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A JACKSONIAN APPROACH TO SANCTUARY CITIES

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TOPLINE POINTS

- ★ It is time to recognize that state and local “sanctuary jurisdictions” have created a constitutional crisis.
- ★ By frustrating and impeding federal immigration enforcement, the Minneapolis Separation Ordinance serves one purpose: to aid and abet illegal aliens residing in the United States unlawfully. And this is a direct violation of federal law.
- ★ It is time for these policies to be called out for aiding and abetting violations of federal law. The recently announced efforts of the Trump Administration to investigate sanctuary jurisdictions will hopefully haul these policies before the courts where they can finally be enjoined from enforcement.

It is time to recognize that state and local “sanctuary jurisdictions” have created a constitutional crisis. When Minneapolis Mayor Jacob Frey tells illegal aliens that his city “will continue to be a safe haven” and that Minneapolis “will stand up for you and do anything in our power to help,”¹ he is creating his own immigration policy despite the Constitution vesting all such authority with Congress; when Minnesota Governor Tim Walz states that illegal aliens should get welfare benefits because “We provide for all of our people in Minnesota,”² he is not only acknowledging that illegal aliens are violating federal law by residing in Minnesota, but that his state stands ready to assist them.

Local attempts to circumvent federal authority are nothing new in our Nation’s history. Famously, in 1832, South Carolina responded to a federal tariff scheme that it believed favored the North’s “domestic manufactures ... at the expense and to the injury” of the South by enacting an “Ordinance of

¹ <https://www.foxnews.com/politics/democrat-mayor-vows-major-city-safe-haven-illegal-immigrants>

² <https://www.congress.gov/event/119th-congress/house-event/LC74924/text>



Nullification.”³ This made it unlawful for South Carolina officials to assist federal authorities that sought “to enforce the payment of duties imposed by the said acts.” While Andrew Jackson successfully stared down South Carolina and the ultimate constitutional question of local authority to nullify acts of Congress was thought to have been resolved in favor of the federal government over 160 years ago,⁴ just last month the Minneapolis City Council took another crack at it by enacting a revised version of its “Separation Ordinance.”⁵ Declaring that “All Minneapolis residents, whether they are U.S. citizens, permanent residents, undocumented residents ... or any other immigration status, are valued and integral members of our social, cultural and economic fabric,” the ordinance tracks South Carolina’s ban on local aid to federal authority: “the city will not act or operate its programs for the purpose enforcing federal immigration laws.” The Separation Ordinance prohibits the use of city facilities, including parking lots or garages, to enforce federal immigration laws, and prohibits police officers from verifying anyone’s immigration status. And where South Carolina’s Ordinance of Nullification sought to ensure compliance by compelling all state officers to “take an oath well and truly to obey” it, Minneapolis’ Separation Ordinance sets out a burdensome 10-point reporting program if public safety personnel become involved in any federal immigration enforcement efforts, along with a citizen complaint process for alleged violations.

By frustrating and impeding federal immigration enforcement, the Separation Ordinance serves one purpose: to aid and abet illegal aliens residing in the United States unlawfully. And this is a direct violation of federal law.

Specifically, under 8 U.S.C. § 1324(a)(1)(A)(v), it is a felony offense to knowingly aid and abet the importation of illegal aliens into the Nation, their movement and/or concealment within the United States or otherwise inducing or encouraging illegal aliens to reside here unlawfully. Demonstrating Section 1324’s broad sweep, the Supreme Court recently held that while this requires the “provision of assistance to a wrongdoer with the intent to further an offense’s commission,” it does not require “lending physical aid ... words may be enough.”⁶

Minneapolis’s Separation Ordinance meets this standard. Consider the comments of the City Council members who spoke last month in favor of revising and expanding the Separation Ordinance. Councilman Jason Chavez stated that “being in this country is not a crime” and that the Council will “continue to resist this Trump administration” as “we have a federal government that we cannot trust.”⁷ Councilwoman Robin Wonsley stated that Minneapolis residents “have a commitment to take the real risks that are oftentimes very necessary to make sure that they’re standing up for one another and keeping our neighbors safe and protected,” and that she was thankful to live in a city that is engaged in “active resistance to the Trump administration’s campaign.”⁸ And of course, there are the statements from Mayor Frey, whose primary objection is not that the Trump Administration is violating federal law, but that it

³ https://avalon.law.yale.edu/19th_century/ordnull.asp

⁴ <https://www.archives.gov/news/articles/juneteenth-original-document>

⁵ <https://lms.minneapolismn.gov/Download/FileV2/52757/Revised%20Separation%20Ordinance.pdf>

⁶ *United States v. Hansen*, 599 U.S. 762, 771 (2023)

⁷ <https://www.youtube.com/watch?v=LO-B0pZHJUE>, 4:13:28, 4:14:05-20

⁸ 4:16:40, 4:17:21



has the temerity to actually enforce it. Frey has stated that the city is happy to work with the federal government to combat violent crime but will not assist immigration enforcement as it is “creating chaos and danger while tearing families apart”⁹ and that such enforcement “breaks apart families that make Minneapolis better.”¹⁰ Further, Mayor Frey spoke “directly to people who are undocumented” and said the city of Minneapolis “will stand up for you and we will do anything in our power to help because you’re not an alien; in our city, you’re a neighbor.”¹¹

These statements all share a common underlying premise: illegal aliens live in the city, these officials want illegal aliens to reside in the city, and to keep them there, they will happily obstruct the enforcement of federal law. John C. Calhoun, who resigned as Vice President to help South Carolina fight the tariff, would be very proud of Mayor Frey’s attempt to undermine federal authority.

The results of Minneapolis’ efforts to “resist this Trump administration,” “take the real risks ... to make sure that they’re standing up for one another,” and “do anything in our power to help” illegal aliens can be seen in the death of Renee Good.

According to news reports, at around 9:30 am on January 7, 2026, Good and her wife heard reports of ICE activity and decided to drive to the scene. Arriving to find protestors blowing whistles and yelling at officers,¹² Good proceeded to park her car in the middle of the road to block traffic; this lasted for at least three minutes before the shooting.¹³ A reasonable person might think that heading to a scene where law enforcement officers are working is a bad idea, and that blocking the roads in front of the officers’ cars is an even worse idea. Such people are obviously correct. However, in the world of anti-ICE agitators, this is par for the course.

Good herself was connected to a group called “Minnesota ICE Watch,” which, *inter alia*, has suggested “creative tactics” like “crowds, props, traffic, and noise can make detentions difficult, sometimes ICE vehicles can’t move (‘whoops!’).”¹⁴ “Minnesota ICE Watch” also put out a “de-arrest primer” that encourages “totally surrounding” ICE agents “or otherwise blocking them and/or their vehicle and chanting ‘Let them go!’ until [the agents] cave to mounting pressure.”¹⁵ These suggested practices appear to have been effective, as vehicular assaults against ICE agents have skyrocketed from 2 in 2024 to more than 65 since President Trump was inaugurated.¹⁶ It is possible that Good’s presence at the scene was a

⁹ <https://x.com/MayorFrey/status/2009275364732776887>

¹⁰ <https://www.instagram.com/reel/DSDXwaDD4sY/>

¹¹ <https://www.foxnews.com/media/minneapolis-mayor-announces-city-not-cooperate-trumps-deportation-policy>

¹² <https://abcnews.go.com/US/minneapolis-ice-shooting-minute-minute-timeline-renee-nicole/story?id=129021809>

¹³ <https://abcnews.go.com/US/minneapolis-ice-shooting-minute-minute-timeline-renee-nicole/story?id=129021809>

¹⁴ <https://www.cnn.com/2026/01/13/us/renee-good-minneapolis-ice-monitoring-school-invs>

¹⁵ <https://nypost.com/2026/01/12/us-news/minnesota-ice-watch-group-shar...ing-tactics-for-fighting-cops-to-a-micro-intifada/>

¹⁶ <https://nypost.com/2026/01/08/us-news/renee-nicole-good-was-minneapolis-ice-watch-warrior-who-trained-to-resist-feds-before-shooting/>



result of the nationwide “SALUTE” practice¹⁷ that encourages members to report the “Size” “Actions” “Location” “Uniform” “Time” and “Equipment” associated with ICE activity.

Just as the use of cars to obstruct ICE agents has proliferated in the last year, the use of whistles has become a nationwide phenomenon. The practice started with a Chicago non-profit, the Little Village Community Council, and, as explained by its president, the idea is that when people hear the noise who “don’t have legal status, [they can] go the other way—run as quickly as possible to safety and to make sure they don’t open their doors.”¹⁸ The practice has spread to New York,¹⁹ Seattle,²⁰ and, of course, Minnesota.²¹ And these obstructionist practices have not just been urged by local grass roots organizations like “Minnesota ICE Watch” or the “Little Village Community Council,” the ACLU of Minnesota has gotten in on the game, urging people to “Draw attention to ICE! Loudly follow agents around your neighborhood until they leave” and shout at “houses that ICE agents approach (‘don’t open the door, it’s ICE’); a megaphone can be useful for this. Keep asking ICE what they are doing and why.”²²

These practices—obstructing traffic, blowing whistles, yelling at officers, the “SALUTE” program—serve one purpose: alerting illegal aliens that ICE is present and giving them time to run away. To use the language of the Supreme Court, these efforts provide “assistance to a wrongdoer with the intent to further an offense’s commission,” and when undertaken with the intent to help illegal aliens escape ICE, these acts constitute federal felonies.

The Separation Ordinance provides direct assistance to these efforts to obstruct and impede federal law enforcement. Local officers can help keep roads clear and de-escalate the scene of enforcement actions by keeping the “protestors” and their whistles away from the ICE agents. However, living up to its goal to “resist the Trump administration,” Minneapolis left those ICE agents to fend for themselves. Simply put, if local law enforcement had been allowed to assist ICE, there is a very real chance Renee Good might still be alive.

Minneapolis’s efforts are not just limited to the Separation Ordinance. For example, Minneapolis hosts a webpage listing resources for immigrant rights.²³ This in turn links to multiple NGO websites offering guidance to illegal aliens on matters ranging from identification requirements,²⁴ school access,²⁵ driver’s

¹⁷ <https://www.wired.com/story/what-to-do-if-ice-invades-your-neighborhood/>

¹⁸ <https://blockclubchicago.org/2025/09/17/in-little-village-residents-are-blowing-actual-whistles-to-warn-neighbors-about-ice/>

¹⁹ <https://grassrootsconnector.substack.com/p/blowing-the-whistle-on-ice>

²⁰ <https://southseattleemerald.org/news/2025/11/06/a-fistful-of-loud-seattle-neighbors-build-whistle-kits-to-protect-immigrants-from-ice>

²¹ <https://www.minnpost.com/metro/2025/12/not-just-a-toy-how-whistles-became-a-tool-of-resistance-against-ice-immigration-enforcement/>

²² https://www.aclu-mn.org/app/uploads/2017/03/ice_kyr_master_updated_4.15.pdf

²³ <https://www2.minneapolismn.gov/government/departments/ncr/immigrants-refugees/know-your-rights-and-resources/>

²⁴ <https://www.ilcm.org/wp-content/uploads/2025/03/02.24.25-Know-Your-Rights-KYR-FactSheet.pdf>

²⁵ <https://www.mneep.org/toolkits/creating-safe-supportive-schools-for-immigrant-and-english-learner-el-students/>



license eligibility,²⁶ a deportation preparedness manual for people who “believe they might be detained or deported,”²⁷ and workforce participation & benefits eligibility.²⁸ Of course, the only valid advice on how illegal aliens should navigate life in the United States is very simple: self-deport. But, of course, that is not the goal because Minneapolis *wants* illegal aliens to reside there.

Studies have long shown that illegal aliens prefer to reside in locations that have adopted sanctuary policies. For example, Professor Tom K. Wong of the University of California at San Diego sampled the attitudes of illegal aliens towards sanctuary policies and found, unsurprisingly, that they resoundingly applaud local jurisdictions hamstringing efforts to assist federal immigration enforcement.²⁹ Wong found that when illegal aliens understood that state and local law enforcement “were working with ICE,” they were less likely to use public services, engage in business, participate in public events, place children in after-school or day care programs, or look for work. However, engaging in the public sphere, educating children, opening businesses, and looking for work are not the acts of tourists, but of *residents*, and it is as unlawful to assist illegal aliens residing in the United States as it is for them to live here. And Mayor Frey and Minneapolis’ City Council Members have made no pretense that they seek to have illegal aliens residing in their city, despite the fact that this violates federal law.

Mayor Frey has stated that “Minneapolis will remain a welcoming city for all, regardless of immigration status.”³⁰ Council Member Wonsley has stated that “taking the bus to work, picking up kids from school, attending doctor appointments, and visits to places of worship,” all of which are the acts of *residents*, not tourists, “are now dangerous” due to the fact that ICE is simply trying to enforce federal law. Council Member Aisha Chughtai has asserted that Minneapolis “must be ready to act as the last line of defense for targeted communities.”³¹ Lastly, on its webpage on immigration enforcement, Minneapolis unequivocally states that “The City of Minneapolis is committed to serving *all residents – no matter their immigration status*. We follow the Minneapolis Separation Ordinance” (emphasis added).³² This official statement from the City of Minneapolis is in direct contravention of Section 1324, which states that any person “who 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*” violates federal criminal law.

²⁶ https://www.ilrc.org/sites/default/files/resources/imm_preparedness_kit_april2020_1.pdf

²⁷ <https://immigrantjustice.org/for-immigrants/know-your-rights/what-do-if-you-or-loved-one-detained/>

²⁸ https://docs.google.com/document/d/1GgR8LTBqSA5RoCeaFkNNwRsOzsCnFY3P_OBp7O1tFhA/view?tab=t.0

²⁹ *United States v. California*, 2:18-cv-490, E.D. Ca., Declaration of Tom K. Wong in Support of Defendant’s Opposition to Plaintiff’s Motion for Preliminary Injunction, ECF No. 75-7,

³⁰ <https://sahanjournal.com/immigration/trump-executive-order-sanctuary-cities-minneapolis-st-paul-minnesota/>

³¹ <https://www.whitehouse.gov/articles/2026/01/minnesotas-sanctuary-defiance-has-consequences/>

³² <https://www.minneapolismn.gov/government/programs-initiatives/city-federal-response/policy-immigration-enforcement/>



For too long, the debate over sanctuary jurisdictions has allowed itself to be distracted by the smokescreen of the authority of local jurisdictions to set law enforcement priorities. Lost in the “trees” of a debate on our federal system of dual local and national governments, we have missed the “forest” that has sprung up: a network of crypto-immigration schemes run by local jurisdictions in violation of the Constitution and expressly at odds with the express will of Congress. Far more than just prioritizing law enforcement resources, sanctuary policies act as a signal to illegal aliens that, if they reside in such a jurisdiction, they can enjoy an extra layer of protection from federal enforcement, and are free to enjoy the benefits of residing in a sanctuary community knowing that the locality has ordered its officials to turn a blind eye to knowing violations of federal law. It is high time for these policies to be called out for aiding and abetting violations of federal law. Channeling Andrew Jackson’s assertion of federal authority in his response³³ to South Carolina’s effort to nullify federal law, the recently announced efforts of the Trump Administration to investigate sanctuary jurisdictions will hopefully haul these policies before the courts where they can finally be enjoined from enforcement.

³³ https://avalon.law.yale.edu/19th_century/jack01.asp

