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11 UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF WASHINGTON

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 JAC DALITSO ARCHER, *et al.*,

17 Defendants.

No. 2:25-CR-00113-RLP-9

**DECLARATION OF ANDREW M.  
WAGLEY IN SUPPORT OF  
DEFENDANT ARCHER'S  
MOTION TO DISMISS  
INDICTMENT UNDER THE  
FIRST AMENDMENT**

18 I, Andrew M. Wagley, do hereby declare the foregoing is true and correct  
19 under penalty of perjury:

- 20 (1) I am over the age of eighteen and competent to testify regarding the  
21 matters stated herein. I am an attorney of record for Defendant Jac  
22 Archer. I make this Declaration in support of Defendant Archer's  
Motion to Dismiss Indictment Under the First Amendment.

1 (2) Attached hereto as **Exhibit A** is a true and correct copy of the social  
2 media post of Defendant Benjamin Stuckart referenced in the  
3 Indictment. This document was propounded by the Government as  
4 part of discovery herein.

5 (3) Attached hereto as **Exhibit B** is a true and correct copy of the social  
6 media post of Defendant Jac Archer referenced in the Indictment.  
7 This document was propounded by the Government as part of  
8 discovery herein.

9 (4) Attached hereto as **Exhibit C** is a true and correct copy of a video  
10 produced by the Government during discovery herein entitled  
11 “Stuckart et al\_00016372.” This Exhibit was submitted on a thumb  
12 drive as a non-scannable item.

13 (5) Attached hereto as **Exhibit D** is a true and correct copy of a Reuters  
14 article entitled “Prosecutors told to prioritize, publicize cases tied to  
15 Trump immigration protests.” This article was last accessed on  
16 March 2, 2026 and is available via the following link:

17 [https://www.reuters.com/world/us/prosecutors-told-prioritize-  
18 publicize-cases-tied-trump-immigration-protests-2025-06-12/](https://www.reuters.com/world/us/prosecutors-told-prioritize-publicize-cases-tied-trump-immigration-protests-2025-06-12/)

19 (6) Attached hereto as **Exhibit E** is a true and correct copy of a  
20 LinkedIn post by former Acting U.S. Attorney Rich Barker. This  
21 post was last accessed on March 2, 2026 and is available via the  
22 following link:

1 [https://www.linkedin.com/posts/richard-barker1\\_barker-steps-](https://www.linkedin.com/posts/richard-barker1_barker-steps-down-as-us-attorney-for-eastern-activity-7350949196650213377-QSqB/)  
2 [down-as-us-attorney-for-eastern-activity-](https://www.linkedin.com/posts/richard-barker1_barker-steps-down-as-us-attorney-for-eastern-activity-7350949196650213377-QSqB/)  
3 [7350949196650213377-QSqB/](https://www.linkedin.com/posts/richard-barker1_barker-steps-down-as-us-attorney-for-eastern-activity-7350949196650213377-QSqB/)

4 (7) Attached hereto as **Exhibit F** is a true and correct copy of a July 15,  
5 2026 press release from the United States Attorney’s Office for the  
6 Eastern District of Washington. This press release was last accessed  
7 on March 2, 2026 and is available via the following link:

8 [https://www.justice.gov/usao-edwa/pr/defendants-charged-](https://www.justice.gov/usao-edwa/pr/defendants-charged-assaulting-federal-law-enforcement-officers-other-offenses-during)  
9 [assaulting-federal-law-enforcement-officers-other-offenses-](https://www.justice.gov/usao-edwa/pr/defendants-charged-assaulting-federal-law-enforcement-officers-other-offenses-during)  
10 [during](https://www.justice.gov/usao-edwa/pr/defendants-charged-assaulting-federal-law-enforcement-officers-other-offenses-during)

11 (8) Attached hereto as **Exhibit G** is a true and correct copy is a  
12 Guardian article entitled “DoJ cases against protesters keep  
13 collapsing as officers’ lies are exposed in court.” This article was  
14 last accessed on March 2, 2026 and is available via the following  
15 link:

16 [https://www.theguardian.com/us-news/2026/feb/21/doj-](https://www.theguardian.com/us-news/2026/feb/21/doj-protesters-federal-agents-cases)  
17 [protesters-federal-agents-cases](https://www.theguardian.com/us-news/2026/feb/21/doj-protesters-federal-agents-cases)

18 (9) Attached hereto as **Exhibit H** is a true and correct copy of a CBS  
19 News article entitled “DOJ investigating Gov. Tim Walz,  
20 Minneapolis Mayor Jacob Frey over alleged conspiracy to impede  
21 immigration agents.” This article was last accessed on March 2,  
22 2026 and is available via the following link:

1 [https://www.cbsnews.com/news/justice-department-](https://www.cbsnews.com/news/justice-department-investigating-tim-walz-jacob-frey-minnesota/)  
2 [investigating-tim-walz-jacob-frey-minnesota/](https://www.cbsnews.com/news/justice-department-investigating-tim-walz-jacob-frey-minnesota/)

3 I hereby declare under penalty of perjury of the laws of the United States  
4 and State of Washington that the foregoing is true and correct.

5 EXECUTED THIS 2nd day of March, 2026 in Spokane, Washington.

6  
7 By:   
8 Andrew M. Wagley, WSBA #50007

**CERTIFICATE OF SERVICE**

1  
2 I hereby certify that on the date indicated below, I electronically filed the  
3 foregoing document with the Clerk of the Court using the CM/ECF System,  
4 which will send notification of such filing to all of the attorneys that have  
5 appeared in this case and have registered with the CM/ECF System.

6 EXECUTED this 2nd day of March, 2026 in Spokane, WA.

7 By: /s/ Jodi Dineen  
8 Jodi L. Dineen, Paralegal

**EXHIBIT A**

### Ben's Post



**Ben Stuckart**

9h · 🌐



**ACTION ALERT:** Three weeks ago I became the legal guardian to a young man from Venezuela seeking asylum. He has turned in all paperwork and has a future court hearing. I went with him to ICE check in today. They detained him and are shipping him to Tacoma.

I am asking that if you care at all about these illegal detainers you meet me at 411 West Cataldo by 2pm. I am going to sit in front of the bus. Feel free to join me.....

The Latino community needs the rest of our community now. Not tonight, not Saturday but right now!!!!

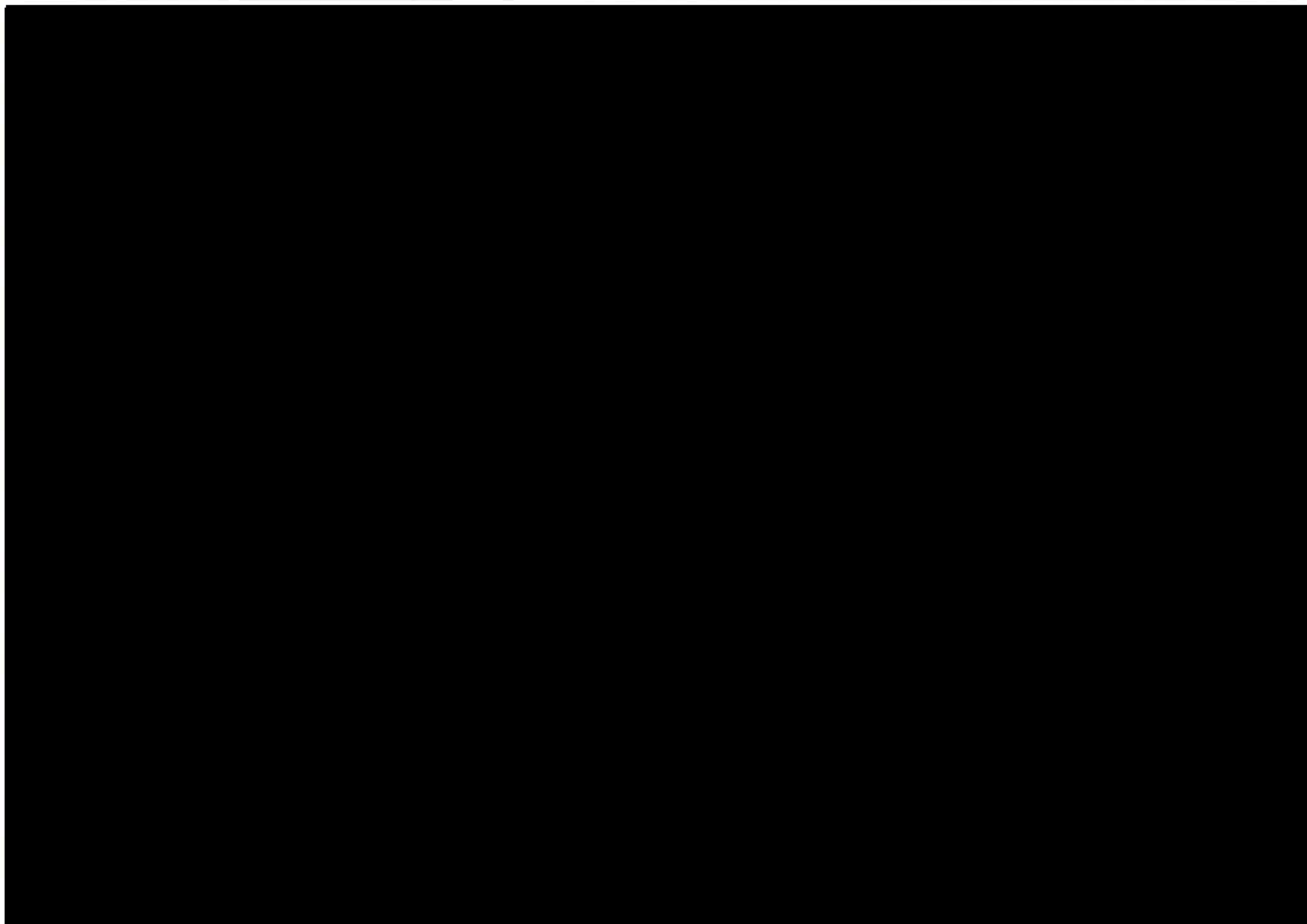
👍👍👍 547

183 comments 266 shares

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\*\*\*

**Jac Archer**  
June 11 at 3:14 PM · 🌐

EDIT:  
Actually, that was way too soft. Let's try that again.  
COME DOWN NOW. WE NEED MORE BODIES. THERE IS A NON ZERO CHANCE WE CAN WAIT  
OUT ICE AND THEY MAY FREE THIS MAN.  
COME DOWN NOW.  
XXXXXXXXXXXXXXXXXXXXXXXXXX

We are still here. Some contingents are choosing to risk arrest to block the exits to ICE. We're about 100 strong in total. I hope to see you here.

---

**Ben Stuckart**  
June 11 at 12:52 PM · 🌐

ACTION ALERT: Three weeks ago I became the legal guardian to a young man from Venezuela seeking asylum. He has turned in all paperwork and has a future court hearing. I went with him to ICE check in today. They detained him and are shipping him to Tacoma.  
I am asking that if you care at all about these illegal detainees you meet me at 411 West Cataldo by 2pm. I am going to sit in front of the bus. Feel free to join me.....  
The Latino community needs the rest of our community now. Not tonight, not Saturday but right now!!!!

👍❤️🙏 46

4 comments 7 shares

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**Jac Archer**  
A huge thank you to the people who have brought water and snacks.  
We need folks willing to stay as LONG as possible. But even minute counts

**EXHIBIT C**

**PLACEHOLDER FOR  
NON-SCANNABLE EXHIBIT**

**EXHIBIT D**

Learn more about [LSEG](#)

## Prosecutors told to prioritize, publicize cases tied to Trump immigration protests

By Sarah N. Lynch

June 12, 2025 10:29 AM PDT · Updated June 12, 2025



Feedback

Broken glass lies on the floor after stores were looted following days of protests against federal immigration sweeps and Marines, in downtown Los Angeles, California, U.S., June 10, 2025. REUTERS/David Ryder [Purchase Licensing Rights](#)



Cars were wrecked, and homes and a children's playground were heavily damaged in the area

Summary

'Push out press releases whenever you file charges,' says official in Deputy Attorney General's office  
Democrats accuse Trump of inflaming situation

WASHINGTON, June 12 (Reuters) - The U.S. Justice Department on Thursday ordered federal prosecutors to prioritize criminal prosecution of protesters who destroy property or assault law enforcement, and to make sure every case they bring gets publicized, according to an internal email seen by Reuters.

The email, which was sent to all 93 U.S. Attorneys, comes a week into a wave of protests that started in Los Angeles and have spread to other major cities against President Donald Trump's immigration crackdown. Trump has dispatched some 700 U.S. Marines and 4,000 National Guard troops to Los Angeles, saying they are needed to back up immigration raids.

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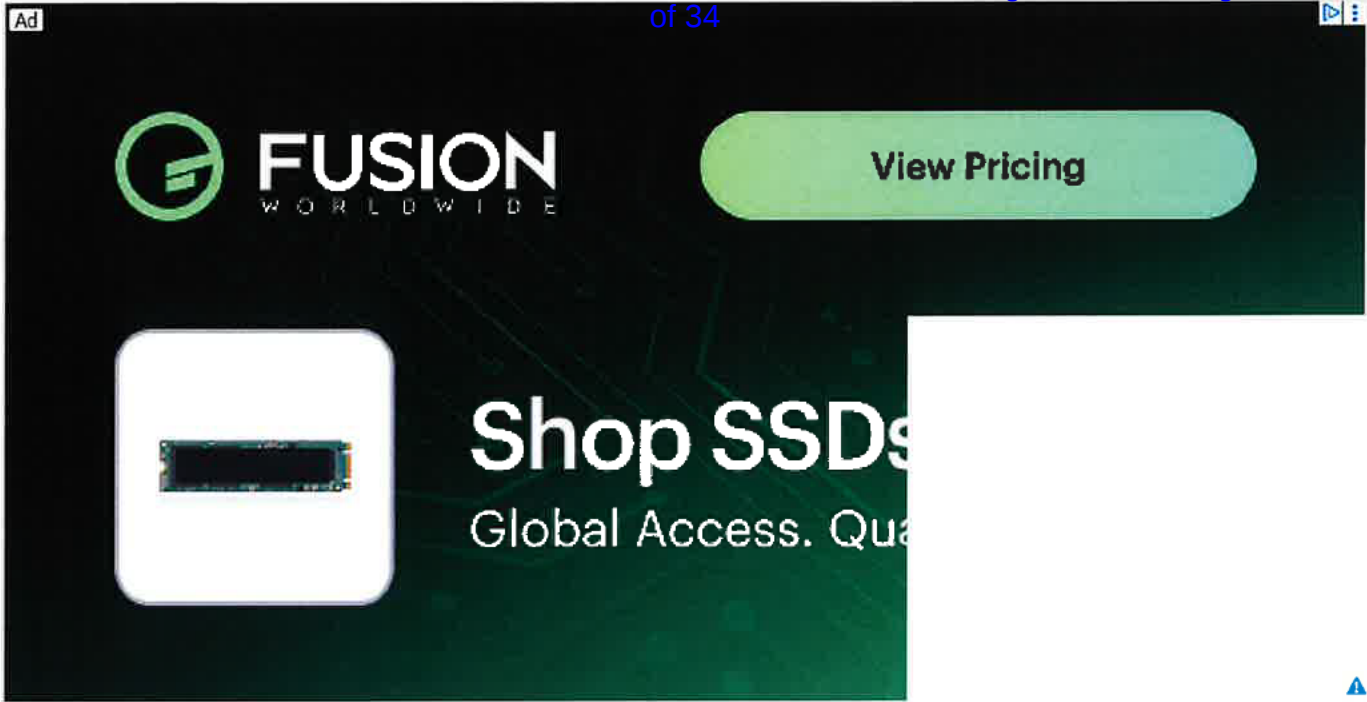
"There should be no bottleneck of referrals for complaints and legal process," wrote Associate Deputy Attorney General Aakash Singh.

"Push out press releases whenever you file charges in these matters," he said. "We will not stop enforcing the law and we will not be deterred from keeping our districts safe."

U.S. Attorneys prosecute a wide range of federal crimes, ranging from drug trafficking to v offices can bring hundreds of cases per year, though the volume varies widely. Lower level press releases.

Democrats -- particularly California Governor Gavin Newsom -- have accused the Trump a sending in troops that local officials have not called for, comparing his actions to that of a

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Street protests have since broken out in U.S. cities across the country in response to the Trump administration's immigration crackdown, including New York, Chicago, Washington and San Antonio, Texas.

"As we've said repeatedly, the Department respects the right to peacefully protest & assemble to engage on important issues," a DOJ spokesman said in a statement. "However, the Department and its 94 US Attorney Offices will not tolerate unlawful violence & destruction of property. We are prepared to respond accordingly."

On Wednesday, two Los Angeles men who were participating in protests were charged by federal prosecutors with possessing Molotov cocktails, while several others were charged with assaulting a federal officer.

The FBI said this week it was setting up a tip line to collect "evidence of violence associated with opposition to immigration enforcement" and published images of a Compton, California, man whom it alleged is a fugitive from justice who assaulted a federal officer.

Feedback

On Thursday, the Trump-appointed U.S. Attorney in Los Angeles said on X that his office has charged another protester with conspiracy to commit civil disorders, after the man allegedly distributed face shields to "suspected rioters."

In his email, Singh told prosecutors that having merely one or two assistant U.S. attorneys on standby to handle such cases is "insufficient," and that all employees from both the U.S. Attorneys' offices and the Criminal Division "should be on standby."

(This story has been refiled to remove the word 'offices' from paragraph 2)

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Feedback

Reporting by Sarah N. Lynch; Editing by Scott Malone and Bill Berkrot

Our Standards: [The Thomson Reuters Trust Principles.](#)

**EXHIBIT E**



## Rich Barker's Post



**Rich Barker**

7mo · Edited



After a more than a decade of public service, I have made the very difficult decision to step down from the U.S. Attorney role and leave the Department of Justice. I have loved serving as the Acting United States Attorney for the Eastern District of Washington and as an Assistant United States Attorney in both the District of Columbia and Spokane.

Thank you for all of your support as I grabbed with this decision. I am proud of the work of our office, and I am grateful that I never had to sign an indictment or file a brief that I didn't believe in.

While I am grateful for my time at DOJ, and will miss my USAO colleagues tremendously, I am excited and ready for this new chapter in my career.

<https://lnkd.in/gw4dWaVB>



**Barker steps down as U.S. Attorney for Eastern Washington**

spokesman.com



136 · 37 Comments

**EXHIBIT F**



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**PRESS RELEASE**

# Defendants Charged with Assaulting Federal Law Enforcement Officers, Other Offenses During Protest Near Spokane ICE Office

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Tuesday, July 15, 2025

**For Immediate Release**

U.S. Attorney's Office, Eastern District of Washington

Spokane, Washington – Nine defendants are scheduled to make their first appearances in federal court at 3 P.M. today after the return of an indictment alleging several charges – including assaulting a federal officer – during a protest gathering at the Homeland Security office in Spokane.

**Benjamin Theodore Stuckart**, age 53, has been charged with Conspiracy to Impede or Injure Officers

**Justice Forral**, age 33, has been charged with Conspiracy to Impede or Injure Officers

**Mikki Pike Hatfield**, age 34, has been charged with Conspiracy to Impede or Injure Officers and Assault on a Federal Officer, Employee, or Person Assisting a Federal Officer (intent to cause another felony/use of a dangerous weapon)

**Erin Nicole Lang**, age 31 has been charged with Conspiracy to Impede or Injure Officers

**Collin James Muncey**, age 34 has been charged with Conspiracy to Impede or Injure Officers

**Thalia Marie Ramirez**, age 20, has been charged with Conspiracy to Impede or Injure Officers

**Bobbi Lee Silva**, age 38, has been charged with Conspiracy to Impede or Injure Officers and Assault on a Federal Officer, Employee, or Person Assisting a Federal Officer (physical contact / intent to cause another felony)

**Bajun Dhunjisha Mavalwalla II**, age 35 has been charged with Conspiracy to Impede or Injure Officers

**Jac Dalitso Archer**, age 33, has been charged with Conspiracy to Impede or Injure Officers

“We respect and honor everyone’s right to peacefully protest. However, the few who choose to cross the line from protest to violence and destruction will be held accountable,” stated Acting United States Attorney Stephanie Van Marter.

According to court documents and information shared in court, on June 11, 2025, at approximately 12:52 pm, Stuckart posted on social media a call for others to come and join him as he blocked a bus that was going to be used to transport the federal detainees held at the federal facility in Spokane to Tacoma for their immigration hearings. Archer and other co-conspirators arrived in response to the post, and along with Stuckart, blocked the pathway and door to the transport bus, despite orders to disperse.

As alleged in the indictment, a short time later, Forral parked his vehicle to block the exit path of the bus. Forral and Lang then released air from the tires of the bus, and other co-conspirators painted the windshield of the bus rendering it unsafe to drive.

Archer reposted Stuckart’s call and posted additional calls urging others to come and join noting the intent was to “risk arrest to block the exits to ICE”.

When federal officers attempted to leave the building through a secure parking lot on the south end of property, Forral, Hatfield, Muncey, Silva, Mavalwalla II, Archer, and other co-conspirators blocked the driveway and/or pushed against officers, despite orders to disperse and attempts to remove the defendants from the property. Silva struck a federal officer from behind as the officer was attempting to clear a path for transport vehicles to leave the building.

Forral, Muncey, Hatfield, and other co-conspirators then placed trash cans, sand/cement bags, benches, signs, and other objects in front of doors and exits to block the exit of federal officers and detainees from the federal facility.

After Spokane Police arrived, officers placed marked patrol vehicles in front of and behind a red transport van that was then designated to transport the detainees to Tacoma for their immigration hearings. The red van was quickly surrounded by Stuckart, Hatfield, Lang, Silva, and other co-conspirators. Ramirez, armed with a boxcutter, slashed the tires of the van, making it unsafe to drive.

After dispersal orders issued by Spokane Police Department were ignored, the Spokane Police Department deployed crowd control measures to include inert smoke and pepper balls at the feet of those resistant to leave. According to the indictment, Hatfield picked one up one of those deployed incendiary devices and threw it in the direction of Spokane Police and Spokane County Sheriff's Office deputies.

Multiple calls for assistance were made to local law enforcement agencies. Because of the defendants' actions, federal agents and the detainees, as well as civilian employees were unable to leave the facility, until approximately 9:00 PM, and only with the assistance of the Spokane Police Department S.W.A.T team.

This case was investigated by the FBI and other federal agencies, including the USMS.

*An indictment is merely an allegation, and all defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law.*

2:2025-cr-00113-RLP

#### **Contact**

[USAWAE.Media@usdoj.gov](mailto:USAWAE.Media@usdoj.gov)

*Updated July 15, 2025*

#### **Topic**

**VIOLENT CRIME**

#### **Component**

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**EXHIBIT G**

Trump administration

of 34

# DoJ cases against protesters keep collapsing as officers' lies are exposed in court

## String of embarrassing defeats for prosecutors as experts condemn DoJ effort to cast people as 'violent perpetrators'



Observers film ICE agents in Minneapolis earlier this month. Photograph: Stephen Maturen/Getty Images

### Sam Levin in Los Angeles

Sat 21 Feb 2026 08.00 EST

 Prefer the Guardian on Google

Department of Justice prosecutors across the US have suffered a string of embarrassing defeats in their aggressive pursuit of criminal cases against people accused of “assaulting” and “impeding” federal officers.

In recent months, the federal government has relentlessly prosecuted protesters, government critics, immigrants and others arrested during immigration operations, often accusing them of physically attacking officers or interfering with their duties.

But many of those cases have recently been dismissed or ended in not guilty verdicts.

In several high-profile cases, the prosecutions fell apart because they relied on statements by Department of Homeland Security (DHS) officers that had no supporting evidence or in some instances were proven by video footage to be blatantly false.

Criminal defense lawyers said it was unusual for federal prosecutors to pursue a high volume of charges over minor clashes with law enforcement, and that it was extraordinary to see the DoJ lose case after case across jurisdictions.

Still, the costs for defendants, even if ultimately exonerated, have been enormous, with many having their mugshots blasted by the government and some forced to languish in jail or have criminal charges hang over them for weeks and months.

### 'Casting victims as perpetrators'

The most recent significant fumble came from Minneapolis prosecutors, who last week **dismissed felony assault charges** they had filed against two Venezuelan men **accused** of “violently beating” an Immigration and Customs Enforcement (ICE) officer “with weapons” on 14 January.

In a press release issued after their arrest, the DHS had described the men as “violent criminal illegal aliens”. The department said officers were conducting a targeted traffic stop to detain an undocumented man from Venezuela, and as he “began to resist and violently assault the officer”, two other men came out of a nearby apartment and “attacked the law enforcement officer with a snow shovel and broom handle”. The officer shot one of them in the leg.

Two of the men were arrested and charged, with a 16 January affidavit providing a vivid account of them attacking an officer identified as ERO 1, referring to ICE’s enforcement and removal operations. But on 12 February, prosecutors filed a motion to dismiss both men’s cases, saying: “Newly discovered evidence in this matter is materially inconsistent with the allegations in the complaint affidavit.”

The motion, which a judge granted, sought to have the cases dismissed “with prejudice”, meaning the government could not re-file charges.

ICE director Todd Lyons said ICE and the DoJ had **opened an investigation** into the case after videos revealed “sworn testimony provided by two separate officers appears to have made untruthful statements”, marking a rare acknowledgement of possible wrongdoing by DHS officials.

“It is very unusual for the government to move to dismiss its own case with prejudice,” Frederick Goetz, a lawyer for one of the men, said in an interview. He praised the government for launching investigations: “If you make false statements to a federal agent, that is a crime.”

Goetz said there were other similar cases stemming from the DHS’s “**Operation Metro Surge**” in the Minneapolis-St Paul region: “Anecdotally, you see a pattern: there are unreasonable uses of force by ICE agents and border patrol. You immediately have stories perpetuated to justify that force: ‘The officer was being attacked. This was an ambush.’ All of that spin is to cast the victims as violent perpetrators. Then the story falls apart once you get the facts.”



📷 Demonstrators at an ‘ICE Out’ protest in Minneapolis in January. Photograph: Tim Evans/Reuters

He said it would be difficult to undo the reputational harm done to his client: “The allegation that he was a violent criminal who attacked a federal officer with a broom - that image and association is going to live for ever on the internet. It traveled all the way to Venezuela. It’s absolutely not who he is.”

Goetz, a federal criminal defense lawyer in Minnesota for nearly 40 years, said the high volume of similar charges tied to Trump's immigration crackdown had further consequences. It was **overwhelming the federal courts** in the state, diverting resources from the traditional work of federal prosecutors, such as complex fraud, drug and gang matters: "Public safety has not been served by these rash of cases."

The case is one of several in Minnesota that has fallen apart. Earlier this year, Minnesota federal prosecutors **dropped** assault charges against a man, who was accused of ramming his car into agents during an immigration operation. The DOJ **presented no witnesses** to establish probable cause.

And on Tuesday, a judge dismissed with prejudice federal assault charges filed against a Minneapolis man **accused** of "tackling" an ICE agent on 15 December. The judge, Donovan Frank, noted the ICE officer was not injured and called the allegations "vague and contradictory". Federal officers had reviewed multiple videos of the events, and, "None saw a 'tackle' or other kind of assault," Frank said.

Prosecutors sought to have his case dismissed without prejudice, allowing them to later re-charge him. But the judge rejected that request, citing the defendant's arguments that "future prosecution may be politically motivated" - a claim that, the judge noted, the government had not contested.

## 'A level of terror'

US attorney's offices across the country have faced similar obstacles and rebukes.

In Chicago, of 92 people arrested for assaulting or impeding officers last fall, 74 cases have resulted in no charges; in 13 cases, charges were filed and dismissed; and five charged cases were still pending, a **recent investigation** by Fox 9, a Minneapolis-based station, showed. As of the end of January, there have been no convictions.

In LA, the federal public defenders have won all six cases filed against ICE protesters that have gone to trial since June, the **LA Times recently reported**. Fewer than 1% of federal criminal defendants were acquitted across the US in fiscal year 2024, with US prosecutors traditionally having a roughly 90% conviction rate, the paper noted.

Juries have also issued not guilty verdicts for people accused of assaulting ICE or similar charges in **Louisville, Kentucky, Seattle and Washington DC**.

"That losing streak is really unheard of," said LA-based defense lawyer Katherine McBroom. She **represented Jonathon Redondo-Rosales**, an LA protester who spent six months in jail until a federal judge dismissed his case with prejudice last week.

Redondo-Rosales was accused of assaulting an officer with a cloth hat. The judge noted discrepancies in the government's account and that the alleged victim, an officer identified as ZC, had previously failed to disclose he was convicted of harassment. The DHS said last week the officer was under investigation.

McBroom said it appeared prosecutors were aware their case was weak as they downgraded charges from a felony to a misdemeanor, then repeatedly tried to negotiate pleas with increasingly favorable terms for her client: "The efforts to settle seemed desperate. It seemed like there was a concerted effort to prevent this from going to trial, because, while I can't get into their heads, I don't think they were confident in the case. It would take integrity to do the right thing and say we got this wrong. But they didn't do that."

After **footage was submitted in court** clearly demonstrating Redondo-Rosales had not hit the officer in the face with a "closed fist", as the officer

initially claimed, McBroom said she was shocked prosecutors continued to pursue a plea that would land her client a conviction: “We’re both looking at the video. How on earth are we interpreting it so differently?”

Ciaran McEvoy, a spokesperson for the US attorney’s office in Los Angeles, did not respond to questions about the specific cases, but shared data indicating that as of Friday, his office had filed charges against 103 people for assaulting or impeding federal officers or related allegations since last year. In addition to the six people acquitted at trial, 25 of those cases ended in dismissals and another 25 defendants pleaded guilty. The rest were pending.

Prosecutors have appealed against two of the dismissals, including in Redondo-Rosales’s case.

Representatives of the other US attorney’s offices and DoJ did not respond to detailed inquiries about the cases. Natalie Baldassarre, a DoJ spokesperson, said in an email the justice department would “continue to seek the most serious available charges against any individual who puts federal agents in harm’s way”.

“We will not tolerate any violence directed toward our brave law enforcement officials who are working tirelessly to keep Americans safe,” the statement continued. “Those who attack law enforcement will be held fully accountable for their actions, despite the best efforts of activist liberal judges who would rather see violent criminals walk free.”

The DHS did not respond to inquiries, and the White House declined to comment.

McBroom said the government was silencing free speech through a prosecution that depended on multiple officials repeating false statements. “There’s a level of terror to this, in that he was being held in jail for exercising his first amendment rights, and it was a collaborative effort to hide the truth that was keeping him in custody. It’s terrifying.”

---

### **At this unsettling time**

We hope you appreciated this article. Before you close this tab, we want to ask if you could support the Guardian at this crucial time for journalism in the US.

In his first presidency, Donald Trump called journalists the enemy; a year into his second term, it’s clear that this time around, he’s treating us like one.

From Hungary to Russia, authoritarian regimes have made silencing independent media one of their defining moves. Sometimes outright censorship isn’t even required to achieve this goal. In the United States, we have seen the administration apply various forms of pressure on news outlets in the year since Trump returned to office. One of our great disappointments is how quickly some of the most storied US media organizations have folded when faced with the mere specter of hostility from the administration - long before their hand was forced.

While private news organizations can choose how to respond to this government’s threats, insults and lawsuits, public media has been powerless to stop the defunding of federally supported television and radio. This has been devastating for local and rural communities, who stand to lose not only their primary source of local news and cultural programming, but health and public safety information, including emergency alerts.

While we cannot make up for this loss, the Guardian is proud to make our fact-based work available for free to all, especially when the internet is increasingly flooded with slanted reporting, misinformation and algorithmic drivel.

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## **DOJ investigating Gov. Tim Walz, Minneapolis Mayor Jacob Frey over alleged conspiracy to impede immigration agents**

By [Camilo Montoya-Galvez](#), [Jennifer Jacobs](#), [Sarah N. Lynch](#)

Updated on: January 17, 2026 / 10:34 AM EST / CBS News

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The Justice Department is investigating Minnesota officials, including Gov. Tim Walz and Minneapolis Mayor Jacob Frey, over an alleged conspiracy to impede federal immigration agents, an extraordinary escalation in the Trump administration's clash with Democratic leaders there, multiple sources familiar with the matter told CBS News.

One of the sources, a U.S. official, said the investigation stems from statements that Walz and Frey have made about the thousands of Immigration and Customs Enforcement officers and Border Patrol agents deployed to the Minneapolis region in recent weeks.

Subpoenas are likely to be issued in the probe, sources familiar with the matter told CBS News.

A Justice Department spokesperson declined to comment.

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"This is an obvious attempt to intimidate me for standing up for Minneapolis, our local law enforcement, and our residents against the chaos and danger this Administration has brought to our streets," Frey said in a statement to CBS News. "I will not be intimidated. My focus will remain where it's always been: keeping our city safe."

Walz said in a statement: "Two days ago it was Elissa Slotkin. Last week it was Jerome Powell. Before that, Mark Kelly. Weaponizing the justice system and threatening political opponents is a dangerous, authoritarian tactic. The only person not being investigated for the shooting of Renee Good is the federal agent who shot her."

Nearly 3,000 federal immigration agents have been dispatched to Minneapolis, with a stated objective of arresting people suspected of being in the U.S. illegally and probing allegations of fraud in Minnesota. The Department of Homeland Security has called the massive deployment the largest operation in its history.



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The large-scale presence of federal agents has triggered widespread local backlash, sparking protests and clashes, especially after the killing of Minnesota resident Renee Good by an ICE officer last week.

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Walz and Frey, both Democrats, have vocally denounced the federal deployment to the Twin Cities, accusing federal agents of creating chaos and undermining public safety through aggressive tactics.

Earlier this week, Frey said the federal deployment had created a situation that was "not sustainable."

"We're in a position right now where we have residents that are asking the very limited number of police officers that we have to fight ICE agents on the street," Frey said. "We cannot be at a place right now in America where we have two governmental entities that are literally fighting one another."

Walz and Frey have called for protests to remain peaceful. The governor urged Minnesotans not to "fan the flames of chaos" in a message on X Thursday.

Attorney General Pam Bondi wrote on X Friday, "A reminder to all those in Minnesota: No one is above the law."

Deputy Attorney General Todd Blanche, who visited Minneapolis with FBI Director Kash Patel on Friday, appeared to make a vague reference to the investigation earlier this week.

"Walz and Frey- I'm focused on stopping YOU from your terrorism by whatever means necessary. This is not a threat. It's a promise," Blanche wrote on X earlier this week.

Homeland Security Secretary Kristi Noem on Thursday said: "Mayor Frey and Governor Walz have to get their city under control. They are encouraging impeding

and assault against our law enforcement which is a federal crime, a felony." <sup>of 34</sup>

Noem has said rhetoric from Walz and Frey "perpetuated" violence directed at federal officers, arguing their comments undermined public trust in law enforcement and emboldened protesters on the ground.

The federal inquiry is focused on a federal statute, 18 U.S.C. § 372, one U.S. official told CBS News, which makes it a crime for two or more people to conspire to prevent federal officers from carrying out their official duties through "force, intimidation or threats."

The statute has historically been used in cases involving coordinated efforts to obstruct federal officials, including actions involving violence or threats. Public criticism of federal policy has historically been treated as protected speech unless involving direct coordination or incitement to obstruct law enforcement.

[Jonah Kaplan](#) and [Nicole Sganga](#) contributed to this report.

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