

Criminal Case Tracker

Observations on Year One



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Introduction

The National Association of Criminal Defense Lawyers' Criminal Case Tracker (the "Tracker") seeks to examine unusual criminal prosecutions being brought by the United States Department of Justice and make publicly available the key pleadings and rulings in a select number of these cases. The Tracker has two primary goals: to aid defense lawyers in representing their clients, and to expand the public's understanding of criminal law enforcement since January 20, 2025.

This report examines two trends that have been observed for cases brought from January 21, 2025, through January 20, 2026, the first year under review (the "relevant period"), specifically, 1) the lack of consistency and transparency in the reporting of "no true bills" issued by grand juries; and 2) the high percentage of jury acquittals when persons charged with assaulting or interfering with immigration enforcement agents proceed to trial.

OBSERVATION ONE

There is a Lack of Consistency and Transparency in Reporting Grand Jury Votes of “No True Bills”

Observation One: There is a Lack of Consistency and Transparency in Reporting Grand Jury Votes of “No True Bills”

Background

The Fifth Amendment to the United States Constitution provides in part that “[n]o person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury.” Although grand juries most often vote in favor of an indictment presented by prosecutors, the grand jury can act as a check on prosecutorial abuse by voting against an indictment. The grand jury then returns what is commonly referred to as a “no true bill,” determining that the prosecution failed to present evidence sufficient to find probable cause that a felony had been committed.¹

Federal Rule of Criminal Procedure 6(f) requires that when a grand jury votes in favor of an indictment, they “must return the indictment to a magistrate judge in open court.” As a result, even when an indictment is ordered by the magistrate judge to be placed under seal, the fact that it was approved by the grand jury appears on the public docket of the case. However, when the grand jury fails to concur in the indictment presented by prosecutors, voting a “no true bill,” Rule 6(f) provides that if a complaint or a misdemeanor is already pending against the defendant, notice is to be “promptly and in writing” reported to the magistrate judge.² But the magistrate judge is under no obligation to make such a report

¹ Grand juries most often approve indictments presented by prosecutors for three reasons. First, a grand jury (which under Federal Rule of Criminal Procedure 6(a)(1) must have between sixteen and twenty-three members) can approve an indictment by a majority vote of twelve persons; unanimity is not required. Second, grand juries meet only to consider whether probable cause exists for the charges sought by federal prosecutors. Probable cause is a lower standard than the proof “beyond a reasonable doubt” required to convict at trial. Finally, the only person allowed to present evidence to a grand jury is the federal prosecutor. Neither judges nor defense attorneys have any role in the process by which a grand jury determines whether to approve an indictment.

² Rule 6(f) is silent vis-à-vis reporting a “no true bill” when no complaint or misdemeanor has been filed. Recently, the U.S. Attorney for the District of Columbia tried and failed to obtain grand jury indictments against six members of Congress who had released a social media video advising U.S. military service members to refuse orders that violate the Constitution or the law. The grand jury’s rejection of the proposed indictment only became public because unknown sources shared the information with journalists. Chief Judge James E. Boasberg of the United States District Court for the District of Columbia thereafter issued an Order requiring notification of the duty magistrate judge whenever a grand jury fails to concur in an indictment, regardless of whether the defendant has already been charged. Standing Order No. 25-09, U.S.

public. Indeed, the form developed by the Administrative Office of the United States Courts for the grand jury to comply with the notice requirements of Rule 6(f) provides in pertinent part, “[t]his record is being filed with the court clerk and will *not* be made public unless the court orders otherwise.”³

During the relevant period, grand juries voted “no true bills” in several high-profile and unusual cases pursued by the DOJ, drawing an increased level of attention to this previously rare phenomenon.⁴ The Tracker project sought to find every case in which a grand jury returned a “no true bill.” A review of these cases revealed an important detail about such grand jury behavior: the inconsistent ways in which “no true bills” became known and the potential that many grand jury “no true bills” may remain unreported and hidden from view.

No consistent practice exists for reporting no true bills

The cases in which grand juries are known to have returned “no true bills” during the relevant period and the ad hoc methods by which that information was disclosed are described in the chart titled ***Known Instances in Which Grand Juries Returned A “No True Bill”***. (See Appendix: Chart One.) In some instances, the grand jury’s failure to concur in the indictment was noted by the filing of a Rule 6(f) notice on the court docket. On other occasions, the magistrate judge learned of the fact and alerted the defense attorney, who in turn referred to the “no true bill” in a public pleading. In still other cases, prosecutors reported a “no true bill” only when pressed by judges about the reasons for dismissing a case and that fact is reflected in “minutes” of the hearing posted on the public

Dist. Ct. for the Dist. of Columbia (Mar. 4, 2026), <https://www.dcd.uscourts.gov/sites/dcd/files/SO-No.%2026-09.pdf>.

³ Report of a Grand Jury’s Failure to Concur in an Indictment, Administrative Office of the U.S. Courts, Form AO 191 (Rev. Jan. 2009), <https://www.uscourts.gov/sites/default/files/ao191.pdf>. Similarly, Federal Rule of Criminal Procedure 6(c) provides that the grand jury foreperson “will record the number of jurors concurring in every indictment and will file the record with the clerk, *but the record may not be made public unless the court so orders*” (emphasis added).

⁴ Various news organizations have featured stories on the unusually high number of grand jury “no true bills” issued during the relevant period. Glenn Thrush & Alan Feuer, *In Trump’s Justice Dept., Failing in Court Might Be Better Than Bucking the Boss*, N.Y. Times (Dec. 12, 2025), <https://www.nytimes.com/2025/12/12/us/politics/trump-justice-dept.html?smid=nytcore-ios-share>. The Tracker project has not attempted to compare the number of known “no true bills” to those reported in prior years, both because the last year that the DOJ reported on the number of “no true bills” was 2016, and because prior DOJ reporting focused only on instances in which prosecutors reported that a grand jury voting a “no true bill” resulted in their not bringing charges. Mark Motivans, Federal Judicial Statistics, 2016 - Statistical Tables, Table 2.3, U.S. Dept. of Just. (Dec. 2020), <https://bjs.ojp.gov/content/pub/pdf/fjs16st.pdf>.

docket. At least once, the failure of the grand jury to concur in an indictment was reported by a news organization well before it was revealed by prosecutors in court.

Known returns of a “no true bill” during the relevant period have been limited to three judicial districts, suggesting a lack of transparency in other judicial districts

The most notable feature of the chart at Appendix A is that grand juries are known to have returned a “no true bill” during the relevant period in only three federal judicial districts: the District of Columbia, the Eastern District of Virginia, and the Northern District of Illinois. No confirmation of a grand jury’s return of a “no true bill” could be found in any of the remaining ninety-one federal district courts’ dockets.

This is surprising for several reasons. First, news reports indicate that grand juries in the nation’s busiest federal judicial district, the Central District of California, returned “no true bills” on multiple occasions during the summer of 2025. After speaking with multiple unnamed federal officials, the Los Angeles Times reported that grand juries were voting “no true bills” when presented with indictments seeking to charge protestors with having forcibly assaulted or interfered with federal immigration enforcement agents. James Queally & Brittny Mejia, *Trump’s top federal prosecutor in L.A. struggles to secure indictments in protest cases*, L.A. Times (July 23, 2025), <https://www.latimes.com/california/story/2025-07-23/protester-charges-essayli>. This reporting is consistent with the fact that grand juries in the District of Columbia and Chicago voted “no true bills” on at least nine occasions in which federal prosecutors in those cities sought to indict protestors, alleging similar assaults on federal immigration enforcement agents, interference with those agents, or both.⁵ Despite the credible reporting of the L.A. Times, no confirmation of a “no true bill” could be found in the criminal dockets of any case in Los Angeles during the relevant period.⁶

⁵ In the Chicago cases noted in Appendix: Chart One, prosecutors dismissed charges after the grand jury failed to concur in the indictments presented. In the District of Columbia, by contrast, prosecutors more often elected to charge misdemeanors, which do not require the approval of a grand jury. For instance, in the case against Sidney Lori Reid, a D.C. federal grand jury returned three “no true bills” in a single case involving a protestor. Andrew Goudsward, *US prosecutors fail three times to secure indictment in FBI assault case*, Reuters (Aug. 26, 2025), <https://www.reuters.com/legal/government/us-prosecutors-fail-three-times-secure-indictment-fbi-assault-case-2025-08-26/>. Prosecutors then charged her with misdemeanor assault, for which she was acquitted at trial. Joe Lancaster, *Woman Acquitted of Assaulting FBI Agent After 3 Grand Juries Declined To Indict*, Reason (Oct. 17, 2025), <https://reason.com/2025/10/17/woman-acquitted-of-assaulting-fbi-agent-after-3-grand-juries-declined-to-indict/>.

⁶ In at least two cases in Los Angeles, defense attorneys asserted in motions that grand juries had returned “no true bills,” but the assertions were either refuted or deemed speculation by the prosecutors. In *United*

Further, the Central District of California, the District of Columbia, and the Northern District of Illinois were not the only federal districts in which prosecutors are known to have had difficulty sustaining charges against protestors for assaulting or interfering with federal immigration enforcement officials. This pattern of failure has been widely covered in the media in cases throughout the country.⁷ The Tracker project found numerous cases in other cities, including Portland, Oregon; Minneapolis, Minnesota; and Charlotte, North Carolina, where prosecutors initially filed a complaint charging protestors with felony assault of or interference with immigration enforcement agents and later either dismissed the complaint or charged the case as a misdemeanor. Prosecutors may take such actions without first seeking an indictment from a grand jury. But the DOJ directed all U.S. Attorney’s Offices “to charge and pursue the most serious, readily provable offense” in the absence of unusual circumstances⁸ and consistently touted the lack of tolerance for any

States v. Brown, 2:25-cr-00701 (C.D. Cal. Aug. 26, 2025), defense counsel claimed in a Motion to Compel that government counsel “confirmed to defense counsel that a grand jury proceeding in this case occurred, and a no bill was returned.” Motion to Compel Grand Jury Testimony Transcript(s), ECF No. 47 (Sept. 26, 2025), <https://www.courtlistener.com/docket/71225170/47/united-states-v-brown/>. However, the government refuted the assertion in its opposition to the defendant’s motion, attaching an affidavit from the prosecutor denying that she made such statements. Government’s Opposition to Defense Motion *In Limine* to Compel Grand Jury Testimony Transcript(s), ECF No. 56 (Oct. 3, 2025), <https://www.courtlistener.com/docket/71225170/56/united-states-v-brown/>. In another *in limine* motion, defense counsel asserted that the grand jury had returned a no bill. *United States v. Augustine*, 2:25-cr-00678, Defendant’s Motion *In Limine* to Compel Grand Jury Transcripts and Government Witnesses’ Personnel Files, ECF No. 33 (Oct. 1, 2025), <https://www.courtlistener.com/docket/71156629/33/united-states-v-augustine/>. However, in its opposition, the government claimed such assertion was mere speculation and that it would neither confirm nor deny whether the case had been presented to the grand jury. Gov’t’s Opp’n to Defendant’s Motion *In Limine*, ECF No. 33 (Oct. 2, 2025), <https://storage.courtlistener.com/recap/gov.uscourts.cacd.983601/gov.uscourts.cacd.983601.48.0.pdf>. There are numerous other cases in Los Angeles in which defense motions seeking the disclosure of grand jury transcripts report that the government prosecutors refused to disclose whether it presented a felony indictment to a grand jury prior to filing a misdemeanor Information.

⁷ James Queally & Brittany Mejia, *Attacks on ICE up 1,000%? Trump administration claim not backed up by court records*, L.A. Times (Dec. 1, 2025), <https://www.latimes.com/california/story/2025-12-01/dhs-1000-percent-increase-attacks-on-ice-agents-times-analysis>; Ryan J. Foley, et al., *How assault charges against immigration protestors are crumbling: Key findings of an AP analysis examining federal prosecutions of protestors*, AP News (Dec. 17, 2025), <https://apnews.com/article/immigration-protests-arrests-prosecution-trump-bondi-1b2285e82fa27e0d53fb58f1201eb747>; Brenna T. Smith, Hannah Critchfield, & Brian Whitton, *Five Takeaways From the WSJ Investigation of Government Assault Claims*, Wall St. J. (Mar. 7, 2026), https://www.wsj.com/us-news/five-takeaways-from-the-wsj-investigation-of-government-assault-claims-a29c73d6?st=WCQsyj&reflink=desktopwebshare_permalink.

⁸ Office of Attorney General Memorandum For All Department Employees, *General Policy Regarding Charging, Plea Negotiations, and Sentencing*, (Feb. 5, 2025), <https://www.justice.gov/ag/media/1388541/dl>.

Observation One: “No True Bills”

conduct that interferes with immigration enforcement agents.⁹ Thus, the absence of even a single instance in these other federal districts where a grand jury can be found to have returned a “no true bill” before prosecutors either dismissed a case against a protestor, or charged only a misdemeanor, suggests that such grand jury decisions are not being reported by prosecutors or the grand jury foreperson.

⁹ Khaleda Raham, *Pam Bondi Orders Crackdown on ICE Protestors: ‘Enough is Enough’*, Newsweek (Sept. 30, 2025), <https://www.newsweek.com/pam-bondi-crackdown-ice-protesters-10803028>.

OBSERVATION TWO

The Rate of Jury Trial Acquittals in Cases Charging Violations of 18 U.S.C. § 111 for Assaulting or Interfering with Immigration Enforcement Agents was Extraordinarily High During the Relevant Period

Observation Two: The Rate of Jury Trial Acquittals in Cases Charging Violations of 18 U.S.C. § 111 for Assaulting or Interfering with Immigration Enforcement Agents was Extraordinarily High During the Relevant Period

Another focus during the relevant period has been the outcome of prosecutions brought by the Department of Justice against people for assaulting and/or interfering with federal agents during immigration enforcement operations. Most of these cases were charged as violations of 18 U.S.C. § 111, which contains a penalty up to one year's imprisonment for simple assault, penalties of up to eight years for violations involving physical conduct with specified intent, and up to twenty years if a dangerous weapon is used.¹⁰ As has been widely reported, a large number of these prosecutions brought during the relevant period were dismissed well before trial.¹¹ But even more remarkable has been the outcome of these cases when decided by a jury. The jury trial verdicts in cases charging violations of 18 U.S.C. § 111 during the relevant period and decided by March 1, 2026 are listed in the chart

¹⁰ 18 U.S.C. § 111 provides:

(a) In General.—Whoever—

(1) forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties; or
(2) forcibly assaults or intimidates any person who formerly served as a person designated in section 1114 on account of the performance of official duties during such person's term of service, shall, where the acts in violation of this section constitute only simple assault, be fined under this title or imprisoned not more than one year, or both, and where such acts involve physical contact with the victim of that assault or the intent to commit another felony, be fined under this title or imprisoned not more than 8 years, or both.

(b) Enhanced Penalty.—

Whoever, in the commission of any acts described in subsection (a), uses a deadly or dangerous weapon (including a weapon intended to cause death or danger but that fails to do so by reason of a defective component) or inflicts bodily injury, shall be fined under this title or imprisoned not more than 20 years, or both.

¹¹ James Queally & Brittany Mejia, *Attacks on ICE up 1,000%? Trump administration claim not backed up by court records*, L.A. Times (Dec. 1, 2025), <https://www.latimes.com/california/story/2025-12-01/dhs-1000-percent-increase-attacks-on-ice-agents-times-analysis>; Ryan J. Foley, et al., *How assault charges against immigration protestors are crumbling: Key findings of an AP analysis examining federal prosecutions of protestors*, AP News (Dec. 17, 2025), <https://apnews.com/article/immigration-protests-arrests-prosecution-trump-bondi-1b2285e82fa27e0d53fb58f1201eb747>; Brenna T. Smith, Hannah Critchfield, & Brian Whitton, *Five Takeaways From the WSJ Investigation of Government Assault Claims*, Wall St. J. (Mar. 7, 2026), https://www.wsj.com/us-news/five-takeaways-from-the-wsj-investigation-of-government-assault-claims-a29c73d6?st=WCQsyj&reflink=desktopwebshare_permalink.

titled ***Jury Trial Results for 18 U.S.C. 111 Cases Involving Immigration Enforcement Agents.*** (See Appendix: Chart Two) As the chart demonstrates, the jury verdicts were heavily skewed toward acquittals: a jury voted to acquit defendants in ten of the thirteen cases listed. Indeed, all such cases charging protestors that went to trial resulted in acquittals. This ratio of acquittal to conviction is the reverse of expectations,¹² but consistent with similar surveys conducted during the relevant period.¹³

¹² Historically, juries convict defendants in the vast majority of cases. The latest statistics issued by the Administrative Office of U.S. Courts show that for the twelve-month period ending March 31, 2025, 1,656 cases went to trial. Of those cases, whether decided by a jury or a judge, the acquittal rate was 12.1%. See *Federal Judicial Caseload Statistics 2025 Tables*, Table D-4, U.S. District Courts-Criminal Federal Judicial Caseload Statistics (Mar. 31, 2025), <https://www.uscourts.gov/data-news/data-tables/2025/03/31/federal-judicial-caseload-statistics/d-4>. According to the Pew Research Center, in fiscal year 2022, 1,669 defendants went to trial. Of these, 1,379 were convicted and only 290 were acquitted, an acquittal rate of 17.3%. See John Gramlich, *Fewer than 1% of federal criminal defendants were acquitted in 2022*, Pew Research Center (June 14, 2023), <https://www.pewresearch.org/short-reads/2023/06/14/fewer-than-1-of-defendants-in-federal-criminal-cases-were-acquitted-in-2022/>.

¹³ See, e.g., Brittny Mejia, *L.A. public defenders on a win streak as Trump's Justice Department charges activists*, L.A. Times (Feb. 6, 2026), <https://www.latimes.com/california/story/2026-02-06/federal-public-defenders-winning>.

CONCLUSION

Conclusion

This NACDL Criminal Case Tracker is an ongoing project that features many cases beyond those covered in this report. Defense attorneys and members of the public are encouraged to explore the data more fully at [NACDL.org/CaseTracker](https://www.nacdl.org/CaseTracker), and to reach out with information on prosecutions that would be noteworthy additions.

NACDL established this tracking project to focus on federal criminal cases across the nation that vary from past norms of prosecutorial discretion. Cases are selected for review and inclusion based on the judgment of the contributing pro bono researchers and lawyers and the list is not intended to be a comprehensive database. Factors assessed may include charging decisions, enforcement theories, or prosecutorial tactics that mark a departure from past practice.

The Tracker project was created by and is overseen by Steven M. Salky, who is responsible for this Year One Report.

APPENDIX

Chart One

Known Instances in Which Grand Juries Returned A “No True Bill”

Case Name, Number, and Date of Initial Filing	Jurisdiction	Charges Sought by Prosecutors that Returned a “no true bill”	Basis for Knowledge
<i>United States v. Wilson</i> , 1:25-cr-00318 Aug. 29, 2025	D.D.C.	18 U.S.C. § 922(g)(1): Possession of Firearm and Ammunition by a Convicted Felon	The grand jury’s initial return of a “no bill” (a separate grand jury subsequently returned an indictment charging the defendant with a violation of 18 U.S.C. § 922(g)(1)) is mentioned only in an order issued in an unrelated case, <i>United States v. Beidleman</i> , 25-cr-00270, ECF No. 23.
<i>United States v. Reid</i> , 1:25-cr-00244 Aug. 25, 2025	D.D.C.	18 U.S.C. § 111(a)(1): Assaulting, Resisting, or Impeding Certain Officers Involving Physical Contact	Prosecutors informed the court in a public filing that the grand jury had refused to approve the felony indictment presented on three occasions. ECF No. 16.
<i>United States v. Stewart</i> , 1:25-mj-225 Sept. 18, 2025	D.D.C.	18 U.S.C. § 922(g)(1): Possession of Firearm and Ammunition by a Convicted Felon	A Rule 6(f) notice on Form AO 191 was filed on the public docket. ECF No. 9.
<i>United States v. Jones</i> , 1:25-mj-00148 Aug. 18, 2025	D.D.C.	18 U.S.C. § 871(a); 18 U.S.C. § 875(c): threats to inflict bodily harm upon the President of the United States, and transmission in interstate commerce of threat to injure the person of another.	The magistrate judge notified defendant’s counsel that a Rule 6(f) notice had been filed with the clerk of the court but did not file the notice on the public docket. Defense counsel mentioned the “no true bill” in a motion to modify the defendant’s conditions of release. ECF No. 19.

Chart One: Known Instances in Which Grand Juries Returned A “No True Bill”

Case Name, Number, and Date of Initial Filing	Jurisdiction	Charges Sought by Prosecutors that Returned a “no true bill”	Basis for Knowledge
<p><i>United States v. Summers</i>, 1:25-mj-00144</p> <p>Aug. 18, 2025</p>	D.D.C.	18 U.S.C. § 111(a)(1): Assaulting, Resisting, or Impeding Certain Officers Involving Physical Contact	The magistrate judge notified defendant’s counsel that a Rule 6(f) notice had been filed with the clerk of the court but did not file the notice on the public docket. Defense counsel mentioned the “no true bill” in opposing the government motion to dismiss the case without prejudice and seeking dismissal with prejudice. ECF No. 12.
<p><i>United States v. Williams</i>, 1:25-cr-00362</p> <p>Nov. 18, 2025</p>	D.D.C.	18 U.S.C. § 922(g)(1): Possession of Firearm and Ammunition by a Convicted Felon	A Rule 6(f) notice on Form AO 191 was filed on the public docket. ECF No. 13.
<p><i>United States v. Bryant</i>, 1:25-cr-00274</p> <p>Aug. 26, 2025</p>	D.D.C.	18 U.S.C. §111(a)(1): Assaulting, Resisting, or Impeding Certain Officers Involving Physical Contact; 18 U.S.C. § 875(c): transmission in interstate commerce of threat to injure the person of another.	The grand jury return of a “no bill” is only mentioned in an order entered in an unrelated case. <i>United States v. Beidleman</i> , 25-cr-00270 ECF No. 23.
<p><i>United States v. Dana</i>, 1:25-mj-00152</p> <p>Aug. 19, 2025</p>	D.D.C.	18 U.S.C. § 871(a): threats to inflict bodily harm upon the President of the United States	In response to the court’s inquiry, prosecutors informed the court in a report of the grand jury return of a “no true bill” and indicated they had previously informed defense counsel of the fact. ECF No. 20.

Chart One: Known Instances in Which Grand Juries Returned A “No True Bill”

Case Name, Number, and Date of Initial Filing	Jurisdiction	Charges Sought by Prosecutors that Returned a “no true bill”	Basis for Knowledge
<p><i>United States v. James</i>, 2:25-cr-00122</p> <p>Oct. 9, 2025</p>	<p>E.D. Va.</p>	<p>18 U.S.C. § 1344: Bank Fraud; 18 U.S.C. § 1014: False Statements to a Financial Institution</p>	<p>A magistrate judge in Norfolk issued an order in Miscellaneous Case No. 2:25-ms-00017 noting that a grand jury returned “no bill” in a proposed felony indictment that the magistrate ordered impounded and maintained under seal. ECF No. 1. A magistrate judge in Alexandria filed a Rule 6(f) notice on Form AO 191 in Miscellaneous Case No. 1:25-dm-00013 and attached the proposed indictment. ECF No. 1.</p>
<p><i>United States v. Dunn</i>, 1:25-cr-00252</p> <p>Aug. 13, 2025</p>	<p>D.D.C.</p>	<p>18 U.S.C. § 111(a)(1): Assaulting, Resisting, or Impeding Certain Officers Involving Physical Contact</p>	<p>Initial report of the grand jury issuing “no true bill” appears in local media reports on August 27, 2025, the same day the government filed an Information charging the defendant with misdemeanor assault. The government thereafter produced the grand jury transcript reflecting the “failure to concur” to defense counsel in pretrial discovery on October 10, 2025.</p>

Chart One: Known Instances in Which Grand Juries Returned A “No True Bill”

Case Name, Number, and Date of Initial Filing	Jurisdiction	Charges Sought by Prosecutors that Returned a “no true bill”	Basis for Knowledge
<p><i>United States v. Collins & Robledo</i>, 1:25-cr-608</p> <p>Sept. 28, 2025</p>	<p>N.D. Ill.</p>	<p>18 U.S.C. § 111(a)(1): Assaulting, Resisting, or Impeding Certain Officers Involving Physical Contact</p>	<p>The judge created a minute order reporting a hearing on the government’s motion to dismiss the case without prejudice, noting that the prosecutor stated in open court a basis for the motion: that the grand jury had voted a “no bill” the previous day. ECF No. 26.</p>
<p><i>United States v. Griffin</i>, 1:25-cr-00694</p> <p>Oct. 24, 2025</p>	<p>N.D. Ill.</p>	<p>18 U.S.C. § 111(a)(1): Assaulting, Resisting, or Impeding Certain Officers Involving Physical Contact</p>	<p>The judge created a minute order reporting a hearing on the government’s motion to dismiss the case without prejudice, noting that the prosecutor stated in open court that a basis for the motion was that the grand jury had voted a “no bill.” ECF No. 20.</p>
<p><i>United States v. Comey</i>, 1:25-cr-00272</p> <p>Sept. 25, 2025</p>	<p>E.D. Va.</p>	<p>18 U.S.C. § 1001: False Statements to a Congressional Committee</p>	<p>A Rule 6(f) notice on Form AO 191 was filed on the public docket. ECF No. 3. The notice indicated the grand jury had returned a true bill on two counts of the indictment presented and returned a “no true bill” on a single count presented to the grand jury.</p>

Chart Two

Jury Trial Results for 18 U.S.C. § 111 Cases Involving Immigration Enforcement Agents¹⁴

Case Name & Number	Jurisdiction	Charge, Type, and Date	Alleged Facts	Verdict and Date
<i>US v. Carreno</i> 2:25-cr-00772	C.D. Cal.	18 U.S.C. § 111(a)(1): Simple Assault brought by Misdemeanor Information. Sept. 17, 2025	Protester in Los Angeles who stood near the entrance to a government building driveway and, when pushed back by law enforcement agents, allegedly brought her hand down in a chopping motion that hit the officer's arm twice.	Acquittal Nov. 6, 2025
<i>US v. Reid</i> 1:25-cr-00244	D.D.C.	18 U.S.C. § 111(a)(1) Simple Assault brought by Misdemeanor Information. Aug. 25, 2025	Protester in DC who videotaped FBI officers who were taking people from the DC Jail into custody for ICE detention allegedly assaulted the officers.	Acquittal Oct. 16, 2025
<i>US v. Lopez</i> 2:25-cr-00705	C.D. Cal.	18 U.S.C. § 111(a)(1) Forcible Assault brought by Felony Indictment. Aug. 26, 2025	Protester allegedly pushed his camera into the face of a federal protection service officer who was ordering him (and other protesters) to move back from where they were standing. The defendant was forced to the ground during his arrest and suffered injury.	Acquittal Feb. 6, 2026

¹⁴ This chart excludes cases in which a jury acquitted defendants charged with other criminal conduct against immigration enforcement officers during the relevant period. For instance, it excludes the prosecution of an alleged gang member who purportedly placed a bounty on the life of then-ICE Commander Gregory Bovino. *United States v. Espinoza Martinez*, 1:25-cr-00637 Judgment of Acquittal (N.D. Ill. Jan. 22, 2026), ECF No. 108, <https://www.courtlistener.com/docket/71587282/united-states-v-martinez/>. It also excludes the acquittal of a tow truck operator who drove off with an ICE vehicle during an enforcement action and was charged with violating a different statute. *United States v. Nunez*, 2:25-cr-00779, *Jury Verdict* (C.D. Cal. Dec. 19, 2025), ECF No. 73, <https://www.courtlistener.com/docket/71468913/united-states-v-nunez/>. The rate of acquittals would have been higher had these and other cases alleging interference with immigration enforcement operations outside 18 U.S.C. § 111 been included.

Chart Two: Jury Trial Results for 18 U.S.C. § 111 Cases Involving Immigration Enforcement Agents

Case Name & Number	Jurisdiction	Charge, Type, and Date	Alleged Facts	Verdict and Date
<i>US v. Augustine</i> 2:25-cr-00678	C.D. Cal.	18 U.S.C. § 111(a)(1) Simple Assault brought by Misdemeanor Information Aug. 15, 2025	At a protest outside an ICE detention center in L.A., the defendant allegedly waved an umbrella at approaching law enforcement officers who were moving a group of protesters away from the entrance. An officer grabbed the umbrella and tore away its fabric. The defendant allegedly threw the frame of the umbrella at the officer.	Acquittal Oct. 10, 2025
<i>US v. Diaz-Amezcu</i> 2:25-cr-00072	E.D. Wash.	18 U.S.C. § 111(a)(1), (b) Forcible Assault brought by Felony Indictment May 7, 2025	Defendant, a removable immigrant, was alleged to have elbowed a Customs and Border Patrol agent in the face, causing bodily injury, while being arrested at his home by a CBP agent.	Acquittal Nov. 7, 2025
<i>US v. Dunn</i> 1:25-cr-252	D.D.C.	18 U.S.C. § 111(a)(1) Simple Assault brought by Misdemeanor Information Aug. 27, 2025	Defendant was accused of throwing a sandwich that hit the chest of a Border Patrol officer.	Acquittal Nov. 7, 2025
<i>US v. Dzul</i> 2:25-cr-00503	C.D. Cal.	18 U.S.C. § 111(a)(1) Simple Assault brought by Misdemeanor Information June 18, 2025	Defendant was arrested as a suspected illegal immigrant and is alleged to have resisted arrest by kicking the agent while handcuffed in the back seat of the agent's vehicle.	Acquittal Jan. 14, 2026
<i>US v. Torres-Carmona</i> 3:25-cr-00132	W.D. Ky.	18 U.S.C. § 111(a)(1): Forcible Assault (2 Counts) Brought by Felony Indictment Sept. 3, 2025	Defendant allegedly pushed one ICE agent in the chest when the agent started to handcuff him during an arrest and made physical contact with a second agent who assisted the first agent in handcuffing him.	Acquittal Feb. 2, 2026
<i>US v. Vivanco-Reyes</i> 2:25-cr-00131	W.D. Wash.	18 U.S.C. § 111(a)(1), (b) Forcible Assault (4 Counts) Brought by Felony	Defendant allegedly drove his truck and attached trailer into multiple government vehicles that were attempting to stop and arrest him on an immigration violation.	Acquittal Jan. 9, 2026

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Case Name & Number	Jurisdiction	Charge, Type, and Date	Alleged Facts	Verdict and Date
		Indictment June 18, 2025		
<i>US v. Contreras</i> 2:25-cr-01544	W.D. Tex.	18 U.S.C. § 111(a)(1) Simple Assault (2 Counts) Brought by Superseding Information Nov. 25, 2025	Defendant was crossing the border in Del Rio, Texas, when he assumed a fighting stance and allegedly challenged the Border Patrol officer to fight. After being taken into custody he allegedly became confrontational, made verbal threats, and resisted efforts to be fingerprinted.	Conviction Dec. 17, 2025
<i>US v. Zepeda</i> 8:25-cr-00145	D. Neb.	18 U.S.C. § 111(a)(1), (b) Forcible Assault with a deadly weapon Brought by Felony Indictment July 23, 2025	Defendant was hiding from immigration agents in a crawl space and refused repeated commands to surrender. After being tased twice he allegedly threw tools, including a box cutter, at a deputy U.S. Marshal who was assisting the immigration enforcement officers.	Conviction Dec. 16, 2025
<i>US v. Munoz-Guatemala</i> 0:25-cr-00246	D. Minn.	18 U.S.C. § 111(a)(1), (b) Forcible Assault by Felony Indictment June 18, 2025	Defendant allegedly refused commands by immigration officers to open his driver's side door, and after agents broke the driver's side rear window the defendant put his vehicle in drive, dragging the immigration officer approximately 100 yards.	Conviction Dec. 10, 2025
<i>U.S. v. Ocampo Martinez</i>	S.D. Fla.	18 U.S.C. § 111(a)(1) Simple Assault brought by Misdemeanor Information July 16, 2025	Defendant allegedly shoved a Border Patrol agent trying to apprehend him as a suspected illegal alien.	Acquittal Feb. 9, 2026

ABOUT THIS PROJECT

About this Project

Since January 2025, federal criminal law enforcement has undergone profound and rapid change. To help defense counsel navigate this evolving landscape, NACDL launched the NACDL Criminal Case Tracker, a curated resource designed to identify, follow, and analyze select federal prosecutions that depart from traditional enforcement norms.

The Criminal Case Tracker focuses on unusual, novel, or expansive applications of federal criminal law, distinguishing these cases from routine prosecutions that fall within long-standing enforcement patterns.

The Criminal Case Tracker is led by NACDL Member Steven M. Salky. The project is supported by volunteer curators.



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