Congress of the United States

Washington, DC 20515

November 2, 2026

The Honorable Joseph V. Cuffari
Inspector General
DHS Office of Inspector General
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528-0305

Dear Inspector General Cuffari:

We write to request an investigation into an alarming incident that occurred on October 7, 2026, in which U.S. Immigration and Customs Enforcement (ICE) agents harassed, intimidated, and retaliated against a couple in Hillsboro, Oregon for engaging in First Amendment activities. The incident occurred when our constituents observed and recorded ICE agents in a supermarket parking lot. Soon thereafter, multiple masked ICE agents in three vehicles recklessly tailed the couple, boxed them in, and dangerously vandalized their vehicle by repeatedly stabbing and puncturing one of their tires before driving away.[1]

ICE agents cannot act with impunity. The First Amendment protects the right to observe, gather information about, and record law enforcement officers performing their duties in public.[2] These constitutional protections are necessary for the public to learn about and freely debate the government's actions, including potential misconduct, and demand accountability when necessary.

Since President Trump returned to office in January 2025, federal ICE agents across the country have repeatedly failed to respect rights afforded under the Constitution, especially the First Amendment. We have seen many documented cases of excessive use of force and intimidation tactics by ICE in Oregon, including federal agents needlessly deploying tear-gas and other projectiles against peaceful community members as well as driving erratically and verbally threatening legal observers. This pattern of irresponsible and illegal behavior from federal agents is also evident across the country. For example, federal agents in Memphis, Tennessee harassed observers by swerving at them, tailing them, boxing them in, and pulling them over without reasonable suspicion; sitting outside of their homes; and assaulting and arresting them.[3] In Los Angeles, federal agents fired crowd control weapons into the heads and other sensitive areas of observers, journalists, and protestors. A judge later granted an injunction against this behavior[4] and found that the

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[1] 10.29.26 Administrative Complaint to DHS, ACLU, October 29, 2026, https://www.aclu.org/documents/10-29-26-administrative-complaint-to-dhs. A video recording of the incident is available here: https://www.youtube.com/watch?v=ZjelFPfVRuE.

[2] *See Massimino v. Benoit*, 188 F.4th 120, 129–31 (2d Cir. 2026); *Sharpe v. Winterville Police Dep't*, 59 F.4th 674, 680–81 (4th Cir. 2023); *Irizarry v. Yehia*, 38 F.4th 1282, 1289 (10th Cir. 2022); *Ness v. City of Bloomington*, 11 F.4th 914, 923 (8th Cir. 2021); *Project Veritas Fund v. Rollins*, 982 F.3d 813, 831–33 (1st Cir. 2020); *Fields v. City of Philadelphia*, 862 F.3d 353, 359–60 (3d Cir. 2017); *Turner v. Lieutenant Driver*, 848 F.3d 678, 690 (5th Cir. 2017); *ACLU of Ill. v. Alvarez*, 679 F.3d 583, 600–01 (7th Cir. 2012); *Smith v. City of Cumming*, 212 F.3d 1332, 1333 (11th Cir. 2000); *Fordyce v. City of Seattle*, 55 F.3d 436, 439 (9th Cir. 1995).

[3] *New Filings Detail Disturbing Accounts of Federal Agents Retaliating against Memphis Residents*, ACLU, May 28, 2026, https://www.aclu.org/press-releases/new-filings-detail-disturbing-accounts-of-federal-agents-retaliating-against-memphis-residents.

[4] *Los Angeles Press Club v. Noem*, 171 F.4th 1179, 1192 (9th Cir. 2026) ("[T] the injunction's prohibition against 'firing [kinetic impact projectiles] or other crowd control weapons at the head, neck, groin, back, or other sensitive areas' is directly tethered to the specific harms alleged by Plaintiffs and recognized by the district court—namely, Defendants' aiming of crowd control weapons at sensitive areas of the body, including heads, in retaliation for First Amendment protected conduct. Although federal policies already prohibit the intentional targeting of sensitive areas unless the use of deadly force is reasonable, the district court found that DHS officers failed to follow those policies in response to Plaintiffs' protected conduct, resulting in chilling of Plaintiffs' exercise of First Amendment rights.").

plaintiffs have plausibly alleged that DHS had a policy of retaliating against people who record the activities of agents.[5]

Most troubling, federal immigration agents killed Alex Pretti while he was peacefully recording and protesting ICE's actions.[6] Through all of this, the Trump administration has repeatedly covered up officer misconduct and obstructed investigations.[7] To this day, there is no evidence that the federal government has meaningfully investigated Mr. Pretti's killing, with his parents noting that "at every turn, they have ignored us, misled us and shielded Alex's killers."[8] This reckless behavior and senseless violence endangers everyone across the country and does not advance ICE's mission of enforcing immigration laws to preserve national security and public safety.

Without videos from bystanders, observers, journalists, and protestors, the public would never know the full scale of federal retaliation against those who seek to document ICE activity.

We hereby demand that your offices immediately undertake an investigation of the October 7, 2026, incident in Hillsboro, Oregon outlined above. Please identify the ICE agents involved and preserve all relevant evidence so the officers can be disciplined and prosecuted as appropriate.

Further, we request that you undertake a comprehensive investigation of the pervasive pattern of ICE agents acting unlawfully and retaliating against individuals exercising their First Amendment rights. We ask that you work with Congress to make lasting changes to ICE training, oversight, and accountability. The rights of our constituents must not be jeopardized any longer.

Sincerely,

Suzanne Bonamici
Member of Congress

Ron Wyden
United States Senator

Jeffrey A. Merkley
United States Senator

[5] *Los Angeles Press Club v. Noem*, 820 F.Suppp.3d 1034, 1049–50 (C.D. Cal. Jan. 8, 2026) ("Plaintiffs *have* plausibly and sufficiently alleged . . . that Defendant Noem '*established*, sanctioned, and ratified an agency *policy* of treating videorecording of DHS agents in public as a threat that may be responded to with force and addressed as a crime.'").

[6] Devon Lum, et al, *New Video Analysis Reveals Flawed and Fatal Decisions in Shooting of Pretti*, The New York Times, Jan. 26, 2026, https://www.nytimes.com/video/us/100000010668660/new-video-analysis-reveals-flawed-and-fatal-decisions-in-shooting-of-pretti.html

[7] George Chidi, *Trump officials continue to push lies after fatal shooting of Alex Pretti* (Jan. 26, 2026), The Guardian, https://www.theguardian.com/us-news/2026/jan/26/trump-administration-alex-pretti-shooting-statements; U.S. House of Representatives Committee on Oversight and Government Reform, Operation Metro Surge, *How Federal Enforcement Led to the Killings of Renee Good and Alex Pretti*, Feb. 3, 2026, https://oversightdemocrats.house.gov/imo/media/doc/mn_oversight_report.pdf; Maria Briceno and Amy Sherman, Fact-Checking Trump's claim that anti-ICE protesters are 'paid agitators and insurrectionists', PBS News (Jan. 27, 2026), https://www.pbs.org/newshour/politics/fact-checking-trumps-claim-that-anti-ice-protesters-are-paid-agitators-and-insurrectionists.

[8] Nicole Acevedo and Selina Guevara, *Parents of nurse killed by ICE demand DOJ release evidence in fatal shooting*, NBC News (Oct. 28, 2026), https://www.nbcnews.com/news/us-news/parents-nurse-killed-ice-demand-doj-release-evidence-fatal-shooting-rcna605923.