

Dear Senate Judiciary Members,

On January 24th, ICE agents again shot and killed Alex Pretti on the streets of Minneapolis. Officers shot him ten times. The inability of seven ICE agents to peacefully and lawfully detain a single person, without resorting to shooting him multiple times is just another outrageous example of the clear and present danger ICE poses to civilians in our country. Federal officers have brought duress, chaos and violence to city after city. What America has come too, under such a short period of time, leaves me uncertain whether we can collectively find our way out of this crisis.

We now find ourselves in dangerous and troubling times. The constitutional foundation of this country is evaporating before our eyes. As we witness federal enforcement officers committing lawless state sanctioned violence, it is apparent that communities, citizens and non-citizens, are no longer safe from our own government. Constitutional rights are being trampled. The Trump Administration is flaunting the court, refusing to follow court orders. And in all of this, Congress, with the ability to be a check and balance on the Executive, is abdicating its responsibilities to hold federal agencies to account and to ensure the Constitution is upheld.

On January 28, 2026, federal district court chief judge Patrick Schiltz issued a scathing order finding that the “ICE has likely violated more court orders in January 2026 than some federal agencies have violated in their entire existence.” The judge went on to note that “This list should give pause to anyone—no matter his or her political beliefs—who cares about the rule of law.” Ultimately, the judge found that ICE had violated 96 court orders of the course of one single month this year.

Other judges have also shared their disgust with ICE failing to follow court orders. Judge Christine O’Hearn, a federal district court judge in New Jersey, found that ICE “blatantly disregarded this Court’s Order,” and that the disregard “was not a misunderstanding or lack of clarity; it was knowing and purposeful.”

With intentional failure to follow court orders across the country, we have a clear systematic effort by the Executive Branch to act without any account, willing to commit one constitutional abuse and violation after another. As federal district judge Michael Davis, from Minnesota, noted “There has been an undeniable move by the Government in the past month to defy court orders or at least to stretch the legal process to the breaking point in an attempt to deny noncitizens their due process rights.”

We are seeing a federal government act with intention, to silence the public. When citizens video officers committing these violations, we see government officers act with a full-throated disdain for their constitutional rights.

On January 29, 2026, Federal officials arrested journalist Don Lemon. A federal magistrate judge in Minnesota initially refused to sign arrest warrants. That decision was affirmed by a chief judge after the Department of Justice appealed. Yet, despite this, Lemon was arrested, against the explicit judgment of two Article III judges. When the

federal government was denied permission to arrest Lemon, they proceeded anyway. The President of the United States said this unlawful arrest “was the best thing that could have happened to him.

It is clear that the federal government has no intention to honor and protect citizens’ rights under the Constitution. S. 208 and 209 include sensible measures to rein in the terror that is being unleashed by our own Federal Government. There is no reason why any officer should be permitted to walk the streets of America masked, refusing to give their names and badge numbers, while demanding “papers” from people as if this is 1930s Germany. Nor are they allowed to enter homes without a judicial warrant, yet the most recently leaked ICE memo indicates that they are comfortable entering homes under self-administered administrative warrants. If we do not take immediate steps to protect Vermonters then we are all failing. Schools, health centers, government buildings and places of worship and religious practice should all be places where one is not afraid to go for fear of being apprehended solely based on the color of their skin.

As Governor Walz stated after Pretti was executed in public by a federal officer, “Minnesota has had it. This is sickening. The President must end this operating. Pull the thousands of violent, untrained officers out of Minnesota. Now.” Vermont must not stand idly by while our country falls into further chaos with one constitutional violation after another instigated by our own federal government. I urge you to support these bills and other sensible measures that aim to protect Vermonters and our constitutional rights.

With great alarm and concern, Brian Litmans
Fayston, Vermont

For the Committee Assistant, please add this email to the record.