

No. 25-3248

IN THE UNITED STATES
COURT OF APPEALS FOR THE EIGHTH CIRCUIT

JOAQUIN HERRERA AVILA,

Petitioner-Appellee,

v.

TODD BLANCHE, Acting Attorney General, *et al.*

Respondents-Appellants.

On Appeal from the United States District Court for the District of Minnesota
No. 25-cv-03741-JRT

**MOTION FOR LEAVE TO FILE BRIEF OF *AMICI CURIAE* CITIES OF
MINNEAPOLIS AND SAINT PAUL, MN AND KANSAS CITY MAYOR
QUINTON LUCAS IN SUPPORT OF APPELLEE'S PETITION FOR
REHEARING *EN BANC***

JENNY MA
CHRISTOPHER PEÑA
JEAN LARSEN
PUBLIC RIGHTS PROJECT
490 43rd Street, #115
Oakland, CA 94609
(510) 738-6788
jenny.ma@publicrightsproject.org

Counsel for Amici Curiae

MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

Pursuant to Federal Rule of Appellate Procedure 29(b)(2), the cities of Minneapolis and Saint Paul, MN and Kansas City Mayor Quinton Lucas (collectively, “*Amici*”) respectfully move for leave to file the accompanying Brief of *Amici Curiae* in Support of Petitioner-Appellee’s (“Appellee”) Petition for Rehearing *En Banc*. Counsel for all parties have consented to the filing of this brief.

MOVANTS’ INTEREST

Amici represent jurisdictions across the Eighth Circuit and are responsible for the economic stability, public safety, and public health of millions of residents. *Amici*’s jurisdictions also include large immigrant populations—many of whom have lived and worked in these communities for decades. *Amici* therefore have a strong interest in whether immigrants who enter without inspection are released on bond and stay in our communities, or are subject to mandatory detention. The Government’s reinterpretation of these statutes would substantially expand mandatory detention for long-term community residents and impose significant economic, public-safety, and public-health harms on *Amici*’s jurisdictions.

REASONS FOR AND RELEVANCE OF *AMICI*’S BRIEF

The arguments presented by *amici* are desirable and relevant to the exceptional importance of the question Appellee present, *see* Fed. R. App. P. 40(b)(2)(D), because it makes plain the sweeping consequences such an expansion

of mandatory detention will cause across the Eighth Circuit, including for *amici* and our residents. *Amici*'s jurisdictions are home to tens of thousands of undocumented immigrants who, in the wake of the panel's ruling, make up the nearly half a million newly subject to mandatory detention in the Eighth Circuit.¹ To impose mandatory detention on such integrated members of our communities will therefore incite a host of harms in our cities and counties.

Like *amici curiae* often do, *amici*'s brief offers this court an opportunity to consider interests outside those the parties can directly present. *See, e.g., Trump v. Illinois*, 146 S. Ct. 432, 223 L. Ed. 2d 294 (2025) (ruling, after ordering the parties to brief an issue raised by an amicus brief, based on the issue first raised by said amicus); see also *Jones v. Roper*, 311 F.3d 923, 927 (8th Cir. App. 2002) (court noting that “[i]n the ordinary case, we should grant *without hesitation*... a motion for leave to file a brief *amicus curiae*” and denying such motion only when filed untimely and requiring a stay of execution for 30 days) (emphasis added).

Amici do not seek to duplicate Appellee's well-stated statutory arguments, but instead highlight the real-world ramifications of the Government's upended interpretation of immigrant detention policy. As the accompanying brief explains, mandatory detention of *amici*'s undocumented residents, many of whom have lived

¹ Center for Migration Studies, *Estimates of Undocumented and Eligible-to-Naturalize Populations by State* (2024), <https://data.cmsny.org/>.

long-term in our communities, would greatly destabilize local economies—worsening labor shortages, harming immigrant business owners, draining local spending, and depleting tax revenues. These outcomes would harm undocumented immigrants and American-born workers alike. The widespread fear of mandatory detention would also reduce immigrant trust in local police and hospitals, undermining public safety and health to the detriment of local governments bearing these responsibilities. Expanding indefinite detention would also destabilize hundreds of thousands across the Eighth Circuit, including the families of U.S. citizens, undermining community cohesion and unraveling the strong social integration local governments like *amici* are meant to protect. These impacts underline the exceptional importance of the issues presented in the Petition for Rehearing *en banc* and the need for the full Court’s consideration.

CONCLUSION

For the foregoing reasons, *Amici* respectfully request leave to file the accompanying brief of *amici curiae* in support of Appellee’s Petition for Rehearing *En Banc*.

Dated: June 2, 2026

Respectfully submitted,

s/ Jenny Ma

JENNY MA

CHRISTOPHER PEÑA

JEAN LARSEN

PUBLIC RIGHTS PROJECT

490 43rd Street, #115

Oakland, CA 94609

jenny.ma@publicrightsproject.org

(510) 738-6788

Counsel for Amici Curiae

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Counsel for Amici Curiae

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STATEMENT OF INTEREST

Amici are Minneapolis and Saint Paul, Minnesota, and Kansas City Mayor Quinton Lucas writing in support of Appellee’s Petition for Rehearing *En Banc*.¹ *Amici* share a common interest in whether noncitizens who enter without inspection are released on bond and participate in our communities, or are held indefinitely under mandatory detention. That is because many of the millions of persons affected, including Appellee and others who live in *amici*’s jurisdictions, have lived in the United States for decades. And during that long period, they have posed no danger or flight risk while holding jobs, running businesses, contributing to our local economies, and paying taxes.

For *amici*, those threatened with indefinite detention are our neighbors—who care for millions of U.S. citizen children, and who live and work alongside us in the Eighth Circuit. *Amici* therefore know firsthand the severe disruptions and effects the Government’s novel reinterpretation of the statutes at issue will engender within our borders.

¹ In accordance with Fed. R. App. P. 29(a)(4)(E), no party’s counsel authored this brief in whole or in part; no party or party’s counsel contributed money that was intended to fund preparing or submitting this brief; and no person other than *amici curiae*, its members, or its counsel contributed money that was intended to fund preparing or submitting this brief.

SUMMARY OF ARGUMENT

Rejecting three decades of agency and judicial application, the Government now advances an unsupported interpretation of two detention statutes that would lead to the largest expansion of mandatory detention in U.S. history. This unprecedented policy shift would impose vast economic and other harms on Eighth Circuit communities. Mass detention of long-term residents would worsen labor shortages, undercut business owners, shrink local economies, and decrease local tax revenues. These injuries would further ripple into secondary job losses for American-born workers.

The Government's sharp reversal would also provoke widespread fear, reducing vital trust between immigrant communities and local law enforcement and healthcare providers, and amplifying threats to public safety and health. Finally, these harms risk unraveling the integration of undocumented immigrants in our communities, and within families of American citizens. Because *amici* will bear the significant economic and social burdens of this Court's decision, *amici* support Appellees' request and urge this Court to grant *en banc* review.

ARGUMENT

I. MANDATORY DETENTION WOULD INFLICT SEVERE LOCAL ECONOMIC HARMS

Across the Eighth Circuit, and the United States,² immigrants (documented and undocumented), play a vital role in local economies, as workers, business owners, consumers, and taxpayers. Immigrant workers comprise significant shares of key industries—for example, 19 percent of construction and 13.7 percent of manufacturing jobs in Arkansas.³ Stated plainly, immigrants keep our cities running.

Yet, amid recent increases in immigration enforcement, business leaders already report reduced hours, staffing challenges, and rising wage pressure.⁴ Under policies that seek to revoke temporary protected status,⁵ deport lawful permanent residents,⁶ and denaturalize U.S. citizens,⁷ these chilling effects are felt across all immigration statuses.

² See Kevin Appleby, *The Importance of Immigrant Labor to the US Economy*, Ctr. for Migration Stud. of N.Y. (Sept. 2, 2024), <https://perma.cc/98UR-VYM2>.

³ Am. Immigr. Council, *Immigrants in Arkansas* (2023), <https://perma.cc/WU5Y-8K39>.

⁴ See Andrea Doyle, *Planners Fear Immigration Crackdowns Will Make Hotel Labor Shortages Worse: Exclusive Survey*, Skift Meetings (June 11, 2025), <https://perma.cc/UAJ3-J5RU>.

⁵ Ann E. Marrimow, *Supreme Court Grapples With Trump's Plan to Revoke Deportation Protections*, N.Y. Times (Apr. 29, 2026), <https://perma.cc/3HJ9-H6Q7>.

⁶ Madeleine Ngo, *Green Card Holders Targeted for Deportation by New 'Removal Apparatus'*, N.Y. Times (May 14, 2026), <https://perma.cc/N5M4-TWVV>.

⁷ Hamed Aleaziz & Madeleine Ngo, *The administration wants to strip 12 immigrants of U.S. citizenship*, N.Y. Times (May 8, 2026), <https://perma.cc/E5P4-2UYK>.

While all industries will be affected, agriculture—a pillar of the Eighth Circuit economy—is especially vulnerable.⁸ Agricultural organizations in Iowa warn that increased immigration enforcement could disrupt farm labor supply, harm farming communities, and increase both production and consumer costs.⁹ Nationwide, mass detention and deportation¹⁰ are projected to remove nearly a third of graders and sorters of agricultural products.¹¹ These shortages would harm farmers, disrupt supply chains, and increase consumer prices by as much as ten percent.¹²

A struggling construction industry faces similar risks. Residential construction represents nearly half of the overall construction industry.¹³ But the

⁸ Robert G. Lynch, et al., *Warning Signs of the Economic Harms from Deportations*, SSRN (Aug. 9, 2025) (unauthorized immigrant crop workers account for 42 percent of hired crop workers and at least 25 percent of all U.S. agricultural and related workers), <https://perma.cc/7SLV-JC32>.

⁹ Iowa's News Now, *Immigration enforcement could impact agriculture industry*, YouTube (Jan. 26, 2026) (Iowa Farmers Union and the Iowa Food System Coalition warning about the labor consequences of increased immigration enforcement), <https://perma.cc/DTT3-2DZA>.

¹⁰ Mass deportation operates through—and depends on—mass detention. In 2025 alone, ICE detention grew by over 75 percent and discretionary release fell by 87 percent, while individuals became over 14 times more likely to be deported from custody than released. See Am. Immigr. Council, *Immigration Detention Expansion in Trump's Second Term* (Jan. 2026), <https://perma.cc/J4AS-3VJJ>.

¹¹ See Am. Immigr. Council, *Mass Deportation: Devastating Costs to America, Its Budget and Economy* (Oct. 2024), <https://perma.cc/2LXF-SCFD>.

¹² McKibbin, et al., *The International Economic Implications of a Second Trump Presidency*, Peterson Inst. for Int'l Econ. (Sept. 2024), <https://perma.cc/2M65-NDZ2>.

¹³ Of 8.3 million construction workers, 3.3 million work in residential construction. See Home Builders Inst., *The Home Builders Institute (HBI) Construction Labor Market Report* (Fall 2025), <https://perma.cc/9LMZ-7CWS>.

mass detention of immigrants within the construction workforce only inflames already historic housing shortages.¹⁴ Indeed, across the region, deficits include 128,000 affordable homes in Missouri,¹⁵ 98,000 in Minnesota,¹⁶ 62,000 in Iowa,¹⁷ 55,000 in Arkansas,¹⁸ and 38,000 in Nebraska.¹⁹ Efforts to expand housing supply depend on construction labor²⁰—an occupation in which immigrant workers are heavily represented.²¹ But mass detention would remove more than 30 percent of the

¹⁴ See Jorge González-Hermoso, Christina Plerhoples Stacy, Hamutal Bernstein, *Mass Deportations Would Worsen Our Housing Crisis*, Urban Wire (Feb. 25, 2025), <https://perma.cc/KFT3-KCRH>; see also Brian Maffly, *What ‘mass deportation’ means for housing costs*, Univ. of UT. (Jan. 24, 2025), <https://perma.cc/43G3-K9LY> (finding that “when you increase immigration enforcement, you do in fact generate a reduction in the number of individuals who are supplying labor to the construction industry in a given county”).

¹⁵ Nat’l Low Income Housing Coal., *2026 Missouri Housing Profile* (Mar. 2026), <https://perma.cc/5XSC-F6TK>.

¹⁶ Nat’l Low Income Housing Coal., *2026 Minnesota Housing Profile* (Mar. 2026), <https://perma.cc/4AH4-R3JN>.

¹⁷ Nat’l Low Income Housing Coal., *2026 Iowa Housing Profile* (Mar. 2026), <https://perma.cc/MS3B-C3GC>.

¹⁸ Nat’l Low Income Housing Coal., *2026 Arkansas Housing Profile* (Mar. 2026), <https://perma.cc/HQ86-S63W>.

¹⁹ Nat’l Low Income Housing Coal., *2026 Nebraska Housing Profile* (Mar. 2026), <https://perma.cc/ED48-DJPC>.

²⁰ See Home Builders Inst., *supra* n.13 (from July 2024 to July 2025, the number of unfilled construction sector jobs increased from 242,000 to 306,000 open jobs).

²¹ See Jeffrey S. Passel & D’Vera Cohn, *Unauthorized immigrant workforce is smaller, but with more women*, Pew Res. Ctr. (Nov. 27, 2018) (“Unauthorized immigrants constitute 15% of construction workers, about triple their share of the overall workforce.”), <https://perma.cc/DFU3-PHHJ>.

workers in major construction trades, slowing housing production and increasing costs.²²

The Government's attempt to expand mandatory detention also endangers the Eighth Circuit's nation-leading meatpacking industry. Five of the nation's top meat and poultry producing states are in the Eighth Circuit.²³ Immigrants already represent 33 percent of all meatpackers in the United States.²⁴ But in a high-producing Eighth Circuit states like Nebraska, 58 percent of meat processing workers are immigrants.

Beyond immigrant populations, American workers will also experience job losses and lower wages.²⁵ As reflected in the table below, the escalation of deportations could lead to over 2.5 million job losses for *U.S.-born workers*.²⁶ This

²² See Am. Immigr. Council, *Mass Deportation*, *supra* n.11.

²³ See Daniel Costa & Josh Bivens, *The H-2B visa program has ballooned without being fixed. Expanding it to year-round jobs like meatpacking would lower wages and revenue*, Econ. Pol. Inst. (Sept. 18, 2025) (ranking Nebraska at no. 1, Iowa at no. 3, Arkansas at no. 4, South Dakota at no. 7, and Minnesota at no. 10), <https://perma.cc/75VQ-V9A6>.

²⁴ Migration Pol. Inst., *The Essential Role of Immigrants in the U.S. Food Supply Chain* (Mar. 2025), <https://perma.cc/M2UA-DPQZ>.

²⁵ See Robert Lynch & Michael Ettlinger, *The Economic Impact on Citizens and Authorized Immigrants of Mass Deportation*, Univ. N.H. Carsey Sch. Pub. Pol'y (Aug. 29, 2024), <https://perma.cc/YUC8-XDMN>.

²⁶ See Ben Zipperer, *Trump's deportation agenda will destroy millions of jobs*, Econ. Pol. Inst., tbl. 1, <https://perma.cc/3Q8R-MLL9>.

is because deportations so deplete labor supply that “some employers will respond by shutting down operations entirely.”²⁷

Employment losses caused by increasing deportations to 4,000,000 over four years

Sector	Immigrant	U.S.-born	Total	Percent fall in total employment
Overall	3,316,000	2,571,000	5,887,000	3.6%
Construction	1,405,000	861,000	2,266,000	18.8%
Child care	104,000	444,000	548,000	15.1%

Note: Calculations assume 1,000,000 deportations annually for four years.

Source: Extrapolations from East et al. (2023); Howard, Wang, and Zhang (2024); and Ali, Brown, and Herbst (2024), as described in the text. Baseline employment levels from EPI (2025) analysis of the 2024 basic monthly Current Population Survey.

Economic Policy Institute

Other studies predict lower wages for all U.S.-born workers and increased overall job loss under a policy of mass detention.²⁸

²⁷ *Id.* at 2; see also Umair Ali, Jessica H. Brown & Chris M. Herbst, *Secure communities as immigration enforcement: How secure is the child care market?*, 233 J. Pub. Econ. (2024) (abstract reviewed) (heightened enforcement reduced immigrant and native wages in the center-based sector and the overall number of centers).

²⁸ See Chloe N. East, et al., *The Labor Market Effects of Immigration Enforcement*, Vol. 41, No. 4, J. Lab. Econ. (Oct. 2023) (finding that 44,000 U.S.-born workers could lose their jobs for every 500,000 immigrants removed from the labor force); see also Lynch & Ettliger, *supra* n.25 (reporting the deportation of 454,000 immigrant workers from 2008 to 2015 reduced the employment share of U.S.-born workers by 0.5 percent and reduced their hourly wages by 0.6 percent); see also David Kallick, Shamier Settle & Carly Eckstrom, *The Economic and Fiscal Impacts of Mass Deportation: What’s at Risk in Minnesota*, Immigr. Rsch. Initiative & Minn. Budget Proj. (Apr. 2025) (“In Minnesota, if all 95,000 immigrants who are undocumented were deported, it would result in a job loss of 8,000 U.S.-born workers, and if 32,500 were deported, it would result in a job loss of 3,000 U.S.-born workers.”) <https://perma.cc/3F45-EREJ>.

Immigrants don't just work, they own. Reports indicate that immigrant-owned businesses account for 18 percent of all U.S. businesses with employees²⁹ and 36.8 percent of all food service businesses.³⁰ In the Eighth Circuit, immigrant business owners represent 9.9 percent of all entrepreneurs in Minnesota,³¹ 9.5 percent in Nebraska,³² 8.7 percent in Arkansas,³³ 7.7 percent in Iowa,³⁴ and 7.3 percent in Missouri.³⁵ Yet mandatory detention jeopardizes this economic boon as the Government seeks to indefinitely detain an estimated one million undocumented entrepreneurs who generated \$27.1 billion in total business income in 2022 alone.

Undocumented immigrants also fuel economic activity through their purse, spending over \$8.1 *billion* in the Eighth Circuit annually.³⁶ In Minnesota, undocumented immigrants generate roughly \$2.1 billion in purchasing power, while

²⁹ Ira Gotliboym, *Small Business Facts: An Overview of Immigrant Business Ownership*, U.S. Small Bus. Admin., Off. of Advocacy (2022), <https://perma.cc/E6TK-ZAZF>.

³⁰ *Id.*

³¹ Am. Immigr. Council, *Immigrants in Minnesota* (2023), <https://perma.cc/3C5S-3PVL>.

³² Am. Immigr. Council, *Immigrants in Nebraska* (2023), <https://perma.cc/QT6G-SVWE>.

³³ Am. Immigr. Council, *Immigrants in Arkansas*, *supra* n.3.

³⁴ Am. Immigr. Council, *Immigrants in Iowa* (2023), <https://perma.cc/JS9R-R9YH>.

³⁵ Am. Immigr. Council, *Immigrants in Missouri* (2023), <https://perma.cc/TSC4-L7B4>.

³⁶ *See* Am. Immigr. Council, *Immigrants in Arkansas*, *supra* n.3; Am. Immigr. Council, *Immigrants in Iowa*, *supra* n.34; Am. Immigr. Council, *Immigrants in Minnesota*, *supra* n.31; Am. Immigr. Council, *Immigrants in Missouri*, *supra* n.35; and Am. Immigr. Council, *Immigrants in Nebraska*, *supra* n.32.

those in Arkansas and Missouri contribute approximately \$1.6 billion and \$1.5 billion, respectively.³⁷ Undocumented households also contribute \$22.6 billion to Social Security and \$5.7 billion to Medicare annually.³⁸ The reduction of money spent in local communities and decreased social safety net contributions resulting from the Government's detention policies will be acutely felt by *amici* and all our residents.

Undocumented residents also pay local taxes: paying approximately \$875.1 million in annual local taxes across the Eighth Circuit.³⁹ For local governments, these tax revenue losses directly reduce municipal budgets, undermining funding for public services such as policing, emergency response, education, and infrastructure.⁴⁰

³⁷ See Am. Immigr. Council, *Immigrants in Minnesota*, *supra* n.31; Am. Immigr. Council, *Immigrants in Arkansas*, *supra* n.3; and Am. Immigr. Council, *Immigrants in Missouri*, *supra* n.35.

³⁸ See Am. Immigr. Council, *Mass Deportation*, *supra* n.11.

³⁹ Annually, undocumented taxpayers contribute \$214.1 million in local and state taxes in Minnesota, Am. Immigr. Council, *Immigrants in Minnesota*, *supra* n.31, \$187.9 million in Arkansas, Am. Immigr. Council, *Immigrants in Arkansas*, *supra* n.3, \$169.1 million in Iowa, Am. Immigr. Council, *Immigrants in Iowa*, *supra* n.34, \$167.7 million in Nebraska, Am. Immigr. Council, *Immigrants in Nebraska*, *supra* n.32, and \$136.3 million in Missouri, Am. Immigr. Council, *Immigrants in Missouri*, *supra* n.35.

⁴⁰ See Cong. Budget Off., *Effects of the Surge in Immigration on State and Local Budgets in 2023* (June 2025) (“CBO estimates that the increase in [state and local] spending due to the surge... result[ed] in a direct net cost of \$9.2 billion”), <https://perma.cc/989W-JVPU>.

II. MANDATORY DETENTION WOULD HARM PUBLIC SAFETY, PUBLIC HEALTH, AND SOCIAL COHESION

Mandatory detention would also erode public safety by fostering distrust that deters immigrant residents from reporting crimes. In the wake of heightened immigration enforcement, local police departments already struggle to maintain trust, particularly among immigrant communities.⁴¹ When residents do not trust law enforcement, they underreport crimes, avoid assisting with investigations, and do not seek police assistance when needed.⁴² Several *amici* jurisdictions, targeted with enhanced immigration enforcement, uniquely understand that this breakdown places vulnerable populations at greater risk and makes entire communities less safe.⁴³

⁴¹ See Chuck Wexler, *Balancing Community Trust and Enforcement: The Complex Issue of Immigration*, Police Exec. Rsch. Forum (Apr. 12, 2025) (five police leaders report declining trust of immigrant communities amid increased ICE activity), <https://perma.cc/Q26J-AJMV>.

⁴² See Law Enf't Immigr. Task Force, *Best Practices for Law Enforcement to Preserve Community Trust in the Context of Increased Immigration Enforcement* (Dec. 23, 2024), <https://perma.cc/BRR7-MH3P> (“Just as distrust undermines law enforcement’s relationship with immigrant communities, this fear can deter entire immigrant communities from seeking help and reporting crimes.”).

⁴³ See U.S. Immigr. Pol’y Ctr, *Large-Scale Immigration Enforcement and Its Consequences: The Impact of Metro Surge*, Tbl. 2 (Mar. 24, 2026) <https://perma.cc/VF2R-YRVY> (finding that Operation Metro Surge caused marked reductions in residents trust in law enforcement and likelihood to seek law enforcement help).

Heightened immigration enforcement also leads to delayed medical care, increased emergency reliance, and greater communicable-disease risk.⁴⁴ These delays worsen chronic conditions,⁴⁵ and increase long-term healthcare costs,⁴⁶ burdens that strain locally run public health systems.

These harms also undermine social cohesion across the Eighth Circuit. As many as 462,100 undocumented immigrants reside within the Eighth Circuit.⁴⁷ Many are deeply embedded in the composition of American families—in the Eighth Circuit, over 200,000 U.S. citizens live in households with at least one

⁴⁴ See Enrique Chiabra, *Healthcare Clinic Reports Appointment Cancellations and No-Shows Amid Fear of ICE Raids*, Ctr. for Health Journalism (July 19, 2025), <https://perma.cc/D99R-M7HA>.

⁴⁵ See *ICE Tactics and Deportation Fears Limit Access to Healthcare for Children of Immigrants: Survey*, Physicians for Hum. Rts. (Nov. 19, 2025) (surveyed health care providers report children presenting at later disease stages with preventable complications and “significant or moderate decreases in patient visits since January 2025 executive orders on immigration”), <https://perma.cc/9YVE-3LWZ>.

⁴⁶ See Bruce A. Scott, MD, *Maintaining preventive coverage is vital to public health*, AMA (Apr. 17, 2025) (“[p]reventive services also cut long-term health care costs, and reduce the overall burden placed on our health care system”), <https://perma.cc/RMS3-AS39>.

⁴⁷ Immigr. Res. Initiative, *50 States: Immigrants by Number and Share* (Nov. 10, 2025), <https://perma.cc/WFG3-6Y8F>.

undocumented family member.⁴⁸ And yet, the Government now pursues a detention regime that disregards the social integration of undocumented immigrants and risks fracturing the families and communities that local governments, like *amici*, work to protect.

CONCLUSION

The Government's expansive theory of detention would destabilize *amici's* economies, erode public trust in law enforcement, and undermine public health and social cohesion across our jurisdictions. For these reasons, and those ably provided by Appellee, *amici* urge this Court to grant *en banc* review.

Dated: June 2, 2026

Respectfully submitted,

S/ JENNY MA

JENNY MA

CHRISTOPHER PEÑA

JEAN LARSEN

PUBLIC RIGHTS PROJECT

490 43rd Street, #115

Oakland, CA 94609

(510) 738-6788

jenny.ma@publicrightsproject.org

Counsel for Amici Curiae

⁴⁸ In Minnesota, 64, 300 U.S. citizens live in households with an undocumented family member. *See* Am. Immigr. Council, *Immigrants in Minnesota*, *supra* n.31. That number is 55,600 in Arkansas, Am. Immigr. Council, *Immigrants in Arkansas*, *supra* n.3, 40,000 in Missouri, Am. Immigr. Council, *Immigrants in Missouri*, *supra* n.35, and 35,800 in Nebraska, Am. Immigr. Council, *Immigrants in Nebraska*, *supra* n.32.

ADDITIONAL COUNSEL

KRISTYN ANDERSON

City Attorney

350 S. Fifth Street

Minneapolis, MN 55415

Attorney for the City of Minneapolis, Minnesota

IRENE KAO

City Attorney

15 Kellogg Blvd. West

400 City Hall

Saint Paul, MN 55102

Attorney for the City of Saint Paul, Minnesota

Appendix A - List of *Amici Curiae*

Local Governments

City of Minneapolis, Minnesota

City of Saint Paul, Minnesota

Local Government Leader

Quinton Lucas

Mayor, Kansas City, Missouri

CERTIFICATE OF COMPLIANCE

I hereby certify that this document complies with the type-volume limitation of Fed. R. App. P. 29(b)(4) because it contains 2,591 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f).

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Pursuant to 8th Cir. R. 25, I certify that the foregoing document has been scanned for viruses and is virus free.

Dated: June 2, 2026

Respectfully submitted,

S/ JENNY MA

JENNY MA

Counsel for Amici Curiae

CERTIFICATE OF SERVICE

I hereby certify that, on June 2, 2026, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that the service will be accomplished by the CM/ECF system.

Dated: June 2, 2026

Respectfully submitted,

S/ JENNY MA

JENNY MA

Counsel for Amici Curiae