



ACLU of Minnesota

2026 Legislative Session Report

February 17 – May 11

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A Letter From Our Policy Counsel

This year's legislative planning and legislative session were upended by federal agents' violent occupation of Minnesota. The ACLU-MN responded to the onslaught by training thousands of observers, opening a portal to report constitutional violations, and litigating against the federal government's First Amendment retaliation and race-based stops.

Operation Metro Surge emphasized the need for an integrated policy approach – one that combined the ACLU-MN's work on immigration, surveillance, policing, and carceral reform – to push back against the federal government's attacks on our constitutional system.

Currently, the government is collecting massive amounts of data on Americans, including from private data brokers. Its agents are using that data to threaten people, follow them to their homes, detain them for exercising their constitutional rights, and racially profile and detain Americans without access to counsel, spiritual guidance, or adequate medical care solely because of immigration status or their willingness to defend their immigrant neighbors.

The ACLU-MN brought forth a robust policy package this session to address these harms. Minnesota became the first legislative body to pass a prohibition on geofence and geolocation warrants, and we were one vote short of instituting broad immigration protections. These protections would have included a statutory right to education regardless of immigration status, a ban on immigration enforcement in sensitive locations, a civil remedy for constitutional violations by state actors, and a ban on masked, unidentified police officers.

The ACLU-MN will bring these policies and more into the 2027 legislative session, and we expect to win.

Thank you for your continued support and solidarity,

John Bohler
ACLU of Minnesota Policy Counsel

An Unprecedented Start to the Year

Operation Metro Surge was a historic time for Minnesota, and the ACLU-MN met the moment.

Before President Trump was elected for a second term, ACLU chapters around the country began scenario planning for potential attacks on our civil liberties and civil rights. In our planning, the ACLU-MN and our national office considered potential federal attacks on immigrant rights, reproductive rights, trans rights, and more. This work became more urgent as it became clear that the second Trump Administration had its own plans to target Democrat-led states.

Scenario planning pivoted to action as the Trump administration turned its focus to Minnesota and federal agents began pouring into our state. This was the start of an astonishing federal surge that, at its height, was the largest DHS operation in our nation's history.

Operation Metro Surge Timeline

- **November:** Allegations of fraud target Minnesota Somali communities.
- **Nov. 21:** Trump first threatens Somali Minnesotans.
- **Dec. 2:** The New York Times reports 100 ICE agents have been deployed to target Somali communities in Minnesota.
- **Early December:** Clashes with and protests of ICE, citizens detained.
- **Dec. 17:** ACLU-MN files *Tincher v. Noem*.
- **Dec. 18:** ACLU-MN files *Corey-Gruenes v. Freeborn County*.
- **Jan. 2:** CBS reports 2,000 more ICE/CBP agents will deploy to Minnesota.
- **Jan. 7:** Federal agents kill Renee Good in Minneapolis.
- **Jan. 15:** ACLU-MN files *Hussen v. Noem*.
- **Jan. 24:** Federal agents kill Alex Pretti in Minneapolis.
- **Feb. 4:** Federal agents begin to draw down.

Minnesota Legislature

As lawmakers returned to St. Paul in February, they were faced with the need to respond to Operation Metro Surge while also finishing out the second year in the 2025-2026 biennium.

The House remained divided with a 67-67 tie, and the gridlock became increasingly contentious throughout session. Most bills died in committee hearings, and there was very little bipartisan cooperation and not enough votes in either party to escape the bitter stalemate. Meanwhile, the Senate had a one seat DFL majority and quickly acted, moving bills out of committee and on to the floor for a vote.

Every seat in the legislature and the governor's office is up for election this November, which meant that legislators introduced bills related to issues they plan to highlight in their upcoming campaigns.

Immigration enforcement was a large area of discussion. Legislators were divided on a party line between cooperating with ICE/CBP and ending all cooperation with federal agencies while limiting the actions of federal agents. Thankfully, DFL lawmakers adopted many of the ACLU-MN's "No Secret Police" policies that would, in part, require federal agents to obtain judicial warrants for arrests and declare certain sensitive spaces off limits for immigration enforcement.

Other issue areas also saw action this session, including digital surveillance, AI technology, social media, and doxxing. The legislature is increasingly interested in addressing advancing digital technologies and their impact on our interactions with each other and with the government. The ACLU-MN has introduced proposals that would mitigate the harms of surveillance and ensure civil liberty protections.

Meet the ACLU-MN Policy Team



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ACLU-MN 2026 Policy Agenda

Just weeks before the legislative session began, the ACLU-MN policy team faced the necessity of pivoting and revising our legislative agenda. Given what had already occurred during Operation Metro Surge, we needed to address federal agents' constitutional violations. We put together a "No Secret Police" policy package meant to address federal agents acting as a secret police force in Minnesota, profiling, arresting, and detaining U.S. citizens.

In addition to adding Immigration reform policies to our legislative agenda, the policy team highlighted the importance of surveillance reform. Immigration and surveillance reform often overlap because law and immigration enforcement agencies often use surveillance technologies like automatic license plate readers (ALPRs), facial recognition, and reverse warrants to facilitate federal immigration enforcement. These technologies have circumvented constitutional protections around First and Fourth Amendment rights.

No Secret Police and ICE Reforms

STAR Act

Prohibits Minnesota law enforcement from using state resources for federal immigration enforcement. It would bar prisons and jails from contracting with ICE to hold immigrants for possible deportation. Currently, there are three county jails in Minnesota that detain individuals for ICE — Freeborn, Kandiyohi, and Sherburne. Many immigrants, particularly those who are undocumented, avoid reporting crimes, cooperating with investigations, or seeking emergency services due to fear of detainment or even deportation for doing so.

The ACLU-MN will work with the NorthStar Coalition to pass this bill.

Protected Spaces

Requires state, city, or county facilities to establish “safe community places” where access to non-public areas requires a judicial warrant. There are different “sensitive” spaces, such as schools and universities, medical facilities, and courthouses.

1983 Cause of Action

Creates a state civil cause of action against individuals who, while conducting civil immigration enforcement, knowingly violate rights protected by the Minnesota or U.S. constitutions.

287(g) Ban

Bans programs like 287(g), which aim to deputize local and state law enforcement with certain immigration enforcement powers and authority. A statewide ban would cancel existing agreements and end collaboration with federal officers on immigration.

Surveillance Reforms

Reverse Warrant Ban (HF 103)

Prohibits government entities from requesting or obtaining information from reverse warrants. Warrants are supposed to be narrow, specific, and based on probable cause. But “reverse tracking” allows government entities to invade people’s privacy solely because they were at a specific place at a specific time, or because they entered a phrase or keyword into a search engine. Reverse warrants can reveal private information such as someone’s medical conditions, finances, sexual orientation, religious beliefs, and more. It also subjects groups of innocent people to scrutiny by law enforcement.

Facial Recognition (HF 3146)

Ends law enforcement's use of facial recognition technology. This technology allows for indiscriminate surveillance, intensifies racial and gender biases, can target vulnerable groups, and can track an individual's movements. It also violates our constitutional rights. It is essential to proactively put policies in place that will protect our rights as new and more advanced technologies are constantly released.



Automatic License Plate Reader (HF 4205)

Restricts storage and use of data from ALPRs. Police use ALPR cameras to capture images of license plate numbers, which allows law enforcement to monitor and track the movement of vehicles. Law enforcement can use ALPRs to capture mass amounts of data about innocent individuals. This bill would drastically shorten the 60-day data retention window, localize the data, and restrict out-of-state access to Minnesota’s ALPR data.

Supporting Priorities

Brady-Giglio Fix (HF 1576)

Amends the Minnesota Government Data Practices Act and the statute governing law enforcement reporting to the POST Board to allow prosecuting agencies access to personnel information.

Bail Reform (HF 1775)

Requires collecting, analyzing, and sharing data on pretrial bail cases with the public. This is a Pretrial Justice Minnesota Coalition bill that the ACLU-MN is supporting.

State Auto Insurance (HF 2215)

Creates an affordable state auto insurance program. While this may not seem like a civil liberties issue, it has many implications for Minnesotans' personal rights. A low-cost auto insurance program would alleviate the widespread discrimination imposed by insurance companies whose premiums are set using data like zip code, credit score, and gender. The ACLU-MN is against a wealth-based, two-tier justice system, and driving uninsured can lead to unpaid tickets and potential jail time.

End Slavery, Prison Reform

Reclassifies incarcerated people as workers, granting them the same fundamental rights as all Minnesota workers—including minimum wage, basic labor protections, and the right to employment. It ensures that 50% of gross wages are reserved as gate money for the individual's release, while no more than 5% may be used to offset the cost of confinement. This is an End Slavery in Minnesota Coalition bill that the ACLU-MN is supporting.

Solitary Confinement Ban (HF 1628)

Reforms solitary confinement, a practice in which prisoners are locked in a cell for 22, 23, or even 24 hours a day with little human interaction or environmental stimulation. Solitary is widely seen as a form of torture. This inhumane practice also costs two to three times more than regular prison housing, and studies demonstrate that solitary confinement jeopardizes public safety by increasing the risk that prisoners will reoffend after release.



Legislative Wins and Losses

Because this was such a gridlocked session, we knew there would be limited movement for most bills. With the House tied, passing any bill would have required majority consensus, which was difficult to achieve on polarizing issues.

The ACLU-MN team decided to use this year wisely and focus on defending against bad bills, introducing new bills on immigration, scheduling hearings on key surveillance reforms, and speaking to legislators about our 2027 goals. The policy team understood that this is a prep year; a moment to lay the groundwork for the new biennium.

Wins

- ICE omnibus package voted on by the House and Senate. This package served as a response to Operation Metro Surge.
- Defended against a bad Brady-Giglio deal that would have violated prosecutors' constitutional obligations to disclose information.
- Stopped a bad age verification bill that had First Amendment implications and was harmful to LGBTQ+ rights.
- Our ALPR bill was heard in both the House and Senate.
- Our Reverse Warrants bill was heard in both bodies and made it to the conference committee.

Losses

- A Law enforcement doxxing bill was passed that could shield police from public accountability.
- A social media bill meant to protect minors was passed, but the bill includes free-speech issues.

Looking Toward 2027

The work we've done this year is all in preparation for a much bigger, more consequential fight in 2027.

After the November elections, we will have a whole new legislature with new members and a new governor. Our work and goals will depend on who has majority control and the size of the majority. For example, a DFL trifecta would be a vastly different political reality compared to a split legislature. The ACLU-MN policy team will be scenario planning for all likely outcomes ahead of the 2026 elections.

ACLU-MN plans to launch a surveillance campaign focused specifically on ALPR reform in 2027. There has been growing public sentiment against the intrusive practices of companies like FLOCK Safety, and municipalities have begun canceling their contracts with the company. We plan to host events this summer and fall to educate the public about ALPRs and to pressure lawmakers to take action on a variety of surveillance reforms.

Bill Appendix

HF 3435 (Protected Schools)

This bill prohibits public schools from consenting to federal, state, or local officials entering schools for purposes of immigration enforcement unless the official has a valid judicial warrant.

HF 3409 (Right to Education)

This bill codifies in state law the right to free public education regardless of a child's immigration or citizenship status.

SF 3699 (Protected Courthouses)

Limits law enforcement's authority to arrest individuals attending court proceedings.

SF 3628 (Civil Rights Cause of Action)

Establishes a civil cause of action against any person who violates another person's rights under the United States Constitution or the Minnesota Constitution.

SF 3590 (Mask Ban)

Clarification on Law Enforcement Mask Ban.

HF 103 (Reverse Warrant Ban)

Government entities prohibited from requesting or obtaining reverse-location information.

HF 3661 (Facial Recognition Ban)

Acquisition and use of facial recognition technology by government entities prohibited.

HF 3413 (287g Ban)

This bill prohibits state, county, and local government units from entering into certain civil immigration enforcement agreements with the federal government.

HF 4205 (Automatic License Plate Reader Limits)

Automated license plate reader data restrictions enhanced, data centralized in Bureau of Criminal Apprehension, and use of automated license plate readers by private entities regulated.

SF 4176 (STAR Act)

This bill limits information sharing related to civil immigration enforcement, prohibits arrests related to civil immigration enforcement, and permits civil causes of action for violations of the state and federal constitutions by persons conducting civil immigration enforcement.

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Minnesota

