

No. 25-4047

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

UNITED FARM WORKERS OF AMERICA, *et al.*,

Plaintiffs-Appellees,

v.

KRISTI NOEM, *et al.*,

Defendants-Appellants.

On Appeal from the United States District Court,
Eastern District of California
No. 1:25-cv-00246-JLT-CDB (Baker, J.)

**BRIEF OF CALIFORNIA LATINO LEGISLATIVE CAUCUS AS *AMICUS
CURIAE* IN SUPPORT OF PLAINTIFFS-APPELLEES AND AFFIRMANCE**

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CORPORATE DISCLOSURE STATEMENT

Amicus curiae does not have parent corporation or stock. Therefore, no publicly held corporation owns ten percent or more of its stock.

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INTEREST OF *AMICUS CURIAE*¹

The California Latino Legislative Caucus (the “Caucus”) represents the interests of approximately 16 million Latino Californians—roughly 40% of the state’s population and its largest ethnic group. Comprising constitutional officers and legislative members in both the State Senate and Assembly, the Caucus champions the Latino community and advocates for its professional, political, and cultural welfare. For more than 50 years, the Caucus has served as a vital forum for members to collaborate on Latino-related issues, resulting in legislation that has improved education, healthcare, and infrastructure throughout California.

The Caucus has a substantial interest in ensuring that the constitutional and statutory rights of its constituents are respected, including when they are subject to immigration enforcement activity. The Caucus has participated as *amicus curiae* in cases implicating immigration policy, including in *United States v. Texas*, 577 U.S. 1101 (2016) (*amicus curiae* supporting lawful authority of Secretary of Department of Homeland Security in promulgating Deferred Action for Parents of Americans and Lawful Permanent Residents Program) and *In re Garcia*, 315 P.3d 117 (Cal. 2014) (*amicus curiae* supporting admission of undocumented law school graduate

¹ All parties consented to the filing of this brief. No party’s counsel authored this brief in whole or in part, no party or party’s counsel contributed money intended to fund preparing or submitting this brief, and no person other than *amicus* or its counsel contributed money intended to fund preparing or submitting this brief.

to California bar). The Caucus believes affirmance of the district court’s preliminary injunction is necessary to prevent the grave and often irreparable harms suffered by its constituents (including those with lawful status and without) when federal agencies failed to adhere to statutory and constitutional requirements governing civil immigration stops and arrests during last January’s Central Valley raids. Many Caucus Senators and Assembly members serve as elected representatives of class members in this suit, and the Caucus submits this brief to provide additional context regarding the harm caused by the Government’s continuing illegal conduct.

INTRODUCTION AND SUMMARY OF ARGUMENT

Beginning in January 2025, U.S. Customs and Border Patrol (“Border Patrol”) subjected Latino residents living in and around the Central Valley to a nearly-week-long series of immigration raids. Those agents indiscriminately targeted and arrested people of color they encountered in agricultural areas and Latino neighborhoods, frequently based on little more than assumptions about their perceived race or ethnicity, and without the reasonable suspicion required by the Fourth Amendment and the probable cause required under 8 U.S.C. § 1357(a)(2) to make stops and arrests. Nearly 200 residents were detained in dragnet-style raids on their way to or from work, while shopping, picking up their children from school, or driving to medical appointments. In carrying out these operations, the Government stopped individuals without reasonable suspicion and arrested them without probable cause.

Among the victims of these unlawful raids are the diverse and hard-working constituents of the Caucus, including parents, farm workers, day laborers, and other residents who make up the vibrant communities across the Central Valley.

The district court correctly recognized that the Government's constitutional and statutory violations caused irreparable harm and granted injunctive relief. The Government's appeal largely sidesteps the record's concrete evidence of ongoing injury and the practical reality that, absent an injunction, similar raids could recur at any time. Indeed, the Central Valley raids have served as a blueprint for subsequent actions around the country, and district courts elsewhere—like the district court here—have enjoined the Government's unlawful policy and practices.

The record and on-the-ground experience confirm that the Government's actions have destabilized communities, activities, and institutions that define daily life in the Central Valley, including schools, healthcare, and local economies, producing compounding injuries. Families report keeping children home and avoiding school functions, severely undermining attendance and academic progress. Mobile health clinics serving farmworker communities have experienced steep drops in visits, compromising the physical and emotional health of Latino and immigrant residents of the Central Valley. Local businesses, agricultural industries, and construction companies, pillars of California's economy, are seeing significant workforce losses, threatening irrevocable damage to the Central Valley and the

state's economy for years to come.

Equally serious, the Government's raids have eroded trust in law enforcement and blurred lines between federal immigration authorities and local policing. The loss of trust has chilled reports of crime and jeopardized community-policing efforts, thus endangering public safety. The same loss of trust impedes effective governance: the Caucus has been forced to divert resources from long-term priorities to crisis response, shift constituent engagement from traditional town halls to less effective and decentralized outreach, and redirect their focus to advancing targeted legislation to mitigate harms to constituents from the Government's raids.

These harms are not limited solely to undocumented individuals. Border Patrol agents targeted anyone they believe to be Latino, an ethnic categorization that includes U.S. citizens and immigrants with lawful status. As detailed below, these raids further impact citizens and documented individuals in mixed-status families, as over three million Californians with citizenship or other forms of legal status live with an undocumented individual.² These consequences constitute irreparable harm to the Caucus's constituents, including class members. The Caucus therefore urges the Court to affirm the district court's preliminary injunction to prevent these harms from continuing.

² *Indicator: Mixed Status Families*, CALIFORNIA IMMIGRANT DATA PORTAL (2023), <https://perma.cc/6ZLJ-3SLR> (archived Dec. 28, 2025).

ARGUMENT

I. The Central Valley raids were the first large-scale immigration-enforcement operation to implement the Government’s unlawful stop and warrantless arrest policy and practices.

Border Patrol’s unlawful immigration sweeps in the Central Valley are far from an aberration—rather, they were the first large-scale operation to implement the Government’s policy and practices of making immigration stops without reasonable suspicion and warrantless arrests without probable cause. By January 23, 2025, less than two weeks after the raids in the Central Valley, ICE agents raided major cities throughout the country, including Boston,³ New York,⁴ and Seattle,⁵ culminating in 538 arrests and 373 detentions.⁶

In fact, using the Central Valley “Operation Return to Sender” as a blueprint, the Government instigated yet another series of unlawful crackdowns in Chicago beginning on September 6, 2025: “Operation Midway Blitz,” another glib term for the dehumanizing practice of inflicting mass harm on communities. By October 7, a district court had found the Government’s actions in Chicago unlawful and

³ Alysha Palumbo, *After federal agents spotted in East Boston, concerns grow over potential ICE raids*, NBC NEWS 10 BOSTON (Jan. 23, 2025), <https://perma.cc/Q6NC-KKRQ> (archived Dec. 19, 2025).

⁴ *ICE agents arrest hundreds of migrants in sanctuary cities, including New York City*, ABC 7 (Jan. 25, 2025), <https://perma.cc/2WA4-QC6Y> (archived Dec. 15, 2025).

⁵ *Id.*

⁶ X, @ICEgov (Jan. 23, 2025), <https://perma.cc/XEM4-4ZQU> (archived Dec. 15, 2025).

extended until February 2026 a longstanding consent decree requiring Immigration and Customs Enforcement (“ICE”) to take certain actions when making warrantless arrests to ensure compliance with 8 U.S.C. § 1357(a)(2).⁷ Similarly, in November, the Colorado District Court enjoined ICE from conducting warrantless arrests without probable cause of flight risk and lack of immigration status.⁸ The District of Columbia also experienced a surge in immigration enforcement as part of the August 2025 federal takeover of the city, likewise leading a district court to enjoin federal agencies, including Border Patrol, from making warrantless arrests pursuant to 8 U.S.C. § 1357(a)(2) without the required probable cause determination that individuals pose an escape risk.⁹ During these raids, federal agents have pointed guns at and zip-tied children¹⁰ and have rounded up and detained individuals—including an army veteran¹¹ and, as of October 16, 2025, at least 170 U.S. citizens.¹²

⁷ See *Castañon Nava v. U.S. Dep’t of Homeland Sec.*, No. 18-CV-03757, ___ F. Supp. 3d ___, 2025 WL 2842146, *24–25 (N.D. Ill. Oct. 7, 2025), *stay granted in part and denied in part by Castañon Nava v. U.S. Dep’t of Homeland Sec.*, No. 25-3050, ___ F.4th ___, 2025 WL 3552514, *12 (7th Cir. Dec. 11, 2025).

⁸ See *Ramirez Ovando v. Noem*, No. 25-CV-03183, ___ F. Supp. 3d ___, 2025 WL 3293467, *23–24 (D. Colo. Nov. 25, 2025).

⁹ See *Escobar Molina v. Dep’t of Homeland Sec.*, No. 25-CV-03417, ___ F. Supp. 3d ___, 2025 WL 3465518, *36–38 (D.D.C. Dec. 2, 2025).

¹⁰ Nicole Foy, *Immigration Agents Have Often Grabbed and Mistreated Citizens, Congressional Investigators Find*, PROPUBLICA (Dec. 9, 2025), <https://perma.cc/BZP2-2J3Q> (archived Dec. 15, 2025).

¹¹ *Id.*

¹² Nicole Foy, *We Found That More Than 170 U.S. Citizens Have Been Held by* (continued...)

Throughout these campaigns, the Government has acknowledged its agents follow plainly illegal practices in making immigration arrests.¹³ Indeed, officers have admitted to considering a person’s perceived race, ethnicity, or national origin as a key factor in deciding whom to detain.¹⁴ Chief Border Patrol Agent Gregory Bovino, who was the Border Patrol Chief in the Central Valley raids, further confirmed: “We need **reasonable suspicion** to make an immigration arrest You notice **I did not say probable cause**, nor did I say I need a warrant.”¹⁵ The Acting U.S. Attorney for the Eastern District of California had to remind Bovino that the court order issued in *this case* prevents agents from making arrests without probable cause.¹⁶

Immigration Agents. They’ve Been Kicked, Dragged and Detained for Days., PROPUBLICA (Oct. 16, 2025), <https://perma.cc/S3B8-YMTU> (archived Dec. 15, 2025).

¹³ See *Escobar Molina*, 2025 WL 3465518 at *36–38; Vittoria Elliott, *The DHS Data Grab Is Putting US Citizens at Risk*, WIRED (Dec. 10, 2025), <https://perma.cc/K9EH-2XE5> (archived Dec. 29, 2025).

¹⁴ *US: ICE Abuses in Los Angeles Set Stage for Other Cities*, HUMAN RIGHTS WATCH (Nov. 4, 2025), <https://perma.cc/3PJR-5CY4> (archived Dec. 15, 2025).

¹⁵ Priscilla Alvarez & Michael Williams, *Border Patrol official denies racial profiling factors in immigration arrests, says officers do consider whether people appear “panicked” or “scared”*, CNN (Oct. 7, 2025), <https://perma.cc/VZ8C-T9M4> (archived Dec. 29, 2025) (emphasis added).

¹⁶ Michelle Beckwith, then the Acting U.S. Attorney for the Eastern District of California, was removed from her position six hours after she issued the warning to Bovino that the injunction issued by the district court in this case prohibited him from arresting anyone without probable cause in the Central Valley. See Heather Knight & Hamad Aleaziz, *Trump Fired a U.S. Attorney Who Insisted on Following* (continued...)

II. Absent the district court’s injunction, the Government’s actions would continue to irreparably harm the Caucus’s constituent communities.

As the district court correctly held, the “deprivation of constitutional rights ‘unquestionably constitutes irreparable injury,’” 1-ER-83, a holding that the Government does not meaningfully challenge. Rather, the Government contends that, because there is no evidence that each of the Plaintiffs has been “stopped more than once” by Border Patrol, they cannot demonstrate that “they would be imminently, irreparably subject to unlawful warrantless arrests in the future” to justify injunctive relief. Op. Br. at 45. That argument ignores the ample record before the district court, which included numerous declarations from members of the provisional class describing how the raids have created a climate of fear that has completely restructured how class members carry out ordinary daily activities. Plaintiffs and class members have described being fearful to leave their homes, go to work, accompany or send their children to school, go to the doctor’s office, and run routine errands. 2-ER-256, ¶¶ 20, 22; 2-ER-263, ¶ 20; 2-ER-267–68, ¶ 12; 2-ER-222, 224, ¶¶ 35, 43; 2-ER-242, ¶ 7; 2-ER-229, ¶ 15. In a case challenging similar raids elsewhere, the District of Columbia District Court “easily” found irreparable injury when plaintiffs “cannot avoid repeating the quotidian conduct that led to their original arrests.” *Escobar Molina*, 2025 WL 3465518 at *65, *36.

a Court Order, N.Y. TIMES (Sept. 26, 2025), <https://perma.cc/6A6M-NP5S> (archived Dec. 19, 2025).

Indeed, these fears are not merely subjective. They have manifested in concrete injuries to Caucus constituents' educational opportunities, access to medical care, and businesses with measurable, empirical effects. Furthermore, these continuing injuries support Plaintiffs' standing to challenge the Government's unlawful policy and practices. *See Friends of the Earth, Inc. v. Laidlaw Env't Servs. Inc.*, 528 U.S. 167, 181–84 (2000).

Administrators, researchers, and parents all agree that the raids worsen children's stress, health outcomes, and their ability to succeed in school and in the long-term. One Stanford professor concluded that "Operation Return to Sender" caused students to miss some 725,000 days across just four counties, a 22 percent increase from prior years.¹⁷ Younger students, in particular, face increased risk for lifelong repercussions from absenteeism,¹⁸ including "lower academic, executive function, and socio-emotional outcomes."¹⁹ As one principal noted, his students "watch the news and see what's going on[,] and then wonder as they head off to school: Is it gonna be the last time we see our parents[?]"²⁰ Even if the raids do not

¹⁷ Thomas S. Dee, *Recent immigration raids increased student absences*, 122 PNAS 1, 3 (2025).

¹⁸ *Id.* at 2–3.

¹⁹ Arya Ansari & Michael Gottfried, *The Grade-Level and Cumulative Outcomes of Absenteeism During Elementary School*, 92 CHILD DEV. 1, 1 (July 2022), <https://perma.cc/7LBB-2TZJ> (archived Dec. 19, 2025).

²⁰ JOHN ROGERS & JOSPEH KAHNE, THE FEAR IS EVERYWHERE: U.S. HIGH SCHOOL (continued...)

occur on school grounds, they can and do “harm student achievement and disrupt how schools function,” and as absences continue, they “threaten student learning and children’s mental health.”²¹ With students already facing challenges in academic and social recovery following the COVID-19 pandemic, immigration-related absenteeism further threatens students’ potential for success.²²

Indeed, research confirmed that during times of increased immigration enforcement during the first Trump Administration, Latino secondary school children had higher absentee rates, reported less sense of belonging, had lower views of school as a respectful and fair environment, felt less safe in school, and experienced more frequent bullying.²³ Researchers have found “negative effects across multiple education and behavioral health outcomes for children of immigrants living” in areas targeted by immigration raids, including “significant increases in exclusionary disciplinary actions and in diagnoses of substance use disorder, depression, self-harm, suicide attempts or ideation, and sexual abuse in the year

PRINCIPALS REPORT WIDESPREAD EFFECTS OF IMMIGRATION ENFORCEMENT 4 (UCLA and IDEA Publications Dec. 2025), <https://perma.cc/AP2P-AN7U> (archived Dec. 29, 2025) (internal quotations omitted).

²¹ Dana Goldstein & Irene Casado Sanchez, *Immigration Raids Add to Absence Crisis for Schools*, NY TIMES (June 16, 2025), <https://perma.cc/T8L8-7EPD> (archived Dec. 19, 2025).

²² Dee, *supra* note 17, at 3.

²³ J. Jacob Kirksey & Carolyn Sattin-Bajaj, *Immigration Arrests and Educational Impacts: Linking ICE Arrests to Declines in Achievement, Attendance, and School Climate and Safety in California*, 7 AM. EDUC. RSCH. ASS’N. OPEN 1, 12 (Oct. 2021).

following” immigration raids.²⁴

Student absences also impact school funding. California’s funding system for K-12 schools is based on average daily attendance.²⁵ Thus, schools are penalized by a corresponding loss in funding when children do not show up to school because of concerns about immigration raids, impairing educational opportunities for all children—regardless of their immigration status and including those who are U.S. citizens—in a school system.

The immigration raids also undermine the physical and emotional health of Latino and immigrant residents of the Central Valley. Many of the affected constituents are farm workers. Living in areas too remote for hospitals, many of these constituents typically access medical care only through pop-up clinics, but now they cannot even do that. To avoid the risk of an illegal arrest, many of them do not leave their homes, delaying necessary medical care.²⁶ The University of California, San Francisco mobile health clinic found a 36 percent drop in the number of visitors

²⁴ Carolyn Heinrich, Mónica Hernández, & Mason Shero, *Repercussions of a Raid: Health and Education Outcomes of Children Entangled in Immigration Enforcement*, 42 J. OF POL’Y ANALYSIS & MGMT. 350, 350 (2022).

²⁵ Dee, *supra* note 17, at 3.

²⁶ Lynn La, *CA migrant workers delay medical care during Trump’s immigration crackdown*, CALMATTERS (Dec. 1, 2025), <https://perma.cc/5QS9-8NSW> (archived Dec. 15, 2025).

to its mobile clinics due to the Government’s unlawful immigration raids;²⁷ another doctor in Fresno reported a 15–20 percent decrease in visits by her mobile clinic patients this year.²⁸ These patients’ medical issues do not disappear just because they skip their doctor visits: people will inevitably become sicker and delayed treatment is likely to be more invasive and expensive.²⁹

Lawless raids, arrests, and detentions have also profoundly hurt constituent businesses, irrevocably damaging local economies for years to come. For example, following the first Kern County sweep, “one citrus operation reported that 25 [percent] of its workers did not show up.”³⁰ By the next day, “that number had climbed to 75 [percent].”³¹ One Ventura County farmer estimated that 70 percent of her workforce is gone because everyone has either been detained, deported, or too afraid to leave their home—even for work.³² As she explained: “[I]f 70 [percent] of your workforce doesn’t show up, 70 [percent] of your crop doesn’t get picked and

²⁷ Larry Valenzuela, *‘They still need care’: Why California migrant workers are avoiding medical clinics*, CALMATTERS (Dec. 1, 2025), <https://perma.cc/8Y7A-NY7J> (archived Dec. 29, 2025).

²⁸ *Id.*

²⁹ *La, supra* note 26.

³⁰ Casey Creamer, *California Citrus CEO: Immigration raids target the wrong people, undermine food supply | Opinion*, THE FRESNO BEE (Jan. 28, 2025), <https://perma.cc/C6T3-7MXJ> (archived Dec. 29, 2025).

³¹ *Id.*

³² Tim Reid, Sebastian Rocandio, Pilar Olivares, & Leah Douglas, *Immigration raids leave crops unharvested, California farms at risk*, REUTERS (June 30, 2025), <https://perma.cc/YHH8-HPUA> (archived Dec. 29, 2025).

can go bad in one day.”³³ The raids also threaten California’s economy more broadly.³⁴ Undocumented workers generate nearly a tenth of California’s GDP across the economy and contribute over \$23 billion annually in local, state, and federal taxes.³⁵ But the Government’s actions specifically target workers in jobs known to employ Latinos,³⁶ some of whom are citizens or have temporary status and thus are not properly subject to these enforcement mechanisms. Among the targeted industries are construction, where immigrants, which include many individuals with lawful status, compose almost half the workforce in California,³⁷ and agriculture, where two-thirds of the California workforce are immigrants³⁸ and almost all report speaking primarily Spanish.³⁹ Immigration raids, such as the ones that began in

³³ *Id.*

³⁴ *See The Economic Impact of Mass Deportation in California*, BAY AREA COUNCIL ECONOMIC INSTITUTE 2 (June 2025), <https://perma.cc/G5MV-NSKS> (archived Dec. 15, 2025).

³⁵ *Id.*

³⁶ Jessica Garrison, Melissa Gomez, & Andrea Castillo, *ICE expands immigration raids into California’s agricultural heartland*, LOS ANGELES TIMES (June 10, 2025), <https://perma.cc/XE9E-TWZH> (archived Dec. 15, 2025); *US: ICE Abuses in Los Angeles Set Stage for Other Cities*, HUMAN RIGHTS WATCH (Nov. 4, 2025), <https://perma.cc/3HRD-CFLN> (archived Dec. 15, 2025).

³⁷ *Geographic Concentration of Immigrants in Construction*, National Association of Homebuilders (2023), <https://perma.cc/9JTK-DWKH> (archived Dec. 29, 2025).

³⁸ *The Economic Impact of Mass Deportation in California*, *supra* note 34, at 2.

³⁹ U.S. DEP’T OF LABOR, CALIFORNIA FINDINGS FROM THE NATIONAL AGRICULTURAL WORKERS SURVEY (NAWS), 2015–2019: A DEMOGRAPHIC AND EMPLOYMENT PROFILE OF CALIFORNIA FARMWORKERS, RESEARCH REPORT NO. 15 13 (Jan. 2022), <https://perma.cc/A28X-PA62> (archived Dec. 19, 2025).

January 2025, thus threaten statewide economic decline.

The economic consequences of these raids reach far beyond farm fields and construction sites. Caucus members report that fear of immigration enforcement has disrupted commerce in local marketplaces, such as the Cherry Avenue Auction flea market in Fresno, where a single rumor in June of an immigration enforcement operation emptied the grounds and reduced income for dozens of small businesses.⁴⁰ These ripple effects compound household insecurity. When local business owners or their customers stay home to avoid detention, employees forgo wages needed for rent, food, and basic necessities, straining social services and deepening poverty. In communities where immigrant entrepreneurship and labor are economic cornerstones, these enforcement actions threaten not only individual livelihoods but the stability of entire regional economies.

Finally, when individuals are afraid to go to work, their personal economic situation also becomes strained. Caucus members report seeing increasing numbers of individuals and families struggling financially, leading to increased hunger and homelessness and pressure on other community members and providers of critical social services. Community and family members with more secure immigration status are left taking care of less secure members of their communities by, for

⁴⁰ See Gisselle Medina, *No ICE raids at Fresno's Chery Auction as shoppers and vendors skip the typically popular market*, FRESNOLAND (June 14, 2025), <https://perma.cc/B9S7-Z2U3> (archived Dec. 29, 2025).

example, grocery shopping for and delivering food to those who do not feel safe to leave their homes. Caucus members report that some families, however, are likely to go without daily basic necessities if they are not eligible for services or are afraid to access public benefits due to fear it will impact their ability to gain legal immigration status.⁴¹

III. The Government’s unlawful actions undermine public agencies’ functions and the Caucus’s ability to serve its constituency.

A. Illegal stops and arrests trigger skepticism of government, breaking down years of trust-building between government agencies and communities, and threatening public safety.

Among Latino residents, the Government’s actions have stoked fear and sown distrust in law enforcement and government agencies, including in local law enforcement and state officials.

The Government’s unlawful raids severely damaged trust between residents and law enforcement, with former Border Patrol Commissioner Chris Magnus stating that “[t]hese roundups create widespread distrust of law enforcement and discourage many community members from reporting crimes as victims or witnesses.” 2-ER-95–96. This lack of trust persists notwithstanding that local Central Valley police departments declined to assist the federal government in

⁴¹ TANYA BRODER & GABRIELLE LESSARD, OVERVIEW OF IMMIGRANT ELIGIBILITY FOR FEDERAL PROGRAMS 11–12 (National Immigration Law Center May 2024), <https://perma.cc/6AKW-MU5Z> (archived Dec. 15, 2025).

“Operation Return to Sender,”⁴² consistent with the California Values Act,⁴³ which generally bars state and local law enforcement from assisting federal immigration authorities. State law enforcement agencies nonetheless have recognized that immigration enforcement actions have blurred the distinction between federal and local law enforcement for Central Valley residents. For example, the California Police Chiefs Association (“CPCA”), an organization representing all 334 municipal police chiefs in the state, issued a press release in late January 2025 acknowledging that “[e]xpected changes in federal immigration enforcement policies have caused fear throughout our immigrant communities, including confusion and uncertainty as to what role local police may play in these new directives.”⁴⁴

Indeed, the record below confirms that the Government’s actions have created a traumatic association between law enforcement and potential immigration arrest. Plaintiffs documented several instances where individuals were unsure whether their

⁴² The Fresno Bee, *Border Patrol says Central Valley raids, latest operation over, Fresno congressman reports*, CONGRESSMAN JIM COSTA: IN THE NEWS (Jan. 13, 2025), <https://perma.cc/6W5Q-REUB> (archived Dec. 15, 2025); Veronica Catlin, *‘Return to Sender’: Border patrol operation in Northern California sparks controversy*, FOX 40 NEWS (Jan. 14, 2025), <https://perma.cc/8QF7-6DFG> (archived Dec. 19, 2025).

⁴³ SB-54, 2017–2018 Reg. Sess. (Cal. 2017), <https://perma.cc/US82-3U3P> (archived Dec. 29, 2025).

⁴⁴ Jonathan Feldman, *Press Release: CA Police Chiefs Association Statement on Immigration Enforcement*, CALIFORNIA POLICE CHIEFS (Jan. 21, 2025), <https://perma.cc/45S5-VFZ3> (archived Dec. 15, 2025).

immigration encounters involved state or federal law enforcement, including where they were pulled over by SUVs with “sirens and flashing lights” (2-ER-235–36, Vargas Mendez Decl. ¶ 6), flagged down by agents standing on the side of the road next to unmarked vehicles with “flashing police lights located on the grill” (2-ER-266, Aguilera Martinez Decl. ¶ 13), and approached by an agent wearing a vest with the words “POLICE” in large letters across his vest (2-ER-227, Campos Gutierrez Decl. ¶ 4). In sworn testimony, Plaintiff Aguilera Martinez shared that she experiences flashbacks to her violent arrest whenever she sees Bakersfield police officers drive by. (2-ER-268, Martinez Decl. ¶ 13). Another plaintiff, Mr. Morales Cisneros, testified that he no longer feels comfortable calling 911 if there is an emergency because he fears the local police will call Border Patrol to arrest him. 2-ER-256, Morales Cisneros Decl. ¶ 22. This climate of distrust has deepened as federal agents continue to wreak havoc elsewhere in the state,⁴⁵ and the Government signals that similar operations could recur in the Central Valley, 1-ER-84. Furthermore, the Central Valley’s rural geography—with its isolated communities and limited bystander presence—exacerbates residents’ fears that they may be seized without witnesses or opportunity to notify their families that they have been detained, under circumstances where they cannot reliably verify an officer’s identity.

⁴⁵ Nigel Duara, *Raid or rumor? Reports of immigrations sweeps are warping life in California’s Central Valley*, CALMATTERS (March 31, 2025), <https://perma.cc/RV98-6PAK> (archived Dec. 15, 2025).

Central Valley residents’ fear of being disappeared without anyone noticing is compounded by officers wearing masks that further obstruct identification⁴⁶ and reports from volunteer dispatchers and legal observers of individuals impersonating federal immigration agents by “putting blue and red lights on their cars and pulling people over.”⁴⁷

Plaintiffs’ accounts are consistent with a growing evidence base demonstrating eroding trust between Latino communities and local law enforcement across the country due to heightened immigration enforcement. Such fear is widespread as “16 [percent] of foreign-born Latinos have avoided calling the police or reporting a crime for fear of being questioned about their legal status.”⁴⁸

Trust and respect between communities and law enforcement officials are essential to public safety. To stop crime and promote public safety, police officers rely on the cooperation of witnesses and victims. As the United States Department of Justice has observed, community members’ “willingness to trust the police

⁴⁶ Gerardo Zavala, *California passes law banning ICE agents from wearing masks to hide their identities*, NPR (Sept. 22, 2025), <https://perma.cc/G7WS-FPHD> (archived Dec. 28, 2025).

⁴⁷ Duara, *supra* note 45.

⁴⁸ Gabriel R. Sanchez & Edward D. Vargas, *Racial profiling by ICE will have a marked impact on Latino communities*, BROOKINGS (Oct. 16, 2025), <https://perma.cc/E5AR-XFS8> (archived Dec. 15, 2025); *see also* Shannon Schumacher et al., *KFF/New York Times 2025 Survey of Immigrants: Worries and Experiences Amid Increased Immigration Enforcement*, KFF (Nov. 18, 2025), <https://perma.cc/WF4U-UAJW> (archived Dec. 15, 2025).

depends on whether they believe that police actions reflect community values and incorporate the principles of procedural justice and legitimacy.”⁴⁹ This philosophy, known as “community policing,” is predicated on building trust with communities to address public safety issues such as “crime, social disorder, and fear of crime.”⁵⁰ However, this trust is undermined when Latino community members avoid engaging with local law enforcement when they legitimately fear arrest, deportation, or other harms.⁵¹ Law enforcement cannot prevent or solve crimes effectively if victims or witnesses are unwilling to speak with them because of concerns that they, their family members, or neighbors will face adverse immigration consequences.

This well-documented connection between trust in law enforcement and community safety⁵² mirrors the current experiences of local police departments and

⁴⁹ U.S. DEP’T OF JUSTICE COMMUNITY RELATIONS SERVICE, WHY POLICE-COMMUNITY RELATIONSHIPS ARE IMPORTANT 1 (2015), <https://perma.cc/NNY5-TAG9> (archived Dec. 30, 2025).

⁵⁰ U.S. DEP’T OF JUSTICE, COPS REPORT: COMMUNITY POLICING DEFINED 1 (2014), <https://perma.cc/MLL7-NHMH> (archived Dec. 30, 2025).

⁵¹ See Schumacher et al., *supra* note 48 (finding 53 percent of Hispanic immigrants say they worry they or a family member could be detained or deported, up from 41 percent in 2023).

⁵² E.g., Meg Anderson, *Police say ICE tactics are eroding public trust in local law enforcement*, NPR (March 30, 2025), <https://perma.cc/FGG5-77ZK> (archived Dec. 29, 2025); Felipe M. Goncalves, Emily K. Weisburst, and Elisa Jácome, *Immigration Enforcement and Public Safety*, CATO INSTITUTE (July 3, 2024), <https://perma.cc/VE8B-JMEP> (archived Dec. 29, 2025); see also *supra* note 50, at 1 (“Collaborative partnerships between the law enforcement agency and the individuals and organizations they serve [should] develop solutions to problems and increase trust in police.”).

Latino residents in the Central Valley. Caucus members identify two intertwined harms to constituents that have intensified since “Operation Return to Sender.” First, there has been a clear chilling effect on public safety and community cooperation, with residents reporting that they have avoided calling 911 and otherwise withdrawn from contact with local police. Second, local police departments have reported a sustained strain on community policing and recruitment, undermining years of outreach premised on trust-building. Police chiefs and community stakeholders have described vacancies that are harder to fill and diminished interest in response to recruitment efforts, particularly among young Latino applicants whose presence on local police forces are critical to promoting community policing objectives. In essence, federal enforcement tactics that residents conflate with local police work have disrupted police department functions, threatening the legitimacy on which community policing depends. Absent the injunctive relief ordered by the district court, the erosion of trust and corresponding threats to public safety when crimes go either unreported or unsolved in the Central Valley will compound.

This chilling effect extends beyond police interactions as immigrants avoid interfacing with any type of state official or community location. Immigration raids

that increasingly take place in hospitals,⁵³ schools,⁵⁴ and courthouses⁵⁵—spaces long believed and respected to be sensitive locations shielded from immigration-enforcement activity—have made communities even more fearful that nowhere is safe. As a result, some community volunteers have withdrawn from volunteering with local healthcare and women’s organizations, thereby damaging the social networks that sustain local resilience and community organizing. News reports and conversations with Caucus members highlight that the Government is targeting individuals for immigration detention while they are attending court or regular immigration check-ins; these detentions of those who are engaged in the legal immigration process reinforce for the community that no one is safe, even when they are following the law. For example, recently, shortly after Caucus members successfully advocated for the release of a mother of four with no criminal history who was detained by ICE at her immigration interview, she received her green card,

⁵³ Claudia Boyd-Barrett, *California Faces Limits as It Directs Health Facilities To Push Back on Immigration Raids*, KFF HEALTH NEWS (Oct. 30, 2025), <https://perma.cc/CCU5-7CC9> (archived Dec. 15, 2025).

⁵⁴ *Press Release: Senator Lena Gonzalez’s SB 48 to Keep Schools Safe Amid Federal Deportation Threats Passes Senate*, THE OFFICE OF SENATE MAJORITY LEADER LENA A. GONZALEZ (June 2, 2025), <https://perma.cc/JG8V-QN76> (archived Dec. 15, 2025).

⁵⁵ Nigel Duara, *California law forbids ICE from making arrests at courthouses. Officers are showing up anyway*, CALMATTERS (Sept. 23, 2025), <https://perma.cc/M27H-H8DQ> (archived Dec. 15, 2025).

proof that she never should have been arrested in the first place.⁵⁶

The Los Angeles Civil Rights Department reported in June that hate discrimination claims had dropped by nearly 33 percent since the raids started, which was particularly notable because complaints to the Department had been increasing just beforehand.⁵⁷ The agency attributed the decline not to a decrease in violations but to a fear of reporting among immigrants. As one community leader explained, “[Undocumented immigrants are] going to avoid at all costs, even more than ever, [] getting any aid or help from government agencies.”⁵⁸

B. Skepticism of government impedes the Caucus’s ability to connect with and holistically represent its constituents.

The same loss of trust in and avoidance of interactions with government likewise impedes government efficacy, including the Caucus’s ability to effectively advocate for and represent its constituents’ interests. To reach constituents who either have lost trust in their representatives or have been forced to shun public life, the Caucus has had to divert time and resources to approach them through alternative means. Caucus members have turned to social media and other less effective digital

⁵⁶ Katherine Phillips, *Firebaugh woman released by ICE, gets permanent resident status*, YOURCENTRALVALLEY.COM (Dec. 10, 2025), <https://perma.cc/9L3W-K264> (archived Dec. 22, 2025).

⁵⁷ *ICE Raids in Los Angeles Leave Immigrants Afraid to Report Discrimination*, AAPI EQUITY ALLIANCE (June 27, 2025), <https://perma.cc/N7YR-ZUGT> (archived Dec. 15, 2025).

⁵⁸ *Id.*

forms of interaction because gathering many people for town halls or community meetings would put their constituents in danger of being targeted by immigration enforcement. In-person connection is further strained as constituents cannot necessarily trust that the people knocking on their doors are the government officials they purport to be, undermining a common and longstanding method by which Caucus members have connected with their constituents. Further, Caucus members have reported more broadly that some long-time community members have withdrawn from engagement participation and volunteerism with the Caucus's democratic committees, hindering the Caucus's ability to engage with its constituents.

C. Managing constituent needs in the wake of the Government's raids diverts resources from other legislative priorities.

Expanded Caucus member activities in response to immigration raids divert their efforts from their traditional work to further the long-term stability of their constituent communities. Now, in addition to their regular work, Caucus members find themselves redeveloping communications and outreach strategies and advocating for the release and safety of those unjustly detained, as described above. Earlier in 2025, Senate Caucus members spent valuable time attempting to coordinate visits to immigrant detention centers in California to evaluate the conditions of the centers and check on detained constituents. Additionally, Caucus members describe new efforts to coordinate with nonprofits to provide critical legal

assistance to those in rural communities who otherwise would lack access to immigration attorneys. More broadly, state funding is also being diverted from traditional efforts to legal aid funding for those facing deportation threats and to litigation costs as California stands up to the federal government in court.⁵⁹

The Caucus also has had to divert attention away from long-term advocacy work that provides socioeconomic stability to the Central Valley to draft and enact a comprehensive legislative response to the raids. For example, when federal agents targeted Latino parents at school pick-up—threatening the educational wellbeing of children by separating children from parents, making school grounds feel unsafe, and associating school with trauma for the child⁶⁰—Senator Sasha Renée Pérez introduced the Sending Alerts to Families in Education (“SAFE”) Act, a Caucus priority bill that requires schools to alert parents when immigration enforcement agents are on school grounds, that was subsequently signed into law.⁶¹ The SAFE

⁵⁹ Laurel Rosenhall, *Newsom Signs Bills to Fight Trump, Including Legal Aid for Immigrants*, N.Y. TIMES (Feb. 7, 2025), <https://perma.cc/PQJ2-LEGC> (archived Dec. 19, 2025).

⁶⁰ *California State PTA Statement on Immigration Enforcement in Schools*, CALIFORNIA STATE PTA (last visited Dec. 24, 2025), <https://perma.cc/8P54-MHWZ> (archived Dec. 15, 2025); Cayla Mihalovich and Jeanne Kuang, *Newsom signs laws to resist Trump’s immigration crackdown, including ban on masks for ICE agents*, CALMATTERS (Sept. 20, 2025), <https://perma.cc/C6Z3-JHXU> (archived Dec. 15, 2025).

⁶¹ SB 98, 2025–2026 Reg. Sess. (Cal. 2025), <https://perma.cc/M78Y-8KV2> (archived Dec. 15, 2025); *Press Release: The SAFE Act, Requiring Schools Send Alerts About Immigration Enforcement Headed to Governor’s Desk*, THE OFFICE OF (continued...)

Act is only one of the most recent examples of legislation enacted solely to support constituents affected by the Government’s raids.⁶² Other legislative efforts include Assembly Bill (“AB”) 421, which was introduced to prohibit California law enforcement agencies from collaborating with or providing any information to immigration authorities regarding enforcement actions that could be taking place within one mile of childcare facilities, religious institutions, or medical offices;⁶³ Senate Bill (“SB”) 81, which, as enacted, prohibits healthcare officials from sharing the immigration status of patients for the purpose of immigration enforcement without patient consent or a warrant and prohibits immigration enforcement officials’ access to nonpublic healthcare areas without a warrant;⁶⁴ SB 635, which, as enacted, prevents issuers of street vendor permits from requiring fingerprinting or asking applicants about their immigration status;⁶⁵ and SB 294, which, as enacted,

SASHA RENÉE PÉREZ (Sept. 2, 2025), <https://perma.cc/GKG2-HHAU> (archived Dec. 15, 2025); *California Latino Legislative Caucus Unveils Its 2025 Legislative Priorities*, CALIFORNIA LATINO LEGISLATIVE CAUCUS (Apr. 8, 2025), <https://perma.cc/WC48-N37T> (archived Dec. 15, 2025).

⁶² Sandra McDonald, *LA Times: California lawmakers take steps to shield immigrants from Trump policies*, THE OFFICE OF SENATE MAJORITY LEADER LENA A. GONZALEZ (Apr. 8, 2025), <https://perma.cc/7N2G-LZMU> (archived Dec. 15, 2025).

⁶³ AB 421, 2025–2026 Reg. Sess. (Cal. 2025), <https://perma.cc/X4C6-NM4S> (archived Dec. 15, 2025).

⁶⁴ SB 81, 2025–2026 Reg. Sess. (Cal. 2025), <https://perma.cc/CM89-M8LP> (archived Dec. 15, 2025).

⁶⁵ SB 635, 2025–2026 Reg. Sess. (Cal. 2025), <https://perma.cc/JU97-N2UE> (archived Dec. 15, 2025).

requires workplaces to distribute “Know Your Rights” materials and to notify an emergency contact notification in case of their employees’ arrest or detention.⁶⁶

Such efforts—while a necessary political response to combat the irreparable harms to Central Valley residents caused by “Operation Return to Sender” and similar immigration enforcement operations this year—nonetheless impede Caucus members’ ability to represent their Latino constituents through the legislative process by preventing the Caucus from advancing its long-term socioeconomic agenda.

⁶⁶ SB 294, 2025–2026 Reg. Session (Cal. 2025), <https://perma.cc/F3PS-BLNV> (archived Dec. 15, 2025).

CONCLUSION

For the foregoing reasons, as well as those set forth in the Plaintiffs-Appellees' brief, this Court should affirm.

Respectfully submitted,
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