

Michigan immigrants face increasing repression from federal agents

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31 January 2026

ICE operations in Michigan and across the United States have increasingly taken on more aggressive and deceptive practices, meant to draw less public attention, and are reflective of clear growing authoritarian trends.

ICE arrests in Michigan, through October 15, 2025, numbered 2,349, a nearly 230 percent increase over the 952 ICE arrests recorded in Michigan in 2024. Nationwide, the number of arrests during this period exploded to approximately 380,000.

Nearly 75 percent of immigrants arrested in Michigan in the first ten months of 2025 had no criminal history, and included immigrants with lawful status or those with US-citizen spouses and family members.

ICE arrests are now occurring after routine traffic stops by local police, who then alert ICE; and at marriage-based green card interviews—where ICE agents use back entrances to avoid detection by other immigrants in the waiting room awaiting their own interviews. ICE officers are frequently not wearing uniforms, and are otherwise not identifying themselves.

During a routine January 9, 2026, traffic stop in Sterling Heights—a Detroit suburb of 135,000, approximately 27 percent of whom are immigrants—three people who did not have “proper” immigration documentation were arrested by Border Patrol. In Detroit on October 9, 2025, immigration agents arrested and placed into deportation proceedings Erick Pena, a Honduran native married to a US citizen, with two US citizen children, who was in the process of obtaining a green card, as he was traveling to work.

ICE operations have recently ramped up in Michigan this week, particularly in Washtenaw County. On January 26, 2026, four immigrant parents in Ypsilanti, who were apparently waiting to pick their children up from school, were abducted by ICE. Ypsilanti Community Schools Superintendent Dr. Alena Zachery-Ross has urged students to “walk in groups” and use “trusted carpools” while traveling to and from school, and that families keep emergency contact information for children updated with the school district.

Wayne County Airport Authority, which operates Detroit Metropolitan Airport in Romulus and Willow Run Airport in Van Buren Township, has refused to halt ICE flights out of Willow Run. Eighty-eight flights out of this airport to immigration detention centers in the South occurred in 2025, conducted by several airlines, including Key Lime Air and Eastern Air Express.

Chad Newton, CEO of Wayne County Airport Authority, dismissed concerns about the facility’s implicit cooperation with ICE, claiming that the Authority has nothing to do with the agreements between various airlines and the federal government, being otherwise uninvolved and uninterested so long as those agreements meet legal and safety requirements.

ICE’s heavy-handed methods, and particularly its bloody crimes in Minneapolis, have resulted in significant pushback from the working class, forcing some Michigan municipalities to walk back cooperation with immigration authorities.

Detroit City Council Member At-Large, Mary Waters, has introduced an ordinance, named the “Alex Pretti Detroit No Masks Ordinance,” that would ban law enforcement from using masks to conceal their identities within city limits. Ferndale Mayor Raylon Leaks-May issued a statement at a January 26, 2026, City Council meeting, meant to reassure nervous Ferndale residents about ICE activity, that the Ferndale Police Department does not cooperate with ICE and has no intention to cooperate with ICE.

The Michigan Supreme Court is also currently considering a court rule that would prohibit most ICE arrests of individuals who are “attending a court proceeding or having legal business in the courthouse,” which would apply to all Michigan’s state trial and appellate courthouses; a direct response to the Trump regime’s increase in courthouse arrests of immigrants.

On January 21, 2026, the Washtenaw County Board of Commissioners barred ICE agents from conducting immigration enforcement on property owned, operated, or leased by the county. ICE agents must now obtain a valid

judicial warrant or court order to enter such properties. Washtenaw County employees and contractors have also been banned from voluntarily assisting ICE enforcement on county property.

The Washtenaw County decision is significant in the context of the recently-revealed May 12, 2025, internal ICE memorandum signed by Acting ICE Director, Todd Lyons. This memo purports to give immigration agents the authority to enter private residences without a judicial warrant, using as its basis for authority, President Trump's January 20, 2025, Executive Order 14159, "Protecting the American People Against Invasion."

The memo states plainly that DHS "has not historically relied on administrative warrants" to make arrests in private residences, but that the DHS Office of General Counsel "has recently determined that the U.S. Constitution, the Immigration and Nationality Act, and the immigration regulations do not prohibit relying on administrative warrants for this purpose."

The memorandum does not make any additional arguments or legal citations in support of this determination, nor does it address how the DHS Office of the General Counsel came to this conclusion, simply declaring that ICE may now arrest people after forcibly entering their place of residence.

The memorandum states that administrative warrants, signed by ICE officers or agents, not federal judges, are sufficient to make such entries. The document exploits a common confusion between judicial warrants and administrative warrants, and treating both as holding the same constitutional weight and power. While the language of the memorandum appears to limit these actions to immigrants with final orders of removal, the rhetoric and actions of the Trump regime has shown no such restraint.

The baldfaced unconstitutional nature of this memorandum requires some consideration. The Fourth Amendment of the Constitution states plainly a person's right to be secure from unreasonable arrest in their homes, and that to make such an arrest, a warrant must be issued, based on probable cause, supported by an oath or affirmation, and particularly describing the person to be arrested.

The United States Supreme Court's 1980 decision in *Payton v. New York* specifically states that the government needs an arrest warrant to enter a home to make an arrest, and that these warrants must be issued by a "judicial officer." This is further refined by *Kidd v. Mayorkas*, a more recent Biden-era decision from the Central District of California, which points out that administrative warrants to enter a private dwelling "lack the independent assurance guaranteed by the Fourth Amendment" and that ICE training materials affirm "that

administrative warrants do not authorize entry into a dwelling without consent."

Tellingly, the memorandum does discuss *Kidd*, directing that immigration agents may not enter a private dwelling in the Central District of California without a judicial warrant. Finally, 8 C.F.R. 287.8(f)(2) specifically states that immigration officers "may not" enter into the non-public areas of a residence without a warrant or consent.

Vice President JD Vance defended the memo, stating "[w]e're talking about different types of warrants that exist in our system...[t]ypically in the immigration system, those are handled by administrative law judges...[s]o we're talking about getting warrants from them." He continued that it is the Trump regime's "understanding" that immigration laws can be enforced through administrative warrants. But these warrants, signed by immigration officials, not federal judges, do not satisfy the language of the Fourth Amendment.

Vance is engaging in intentional doublespeak. Immigration law is a federal administrative field; immigration judges are *administrative* judges within the federal government. They have no general legal authority, including the authority to sign warrants to enter private dwellings. A 2013 graduate of Yale Law School, Vance knows very well that a secret memorandum issued by the Department of Homeland Security cannot ignore, change, override, or reinterpret the U.S. Constitution, existing judicial precedent, or statutory provisions.

The loudest spokesperson for this fascist policy, Stephen Miller, has also engaged in rhetoric meant to tear up any Constitutional restraints on ICE agents. He has claimed ICE has "federal immunity" in their duties, and anyone "obstructing" those duties is committing a felony. These are clear signals to ICE agents that they are permitted by the Trump regime to act with impunity and in violation of statutory, judicial, and constitutional authority.



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