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CONGRESSIONAL HISPANIC CAUCUS 119th Congress

September 19, 2025

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U.S. Commission on Civil Rights
1331 Pennsylvania Avenue, NW, Suite 1150
Washington, DC 20425

Dear Commissioners:

We, leadership officers of the Congressional Hispanic Caucus, urgently request that the U.S. Commission on Civil Rights investigate the disproportionate impact of the Supreme Court’s recent order in *Noem v. Vasquez Perdomo* (No. 25A169) on Latino communities nationwide and issue recommendations to safeguard their constitutional rights. This decision, which permits warrantless immigration stops even without reasonable suspicion by federal agencies, undermines bedrock constitutional protections, accelerates the erosion of civil rights, and effectively sanctions racial profiling against Latinos and other communities of color during immigration enforcement operations.

I. The Fourth Amendment: Bedrock of Civil Rights

The Fourth Amendment to the United States Constitution provides that “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.” This protection is not a peripheral issue; it is central to a free society where government power is constrained, and individual liberty respected.

Over the past century, the Supreme Court has reaffirmed the essential role of the Fourth Amendment in protecting minority communities from discriminatory policing. In *Mapp v. Ohio* (1961), the Court extended the exclusionary rule to the states, ensuring that unlawfully obtained evidence could not be used to convict individuals. In *Terry v. Ohio* (1968), the Court authorized limited “stop and frisk” encounters but underscored that officers must have reasonable suspicion; a standard designed to prevent arbitrary enforcement. And in *Arizona v. United States* (2012), the Court struck down provisions of an immigration law that allowed local police to arrest individuals merely suspected of being undocumented, warning against state actions that invite racial profiling (*Arizona v. United States*, 567 U.S. 387).

By contrast, the order in *Noem v. Vasquez Perdomo* permits practices that contravene these precedents, effectively collapsing the line between lawful enforcement and unconstitutional intrusion.

II. The *Noem v. Vasquez Perdomo* Decision and Its Ramifications

In granting the federal government’s application for an emergency stay, the Court’s unsigned order allows federal immigration agents to stop and detain individuals solely based on their skin color, accent, or occupation (Supreme Court, *Noem v. Vasquez Perdomo*, No. 25A169). The order provides no clear limiting principle, and as the ACLU has warned, “the Court has effectively allowed racial profiling to be the standard for immigration enforcement” (ACLU, 2025).

Immigration and civil rights organizations have sounded the alarm. The Latino Victory Fund declared that the ruling “greenlights racial profiling and undermines constitutional rights that have protected communities for decades” (“Supreme Court’s Decision Greenlights Racial Profiling,” Latino Victory, 2025). Similarly, the National Hispanic Leadership Agenda emphasized that Latinos will “bear the brunt of indiscriminate enforcement,” highlighting that the decision will intensify fear in immigrant and mixed-status households (LatinoJustice, 2025).

III. First-Hand Impacts and Data

The consequences of this decision are not abstract—they are already being felt in Latino communities nationwide.

- **Los Angeles County:** Following the Court’s order, community members have reported an uptick in vehicle stops targeting Latino drivers. One father, a U.S. citizen, described being pulled over three times in a month and questioned about his immigration status despite showing a valid California license. As the ACLU of Southern California notes, the ruling “opens the door to indiscriminate ICE stops” that destabilize trust between law enforcement and residents (ACLU, 2025).
- **Texas and Arizona Border Communities:** Surveys conducted by the American Immigration Council reveal that 68% of Latino residents fear being stopped by police solely because of their appearance, a number that has spiked since the decision (American Immigration Council, 2025). Families report curtailing daily activities such as attending church, school, or medical appointments due to fear of harassment.
- **Economic Impacts:** The Guardian reported that experts believe the decision will “effectively legalize racial profiling,” leading to increased absenteeism at workplaces and schools, reduced consumer confidence in Latino-majority neighborhoods, and an erosion of economic participation (The Guardian, 2025).

The chilling effect is profound: the Latino community, already the nation’s second-largest demographic, now faces a sanctioned regime of suspicion and surveillance.

IV. The Role of the Commission

The U.S. Commission on Civil Rights was established to investigate, report, and recommend action where federal policies undermine civil rights. This moment requires your intervention. We urge the Commission to:

1. Launch an investigation into the impact of the *Noem v. Vasquez Perdomo* order on Latino communities, with particular attention to incidents of racial profiling, unlawful searches, and chilling effects on civic participation.
2. Collect first-hand testimony from affected residents, small-business owners, health care facilities, education institutions, civil rights organizations, and local officials.
3. Issue a public report documenting the constitutional violations arising from this decision, with recommendations for legislative and executive remedies.
4. Recommend congressional oversight to prevent states from using the Court's order to institutionalize discriminatory practices.

V. Conclusion

The Fourth Amendment was written to guard against precisely the kind of abuses the Supreme Court's order now permits. To allow this decision to stand without scrutiny is to accept a second-class citizenship for Latinos and to dismantle decades of progress in civil rights law. As Justice Sotomayor once warned in another context, we risk "a nation where certain communities live in constant fear of the police, and their constitutional rights are but empty promises" (*Utah v. Strieff*, 579 U.S. 232).

Latino communities deserve to live free from the shadow of racial profiling, and the Constitution demands no less. We appreciate your consideration and respectfully request that the U.S. Commission on Civil Rights investigate the impact of the Supreme Court's order in *Noem v. Vasquez Perdomo* on Latino communities and issue a report with recommended steps Congress and federal agencies can take to safeguard constitutional rights, prevent racial profiling, and ensure that Latino communities can live free from fear and discrimination moving forward.

Respectfully,



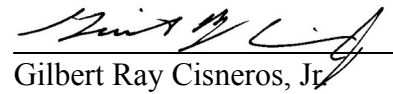
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Joaquin Castro
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Gilbert Ray Cisneros, Jr.
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