuant to Defendants' unlawful policy and practice.

119. Additionally, upon information and belief, Defendants continue to maintain sensitive biometric and biological data and records regarding individuals who have already been subjected to Defendants' unlawful policy and practice[152]—which Defendants would not have obtained but for their illegal arrests—and many other illegally arrested individuals suffer continued detention. Moreover, many Plaintiffs who have been released remain subject to stringent conditions such as regular check-ins and ankle monitors.[153]

120. For example, when Mr. Alvarez Flores was taken to the Norfolk ICE office, agents subjected him to fingerprinting, a DNA swab, and photographing. Ms. Us Lopez likewise had her fingerprints taken following her arrest. Agents also collected fingerprints and photographs of Ms. Ramirez Corona; they attempted to take a DNA swab, but Ms. Ramirez Corona refused to let them

[152] In addition to data and records collected during processing after an arrest, Defendants are also utilizing soaring budgets to employ surveillance tools like face-scanning apps for identifying individuals in the field, as well as trackers to identify critics on social media. *See, e.g.*, Hannah Critchfield & Shane Shifflett, *How ICE is Weaponizing Social Media Against Its Critics*, Wall St. J. (Aug. 3, 2026, 9:00 PM), https://www.wsj.com/politics/policy/ice-surveillance-internet-critics-e3b22f49?msockid=105279cd8b8661420a3f6f618a6a60d1 [https://perma.cc/3T8J-2LFS]; Sanya Mansoor, *'We Should Be Worried': Report Sheds Light on ICE's Booming Arsenal of Hi-Tech Surveillance Tools*, The Guardian (June 24, 2026, 4:07 PM), https://www.theguardian.com/us-news/2026/jun/24/ice-tech-surveillance-arsenal [https://perma.cc/U7EU-A8X9]; Jude Joffe-Block, *Immigration Agents Have New Technology to Identify & Track People*, NPR (Nov. 8, 2025, 5:00 AM), https://www.npr.org/2025/11/08/nx-s1-5585691/ice-facial-recognition-immigration-tracking-spyware [https://perma.cc/3TLR-HQVT].

[153] Emily Rahhal, *What Happens After an ICE Arrest?*, The Hill (Jan. 8, 2026, 9:31 PM), https://thehill.com/homenews/nexstar_media_wire/5680437-ice-arrests-detention-deportation-reality/ [https://perma.cc/S5WW-VB98].

do so. Relatedly, agents forcibly pressed Mr. Roca Estrada's fingers onto a fingerprinting device when they arrested him in the field, though agents told him that the device was not working.

121. When Ms. Us Lopez was released from detention, agents required her to wear an ankle monitor—but did not indicate how long she would have to wear it. Still today, months after her illegal arrest, she remains required to wear that ankle monitor. Upon information and belief, other putative class members remain subject to reporting requirements, are forced to continue wearing ankle monitors and similar tracking devices, and suffer from related deprivations of their liberty—all stemming from their illegal arrests by and pursuant to Defendants' policy and practice.

122. Upon information and belief, other putative class members suffer ongoing emotional trauma based on their past illegal arrests and experiences in Defendants' detention facilities, as well as their justifiable fear of future arrest. Ms. Ramirez Corona recently experienced a miscarriage, which she attributes to the stress she has endured following her arrest and her partner's arrest. Mr. Roca Estrada lives with unshakeable fear that he will be subjected to the same violence again. Ms. Us Lopez is afraid that her ankle monitor will enable Defendants to arrest her without any proper reason again.

123. Upon information and belief, putative class members have also suffered significant financial and property losses due to Defendants' illegal stops, arrests, and detentions. For example, Mr. Chavez Calix lost his job during his detention and had to cancel his credit cards. Mr. Lopez Trejo's wife stopped working to minimize the risk that they are both separated from their children. Following his release, Mr. Roca Estrada found that his apartment had been re-let, and all his belongings had been shipped to Guatemala. Class members have also been deprived of their ability to pursue a livelihood.

C. CIF and Its Members Have Suffered Similar Injuries

124. Defendants' policy and practice of warrantless arrests without probable cause has also significantly harmed and continues to harm CIF. As discussed above, CIF's mission is to serve working-class and immigrant communities by advancing worker rights, promoting economic mobility, developing community leadership, providing skills training and education, and connecting members with related services throughout Virginia. *See supra* ¶ 11.

125. CIF operates with five paid staff members. CIF's programs are provided exclusively to its members, who must verify their identity, sign CIF's Code of Ethics, pay annual dues, and participate in at least three engagements each year to maintain membership. Those engagements may include attending a class, volunteering, or using one of CIF's services. CIF's member-led board, known as the Directiva, recommends organizational priorities, and active members vote on those recommendations at monthly worker assemblies.

126. The CLRC has historically been CIF's largest and most important program because its members need dependable access to work in order to support themselves and their families. Between 2023 and 2025, more than half of CIF's member engagements involved people seeking employment. CLRC provides a safer and more accountable alternative to seeking day-labor employment than more informal settings. Employers hiring through CLRC must provide information about the work in advance, including the rate of pay, time commitment, nature of the job, and whether transportation and lunch are included. CLRC then matches employers and workers based on skill set and provides a place for them to discuss the terms of employment and fair wages, with translation assistance when necessary.

127. Wage-theft prevention and recovery have also historically been among CIF's core programs and advocacy priorities. CIF trains workers on preventive measures, works individually with people who have experienced wage theft, provides nonlegal advocacy with employers, assists

workers in reporting wage theft, and, when appropriate, connects affected members with attorneys. In recent years, CIF provided almost daily English classes and periodic classes designed to support members' economic mobility and self-sufficiency.

128. CIF also seeks to develop its members' leadership and self-advocacy skills. Members may teach classes, lead worker assemblies, participate in skills training, and serve on the Directiva. More than 100 "graduated members" who previously used CIF's services have returned as employers and now hire other CIF members.

129. Defendants' policy and practice has substantially disrupted and impaired CIF's established worker-services model. Before early 2025, reports of ICE arrests, detention, and deportation among CIF's membership were rare; indeed, CIF received only two reports of member arrests by ICE between 2022 and 2024. Since early 2025, however, CIF has experienced a sharp increase in members and community members seeking urgent assistance following ICE arrests. Indeed, CIF has received reports of approximately 61 arrests or detentions of members or their family and friends, as well as many more reports of people trying to contact CIF whom CIF has had to refer to other organizations due to CIF's limited organizational capacity. Those requests arrive through the same intake channels and are initially handled by the same five-person staff responsible for CIF's employment, wage-theft, educational, and leadership programs.

130. Even when CIF can provide only an appropriate referral, responding to a detention-related request requires staff to gather sufficient information to understand the request, protect sensitive information, and identify an appropriate resource. These requests frequently involve a person in detention, urgent deadlines, complex circumstances, and highly sensitive information, and therefore require substantially more staff time than routine employment or class inquiries. CIF

has also purchased and continues to maintain a separate database to record information concerning people reported arrested or detained by ICE.

131. CIF has not historically operated an immigration legal-services program. However, detention-related emergencies prevent affected members and their families from engaging with CIF's employment, education, and leadership programs. Responding to those urgent situations has therefore become a practical prerequisite to restoring members' ability to use CIF's longstanding services. Each hour CIF's limited staff spends addressing these requests is time unavailable for the worker services that form the core of CIF's mission.

132. Defendants' practices have impaired CIF's largest program, the CLRC. CIF recorded approximately 12,000 member engagements across its programs in 2024, but only approximately 7,000 in 2025. The number of members seeking jobs also fell from approximately 350 in each of 2023 and 2024 to 275 in 2025, a decrease of approximately 20 percent. CIF's Executive Director attributes this decline, based on member feedback and her own conversations and observations, to members' urgent immigration crises and their fear of traveling to programs or appearing in public because they may be stopped and arrested.

133. Defendants' policy and practice also impairs CIF's job-placement work in two related ways. During periods of increased ICE activity, members and employers become more hesitant to visit CLRC, while CIF's staff must devote additional time to urgent requests from members affected by arrests and detention. CIF therefore has less capacity to perform the employment-matching work at the center of its mission precisely when members' economic needs remain acute. Indeed, two of CLRC's lowest job-placement months—December 2025 and August 2026—coincided with surges in ICE enforcement activity in the Centreville area.

134. Defendants' practices have chilled communications and collaboration between CIF and its members. Members have reported that they are afraid to attend programming at certain hours or locations because traveling to and from those programs exposes them to ICE encounters. CIF's staff have also learned of members encountering ICE while traveling to or from CIF programs, particularly while traveling alone. To continue operating its programs, CIF has had to expend resources on additional security measures and protocols intended to make members feel safer attending.

135. The nature of the challenged warrantless-arrest practices makes ordinary risk-reduction measures inadequate. Members report that ICE officers stop people in public spaces while they are traveling to work or otherwise going about daily life, including through tactics that members and CIF staff understand to target people who appear Latino or have Latino-sounding surnames. Members cannot reliably avoid those encounters while working, attending classes, or participating in CIF's in-person programming; short of remaining home, they have no fully preventative measure available to them.

136. Defendants' practices have also impaired CIF's educational programming. CIF historically offered frequent drop-in English classes and other skills training during evenings and weekends, primarily in person to facilitate learning and community. Beginning in early 2025, participation in CIF's in-person programming declined substantially because members feared traveling to those classes and being stopped, arrested, detained, or deported. Class participation fell sharply from 2024 levels, declining by 57 percent in 2025 and 74 percent in 2026 during the comparable January 1 through August 24 period.

137. Defendants' policy and practice has likewise substantially impaired CIF's wage-theft prevention and recovery program. In 2025 and early 2026, that work effectively came to a halt.

Members who experienced wage theft became unwilling to seek CIF's assistance or advocate with employers because they feared retaliation or attracting ICE's attention. Members also stopped attending informational trainings because they were preoccupied with the possibility and consequences of ICE arrests. At the same time, CIF staff became inundated with urgent calls concerning arrests and detention. Work that previously fell within staff members' ordinary responsibilities could no longer be sustained without significant volunteer support and a dedicated staff member, causing CIF to create a separate Wage and Defense Campaign Coordinator position in December 2025.

138. Defendants' policy and practice has also materially impaired CIF's ability to provide accurate and meaningful Know-Your-Rights education, one of the core services CIF has offered its members since its founding. Before 2025, CIF worked with Virginia organizations and immigration attorneys to prepare and distribute materials explaining members' legal rights. Since early 2025, CIF has had to shift from conventional rights education to harm-reduction information describing the tactics members may encounter during ICE operations, because, with the ubiquity of Defendants' unlawful arrests, the law and actual practice have become incongruent. Members arrested through Defendants' warrantless stops have no way to exercise their rights against unlawful arrest. Members have told CIF that they no longer believe they have meaningful rights because they have repeatedly observed those rights be disregarded by Defendants. CIF therefore now focuses on explaining observed enforcement tactics and helping members understand what they may experience if stopped or arrested, rather than providing the rights-based education it previously offered, because CIF cannot meaningfully educate its members about rights that are not being respected in practice.

139. The demands created by Defendants' policy and practice have also impeded CIF's organizational planning. In July 2026, CIF's Board of Directors extended the organization's 2024–2026 strategic plan for an additional year because urgent arrest- and detention-related demands had diverted staff time and organizational capacity from the substantial work necessary to develop a new strategic plan. Accordingly, the extension reflected CIF's inability, with its limited staff and resources, to complete ordinary organizational planning while responding to the consequences of Defendants' policy and practice.

140. These organizational harms are separate from, and in addition to, the harms suffered by CIF's members. In 2025, 99 percent of CIF's members identified as Hispanic. Across CIF's total historical membership, 89 percent identified as Hispanic. More than 75 percent of CIF's members are from Central or South America. Based on Defendants' well-documented tactics of targeting people perceived to be Latino in public spaces,[154] CIF's membership is particularly exposed to the challenged stops and arrests when members travel to work, attend classes, participate in CIF programs, worship, or otherwise take part in public life.

141. CIF's members have curtailed ordinary activities because of ICE's enforcement activities in Virginia. Members have avoided or withdrawn from employment services, classes, worker assemblies, and other in-person programming; some have changed when and where they travel; and affected families have postponed their longer-term employment and educational needs while attempting to locate detained loved ones and secure assistance. These injuries prevent members from participating fully in CIF's programs and ordinary public life in Virginia.

142. CIF members' responses are based on lived experience. Indeed, CIF's members include individuals who have already been stopped or arrested pursuant to Defendants' challenged

[154] *E.g.*, Ulloa et al., *supra* note 37.

practices, as well as individuals who fear future stops and arrests while continuing to travel to work, attend CIF programming, worship, and meet daily family obligations. For example, **Jacob** and **A.S.R.** are CIF members who have already been subjected to Defendants' illegal policy and practice, and who have been released and continue facing a substantial risk of being re-arrested in the future. *See supra* ¶¶ 81–82. Because Defendants' enforcement activity continues in the areas where CIF's members live, work, and travel, CIF's members remain exposed to the same challenged policy and practice when they engage in those recurring activities.

CLASS ACTION ALLEGATIONS

143. Plaintiffs Alvaro Alvarez Flores, Britney Ramirez Corona, Catarina Rebeca Us Lopez, Edgar Chavez Calix, Jose Rosito Roca Estrada, and Juan Emanuel Lopez Trejo (together, "Individual Plaintiffs") bring this action on behalf of themselves and all others who are similarly situated pursuant to Federal Rule of Civil Procedure 23(a) and 23(b)(2).

144. Individual Plaintiffs seek to represent the following classes:

> **Immigration Status Class**: All persons who, since January 20, 2025, have been or will be arrested in Virginia for alleged immigration violations without a warrant and without a pre-arrest, individualized assessment of probable cause that the person is in the United States unlawfully.
>
> **Escape Risk Class**: All persons who, since January 20, 2025, have been or will be arrested in Virginia for alleged immigration violations without a warrant and without a pre-arrest, individualized assessment of probable cause that the person is likely to escape before immigration officers can obtain a warrant for their arrest.

145. Plaintiffs reserve the right to amend or modify the class definitions, or to propose additional or alternative classes or subclasses, as appropriate.

146. The proposed classes satisfy the prerequisites of Rule 23(a) and 23(b)(2).

147. The proposed classes satisfy the numerosity requirement of Rule 23(a)(1) because they include anyone who has been or will be subjected to Defendants' policy and practice of making warrantless arrests without the requisite probable cause findings. Although the number of

individuals who have been or will be subject to unlawful warrantless arrests by Defendants is not known with precision, Defendants' enforcement operations, which remain ongoing, have resulted in more than 15,000 immigration arrests across Virginia since January 20, 2025.[155] The classes therefore include both persons already subjected to the challenged practices and persons who will be subjected to them while this action is pending.

148. The proposed classes satisfy the commonality requirement of Rule 23(a)(2) as they share common issues of fact or law, including, but not limited to:

1. whether Defendants have a policy and practice of making warrantless arrests without probable cause for an immigration law violation or likelihood of escape; and
2. whether this policy and practice violates 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(i)–(ii).

149. The proposed classes also satisfy the typicality requirement of Rule 23(a)(3). Plaintiffs' legal claims are typical of all members of the proposed classes that they seek to represent because Defendants arrested each of them without a warrant and without individualized pre-arrest determinations of probable cause of unlawful presence and/or escape risk. Plaintiffs seek the same relief as that sought on behalf of each class.

150. Plaintiffs are adequate class representatives, as required by Rule 23(a)(4), as they have no conflict of interest with the putative class members, will fairly and adequately protect the interests of the class, and understand and accept their responsibilities as class representatives.

[155] Nadeau, *Over 15,000 People Arrested*, *supra note* 62.

151. Counsel for Plaintiffs have extensive experience litigating class actions and cases involving civil and constitutional rights generally, and the rights of noncitizens specifically, and are therefore qualified to be certified as class counsel pursuant to Rule 23(g).

152. The proposed classes satisfy the requirements of Rule 23(b)(2) because Defendants have acted and intend to act in a manner that applies generally to the classes as a whole, making class-wide relief appropriate.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

Violation of 8 U.S.C. § 1357(a)(2), 8 C.F.R. § 287.8(c)(2)(i), the *Accardi* doctrine, and the Administrative Procedure Act, 5 U.S.C. § 706: Warrantless Arrests Without Individualized Assessment of Immigration Status

153. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth in this count.

154. Under 8 U.S.C. § 1357(a)(2), an agent may make an immigration arrest without a warrant only if they have "reason to believe" that (1) the individual "is in the United States in violation of any [immigration] law or regulation," and (2) the individual "is likely to escape before a warrant can be obtained for his arrest." *See also* 8 C.F.R. § 287.8(c)(2)(i)–(ii) (same). "Reason to believe" is "considered the equivalent of probable cause," *Lau*, 445 F.2d at 222, which "must be particularized with respect to the person to be searched or seized," *Barham*, 434 F.3d at 573 (citation omitted).

155. Defendants have a policy and practice of making warrantless arrests in Virginia without making individualized pre-arrest determinations of probable cause as to immigration status as required by 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(i).

156. This policy and practice of Defendants is a final agency action that is "arbitrary, capricious, . . . or otherwise not in accordance with law" and "in excess of statutory jurisdiction,

authority, or limitations," 5 U.S.C. § 706(2)(A), (C), and violates the elementary principle of administrative law that agencies are required to follow their own regulations, *see United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954).

157. This Court has authority under the Administrative Procedure Act to "hold unlawful and set aside" such agency action. 5 U.S.C. § 706(2).

158. This Court also has inherent equitable authority to enjoin violations of federal law by federal officers. *See Armstrong v. Exceptional Child Ctr., Inc.*, 575 U.S. 320, 326 (2015).

159. As a result of Defendants' unlawful policy and practice, Plaintiffs and members of the proposed Immigration Status Class are facing irreparable harm and require vacatur of Defendants' unlawful policy, injunctive relief, and/or declaratory relief to prevent continued and future irreparable injury.

SECOND CLAIM FOR RELIEF

Violation of 8 U.S.C. § 1357(a)(2), 8 C.F.R. § 287.8(c)(2)(ii), the *Accardi* doctrine, and the Administrative Procedure Act, 5 U.S.C. § 706: Warrantless Arrests Without Individualized Assessment of Likelihood of Escape

160. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth in this count.

161. Under 8 U.S.C. § 1357(a)(2), an agent may make an immigration arrest without a warrant only if they have "reason to believe" both that the individual is (1) "in the United States in violation of any [immigration] law or regulation," and (2) "likely to escape before a warrant can be obtained for his arrest." The relevant regulation, 8 C.F.R. § 287.8(c)(2)(i)–(ii), contains identical requirements. "Reason to believe" under § 1357(a)(2) is equivalent to probable cause, *Lau*, 445 F.2d at 222, which "must be particularized with respect to the person to be searched or seized," *Pringle*, 540 U.S. at 371 (citation omitted); *see also Hupp v. Cook*, 931 F.3d 307, 318 (4th

Cir. 2019) ("The [probable cause] inquiry turns on two factors: the suspect's conduct as known to the officer, and the contours of the offense thought to be committed by that conduct." (internal quotation marks omitted) (quoting *Smith v. Munday*, 848 F.3d 248, 253 (4th Cir. 2017))). "The burden is on the Government to establish . . . that agents had reason to believe the noncitizen was likely to escape before a warrant can be obtained." *Lopez v. Noem*, 2025 WL 3496195, at *5 (D. Md. Dec. 5, 2025) (citing *United States v. Segura-Gomez*, 2018 WL 6582823, at *6 (E.D.N.C. May 25, 2018)).

162. Defendants have a policy and practice of making warrantless arrests in Virginia without making the individualized, pre-arrest determination of probable cause as to likelihood of escape as required by 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(ii).

163. This policy and practice of Defendants is a final agency action that is "arbitrary, capricious, . . . or otherwise not in accordance with law" and "in excess of statutory jurisdiction, authority, or limitations," 5 U.S.C. § 706(2)(A), (C), and violates the elementary principle of administrative law that agencies are required to follow their own regulations, *see Accardi*, 347 U.S. at 268.

164. Defendants' policy and practice is further arbitrary and capricious because Defendants abandoned safeguards previously adopted in the Broadcast Statement to ensure compliance with 8 U.S.C. § 1357(a)(2), without adequately ensuring that immigration officers continue to make the individualized probable-cause determinations required by statute and regulation.

165. This Court has authority under the Administrative Procedure Act to "hold unlawful and set aside" such agency action. 5 U.S.C. § 706(2).

166. This Court also has inherent equitable authority to enjoin violations of federal law by federal officers. *See Armstrong*, 575 U.S. at 326.

167. Defendants' actions or inactions alleged herein have violated and continue to violate the rights of the named Plaintiffs and the putative classes under 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(ii), *Accardi*, and the Administrative Procedure Act.

168. As a result of Defendants' unlawful policy and practice, Plaintiffs and members of the proposed Escape Risk Class are facing irreparable harm and require vacatur of Defendants' unlawful policy, injunctive relief, and/or declaratory relief to prevent continued and future irreparable injury.

THIRD CLAIM FOR RELIEF

Violation of 8 C.F.R. § 287.8(c)(2)(iii), the *Accardi* doctrine, and the Administrative Procedure Act, 5 U.S.C. § 706: Warrantless Arrests Without Proper Identification

169. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth in this count.

170. Federal regulations require agents and officers, at the time of an arrest or as soon as it is practicable and safe to do so, to identify themselves as "an immigration officer who is authorized to execute an arrest" and "state that the person is under arrest and the reason for the arrest." 8 C.F.R. § 287.8(c)(2)(iii).

171. Defendants have a policy, pattern, and practice of not timely identifying themselves, their authority to execute an immigration arrest, or the reasons for an arrest.

172. This policy and practice of Defendants is a final agency action that is "arbitrary, capricious, . . . or otherwise not in accordance with law," 5 U.S.C. § 706(2)(A), and violates the

elementary principle of administrative law that agencies are required to follow their own regulations, *see Accardi*, 347 U.S. at 268.

173. As a result of Defendants' unlawful policy and practice, Plaintiffs are facing irreparable harm and require vacatur of Defendants' unlawful policy, injunctive relief, and/or declaratory relief to prevent continued and future irreparable injury.

FOURTH CLAIM FOR RELIEF

***Ultra Vires*: Exceeding Statutory Authority**

174. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth in this count.

175. Congress has granted immigration officers limited authority to arrest individuals without a warrant only where the officer has "reason to believe" that the individual "is in the United States in violation of any [immigration] law or regulation" and "is likely to escape before a warrant can be obtained for his arrest." 8 U.S.C. § 1357(a)(2); *see also* 8 C.F.R. § 287.8(c)(2)(i), (ii). These statutory prerequisites are not discretionary guidelines—they are limitations on the exercise of federal power.

176. Defendants have engaged in a policy and practice of conducting warrantless immigration arrests in Virginia without making the individualized determinations of immigration status and likelihood of escape that Congress mandated as preconditions to the exercise of warrantless arrest authority under 8 U.S.C. § 1357(a)(2). By dispensing with these statutory prerequisites, Defendants have acted wholly outside the scope of authority that Congress conferred upon them.

177. Because Defendants' warrantless arrests are conducted without satisfying the statutory conditions that alone authorize such arrests, those arrests are not merely erroneous

exercises of delegated power—they are acts taken in the complete absence of lawful authority. Defendants' conduct is therefore *ultra vires*.

178. As a result of Defendants' *ultra vires* conduct, Plaintiffs and members of the proposed Immigration Status Class and Escape Risk Class are facing irreparable harm and require injunctive relief and/or declaratory relief to prevent continued and future irreparable injury.

FIFTH CLAIM FOR RELIEF

Violation of 8 U.S.C. § 1357(a)(2), 8 C.F.R. § 287.8(c)(2)(ii), the *Accardi* doctrine and the Administrative Procedure Act, 5 U.S.C. § 706(2)(A): Unlawful Interpretation of "Likely to Escape" in the Lyons Memorandum

179. Plaintiffs reallege and incorporate by reference all prior paragraphs of this Complaint as though fully set forth in this count.

180. This claim is pleaded in the alternative. *See* Fed. R. Civ. P. 8(d)(2)–(3). To the extent Defendants contend that agents make escape-risk determinations before warrantless arrests, those determinations are governed by the Lyons Memorandum's unlawful interpretation of "likely to escape."

181. A reviewing court must "hold unlawful and set aside agency action" that is "not in accordance with law." 5 U.S.C. § 706(2)(A).

182. The Lyons Memorandum is a final agency action under the APA. 5 U.S.C. § 704.

183. The Lyons Memorandum's interpretation of "likely to escape" effectively reads the "likely to escape" requirement out of 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(ii).

184. Because the Lyons Memorandum's interpretation of "likely to escape" cannot be reconciled with the statutory and regulatory authorities governing warrantless arrests, it is not in accordance with law and must be set aside under 5 U.S.C. § 706(2)(A).

185. Because the Lyons Memorandum's interpretation conflicts with 8 C.F.R. § 287.8(c)(2)(ii), it also violates the principle that agencies must follow their own regulations. *See Accardi*, 347 U.S. at 268.

186. Defendants' unlawful agency action exposes Plaintiffs and members of the proposed Escape Risk Class to imminent irreparable harm. Plaintiffs and the proposed Escape Risk Class are entitled to vacatur of the Lyons Memorandum's interpretation of "likely to escape," injunctive relief, and/or declaratory relief to prevent continued and future irreparable injury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

A. Certify this action as a class action pursuant to Federal Rule of Civil Procedure 23(b)(2), appoint Individual Plaintiffs as class representatives for both the Immigration Status Class and the Escape Risk Class, and appoint undersigned counsel as class counsel;

B. Declare that Defendants' policy and practice of making warrantless immigration arrests without making a pre-arrest, individualized assessment of probable cause that the person is in the United States unlawfully violates 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(i);

C. Declare that Defendants' policy and practice of making warrantless immigration arrests without making a pre-arrest, individualized assessment of probable cause that the person is likely to escape before a warrant can be obtained violates 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(ii);

D. Declare that Defendants' policy and practice of failing to timely identify themselves, their authority to execute an immigration arrest, or the reasons for an arrest violates 8 C.F.R. § 287.8(c)(2)(iii);

E. Declare that the Lyons Memorandum's interpretation of the term "likely to escape" is contrary to law; vacate and set aside that interpretation; and permanently enjoin Defendants from implementing, enforcing, or relying upon that interpretation in conducting warrantless arrests;

F. Vacate and set aside Defendants' policy and practice of making warrantless immigration arrests without an individualized determination of *both* an immigration law violation and likelihood of escape, in violation of 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(i), (ii);

G. Vacate and set aside Defendants' policy and practice of failing to timely identify themselves, their authority to execute an immigration arrest, or the reasons for an arrest, in violation of 8 C.F.R. § 287.8(c)(2)(iii);

H. With respect to the Immigration Status Class, enjoin Defendants' policy and practice of making warrantless immigration arrests without an individualized determination of probable cause of an immigration law violation in violation of 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(i);

I. With respect to the Escape Risk Class, enjoin Defendants' policy and practice of making warrantless immigration arrests without an individualized determination of probable cause of likelihood of escape in violation of 8 U.S.C. § 1357(a)(2) and 8 C.F.R. § 287.8(c)(2)(ii);

J. Order Defendants, their subordinates, agents, employees, and all others acting in concert with them to expunge all records collected and maintained about Plaintiffs and class members from their unlawful arrests, including any derivative information;

K. Order Defendants to provide written notice to all affected putative class members of any expungement or record-correction relief ordered by this Court;

L. Award Plaintiffs their costs and reasonable attorneys' fees pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504, 28 U.S.C. § 2412, and any other applicable source of law; and

M. Award such further relief as the Court deems appropriate.

November 16, 2026

Respectfully submitted,

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Attorneys for Plaintiffs[156]

+ Motion for Admission pro hac vice forthcoming
** Petition for Admission forthcoming*

[156] Counsel wish to acknowledge the assistance of Law Clerk Nate Collins; Senior Paralegal Karla Paredes; Paralegals Damani Roberts-Heyliger, John Kamp, Darianny Bautista, Yvette Castaneda, and Eveling Renteria; and advocate Michael Chyobotov in the investigation of the facts and the preparation of this complaint.

JS 44 (Rev. 03/24)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

CENTREVILLE IMMIGRATION FORUM; ALVAREZ FLORES. ALVARO: RAMIREZ CORONA. BRITNEY: US

(b) County of Residence of First Listed Plaintiff Fairfax
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Sophia Leticia Gregg, American Civil Liberties Union of Virginia, PO Box 26464, Richmond, VA 23261; (804)

DEFENDANTS

U.S. DEPARTMENT OF HOMELAND SECURITY; Secretary MULLIN. MARKWAYNE: U.S. IMMIGRATION

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☒ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District *(specify)* ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
5 U.S.C. § 702, Violation of the Administrative Procedure Act - Right of Review

Brief description of cause:
Government violation of 8 U.S.C. § 1357, governing regulations, Administrative Procedure Act, and the Accardi doctrine

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY *(See instructions)*:

JUDGE _____ DOCKET NUMBER _____

DATE
11/16/2026

SIGNATURE OF ATTORNEY OF RECORD
/s/ Sophia Leticia Gregg

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below**; NOTE: federal question actions take precedence over diversity cases.**)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.

V. Origin. Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.