



ACLU Resistance Training Action Guide

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Intro

When President Trump first introduced his unconstitutional Muslim ban, the ACLU took him to court and won. He has now introduced a new version of the ban. Together we will beat him again. We will beat him in the courts and in the court of public opinion. We will beat him on the Muslim ban, and on countless other aspects of his unconstitutional and un-American agenda.

In November 1919, when thousands of people were -- unconstitutionally and without warrant -- rounded up and deported by the U.S. Attorney General, he used the cover of irrational fear to ignore our Constitution and take away the basic freedoms afforded to all people, much like President Trump does today.

That same year, a small group of Americans came together to take a stand and say with one voice "No." These courageous activists founded the ACLU.

For nearly 100 years, the ACLU has worked in our courts and legislatures to defend and preserve the rights and liberties guaranteed by the Constitution and laws of the United States. Now, in response to the unprecedented threat of President Trump's attack on our

basic freedoms, the ACLU is recruiting grassroots activists like you to organize actions in your community in support of our civil liberties.

“People have known us for, ‘See you in court,’” ACLU political director Faiz Shakir says. “I hope now they’ll also know us for, ‘See you in the streets.’”

Trump’s Muslim ban may be leading the news, but the Trump administration agenda is much more far reaching than banning refugees and those traveling here from Muslim nations. Here within our borders, immigrants -- and even American citizens who are mistaken for immigrants -- are under attack by federal authorities carrying out the Trump agenda.

This People Power Action guide will outline some of the major threats that members of our communities are facing as a result of the Trump agenda, and a way you can be part of the solution by engaging in grassroots action in support of a massive new ACLU initiative called “Freedom Cities.”

What is the ACLU’s Freedom Cities campaign

President Trump is seeking to recruit, and where that fails, compel local law enforcement agencies to help his administration pursue its mass deportation agenda.

In response to this effort and many other Trump administration plans that fly in the face of our Constitution and norms, the ACLU is launching an ambitious campaign called “Freedom Cities.” Immigration will be the first battle we wage, but many others are coming. On immigration, just like activists organized locally to demand the release of people detained at our airports by federal authorities, People Power activists we will organize in our communities to ensure that our local law enforcement officials defend – not threaten – our friends, families, and neighbors. People Power will be a powerful grassroots force supporting the ACLU’s efforts to propose, support, and win local laws that make it more difficult for President Trump to pursue his dangerous agenda. And make no mistake about it, America’s cities, counties and towns are places we can and will win.

As part of this local grassroots strategy, the ACLU has identified areas in which municipal opposition to, or lack of cooperation with, the Trump administration will impede objectionable policies the president is pursuing.

ACLU’s “Freedom Cities” plan brings local grassroots activists together and provides a blueprint for local-level campaigns -- in cities and counties -- to defend our communities and block the worst abuses of the Trump administration. These are campaigns that will generate victories in the short term even as we work towards comprehensive protections nationwide in the long term.

“Freedom Cities” is a hugely ambitious campaign. Some of the policies that we will demand may sound legally complex but that’s because the ACLU has come up with a plan to fight the Trump administration lawfully and systematically, not just by defending each individual as they are detained, harassed, or deported.

We’re counting on grassroots volunteers like you to help local elected officials to adopt the ACLU’s model state and local law enforcement policies and rules that will effectively counter or block cooperation with Trump’s anti-immigrant and anti-refugee agenda.

What are the main components of the ACLU’s plan to win on immigration?

The ACLU has challenged the President’s travel ban on refugees and Muslims in the courts and has been deeply critical of other aspects of his immigration agenda, especially the Trump administration’s heavy-handed immigration enforcement in America’s towns and cities.

National and state ACLU staff attorneys and lobbyists are already fighting back against the Trump administration’s attempts to compel or cajole local jurisdictions into directly supporting new federal immigration directives that endanger Muslims, immigrants, refugees and other members of our communities who might be *perceived* to be in one of those categories.

Now here is where you come in. In addition to litigation and fights on Capitol Hill, the ACLU has expanded its efforts to roll back the Trump administration’s worst abuses by enlisting local grassroots activists like you. Local activists are needed to organize in support of the ACLU’s efforts to convince local officials to resist complying with the Trump administration agenda.

In addition to public demonstrations of support like protesting, we need to go on offense in a way that is strategic and has lasting effect. To achieve this, the ACLU has outlined nine “model” state and local law enforcement policies and rules which -- if adopted -- in “Freedom Cities” throughout the nation, will protect our families and our neighbors’ families from some of the worst abuses of the Trump administration.

This is a strategy that will generate short-term wins even as we embark on the longer term objective of nationwide protection for our communities. The ACLU’s plan to promote and win real protections for the most vulnerable in our communities includes securing the adoption and enforcement of the following local policies and rules:

ACLU's 9 "model" state and local law enforcement policies and rules.

Defend our friends, families and neighbors from Trump's mass deportation agenda:

#1) *The Judicial Warrant Rule:* [County/City/State] officials shall require a judicial warrant prior to detaining an individual or in any manner prolonging the detention of an individual at the request of U.S. Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP).

#2) *No Facilitation Rule:* [County/City/State] officials shall not arrest, detain, or transport an individual solely on the basis of an immigration detainer or other administrative document issued by ICE or CBP, without a judicial warrant.

#3) *Defined Access/Interview Rule:* Unless acting pursuant to a court order or a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, no [County/City/State] official shall permit ICE or CBP agents access to [County/City/State] facilities or any person in [County/City/State] custody for investigative interviews or other investigative purposes.

#4) *Clear Identification Rule:* To the extent ICE or CBP has been granted access to [County/City/State] facilities, individuals with whom ICE or CBP engages will be notified that they are speaking with ICE or CBP, and ICE or CBP agents shall be required to wear duty jackets and make their badges visible at all times while in [County/City/State] facilities.

Protect our friends, families and neighbors' privacy from the Trump administration:

#5) *Don't Ask Rule:* [County/City/State] officials shall not inquire into the immigration or citizenship status of an individual, except where the inquiry relates to a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, or where required by state or federal law to verify eligibility for a benefit, service, or license conditioned on verification of certain status.

#6) *Privacy Protection Rule:* No [County/City/State] official shall voluntarily release personally identifiable data or information to ICE or CBP regarding an inmate's custody status, release date or home address, or information that may be used to

ascertain an individual's religion, ethnicity or race, unless for a law enforcement purpose unrelated to the enforcement of a civil immigration law.

#7) Discriminatory Surveillance Prohibition Rule: No [County/City/State] agency or official shall authorize or engage in the human or technological surveillance of a person or group based solely or primarily upon a person or group's actual or perceived religion, ethnicity, race, or immigration status.

Help our friends, families and neighbors get redress when abuses and mistakes occur:

#8) Redress Rule: Any person who alleges a violation of this policy may file a written complaint for investigation with [oversight entity].

Help ensure our friends, families, and neighbors are protected from discrimination:

#9) Fair and Impartial Policing Rule: No [County/City/State] official shall interrogate, arrest, detain or take other law enforcement action against an individual based upon that individual's perceived race, national origin, religion, language, or immigration status, unless such personal characteristics have been included in timely, relevant, credible information from a reliable source, linking a specific individual to a particular criminal event/activity.

Final Note: The Trump Administration has asserted, falsely, that if localities do not help advance Trump's mass deportation agenda, they are violating federal law. The following rule, which is the only applicable federal law in this area, would help ensure your city, county or town establishes its clear intent not to violate federal law. While not a necessary addition, this rule may be a useful complement to the above policies.

1373 Rule: Under 8 U.S.C. § 1373 and 8 U.S.C. § 1644, federal law prohibits [County/City/State] officials from imposing limits on maintaining, exchanging, sending, or receiving information regarding citizenship and immigration status with any Federal, State, or local government entity. Nothing in [County/City/State] policies is intended to violate 8 U.S.C. § 1373 and 8 U.S.C. § 1644.

How People Power activists can help the ACLU make their community a “Freedom City”

The “Freedom Cities’ campaign is a complex and powerful strategy. It requires fighting on multiple fronts with multiple tactics, but it can be scaled and sequenced to accommodate action by groups that are big or small and whether your target is city or county government.

At the heart of this strategy, People Power volunteers will put pressure on elected officials and local law enforcement officials through targeted grassroots action to urge adoption of the “Freedom Cities” nine “model” state and local law enforcement policies.

As a volunteer organizer you don’t have to understand all the ins and outs of the legal language to advocate for these policies and rules. What you need to know and advocate for is that these are the policies and rules for law enforcement that the ACLU has determined our cities, towns and counties need to protect Muslims, immigrants and refugees from some of the worst abuses of the Trump administration.

Your city or county may already have adopted some of these policies, but only in rare instances has a community adopted all nine. If your community has done so, contact us and we will enlist you to help nearby communities.

Every local campaign will get started in the same way – by using your March 11 Action Events to organize meetings with local law enforcement officials – but each campaign will evolve to meet local needs.

At your March 11 action event

([Download the March 11 Agenda for hosts](#))

Plan a meeting with local law enforcement officials

Plan a meeting with the chief law enforcement officer in your community within the next two weeks.

Typically this is either your county sheriff or your police chief. If you’re in a big city, your best option to obtain a meeting may be approaching your local precinct commanding officer.

To set up a meeting, call your the local office of your top law enforcement officer and say that you are a member of the community who would like to schedule a meeting for a group of local residents. They will ask you how many and if it’s under 10 say the number in your

group. If it's over 10 ask how many people they can accommodate in their conference room and go from there.

If the administrative scheduler asks, the topic you want to discuss at this meeting is "Adoption of the ACLU's model state and local law enforcement policies and rules to effectively counter or block cooperation with Trump's anti-immigrant and anti-refugee agenda."

It may be the case that you can't meet with the top law enforcement officer. In these instances ask to meet with the highest level staffer available to meet. Ask for the soonest possible appointment and then invite members of your group. Realize that not everyone will be able to attend and the most important thing is for some of you to attend this meeting and soon is better than later. A meeting at lunch time if available would be preferable, but you may just have to accept whatever time is offered.

Here's what attending this meeting will entail. The day of the meeting, gather 20 minutes before your meeting time at a location near the office where the meeting will take place (this could be the building's lobby). This ensures that you can show up all together and on time. Appoint a chief spokesperson who will be responsible for making a forceful ask during your meeting.

At the meeting, everyone should offer a brief personal introduction (name, neighborhood, profession if they wish). Then the spokesperson will present the ACLU's nine model policies and rules for local law enforcement and ask where the law enforcement official stands on each one.

The goal of the meeting is to get the law enforcement official to tell you for each of the nine rules/policies if it is currently in place in your jurisdiction. Get a yes or no answer. If the answer is no, ask whether the sheriff, police chief or local precinct commander would support it (again, yes or no).

Be polite and cordial, but persistent. Your local official may be evasive. Ask as many times as you have to to get a clear yes or no, and don't hesitate to call out evasiveness if you see it.

Don't get into arguments about the substance of the rules – it's not your responsibility to explain or defend the nitty gritty details of these policies. Your law enforcement officials can always contact us at info@peoplepower.org if they want to talk to a policy or legal expert. It's your job to make it clear that these policies are what the community wants, and that you will work to ensure they're adopted.

Thank the official or officials who met with you and let them know that you will be reporting their replies back to the ACLU.

After the meeting, make sure someone in your group is responsible for filling out the report back form on your meeting.

You can access that form at:

https://docs.google.com/a/bernalalto.com/forms/d/e/1FAIpQLSfj3sSBR2LMtsouzU0EejtaiGovxSGeernpiGTakTY_IF1xew/viewform

Assign roles and plan next steps

- Assign a person or group of people to schedule a meeting with local law enforcement officials in the next two weeks.
- Assign a person or group of people to ensure that everyone attending the March 11 meeting is invited to the local law enforcement meeting once scheduled.
- As a group, decide on a time and place for your group's next organizing meeting. It's better if you can schedule your law enforcement meeting before your next organizing meeting so plan this one for two or more weeks out.
- Assign a representative of the group to post the next organizing meeting at map.peoplepower.org
- Assign a representative to scan and upload attendance sheets

Sneak Peek: Your next People Power action meeting

Your next organizing meeting

Your resistance training was only the beginning. We're counting on you to hold another organizing meeting so you can get to work in your community. Ideally this meeting will be after your meeting with local law enforcement officials -- so think about scheduling it two or more weeks out. At this gathering, you'll go over the results of your meeting with law enforcement officials if you were able to obtain one. If you were not able to meet, call your local county sheriff's office and inquire about which of the ACLU's nine model rules and policies for local law enforcement are already in place.

In this meeting determine your targeting based on your research into what policies are in place or supported by local law enforcement. Make a list of local elected officials you can pressure to adopt the "Freedom Cities" policies and rules that are not already in place in your city or county.

Key pressure points may include:

- County Sheriff
- Mayor
- City Council Members
- Police Chief

- Other local elected officials (e.g. County Executive)

In this meeting you'll also choose what tactics your group wants to pursue to urge adoption of the "Freedom Cities" rules and policies. Find below suggested key tactics, though your group may have even more ideas. Big groups may want to start with working groups taking on multiple tactics. Smaller groups may want to choose just one.

- Making calls and/or sending letters to elected officials' offices
- Meeting with elected officials in person
- Holding town hall meetings with invitations to elected officials
- Organizing protests and rallies at offices of elected officials, at ICE field offices
- Gathering and presenting petition signatures
- Attending/testifying at city council or county board meeting
- Writing letters to the editor of your local newspaper
- Showing active solidarity with Muslims, immigrants and refugees at Mosques citizenship ceremonies, through volunteering at "Know Your Rights" trainings or refugee resettlement offices
- Posting "We Welcome Immigrants and Refugees" signs on your windows and doors

Our events map at map.peoplepower.org is the hub of our Freedom Cities campaign. Whenever you organize a campaign tactic, you should post it there so that other activists in your community can find out about it and attend.

If you post your event a few days in advance and if it's consistent with our guidelines, we will try to help you recruit people to attend by calling and texting nearby People Power activists. New people are signing up for People Power every day, so this is a great way to get new people involved in your campaign.

