



REPRESSION RESILIENCE WORKSHOP

ICE vs. You

Repression Resilience



Repression is the collection of methods the State and other reactionary forces use to fight against change.

This can look like:

- **Violence**
- **Surveillance/Disruption**
- **Media/Social Media**
- **Legal**

Examples:

- 646 highway arrests
- UMN Cunningham Halimy Hall encampment



Repression Resilience means building a life and practice that doesn't just avoid repression (an impossibility for effective movements) but acknowledges it as a reality of struggle and works to minimize its ability to undermine your goals.

Building repression resilience can look like:

Build community power. The greatest antidote for repression is more organizing.

- Broad collaborations
- Solidarity and support for other organizations
- Pro-social intra-movement conflict engagement

Revolutionary adaptability

- The more outcomes you are trying to control the more vulnerabilities you have.
 - How can you build flexibility into your life plans around job, family, housing, finances, etc.?
 - For things you decide you must protect or control, engage in rigorous threat modeling.

Minimizing exposure

- **Security culture/protocol:** Don't brag or boast about activity that is unlawful or speculate as to the illegal activity of others. Engage in risk proportional to relationship.
- **CAUTION: beware of de-organizing tendencies.** Being secretive is not always the best way to minimize exposure and can undermine other strategies for building resilience
- **Choosing tactics with less exposure** that still fit your strategy and goals
- **Know your rights** so that when you are targeted you can best protect yourself
 - Casual Conversation
 - *Am I free to go*
 - Detention
 - *I'm going to remain silent, I want to speak to an attorney*
 - *I don't consent to a search*
 - Arrest

We are providing these workshops to help shine a light on what repressive tactics we see being used against Palestine Solidarity activists - not to de-mobilize, but to help you focus.

Stay strong and bold and keep yourself, your comrades, and our shared movements safe and successful.





KNOW YOUR RIGHTS
WITH ICE

If ICE comes to a home

- Don't open the door
- Need a judicial warrant signed by a judge
- Ask officer to slide warrant under door or hold up to window
- Don't sign anything you don't understand



ICE Administrative Warrant

U.S. DEPARTMENT OF HOMELAND SECURITY **Warrant for Arrest of Alien**

File No. _____
Date: _____

To: **Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations**

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in combination with other information, that the subject either lacks immigration status or is removable under U.S. immigration law; and/or
- statements made voluntarily by the subject to a consular officer or other ICE officer that constitute reliable evidence that affirmatively indicate the subject is removable under U.S. immigration law, notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)
on _____ (Name of Alien) on _____ (Date of Service), and the contents of the notice were read to him or her in the _____ (Language) language.

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/14)

ICE Administrative Arrest Warrant

Not signed by a judge

Judicial Warrant

AO 93 (REV. 12/09) Search and Seizure Warrant **This is a judicial search warrant. It DOES authorize agents to enter your home.**

UNITED STATES DISTRICT COURT Issued by a COURT.

for the
Eastern District

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

540 Oak Avenue
Davis, California 95616

Judicial Warrant

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

2:11-SW-0161 EFB

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN Districts of CALIFORNIA

(Identify the person or describe the property to be searched and give its location.)
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

Read attachments to make sure they are regarding YOU and YOUR address, not someone else's.
The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized.)
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 5-9-2011
(Date for warrant, not to exceed 14 days)

in the daytime: 6:00 a.m. to 10 p.m. at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge

(name)
 I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) for _____ days (not to exceed 30)

until, the facts justifying, the later specific date of _____

Date and time issued: 4-25-2011
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA

EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE

(Printed name and title)

Source: National Immigration Law Center <https://twitter.com/NILC/status/1140755046081536040>

Signed by a judge



Immigration authorities can look like:

- Plainclothes & unmarked vehicles
- ICE on uniforms, cars
- ERO on uniforms
- HSI on uniforms
- CBP on uniforms, cars
 - *Limited jurisdiction*
- “Police” on uniforms
- ATF/DEA agents now helping with ICE enforcement

ICE stops a vehicle


- Right to remain silent
 - *Provide license/registration/name if asked*
 - *Don't give false name/docs*
- Ask if they are police or ICE
- Can decline search (they may search anyway in certain circumstances)
- Am I under arrest/am I free to go
- If stopped by local police, don't need to give them immigration status
 - *Mpls/St. Paul police separation ordinances; other cities in MN vary*

ICE or police arrest


- Right to remain silent, ask to speak to your lawyer (memorize a phone #)
- Right to communicate with consulate of home country
- Ask for interpreter
- Don't sign anything you don't understand
- Constitutional rights regardless of citizenship status
- Don't talk about immigration status while in custody
- Can decline search of your person (they may search anyway in certain circumstances)
- Walk away if not under arrest
- Family/supporters can use ICE detainee locator in case of arrest

Bystanders

Document license plates, officer names/badge #s, use of physical or verbal force, what else happened



Video documentation when something egregious recording-
don't record arrestees, never livestream



“Interfering” with ICE arrest carries legal risks



Don't post unverified rumors of ICE activity on social media –
contact MIRAC, COPAL, Unidos, Asamblea de Derechos Civiles
or other local immigrant rights organization



PROTESTS



Reducing Risks for Undocumented Immigrants at Protests

- Communicate rights and risks beforehand and allow folks to decide how they want to participate
- Plan protest in familiar place
- Start/end locations with less risk (ex: church or school parking lot used with their permission)
- Avoid sharing faces online
- Shorter actions = less risk
- Well-trained & experienced marshals
- Legal observers
- Encourage protestors to turn off biometric passwords, location tracking on phones



Reducing Risks at Protests, continued

- Plan for outsider agitators – barriers between protestors and police/outside agitators
- Police liaison and extra flexibility when negotiating with police
- Extra caution when protesting in new area
 - *Coordination with landlords, police, city officials, businesses along route beforehand*
 - *Police in cities outside St. Paul and Minneapolis may collaborate with ICE*
- Blocking highways, civil disobedience, etc. create higher risks for immigrants who are undocumented or have a temporary status (TPS, DACA, student visas, pending asylum, etc.)
 - *Criminal consequences for immigration status, or lack of immigration status*
 - *Communicate risks of civil disobedience beforehand*

Threats About Revocation of Student Visas for Students Protesting for Palestine



Truth Social post from March 4, 2025

- Directs Sec. of State, Sec. of Education, and Sec. of Homeland Security to “familiarize institutions of higher education” on how to use U.S.C. §1182* to monitor and report on activities by immigrant students and potential deport immigrants based on their protest & speech activities.

*also cited as INA §212(a)



PRESIDENTIAL ACTIONS

ADDITIONAL MEASURES TO COMBAT ANTI-SEMITISM

EXECUTIVE ORDER

January 29, 2025



LEGAL CONSIDERATIONS

Repression forecasting: INA §212(a)(3)(B)

(B) Terrorist activities

(i) In general

Any alien who-

(I) has engaged in a terrorist activity;

(II) a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in clause (iv));

(III) has, under circumstances indicating an intention to cause death or serious bodily harm, incited terrorist activity;

(IV) is a representative (as defined in clause (v)) of-

(aa) a terrorist organization (as defined in clause (vi)); or

(bb) a political, social, or other group that endorses or espouses terrorist activity...

...(IX) is the spouse or child of an alien who is inadmissible under this subparagraph, if the activity causing the alien to be found inadmissible occurred within the last 5 years, is inadmissible.

An alien who is an officer, official, representative, or spokesman of the Palestine Liberation Organization is considered, for purposes of this chapter, to be engaged in a terrorist activity.

Harboring Certain Immigrants: 8 U.S.C. §1324

(a) Criminal penalties

(1)

(A) Any person who—

(I) knowing that a person is an alien, **brings to or attempts to bring to the United States in any manner** whatsoever such person at a place other than a designated port of entry or place other than as designated by the Commissioner, regardless of whether such alien has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such alien;

(ii) knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, **transports, or moves or attempts to transport or move such alien within the United States** by means of transportation or otherwise, in furtherance of such violation of law;

(iii) knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, **conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place**, including any building or any means of transportation;

(iv) encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law; or

(v)

(I) engages in any conspiracy to commit any of the preceding acts, or

(II) **aids or abets** the commission of any of the preceding acts, shall be punished as provided in subparagraph

Harboring Statute - §1324(a)(1)(A)

- Most often used against smugglers/coyotes
- May apply to actions at various points
 - *Supporting during entry*
 - *Transportation after entry*
 - *Sheltering*
 - *Alerting*
 - *Advocating after detention*
 - *Intervening in Removal*



In Action:

2018: No Más Muertes/No More Deaths

- In January 2018, the government **arrested a humanitarian volunteer** distributing water and food to people in the Arizona desert close to the U.S.-Mexico border.
- The U.S. federally prosecuted him for allegedly illegally “harboring” two migrants, alleging that he had concealed and conspired to transport and conceal non-U.S. citizens to prevent detection from immigration agents.
- In 2019, a jury was unable to reach a verdict; **at a retrial, a second jury found him not guilty.**



Source:

Assessing Risks in Supporting Immigrants at Points of Intervention,
Resource produced by National Lawyers Guild

Higher legal risk

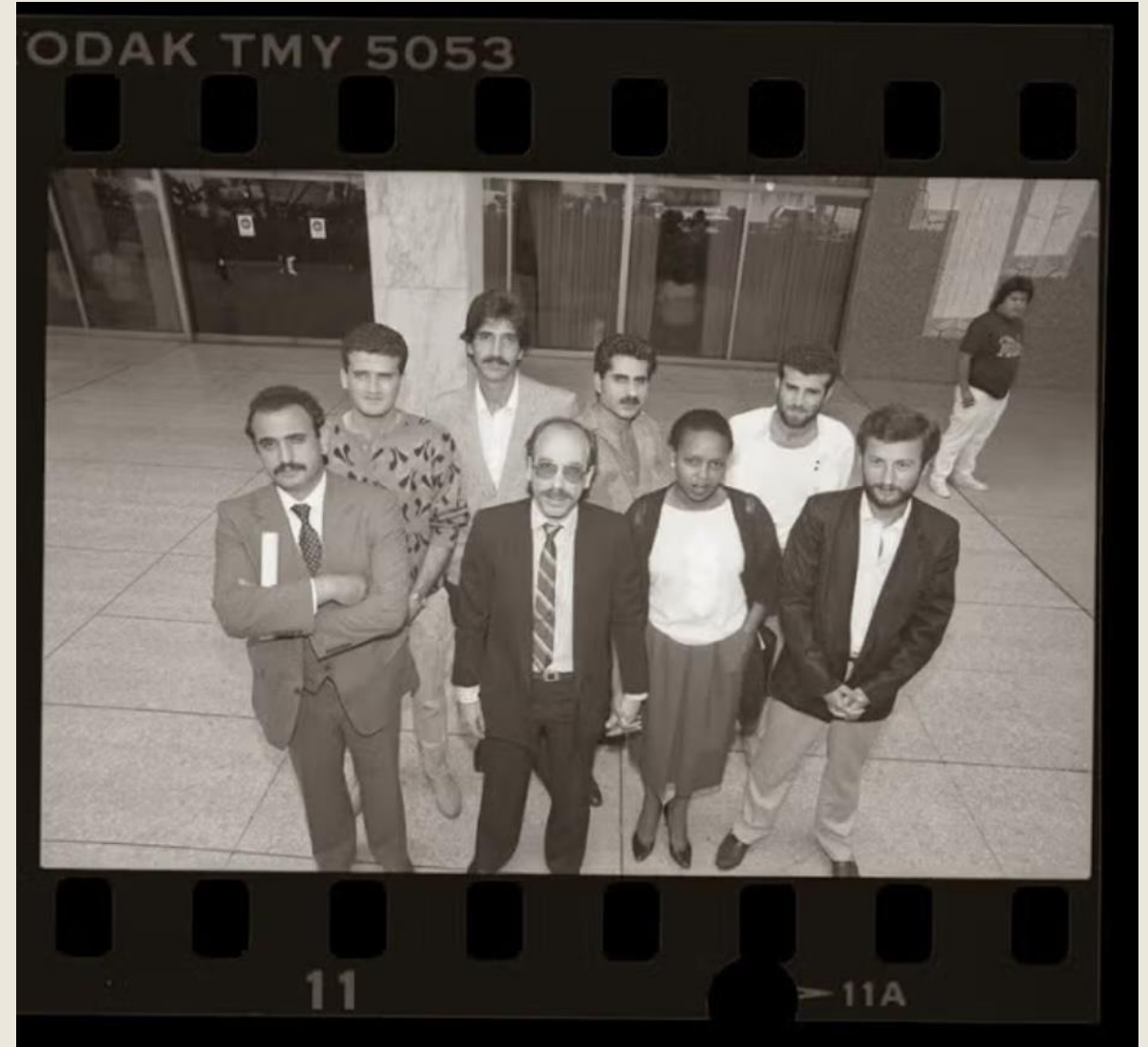
- Giving assistance for the purpose of helping someone violate immigration law
- Trying to directly intervene during a removal
- Giving an undocumented person false documents (not recommended-high risk to non-citizen)
- Warning a specific person immigration authorities are present/helping them evade arrest

Lower legal risk

- Giving humanitarian assistance regardless of status
- Providing general KYR information to migrants facing deportation
- Accompanying someone to ICE check-in or court hearing
- Publicly advocating or protesting for extending lawful status to all immigrants
- Sharing general information publicly about ICE sightings
- Observing a removal operation from a distance

Case Example: Los Angeles 8

- 20-year deportation case
- Government attempt to weaponize immigration law against pro-Palestine activists
- 1987 – Reagan admin. tried to deport Khader Hamide and Michel Shehadeh (LPRs), and 6 others (on student visas) for support of the Popular Liberation Front for Palestine
 - Their “crimes:” distributing newspapers, participating in demonstrations, humanitarian aid fundraisers



Los Angeles 8 Outcome

- Government made 6 unsuccessful attempts at prosecution under various laws
 - McCarran-Walter Act for “advocating for world communism” (Act later repealed)
 - 1990 Immigration Act for “terrorist activities”
 - 1996 Antiterrorism Act
 - PATRIOT Act “material support to foreign terrorist orgs”
- 2007 - immigration judge ruled the government violated the defendants’ constitutional rights in a case he called “an embarrassment to the rule of law.”
- L.A. 8 have since obtained permanent residency or citizenship



QUESTIONS

Thank you for
attending!

Let's organize!



Contact Info: nlginmn@gmail.com