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Lawyers File Ethics Complaint Against Senior DOJ Official Over Conduct in Immigration Cases

April 7, 2026 — Lawyers Defending American Democracy (LDAD) and a coalition of distinguished legal scholars, former judges, and members of the bar have filed an [ethics complaint](#) with the District of Columbia Bar seeking an investigation into Drew C. Ensign, a senior Department of Justice immigration official, for alleged professional misconduct in multiple high-profile federal immigration cases.

LDAD alleges that Ensign, the Deputy Assistant Attorney General in the U.S. Department of Justice (DOJ) Office of Immigration Litigation, violated his core ethical duties, including the duty of candor to the court, honesty, asserting non-frivolous claims, competence, fairness to opposing parties, supervisory responsibility, and promoting the administration of justice.

In joining as a signer to the ethics complaint, former federal prosecutor and Special White House Counsel Ty Cobb stated, “Government attorneys are not exempt from the ethical rules that govern the legal profession and, because of the oath they take, their obligations are even more sacred. Accountability is essential to maintaining public confidence in the administration of justice.”

[LDAD’s complaint](#) draws on publicly available court filings, judicial opinions, and other public records from several major immigration cases, including litigation involving Venezuelan migrants deported under the Alien Enemies Act, the deportation and detention of Kilmar Armando Ábrego García, and the attempted deportation of unaccompanied Guatemalan children.

Those records show that Mr. Ensign made, or oversaw attorneys who made, false or misleading representations to courts, failed to comply with discovery obligations and court orders, and bore supervisory responsibility for misconduct by subordinate attorneys. This ethics complaint urges the D.C. Bar to investigate Mr. Ensign’s conduct and impose appropriate discipline if the allegations are substantiated.

Scott Harshbarger, Chair of Lawyers Defending American Democracy and a former two-term Attorney General of Massachusetts, noted, “Every lawyer – including government lawyers – has a duty to tell the truth to the courts and uphold the integrity of the justice system. This complaint asks the D.C. Bar to investigate serious allegations that go to the heart of the rule of law.”

LDAD is filing this complaint at a time when ongoing litigation over immigration enforcement policies and deportations has been drawing sharp scrutiny from federal judges. The complaint highlights the ethical obligations of federal attorneys who, like all lawyers, serve both as advocates for their clients and as officers of the court and it raises concerns about whether those obligations were upheld in several closely watched cases.

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Lawyers Defending American Democracy (LDAD) was founded in 2019 and is a 501(c)(3) organization dedicated to the protection of the rule of law, the Constitution, and democracy. LDAD’s work includes authoring Calls-to-Action, amicus briefs, and articles calling for adherence to the rule of law and

encouraging the legal profession and the public to join in speaking out against threats to the norms, freedoms, and principles of our democratic institutions. LDAD's most recent initiative is Meeting the Moment, a call to lawyers across the country to engage with their communities in response to the attacks on our democratic institutions. For further information about LDAD, see <https://ldad.org/>

Specific Ethics Violations Alleged in the Complaint

1. Venezuelan Migrants Deportation Case

J.G.G. v. Trump (D.D.C. 2025)

In March 2025, the federal government sought to deport Venezuelan migrants under the **Alien Enemies Act**.

During an emergency hearing on March 15, 2025, U.S. District Judge James Boasberg asked DOJ attorney Drew Ensign whether deportation flights were taking place.

According to the court transcript, Ensign stated that he did not know whether flights were departing and that he had no information about them.

However, court filings and later findings indicate that deportation flights carrying migrants had already departed to El Salvador, where the migrants were transferred to the CECOT prison.

Judge Boasberg later found **probable cause to hold the federal government in criminal contempt** for violating his temporary restraining orders related to the deportations.

LDAD's ethics complaint alleges that Ensign's statements to the court regarding the deportation flights violated the professional duty of candor owed to the court.

2. Wrongful Deportation of Kilmar Armando Ábrego García

Ábrego García v. Noem (D. Md. 2025)

Kilmar Armando Ábrego García had received a **withholding of removal order** in 2019 preventing the United States from deporting him to El Salvador because of the likelihood of persecution.

In March 2025, he was nonetheless deported to El Salvador and detained in the CECOT prison.

During litigation challenging the deportation, a federal judge repeatedly criticized the federal government's conduct.

In one ruling, U.S. District Judge Paula Xinis wrote that the federal government had **"misled" the court** and had engaged in **"willful and intentional noncompliance"** with discovery obligations.

The ethics complaint alleges that Ensign:

- Mischaracterized a binding Supreme Court order in filings to the federal district court.

- Failed to comply with discovery obligations.
- Oversaw litigation conduct that the federal district court described as lacking transparency.

3. Attempted Removal of Unaccompanied Guatemalan Children

L.G.M.L. v. Noem (D.D.C. 2025)

In August 2025, a federal agency attempted to expel unaccompanied Guatemalan children from the United States without removal proceedings.

During emergency litigation, Ensign argued that the federal government was not deporting the children but **reuniting them with parents in Guatemala who had requested their return.**

However, a report from the Guatemalan Attorney General’s Office had found that:

- Many parents could not be located; and
- None of the parents located had requested their children’s return.

A federal district court concluded that the federal government’s explanation had **“crumbled like a house of cards”** and that its legal argument had no basis.

The complaint alleges that Ensign’s representations to the court lacked factual support and violated the duty of candor and that his legal argument was frivolous.

4. Supervisory Responsibility for Litigation Conduct

Because Ensign holds a senior leadership position in DOJ’s Office of Immigration Litigation, the complaint also argues that he bears responsibility for misconduct by subordinate attorneys.

In related proceedings in the *Ábrego García* litigation, the federal judge criticized DOJ attorneys for presenting witnesses who lacked knowledge of the facts described in their sworn declarations.

The complaint argues that Ensign had a duty to ensure that attorneys under his supervision complied with professional ethics rules governing truthfulness to the court and the duty to obey court orders.