

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

SAMUEL GUZMAN, *et al.*,

*

*individually and on behalf of others
similarly situated,*

*

Plaintiffs,

*

v.

*

No. 1:26-cv-03579-BAH

*

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*,

*

Defendants.

*

* * * * *

**BRIEF OF AMICUS CURIAE STATE OF MARYLAND
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

September 16, 2026

ANTHONY G. BROWN
Attorney General of Maryland

/s/ Yasmin Dagne

Yasmin Dagne (D. Md. Bar No. 32016)
Adam Kirschner (D. Md. Bar No. 31767)
Jonathan Smith*
Assistant Attorneys General
Office of the Attorney General
200 Saint Paul Place, 20th Floor
Baltimore, Maryland 21202
ydagne@oag.maryland.gov
(410) 223-1580

Attorneys for Amicus Curiae

* *Application for admission pending*

TABLE OF CONTENTS

INTRODUCTION 1

INTERESTS OF AMICUS CURIAE 1

BACKGROUND 2

ARGUMENT 4

 I. Defendants’ Unlawful Actions Are Contrary to Maryland Public Policy..... 5

 Ii. Defendants’ Unlawful Actions Harm Maryland Residents and Communities. 8

 Iii. Defendants’ Unlawful Actions Undermine Public Safety and Impede Local Law
 Enforcement In Maryland. 13

CONCLUSION..... 15

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Booker v. State</i> , 267 Md. App. 315, 323 (2025).....	5
<i>Cartnail v. State</i> , 359 Md. 272 (2000)	6
<i>Crosby v. State</i> , 408 Md. 490 (2009)	5
<i>D.N.N. v. Liggins</i> , 822 F. Supp. 3d 543 (D. Md. 2026).....	15
<i>Maryland v. Lyons</i> , No. 1:26-cv-01024-JRR (D. Md. 2026)	2
<i>Maryland v. Mullin</i> , No. CV 26-733-BAH (D. Md. 2026)	2
<i>Nken v. Holder</i> , 556 U.S. 418 (2009).....	4
<i>Stokes v. Maryland</i> , 362 Md. 407 (2001).....	6
<i>Terry v. Ohio</i> , 392 U.S. 1 (1968).....	5
<i>Washington v. State</i> , 482 Md. 395 (2022)	5
<i>Winter v. Nat. Res. Def. Council, Inc.</i> , 555 U.S. 7 (2008)	4
Constitutional Provisions	
Md. Decl. Rts. art. 24.....	5
Md. Decl. Rts. art. 26.....	5
Statutes	
8 U.S.C. § 1357(a)(2).....	2
Community Trust Act, 2026 Md. Laws ch. 872.....	1
Dignity Not Detention Act, 2021 Md. Laws ch. 19.....	1
Maryland Dream Act, 2011 Md. Laws ch. 191	1
Maryland Values Act, 2025 Md. Laws ch. 718.....	1
Maryland Police Accountability Act of 2021, 2021 Md. Laws ch. 59.....	7
Md. Code Ann., Crim. Proc. § 2-109 (West 2026)	6
Md. Code Ann., Pub. Safety § 3-524 (West 2026)	7
Md. Code Ann., Pub. Safety § 3-101(g) (West 2026).....	7
Md. Code Ann., State Gov’t § 6-602(c) (West 2026)	8
Md. Code Ann., Transp. § 25-113(g) (West 2026).....	6

Regulations

8 C.F.R. § 287.8 8(c)(2)	2
COMAR 12.04.09.06B	7
COMAR 12.04.11.06	8

Miscellaneous

Brian Carlon & Maggie Trovato, <i>ICE Fears Are Keeping Some Maryland Witnesses Out of Court, Prosecutors Say</i> , Baltimore Sun (Aug. 7, 2026), https://perma.cc/5QJB-G6RW	15
Clara Longo de Freitas & John-John Williams IV, <i>Baltimore Families Ripped Apart By ICE Detentions, Deportations</i> , The Banner (July 29, 2025), https://perma.cc/7FG7-SEPD	10
Comptroller of Md., <i>State of the Economy Series: Immigration and the Economy</i> (Apr. 2024), https://perma.cc/ML6X-KLPY	12
Elizabeth Cox & Chloe N. East, <i>Labor Market Impacts of ICE Activity in Trump 2.0</i> , NBER Working Paper 35129 (Apr. 2026, revised June 2026), https://perma.cc/TZP9-43BD	12, 13
Haley Parsley, Capital News Service, <i>When ICE Arrests You, What Happens To Your Car?</i> , Maryland Matters (June 1, 2026), https://perma.cc/S9A3-7HKP	14
Int'l Ass'n of Chiefs of Police (IACP), <i>Shared Principles of Agreement – Public Safety Leadership Convening</i> (Mar. 2026), https://perma.cc/QHC5-MYPG	14, 15
Jackie Llanos, <i>Dozens of Kids Entered Foster Care After Immigration Agents Detained Their Parents</i> , Washington Sun (Feb. 10, 2026), https://perma.cc/6PC7-X2DG	11
Kristina Cooke & Ben Kellerman, <i>ICE Arrests Keep Soaring. Here's Why They Are Not Leading to More Deportations</i> , Reuters (Sept. 14, 2026), https://perma.cc/XB5U-XJHZ	2, 4
Josh Davis, <i>ICE Fears Trigger Eastern Shore Poultry Worker Walkout Calls</i> , Baltimore Sun (Aug. 5, 2026), https://perma.cc/SWH8-8Z5E	12
Lisa Fortuna <i>et al.</i> , Special Report: U.S. Immigration Policy and the Mental Health of Children and Families, Psych News (July 25, 2025), https://perma.cc/NS7Q-VPUL	11
Liz Bowie, <i>Maryland Sees Drop in Hispanic Graduations as Immigration Raids Ramp Up</i> , The Banner (Jan. 27, 2026), https://perma.cc/6PAG-2XF7	9
Liz Bowie <i>et al.</i> , <i>ICE vehicles hit Baltimore father's car as he took his children to school, attorney says</i> , The Banner (June 12, 2026), https://perma.cc/CA5J-8ZDD	13
Md. Immigr. Rights Protection Task Force, <i>Initial Report</i> (July 15, 2026), https://perma.cc/5LTC-YQ7G	passim

Maya Lora, <i>How life has gotten worse for immigrant children under Trump 2.0</i> , The Banner (Aug. 6, 2025), https://perma.cc/6T4B-KYPN	12
Mike Hellgren & Adam Thompson, <i>Judge Slams ICE Tactics, Orders Release of Father Arrested Outside Baltimore School in “Stomach Churner” Case</i> , CBS News (July 24, 2026), https://perma.cc/4RBY-549G	13
MPTSC Best Practices for Use of Force Policy & Training Development (May 4, 2022), https://perma.cc/R57K-GG2T	7
Nicole Foy, <i>We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days</i> , ProPublica (Oct. 16, 2025), https://perma.cc/XHF3-NET3	4
Off. of Gov. Wes Moore, <i>Mass Deportation Hurts Maryland’s Economy</i> , https://perma.cc/5WHJ-YUUZ	13
Shannon Schumacher <i>et al.</i> , <i>KFF/New York Times 2025 Survey of Immigrants: Worries and Experiences Amid Increased Immigration Enforcement</i> (Nov. 18, 2025), https://perma.cc/R27W-BHLW	11
Tim Henderson, <i>Immigration Street Sweeps Led to More ‘Collateral’ Arrests of Noncriminals</i> , Maryland Matters (Apr. 30, 2026), https://perma.cc/XLR9-5QBH	3
Tracee Wilkins, <i>‘You Come Monday, Someone’s Gone’: How Immigration Enforcement Is Affecting DMV Schools</i> , NBC Washington (Aug. 28, 2026), https://perma.cc/W6C8-5F9Q	9
Will Hammann, <i>Maryland Hispanic Student Enrollment Declines Amid Immigration Fears</i> , Maryland Matters (Aug. 24, 2026), https://perma.cc/XJG4-ZHXX	9

INTRODUCTION

Advancing the Trump Administration’s immigration enforcement agenda, federal immigration officers across Maryland have engaged in widespread warrantless arrests that do not meet the legal requirements set by Congress. By flouting clear legal limits on their arrest authority, immigration officers not only have violated federal law but have contravened Maryland’s clear public policy requiring that law enforcement officials engage in professional and constitutional policing. These unlawful and indiscriminate warrantless arrests—and related enforcement actions—have sown fear and uncertainty among Marylanders, disrupted daily life, and undermined public safety across the State. A preliminary injunction preventing such lawlessness by federal immigration officers is therefore in the public interest.

INTERESTS OF AMICUS CURIAE

The State of Maryland has an interest in the health and well-being of all Maryland residents, regardless of where they were born. Over one million immigrants—comprising 17 percent of the population—reside in Maryland.¹ About 45 percent of immigrant Marylanders are not U.S. citizens.² The General Assembly has enacted numerous laws that expand opportunities for immigrants,³ limit the role of state and local officials in federal immigration enforcement,⁴ and promote transparency around immigration detention.⁵ The Attorney General, for his part, has

¹ See Md. Immigr. Rights Protection Task Force, *Initial Report 2* (July 15, 2026), <https://perma.cc/5LTC-YQ7G> (“Md. Task Force Report”).

² See *id.*

³ See, e.g., Maryland Dream Act, 2011 Md. Laws ch. 191.

⁴ See, e.g., Community Trust Act, 2026 Md. Laws ch. 872; Maryland Values Act, 2025 Md. Laws ch. 718.

⁵ See, e.g., Dignity Not Detention Act, 2021 Md. Laws ch. 19.

participated in numerous in-court efforts to protect the State and its residents from unlawful federal immigration actions.⁶

Plaintiffs' complaint and motion for a preliminary injunction describe a pattern and practice of unlawful warrantless arrests by federal immigration officials in Maryland. A federal immigration officer may conduct an arrest without a warrant only if the officer "has reason to believe" that the individual "is in the United States in violation of" immigration laws 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). This "reason to believe" standard is equivalent to the constitutional requirement of probable cause. Plaintiffs allege that federal immigration officers have arrested people in Maryland without probable cause determinations that they are unlawfully present in the United States and present an escape risk. Compl. ¶¶ 40, 42–47. They move to enjoin the U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) from making warrantless arrests unless the arresting agent has probable cause pre-arrest to believe that the person is an escape risk. Prelim. Injunction Mem. 16, 30. The State of Maryland respectfully submits this brief as amicus curiae in support of Plaintiffs' motion for a preliminary injunction.

BACKGROUND

Since 2025, the Trump Administration has engaged in a heightened immigration enforcement campaign, seeking to arrest up to 3,000 people a day.⁷ This enforcement agenda has

⁶ *See, e.g.,* Order, *Maryland v. Mullin*, No. 1:26-cv-00733-BAH, ECF 42 (D. Md. Apr. 15, 2026) (enjoining construction and renovation by DHS and ICE at warehouse in Williamsport for the purposes of operating the warehouse as a detention and processing facility); Compl., *Maryland v. Lyons*, No. 1:26-cv-01024-JRR, ECF 1 (D. Md. Mar. 10, 2026) (seeking to enforce an administrative subpoena and request for information as part of ongoing civil rights investigation of conditions in Baltimore ICE hold rooms).

⁷ *See* Kristina Cooke & Ben Kellerman, *ICE Arrests Keep Soaring. Here's Why They Are Not Leading to More Deportations*, Reuters (Sept. 14, 2026), <https://perma.cc/XB5U-XJHZ>.

resulted in a dramatic increase in immigration arrests in Maryland: ICE carried out 6,596 arrests in Maryland between January 2025 and March 2026, representing a 257 percent increase from the 1,846 arrests made during the same period the previous year.⁸

In addition to the rise in overall arrests, ICE is increasingly arresting people in the community, including people without criminal histories.⁹ According to Plaintiffs' expert, between January 20, 2025, and August 6, 2026, there were nearly 7,000 non-custodial arrests—i.e., arrests of immigrants outside of the prison or jail context—in Maryland.¹⁰ This represents nearly a 500 percent increase, from an average of 14.6 arrests per week in 2024 to 86.4 per week after January 20, 2025.¹¹ Consistent with these trends, Maryland had the fourth-highest rate of “collateral arrests,” a term referring to arrests of people who were not the intended targets of ICE operations.¹²

These arrests have disproportionately impacted Brown and Black immigrant communities. Over 90 percent of non-custodial arrests in Maryland have been of people with citizenship in Central America, South America, or the Caribbean.¹³ Numerous declarations in support of Plaintiffs' motion describe how, after the declarants were arrested and detained, they saw ICE officers specifically targeting other Latino individuals to arrest.¹⁴ One declarant observed “officers enter license plate numbers of nearby cars into a computer to search for the name of the owner of

⁸ Md. Task Force Report, *supra* note 1, at 4.

⁹ *Id.*

¹⁰ Blair Decl., ¶¶ 7–8.

¹¹ *Id.* ¶ 9.

¹² See Tim Henderson, *Immigration Street Sweeps Led to More ‘Collateral’ Arrests of Noncriminals*, Maryland Matters (Apr. 30, 2026), <https://perma.cc/XLR9-5QBH>.

¹³ Blair Decl., ¶ 13.

¹⁴ See, e.g., Declaration of David Aguirre (“Aguirre Decl.”), Ex. G to Mem. in Supp. of Pls.’ Mot. for Prelim. Injunction (“PI Mem.”), ECF 5-48, ¶ 8; Declaration of C.G. (C.G. Decl.”), Ex. H to PI Mem., ECF 5-49, ¶ 6.

the car” and further observed that “[e]ach time the registered owner appeared to be Latino, they would stop that car.”¹⁵ Another declarant reported that while one agent looked up license plate information, the other agent would “repeatedly ask ‘Spanish? Spanish?’”¹⁶

Federal immigration officers have increasingly arrested people who have pending asylum or other legal claims.¹⁷ They have also arrested U.S. citizens.¹⁸ These citizens include Marylanders like 24-year-old Annapolis-born Samuel Guzmán, who was arrested, detained, and ultimately released by ICE in June 2026.¹⁹ When Mr. Guzmán, who lived in Mexico for part of his life and speaks English with an accent, told the ICE agent who handcuffed him that he was a U.S. citizen, the agent responded, “if you are an American citizen, why don’t you speak better English?”²⁰

ARGUMENT

A preliminary injunction may be granted only if such relief is in the public interest. *See Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).²¹ Here, the requested preliminary injunction overwhelmingly serves the public interest because Defendants’ unlawful actions contravene Maryland public policy, harm residents and communities, and undermine public safety.

¹⁵ Aguirre Decl., ¶ 8.

¹⁶ C.G. Decl., ¶ 6.

¹⁷ *See* Cooke & Kellerman, *supra* note 7.

¹⁸ *See* Nicole Foy, *We Found That More Than 170 U.S. Citizens Have Been Held by Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days*, ProPublica (Oct. 16, 2025), <https://perma.cc/XHF3-NET3> (reporting that officers had questioned the citizenship of more than 50 detained U.S. citizens).

¹⁹ *See* Declaration of Samuel Guzmán, Ex. C to PI Mem., ECF 5-44, ¶¶ 1–2, 5, 16.

²⁰ *See id.* ¶¶ 3, 12.

²¹ The balance of equities and the public interest factors “merge when the Government is the opposing party.” *Nken v. Holder*, 556 U.S. 418, 435 (2009).

I. DEFENDANTS' UNLAWFUL ACTIONS ARE CONTRARY TO MARYLAND PUBLIC POLICY.

The conduct of federal immigration officers described by Plaintiffs contravene the public policy of the State of Maryland. Maryland law, including the Maryland Constitution, requires law enforcement officers respect the rights of its residents and operate within the bounds of duly enacted laws. The Maryland Constitution protects against search and seizure without reasonable cause. *Washington v. State*, 482 Md. 395, 408 (2022); Md. Decl. Rts. art. 24; Md. Decl. Rts. art. 26. As explained below, the General Assembly has enacted laws to ensure that officers respect these rights. It has established rules for stops, searches, arrests, and use of force; it has required written justifications and public data reporting; and it has put in place a transparent system of accountability. When a federal immigration officer engages in a stop without reasonable justification, targets a person because of perceived race or ethnicity, or engages in excessive force, that officer undermines the set of rules carefully designed to promote public safety and trust in law enforcement. Maryland is thus harmed by such lawless conduct.

Stops Require Reasonable Suspicion and Arrests Require Probable Cause. Plaintiffs' complaint and motion describe a pattern of stops without reasonable suspicion and warrantless arrests without probable cause. Such actions offend principles deeply embedded in Maryland's statutory and constitutional law. An investigative stop "is a serious intrusion upon the sanctity of the person, which may inflict great indignity and arouse strong resentment, and it is not to be undertaken lightly." *Terry v. Ohio*, 392 U.S. 1, 17 (1968). Following the standard articulated in *Terry*, Maryland courts require that a law enforcement officer have a reasonable particularized suspicion that a crime has, is about to be, or as been committed by a person before the officer can engage in a non-consensual stop. *Crosby v. State*, 408 Md. 490, 507-08 (2009). To justify an arrest, an officer must have probable cause. *Booker v. State*, 267 Md. App. 315, 323 (2025).

To promote the legitimacy of law enforcement in the eyes of the public, Maryland law requires officers to identify themselves by name, badge number, and agency, and to state the reason for a stop. Md. Code Ann., Crim. Proc. § 2-109 (West 2026). The statute contains a narrow exception for exigent circumstances in which disclosure would jeopardize officer safety or compromise an active investigation. *See id.* § 2-109(a). In such cases, the officer must provide the required information as soon as the exigency ends.

Racial and Ethnic Profiling is Prohibited. When ICE relies on nothing more than the perceived race or ethnicity of an individual to determine to make a stop or arrest, it acts in conflict with Maryland’s strong public policy against race discrimination in policing. The use of race to establish either reasonable suspicion or probable cause is restricted under Maryland law. Race or ethnicity may be relevant to a suspect-specific description justifying a stop, but race or ethnicity alone is never enough to constitute reasonable suspicion. *Cartnail v. State*, 359 Md. 272 (2000) (Black man driving car the same color of a suspect not sufficient to establish reasonable suspicion); *Stokes v. Maryland*, 362 Md. 407 (2001) (race and clothing matching description insufficient.). To help prevent racial profiling, every law enforcement agency in the State must have a policy “against race-based traffic stops that is to be used as a management tool to promote nondiscriminatory law enforcement and in the training and counseling of its officers,” and that policy must “prohibit the practice of using an individual’s race or ethnicity as the sole justification to initiate a traffic stop.” Md. Code Ann., Transp. § 25-113(g) (West 2026).²²

²² Maryland law enforcement officers are also required to document key details of every stop, including the date, time, and location of the stop; its duration; the violation observed; whether a search was conducted and on what basis; the outcome of the stop; and demographic information such as race, ethnicity, gender, and age of the driver. These reports must be submitted to the officer’s agency, compiled annually, and transmitted to the Maryland Statistical Analysis Center for public reporting and oversight. Transp. § 25-113(g).

Excessive Force is Prohibited. Plaintiffs' complaint and motion describe Defendants' pattern of using aggressive and dangerous tactics to effectuate unlawful warrantless arrests in Maryland. These tactics, which include boxing in cars, forcibly extracting people from cars, and using tasers, are harmful to Maryland residents and the State. Excessive and unnecessary force is corrosive to public trust and public safety, and the use of force is limited by the State's Constitution and by statute. Maryland law requires that force be both necessary and proportional to the circumstances and that officers employ de-escalation tactics whenever possible before resorting to force. Md. Code Ann., Pub. Safety § 3-524 (West 2026). Officers have an affirmative duty to intervene to prevent or stop the use of excessive force by other Maryland officers, regardless of rank or assignment. *Id.*²³

Unlawful Police Action is Subject to Meaningful Accountability. Maryland values of transparency and accountability are reflected in a series of laws that identify and address misconduct. The General Assembly enacted the Maryland Police Accountability Act of 2021 to subject police discipline to substantial civilian oversight. 2021 Md. Laws ch. 59. Although federal law enforcement is not subject to the same or similar transparency, civilian oversight, or accountability, misconduct by federal law enforcement creates mistrust in all police and discourages communities from working with police, as described at pages 14–15 below.

State law requires Maryland law enforcement agencies to conduct thorough internal investigations of complaints of police misconduct, unless the matter is eligible for mediation based on the minor and nonviolent nature of the alleged misconduct. COMAR 12.04.09.06B,

²³ This public policy finds further expression in the Maryland Police Training and Standards Commission (MPTSC) Best Practices for Use of Force Policy and Training Development guidance, which limits the circumstances under which officers may use force. *See* MPTSC Best Practices for Use of Force Policy & Training Development (May 4, 2022), <https://perma.cc/R57K-GG2T>.

12.04.11.06. “Police misconduct” encompasses any deprivation of a person’s rights under state or federal law, any violation of a criminal law, and any violation of the law enforcement agency’s standards and policies. Pub. Safety § 3-101(g).

In addition, the General Assembly created the Independent Investigations Division (“IID”) in the Office of the Attorney General to conduct independent investigations of police-involved deaths. IID must investigate “all police-involved incidents that result in the death of an individual or injuries that are likely to result in the death of an individual” and may investigate some other incidents on referral from the State’s Attorney. Md. Code Ann., State Gov’t § 6-602(c) (West 2026).

In sum, the public interest is harmed when federal immigration officers act contrary to Maryland values of professional and constitutional policing, as these unlawful actions undermine the State’s carefully ordered system of public safety and accountability.

II. DEFENDANTS’ UNLAWFUL ACTIONS HARM MARYLAND RESIDENTS AND COMMUNITIES.

Defendants’ unlawful immigration enforcement actions are inflicting widespread harm on Maryland residents and communities by undermining student learning, damaging public health, and destabilizing the economy. Plaintiffs describe how ICE has targeted Maryland neighborhoods with significant Brown and Black immigrant communities to (1) initiate unlawful stops based on perceived race or immigration status; then (2) surround the vehicle with unmarked cars, strike it, and forcibly remove and handcuff all occupants (often while masked and armed); before (3) taking them away and abandoning the car at the scene, all without probable cause. *See* PI Mem. 8. ICE has also conducted arrests without probable cause at stores and workplaces. *See id.* As the Maryland Immigrant Rights Protection Task Force has explained, “[t]he increase in visible immigration enforcement has led to widespread fear among immigrant families as well as concerns

about privacy, the use of racial profiling, and accountability for federal officer overreach.”²⁴ Unlawful and indiscriminate warrantless arrests that sweep in anyone who appears Hispanic or speaks with an accent are especially damaging in Maryland, which has a diverse immigrant and U.S.-born population.

Harms to Schools. Unlawful and unpredictable immigration enforcement actions in Maryland have disrupted education in the State. Students report increased fear and anxiety as they, their classmates, or their family members are subjected to seemingly random and sudden arrest and detention.²⁵ As one student said, “You come on Monday and . . . someone’s gone and everybody doesn’t know where they are.”²⁶

Amid this climate of fear and uncertainty, the graduation rate for Hispanic public school students in Maryland dropped 4.4 percent last year, and the English learner graduation rate dropped 5.5 percent.²⁷ Addressing these “significant declines,” the President of the Maryland Board of Education stated that “[h]eightedened political tensions and fear around immigration enforcement erode students’ sense of safety and belonging, disrupting learning and pathways to graduation.”²⁸ Hispanic student enrollment also declined last school year, after increasing at an average rate of 4.7 percent since pandemic-era lows.²⁹

²⁴ Md. Task Force Report, *supra* note 1, at 4.

²⁵ See Tracee Wilkins, ‘You Come Monday, Someone’s Gone’: How Immigration Enforcement Is Affecting DMV Schools, NBC Washington (Aug. 28, 2026), <https://perma.cc/W6C8-5F9Q>.

²⁶ *Id.*

²⁷ See Liz Bowie, *Maryland Sees Drop in Hispanic Graduations as Immigration Raids Ramp Up*, The Banner (Jan. 27, 2026), <https://perma.cc/6PAG-2XF7>.

²⁸ *Id.*

²⁹ See Will Hammann, *Maryland Hispanic Student Enrollment Declines Amid Immigration Fears*, Maryland Matters (Aug. 24, 2026), <https://perma.cc/XJG4-ZHXX>.

In addition to reduced student attendance and graduation, unlawful immigration enforcement actions, including unpredictable and chaotic traffic-stop arrests, disrupt students' day-to-day academic experiences. In September 2025, masked ICE officers pulled a car over, chased and tackled its two occupants, and then handcuffed them near a middle school in Silver Spring, as children, parents, and staff watched.³⁰ In May 2026, one Baltimore school posted a Baltimore City Schools police officer outside during drop-off after parents and staff members reported unmarked vehicles filled with people in military gear suspected to be ICE.³¹ Defendants' actions thus have impacted Maryland students' ability to succeed academically.

Harms to Public Health. Unlawful immigration enforcement actions have jeopardized the health of both immigrant and U.S. citizen children across the country,³² including in Maryland. As a psychotherapist and licensed clinical social worker in the Baltimore region explained, immigrants are experiencing “a lot of terror and intense fear,” leading them to alter their daily routines in response to the constant threat of deportation, and this anxiety is placing their physical and mental health at risk.³³

Mental health harms, in particular, can be widespread. Experts report that inconsistent enforcement actions—a category that doubtless includes Defendants' pattern and practice of unlawful warrantless arrests—have “intensified fear and uncertainty within immigrant

³⁰ See Ashlyn Campbell, *ICE Incident Near Silver Spring's Eastern Middle School Stokes Fear, Advocates Say*, Bethesda Magazine (Sept. 12, 2025), <https://perma.cc/A2BX-KS4U>.

³¹ Maya Lora & Sara Ruberg, *Immigration Enforcement Is Inching Closer to Southeast Baltimore Schools*, The Banner (May 14, 2026), <https://perma.cc/X6VK-47XT>.

³² See Physicians for Human Rights, *ICE Tactics and Deportation Fears Limit Access to Health Care for Children of Immigrants: Survey* (Nov. 19, 2025), <https://perma.cc/44SG-T73Z>.

³³ Clara Longo de Freitas & John-John Williams IV, *Baltimore Families Ripped Apart By ICE Detentions, Deportations*, The Banner (July 29, 2025), <https://perma.cc/7FG7-SEPD>.

communities.”³⁴ These harms are especially pronounced among children, as experts recognize that “[f]orcible separation from a caregiver is recognized as an adverse childhood experience . . . that contributes to toxic stress, ambiguous loss, and long-term risk for psychiatric disorders.”³⁵ “Even the threat of separation can generate profound emotional harm.”³⁶

Plaintiffs’ declarations show the negative mental health impacts of Defendants’ actions in Maryland. One declarant states the following, for instance:

My arrest has affected me significantly, causing a lot of anxiety and depression for myself and my family. My wife had to take care of our children by herself for nearly five months and was unable to afford our rent, forcing her and the children to move in with other family members. My oldest son has suffered so much anxiety over my arrest and detention that he is afraid to go to school. He worries that other members of the family will be taken away. My six-year-old and eight-year-old suffered separation anxiety when they went to school. Our children’s school helped to connect all four of our older kids to therapy, but the level of stress has been acute for them all. My wife has lost 50 pounds from the stress of my detention and having to provide for our children by herself.³⁷

Sudden ICE enforcement actions can destabilize families. In the past year, at least nine children in Maryland have been placed in foster care after their parents were detained or deported.³⁸

As indiscriminate immigration enforcement actions continue, immigrants are more likely to avoid leaving the home and therefore more likely to skip medical appointments.³⁹ This trend

³⁴ Lisa Fortuna et al., Special Report: U.S. Immigration Policy and the Mental Health of Children and Families, Psych News (July 25, 2025), <https://perma.cc/NS7Q-VPUL>.

³⁵ *Id.*

³⁶ Fortuna *et al.*, *supra* note 34.

³⁷ Declaration of R.Q.H., Ex. L to PI Mem., ECF 5-53, ¶ 8.

³⁸ Jackie Llanos, *Dozens of Kids Entered Foster Care After Immigration Agents Detained Their Parents*, Washington Sun (Feb. 10, 2026), <https://perma.cc/6PC7-X2DG>.

³⁹ See Shannon Schumacher et al., *KFF/New York Times 2025 Survey of Immigrants: Worries and Experiences Amid Increased Immigration Enforcement* (Nov. 18, 2025), <https://perma.cc/R27W-BHLW> (reporting that nearly half of likely undocumented immigrants and about one in seven immigrants say they or a family member has avoided seeking medical care since January 2025 because of concerns about drawing attention to someone’s immigration status).

has been observed in Maryland, where, for example, a Baltimore doctor reported more patients skipping doctors' appointments as immigration enforcement increases near their health center.⁴⁰ Defendants' actions in Maryland, in short, are harming Maryland residents' health.

Harms to the Economy. Unlawful immigration enforcement actions impact the Maryland economy, as immigrants "contribute . . . as workers, entrepreneurs, consumers, and taxpayers."⁴¹ They represent nearly 22 percent of the labor force and comprise over 50 percent of the labor force for multiple occupations, including home health aides, taxi drivers, housekeepers, and carpenters.

A recent national study of ICE activity by the National Bureau of Economic Research (NBER) found that likely undocumented "immigrants who remain in the U.S. are working less due to chilling effects" of such actions.⁴² These impacts are especially pronounced in Maryland. Plaintiffs describe how working-class immigrants have been arrested on their way to work and how their arrest and detention negatively impacted their ability to work. *See* PI Mem. 8–12, 28. Immigrant workers on the Eastern Shore, where Haitian immigrants are a crucial part of the poultry-processing workforce, are reportedly staying home out of fear of arrests.⁴³ These effects

⁴⁰ *See* Maya Lora, *How Life Has Gotten Worse for Immigrant Children Under Trump 2.0*, The Banner (Aug. 6, 2025), <https://perma.cc/6T4B-KYPN>.

⁴¹ Comptroller of Md., *State of the Economy Series: Immigration and the Economy* 1, 11 (Apr. 2024), <https://perma.cc/ML6X-KLPY>.

⁴² *See* Elizabeth Cox & Chloe N. East, *Labor Market Impacts of ICE Activity in Trump 2.0*, at 8, 12, NBER Working Paper 35129 (Apr. 2026, revised June 2026), <https://perma.cc/TZP9-43BD>.

⁴³ *See, e.g.*, Josh Davis, *ICE Fears Trigger Eastern Shore Poultry Worker Walkout Calls*, Baltimore Sun (Aug. 5, 2026), <https://perma.cc/SWH8-8Z5E>; *see also* Md. Task Force Report, *supra* note 1, at 12 (describing increased vulnerability of immigrants on the Eastern Shore).

extend beyond undocumented persons to encompass other immigrant and U.S.-born workers, too.⁴⁴

In addition to labor market impacts, unlawful immigration enforcement actions reduce household consumption, as immigrants who buy goods and services are less likely to patronize local businesses. One declarant observed: “People are so afraid of being arrested by ICE that many regular customers, especially Latinos, have stopped coming to the restaurant where I work.”⁴⁵ As people work and spend less in response to Defendants’ actions, the State faces real economic harm.

III. DEFENDANTS’ UNLAWFUL ACTIONS UNDERMINE PUBLIC SAFETY AND IMPEDE LOCAL LAW ENFORCEMENT IN MARYLAND.

Maryland residents and communities face rising public safety risks as federal immigration officers carry out aggressive and unlawful enforcement actions. These tactics have endangered residents, intensified immigrants’ vulnerability to exploitation, and eroded trust in local law enforcement. They have thereby undermined public safety across the State.

First, federal immigration officers’ use of force—along with tactics such as deploying unmarked vehicles and wearing masks, often at traffic stops—has led to chaos and disorder in Maryland communities. For example, in June 2026, ICE officers arrested two parents as they were dropping their daughter off at a school in Baltimore.⁴⁶ ICE officers in an unmarked vehicle tried

⁴⁴ See Cox & East, *supra* note 42, at 12 (finding that “ICE activity lowers the employment rate of U.S.-born male workers”); see also Off. of Gov. Wes Moore, *Mass Deportation Hurts Maryland’s Economy*, <https://perma.cc/5WHJ-YUUZ>.

⁴⁵ Declaration of A.G.P., Ex. D to PI Mem., ECF 5-45, ¶ 24; see also Off. of Gov. Wes Moore, *supra* note 45.

⁴⁶ See Mike Hellgren & Adam Thompson, *Judge Slams ICE Tactics, Orders Release of Father Arrested Outside Baltimore School in “Stomach Churner” Case*, CBS News (July 24, 2026), <https://perma.cc/4RBY-549G>; Liz Bowie et al., *ICE Vehicles Hit Baltimore Father’s Car as He Took His Children to School, Attorney Says*, The Banner (June 12, 2026), <https://perma.cc/CA5J-8ZDD>.

to cut off the family's car with two children inside, prompting the father—thinking they were being carjacked—to speed away. Two ICE vehicles slammed into the family's car and armed ICE officers shattered the driver's side window, before dragging the father out of the car and arresting both parents in front of students, teachers, and other parents. Not only the arrest tactics but also the aftermaths have been dangerous, as cars are sometimes left abandoned in or near streets after traffic-stop arrests, creating serious public safety hazards.⁴⁷

Second, unlawful immigration enforcement has made immigrant communities more vulnerable to abuse and exploitation. Community leaders told the Task Force that “immigrant Marylanders are being increasingly targeted by predatory actors who exploit their vulnerabilities,”⁴⁸ and warned that domestic violence, sexual assault, and trafficking are growing risks, as abusers “leverage fear of immigration enforcement as a tool of control and intimidation against immigrants.”⁴⁹ Immigrants' fears that they may be subject to arrest, detention, and removal are compounded when federal immigration officers act unlawfully and indiscriminately.

Third, unlawful immigration enforcement actions have resulted in reduced cooperation by immigrant communities with local law enforcement. Law enforcement experts agree that “sudden or unexplained enforcement actions can erode community trust, discouraging victims and witnesses from reporting crimes or accessing services, which could contribute to violent offenders remaining at large.”⁵⁰ Some Maryland prosecutors have already reported difficulty securing the

⁴⁷ See Haley Parsley, Capital News Service, *When ICE Arrests You, What Happens To Your Car?*, Maryland Matters (June 1, 2026), <https://perma.cc/S9A3-7HKP>.

⁴⁸ See Md. Task Force Report, *supra* note 1, at 8.

⁴⁹ See *id.* at 9.

⁵⁰ See Int'l Ass'n of Chiefs of Police (IACP), *Shared Principles of Agreement – Public Safety Leadership Convening 2* (Mar. 2026), <https://perma.cc/QHC5-MYPG> (summarizing areas of broad agreement from convening of federal, state, and local law enforcement, national law enforcement labor organizations, prosecutors' offices, and state and local governments).

cooperation of immigrants, who are reluctant to report crimes or testify in court.⁵¹ Consistent with these reports, a legal services organization reported to the Task Force that “[m]any immigrant clients are reluctant to report crimes due to concerns that information may be shared with” ICE.⁵²

Law enforcement experts also agree that “broad statistic-driven operations are counterproductive and divert resources, undermine trust, and can result in the apprehension of individuals who pose no threat to public safety.”⁵³ Indeed, according to Plaintiffs’ expert, of the individuals subject to non-custodial ICE arrests in Maryland, “less than 1% arrested . . . since January 2025 were convicted of crimes the FBI classifies as violent” and “the proportion of ICE arrests that are of noncitizens convicted of crimes classified as violent declined, from 3% in 2024.”⁵⁴ In all, Defendants’ actions have endangered residents, left immigrants more vulnerable to harm, and weakened trust in law enforcement.

CONCLUSION

The motion for preliminary injunction should be granted.

⁵¹ See Brian Carlon & Maggie Trovato, *ICE Fears Are Keeping Some Maryland Witnesses Out of Court, Prosecutors Say*, Baltimore Sun (Aug. 7, 2026), <https://perma.cc/5QJB-G6RW>.

⁵² See Md. Task Force Report, *supra* note 1, at 8.

⁵³ See IACP, *supra* note 51, at 2.

⁵⁴ Blair Decl., ¶ 12; see also *D.N.N. v. Liggins*, 822 F. Supp. 3d 543, 595 (D. Md. 2026) (observing that “there has been no record put before the court that noncitizens who have committed violent crimes make up any significant percentage of the individuals detained in the Baltimore Hold Rooms over the past year”).

September 16, 2026

Respectfully submitted,

ANTHONY G. BROWN
Attorney General of Maryland

/s/ Yasmin Dagne

Yasmin Dagne (D. Md. Bar No. 32016)
Adam Kirschner (D. Md. Bar No. 31767)
Jonathan Smith*
Assistant Attorneys General
Office of the Attorney General
200 Saint Paul Place, 20th Floor
Baltimore, Maryland 21202
ydagne@oag.maryland.gov
(410) 223-1580

Attorneys for Amicus Curiae

** Application for admission pending*