



Rights and Protections for Harm Reduction Programs and Clients in an Increasingly Hostile Environment

December 18, 2025 | 1:00 p.m. – 2:15 p.m. CT



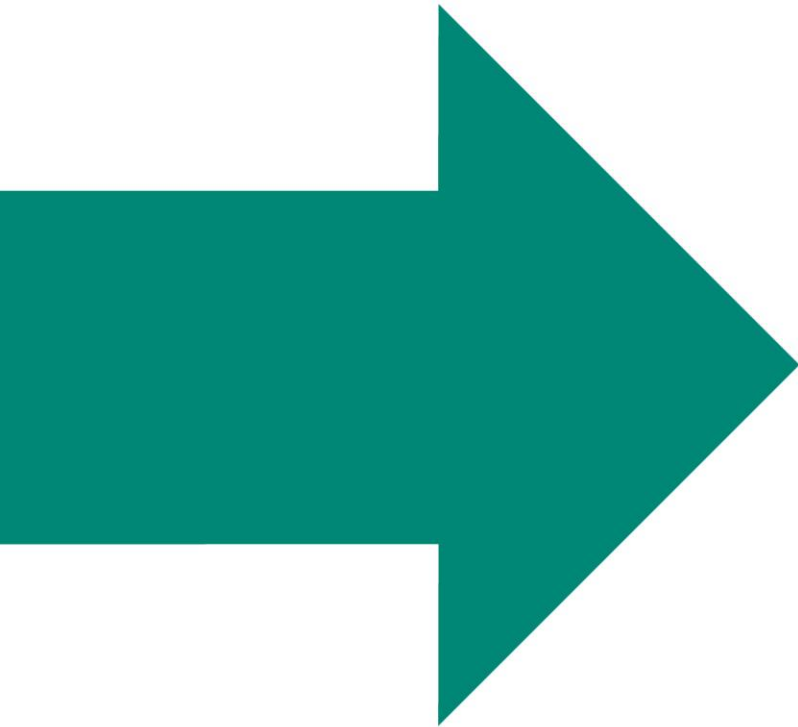
WEBINAR RECORDING

The webinar is being recorded, and you will receive an email when the recording and the slides are posted to the Network website.



Q & A

Feel free to use the Q&A function throughout the webinar if you have questions, and we will try to get to as many of your questions as possible.



Amy Judd Lieberman, J.D.

Deputy Director, Harm Reduction,
Network for Public Health Law

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**DRUG
POLICY
ALLIANCE.**

Rights and Protections for Harm Reduction Programs and Clients in an Increasingly Hostile Environment

December 18, 2025

Kellen Russoniello, Director of Public Health

Drug Policy Alliance



Disclaimer

The information presented here is for educational purposes only and is not legal advice. Contact an attorney in your jurisdiction for legal advice.



⌵ PRESIDENTIAL ACTIONS

ENDING CRIME AND DISORDER ON AMERICA'S STREETS

Executive Orders | July 24, 2025

[Link](#)

Federal Attacks on Harm Reduction

- Directs SAMHSA to ensure discretionary funds do not go to programs that “fail to achieve adequate outcomes, including so-called ‘harm reduction’ or ‘safe consumption’ efforts that only facilitate illegal drug use and its attendant harm.”
- Directs the Attorney General to investigate and bring civil and criminal actions against federally funded housing providers that
 - Operate or permit “safe consumption” sites
 - Distribute drug paraphernalia
 - Permit the use or distribution of drugs on the property they control
- Directs HUD to freeze any funds going to organizations that do any of the above

Recent SAMHSA Guidance

July 29, 2025 [Dear Colleague Letter](#) (and updated [strategic priorities](#))

- Claims harm reduction is “incompatible with Federal law and inconsistent with this Administration’s priorities” and that “funds will no longer be used to support poorly defined so-called ‘harm reduction activities.’”
- That said, what may be funded did not really change
- Divorcing of naloxone and drug checking from harm reduction
- Other agency guidance:
 - [Centers for Disease Control and Prevention](#) (CDC)
 - [Health Resources & Services Administration](#) (HRSA)
 - [Administration for Children & Families](#) (ACF)

Drugs as Justification for Administration Actions

In addition to attacking harm reduction directly, the Trump Administration continues to use drugs to justify its other actions:

- Immigration crackdowns/border militarization
- Tariffs
- Deploying the National Guard in cities across the country
- Designating foreign drug trafficking organizations as terrorists
- Bombing boats in the Caribbean
- Designating fentanyl as a weapon of mass destruction

State and Local Law Enforcement Impediments

- Searching and arresting program participants
- Confiscating supplies obtained from harm reduction service providers
- Surveilling service centers and surrounding areas
- Aggressive post-overdose practices
- Aggressive citing of programs
- Law enforcement not aware of the law or refuse to follow it
- Political pressure to scapegoat service providers for larger structural problems

Federal Drug Possession Laws

- [21 U.S.C. § 844](#)
- Possession of a controlled substance without a prescription is punishable by imprisonment of up to one year and a fine of up to \$1,000 for a first offense.
- There is no minimum quantity of drugs required to violate this law
- Prosecutions for simple possession are rare under federal law
- To our knowledge, no harm reduction service provider has been charged with violating this statute for incidental possession related to providing services (e.g., drug checking, disposal of syringes)

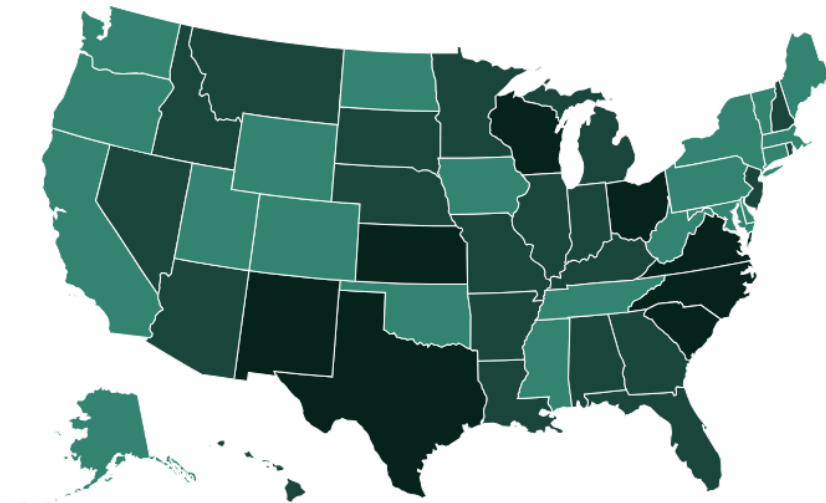
State Drug Possession Laws

SHOW

- ☒ Drug Possession Laws
- ☐ Drug Paraphernalia Laws
- ☐ Decriminalization Legislation Introduced

LEGEND

- Misdemeanor
- Both Misdemeanor & Felony
- Felony



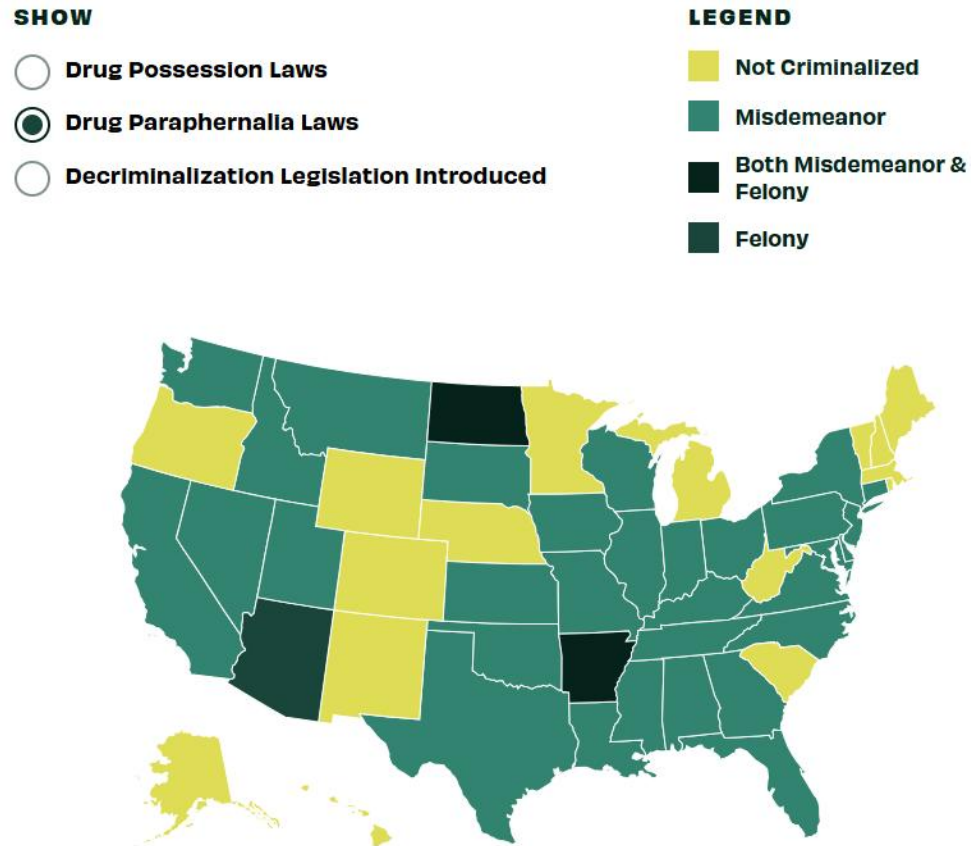
- Unlawful drug possession is a criminal offense in every state
- Circumstances and severity differ by state
- Residual amounts in paraphernalia can be charged as drug possession in many states

- [Map Source](#)

Federal Paraphernalia Possession Laws

- [21 U.S.C. § 863](#)
- Possession and free distribution of paraphernalia are not prohibited
- Sale, offer to sell, transporting via mail or “other facility of interstate commerce,” import, and export of paraphernalia are punishable by imprisonment of up to three years
- This does not apply to “any person authorized by local, State, or Federal law to manufacture, possess, or distribute” paraphernalia (e.g., approved harm reduction programs)
- In other words, if permitted under state/local law, it would not violate federal law

State Paraphernalia Possession Laws



- Some states do not criminalize possession or free distribution of paraphernalia (but most do)
 - Even if permitted under state law, local law may criminalize it
- Some states exempt syringes and other equipment (e.g., fentanyl test strips) from the definition of paraphernalia
- Some states only permit paraphernalia distribution in certain contexts (e.g., syringe service program)
- [Map Source](#)
- [NPHL's 50-State Survey on Harm Reduction Laws in the US](#)

Other Laws to Keep in Mind

- Good Samaritan Laws
 - Laws that protect from arrest and/or prosecution for certain offenses when emergency aid is called for someone believed to be overdosing
 - Each state's protections are different
- Drug Checking Laws
 - Many states consider drug checking equipment (DCE) paraphernalia
 - Some states exempt DCE from the definition of paraphernalia; others specifically exempt DCE from criminal penalties
 - Some states only exempt products that detect fentanyl (e.g., fentanyl test strips)
- [NPHL's 50-State Survey on Harm Reduction Laws in the US](#)

DPA Resources

- [Map of State Drug Possession and Paraphernalia Laws](#)
- [Federal Cuts to Overdose Prevention & Addiction Treatment Tracker](#)
- [Protecting Federally-Funded Drug Research: Advocacy Toolkit for Researchers](#)
- [From Crisis to Care: Addressing Addiction, Mental Health, and Homelessness through Health and Supportive Services](#)
- [The Drug Treatment Debate: Why Accessible and Voluntary Treatment Wins Out Over Forced](#)
- [Facts about Overdose Prevention Centers](#)

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Legal Rights in Interactions with Law Enforcement

Considerations for Harm Reduction Programs

Michael Abrams
Senior Attorney, Harm Reduction Legal Project
Network for Public Health Law
December 18, 2025

Fourth Amendment: Searches & Seizures

- **Protection from government searches and seizures without a court-issued warrant**
 - Unique considerations for facilities open to the public vs. private homes, personal possessions
- **The greater the “expectation of privacy,” the greater the 4A protection**
 - So, open to the public = open to the police
 - Consider tradeoffs in a more restrictive environment
- **Understand the exceptions, & organize sensitive areas and materials accordingly**
 - Plain-view, consent, exigent circumstances, warrants



Fifth Amendment: Compelled Information, Self-Incrimination

- **Protection from compelled disclosure of information to the government, self-incrimination**
 - Bottom line: you are almost always legally entitled to decline to give information to the police
- **Like the 4A, this 5A protection is consent-based**
 - Police can ask---and, to some degree, can apply pressure
- **For programs & their participants, 5A rights mean you don't have to answer police questions**
 - Often difficult in real-world scenarios...consider steps like: an emergency plan; a point-person; a script for encounters



Practical Considerations

- **Legal theory vs. practical reality**
 - Knowing / asserting your rights does not guarantee protection
 - Rights are often violated, or police may have a different view of their authority
- **Outcome of a police encounter is resolved after-the-fact, by a court**
 - Follow your prep---calmly assert rights, stick to script, record/document---but then, practice common sense
- **Just as important as legal rules: remaining calm; deescalating; avoiding conflict; pursuing legal relief from safety, later on**
 - Practical prep: *legal* “emergency contact”; policies for legal emergencies for employees, participants; funds for legal emergencies

Thank You!

Michael Abrams

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Network for Public Health Law**

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CHIRLA

Coalition for Humane
Immigrant Rights

CHIRLA's Response to the LA Raids & Know Your Rights

**Los Angeles, CA
December 18, 2025**

ABOUT CHIRLA

**FOUNDED IN 1986, CHIRLA'S MISSION IS
TO CREATE A JUST SOCIETY
THAT IS FULLY INCLUSIVE OF IMMIGRANTS**



CHIRLA's Pillars of Work:

1. ORGANIZE
2. PROTECT
3. EDUCATE
4. ADVOCATE
5. ENGAGE

ENFORCEMENT TIMELINE

Know Your Rights Campaign
Rapid Response Network
activated

Nov.–Dec. 2024

Targeted enforcement
activity throughout Los
Angeles

Border Patrol officers in streets
stopping individuals
Home Depots Arrests

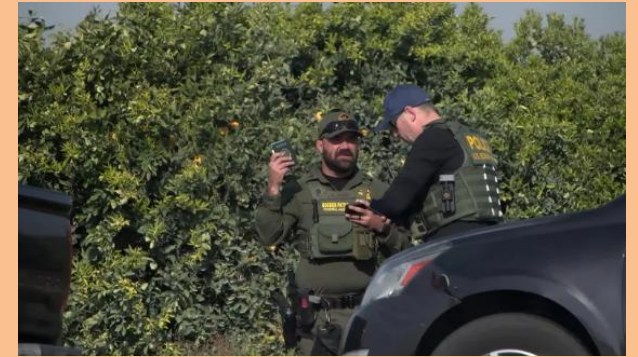
Feb.–Apr. 2025

Jan. 2025

“Return to Sender” Central
CA Valley CBP Operation
SoCal Wildfires - DHS vehicles
mobilizing in region

May 2025

Immigration agents in courts
Kidnappings and
disappearances from USCIS
interviews and routine
immigration check-ins



ENFORCEMENT IN LOS ANGELES COUNTY



Federal Bureau of Investigation agents face off against protesters during an ICE raid at Ambience Apparel in Downtown Los Angeles on June 6, 2025. Credit: J.W. Hendricks for CalMatters

June 6, 2025 to Present: What We Witnessed

Multi-Federal agency: FBI, DEA, ATF, CBP, HSI, ICE, BTF, Post Office Inspectors

Overcrowded detention centers; lack of access to families and counsel

LA Region saw a 5 X increase in enforcement between January and June 2025. Sharpest increase in June 2025

Unwarranted arrests

Mass violations of 1st, 4th and 5th amendment rights

Detention in courthouses continue

Profiling based on language, appearance, and occupation



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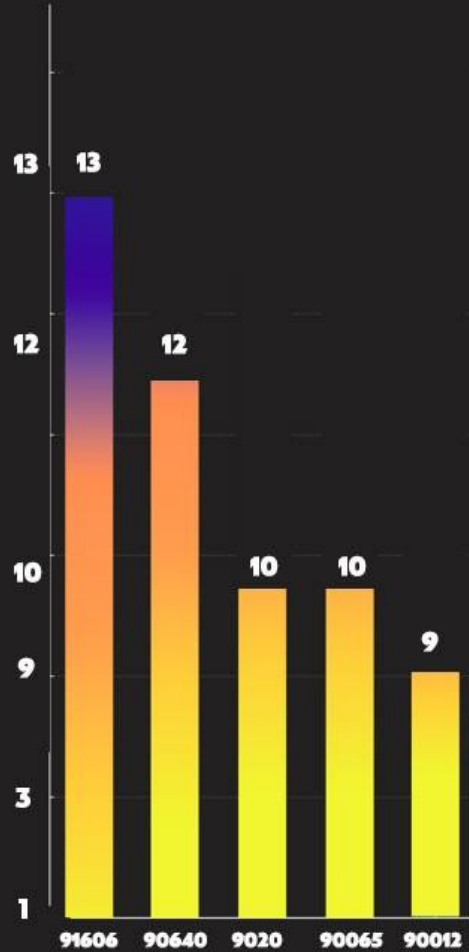


Areas of Focus for Federal Enforcement Activity

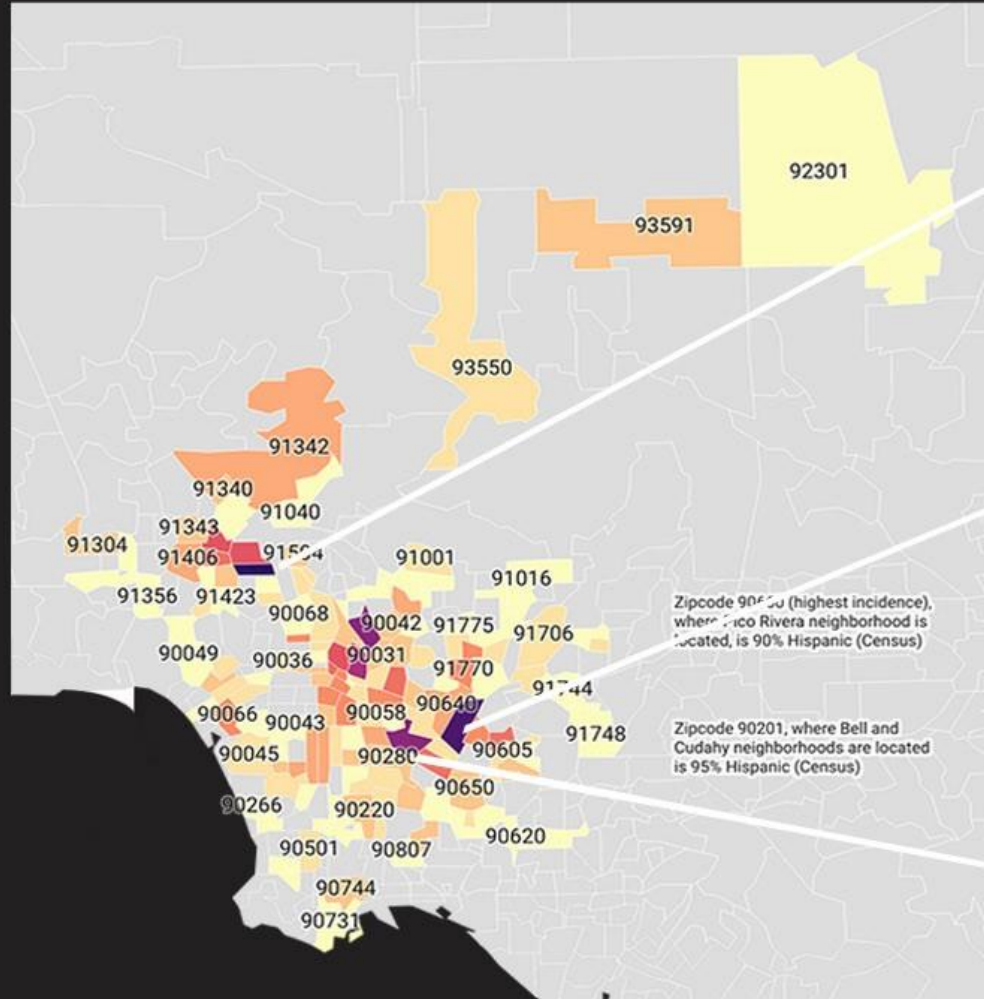
REPORTED BY LARRN BETWEEN JUNE 6TH - NOVEMBER 18TH, 2025

13

CONFIRMED ENFORCEMENT OPERATIONS BY ZIP CODE



TOP 5 ENFORCEMENT AREAS BY ZIPCODE



San Fernando Valley



Population: **1,815,801**
Immigrant Population: **692,700 (38.2%)**
Latino Population: **42%**
Total Enforcement Operations: **13**

Pico Rivera, Whittier, Downey



Population: **62,100**
Immigrant Population: **18,700 (30.1%)**
Latino Population: **90.5%**
Total Enforcement Operations: **12**

Bell Gardens, South Gate, Cudahy



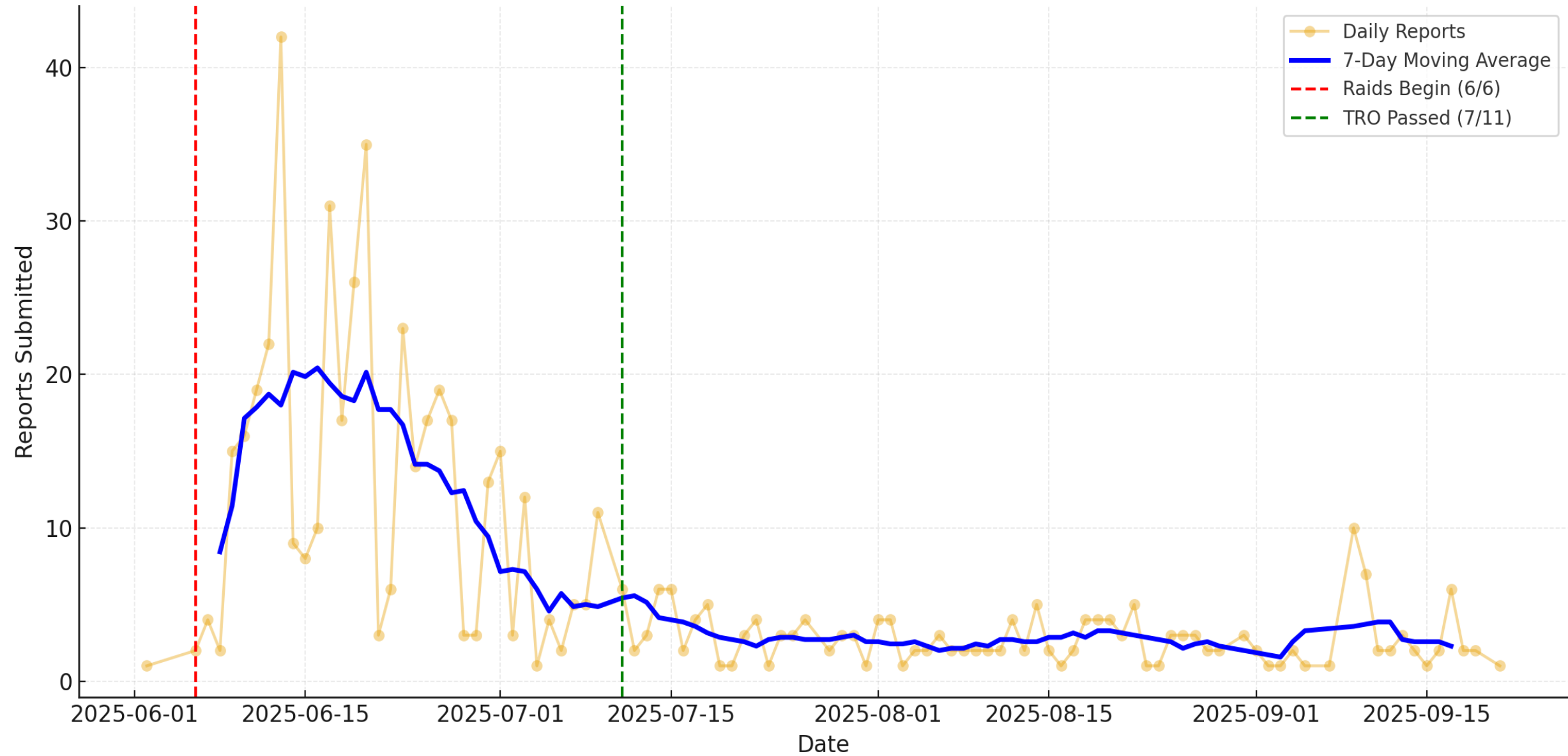
Population: **63,000**
Immigrant Population: **21,800 (34.5%)**
Latino Population: **65%**
Total Enforcement Operations: **10**

*This information is based solely on reports submitted to the *Rapid Response Network* and may not reflect the total number of enforcement actions across all regions.



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Daily LARRN Field Report Submissions (June-September 2025)



OUR RESPONSE



- **Public Action & Mobilization**
 - Multi-sectoral and multi-racial actions
 - Faith leader engagement
 - Student engagement
 - Summer of Resistance- Daily actions to support
- **Know Your Rights**
 - 77,000 people informed 251 organizations trained
- Legal representation Adelanto and B18
- Engage Members of Congress in our work
- Expand our Rapid Response Network
- **Litigation (Plaintiff & Co-Counsel)**
 - Perdomo v. Noem - Individuals, CHIRLA, UFW, Immigrant Defenders, NDLOM, LA Worker Center Network
 - CHIRLA vs. Noem (Expedited Removal of Humanitarian paroled individuals)
 - ICWC v. Noem (U, T, and VAWA Self-Petitions)

Key Federal Immigration Law

Immigration and Nationality Act (INA) of 1952

- ▶ The foundation of all U.S. immigration law.
- ▶ Sets the rules for who can enter, stay, or be deported.
- ▶ Determines visa types (family, work, humanitarian) and creates the pathway to citizenship.
- ▶ Gives federal agencies the authority to enforce immigration law (like ICE and CBP).

Homeland Security Act (2002)

- ▶ Created the Department of Homeland Security (DHS) after 9/11.
- ▶ Split immigration duties into:
 - ▶ USCIS – handles applications
 - ▶ ICE – enforces immigration law
 - ▶ CBP – guards the border

How does ICE get its power?

What is ICE?

- ▶ ICE stands for Immigration and Customs Enforcement.
- ▶ It's a federal agency under the Department of Homeland Security (DHS) that enforces immigration laws inside the U.S. — away from the border.

Where does ICE get its power?

- ▶ Congress gave ICE officers authority to question, detain, and arrest people they believe may not have permission to be in the country.
- ▶ They can arrest people in two main ways:
 - ▶ With a warrant — a document signed by an immigration judge.
 - ▶ Without a warrant — if they believe someone is undocumented and might flee before they can get one.

Key Figures and Framework

Civil Immigration Law and Data

- ▶ **Most ICE arrests are civil, not criminal.** That means they're based on immigration status, not a crime.
- ▶ **ICE acts under civil authority, meaning most arrests are based on administrative warrants signed by DHS officials — not judges.**

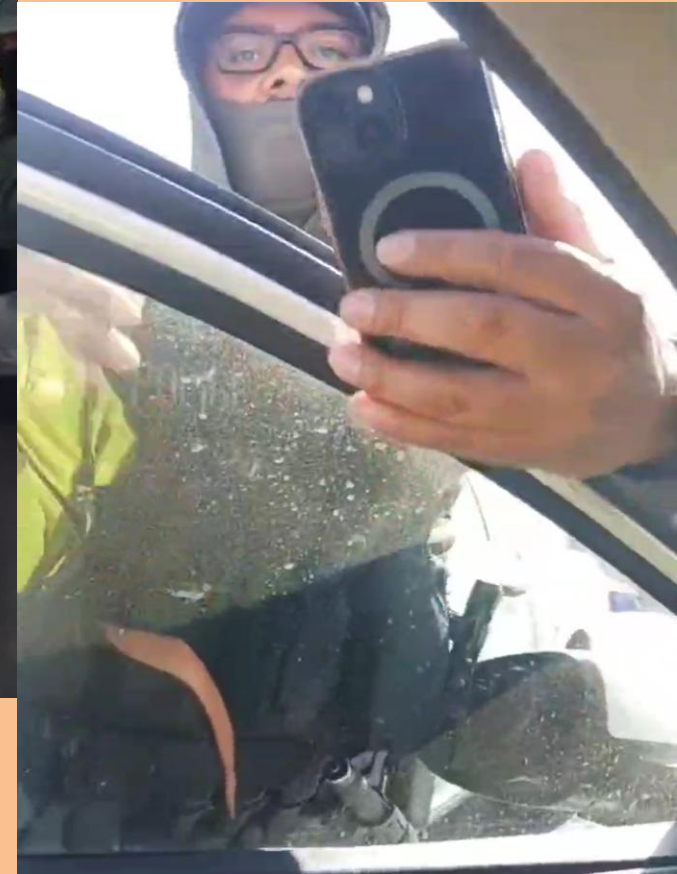
What is actually happening-



Political and Legal Landscape of Enforcement

What we are seeing on the ground:

- ▶ **Increased Intimidation and Violence**
- ▶ Retaliatory Arrests
- ▶ Elevated Aggression (Threats)
- ▶ Impersonators/Bounty Hunters
- ▶ Recording/Surveillance/Facial Scan
- ▶ Pulling responders over
- ▶ Arrests of US Citizens, LPRs/Green Card Holders, Asylum and TPS holders and U, T and VAWA



EVERYONE'S CONSTITUTIONAL RIGHTS ARE AT STAKE!!

We all have rights under the U.S. Constitution, such as **DUE PROCESS AND EQUAL PROTECTION**, regardless of immigration status

However they are meaningless unless we exercise our rights



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WHAT RIGHTS DO I HAVE?

- ❑ You have the right to **REMAIN SILENT! Everything you say, can be used against you.**
- ❑ Carrying false or fraudulent documents is a crime: **NEVER carry these with you.**
- ❑ Lying or giving false information to an immigration official can be considered a crime: **DO NOT LIE!**
- ❑ Do not offer information about your immigration status or where you were born to any law enforcement entity.

You have the right to talk with an attorney, have the name and number of an attorney you can call if you need help.



WHAT TO DO IF YOU HAVE AN ICE INTERACTION AT HOME?

- ❑ DO NOT OPEN THE DOOR-Always ask law enforcement officers to identify themselves with a badge.
- ❑ ASK TO SEE THE WARRANT-MAKE SURE IT IS SIGNED BY A JUDGE. Ask them to show you the warrant through a window or to slide it under the door.
- ❑ If the order has your name or address you do need to let them enter your home. If they take any items from your home, you have a right to ask for a receipt of the items taken.



What to do if ICE comes to my place of work?

- ❑ Immigration agents must have a judicial warrant to enter the premises and it must be signed by a judge.
- ❑ Your employer must authorize their ability to enter your place of work.
- ❑ Remain calm. Do not run or try to escape, this gives ICE agents probable cause to arrest you.
- ❑ If ICE is there to conduct an I-9 audit they do not have a right to question employees.

REMEMBER:

YOU HAVE THE RIGHT TO REMAIN SILENT AND
ASK TO SPEAK TO YOUR ATTORNEY



What are additional steps employers and businesses can take to protect employees and clients?

Employers should designate a part of the worksite that is not open to the public.

- ▶ ***ICE agents or those conducting enforcement activities are not allowed in non-public spaces.***
- ▶ ***Designate spaces as “private areas” with signage.***

Even if a signed warrant or a subpoena is presented, **you have the right to contact your attorney to determine next steps.** ICE is not allowed immediate access. Warrants be specific as to persons or items to be obtained and subpoenas have **time, place and location** limitations and can expire so read the warrant and subpoena carefully.



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Judicial Warrant

- MUST BE SIGNED BY JUDGE

- FEDERAL COURT-US DISTRICT COURT

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 of California

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

Case No.

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 District of CALIFORNIA

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
(not to exceed 14 days)
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

Signed by a JUDGE.

City and state: SACRAMENTO CALIFORNIA

EDMUND E. BRENNAN, U.S. MAGISTRATE JUDGE
Printed name and title

Administrative Notice-Warrant for Arrest of Alien

INVALID

This is issued by DHS, NOT a court

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 addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or
- ☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

Signed by an immigration officer, NOT a judge

(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 _____ on _____, and the contents of this
(Name of Alien) (Date of Service)

notice were read to him or her in the _____ language.
(Language)

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

This is an ICE administrative warrant. It does NOT authorize immigration agents to enter your home!

Form I-200 (Rev. 09/16)

ADMINISTRATIVE
WARRANT

NOT VALID FOR
ENTRY

Additional Considerations for Employers or Service Providers?

- ❑ Make sure **you talk to an attorney that you can have on call** should ICE enforcement agents show up at your place of work or business.
- ❑ Designate a staff member from the Executive Team, **preferably the Director or ED to communicate with law enforcement.**
- ❑ Always keep the door between the waiting room and the reception area **LOCKED.**
- ❑ Do not open **any other side doors** that may compromise the privately designated areas.



WHAT TO DO IF I HAVE AN INTERACTION WITH ICE IN PUBLIC SPACES?

- ❑ If you are detained in public such as street or a road without a signed judicial warrant, you **CAN NOT BE ARRESTED.**
- ❑ You can ask if you are being detained, and can leave if you are not. You can say, “[a]m I free to go?”
- ❑ **NEVER** admit your immigration status or how you entered the country to an ICE official or any federal officer.
- ❑ **DO NOT CARRY ANY FALSE DOCUMENTS ON YOUR PERSON**

REMEMBER:
YOU HAVE THE RIGHT TO REMAIN SILENT!

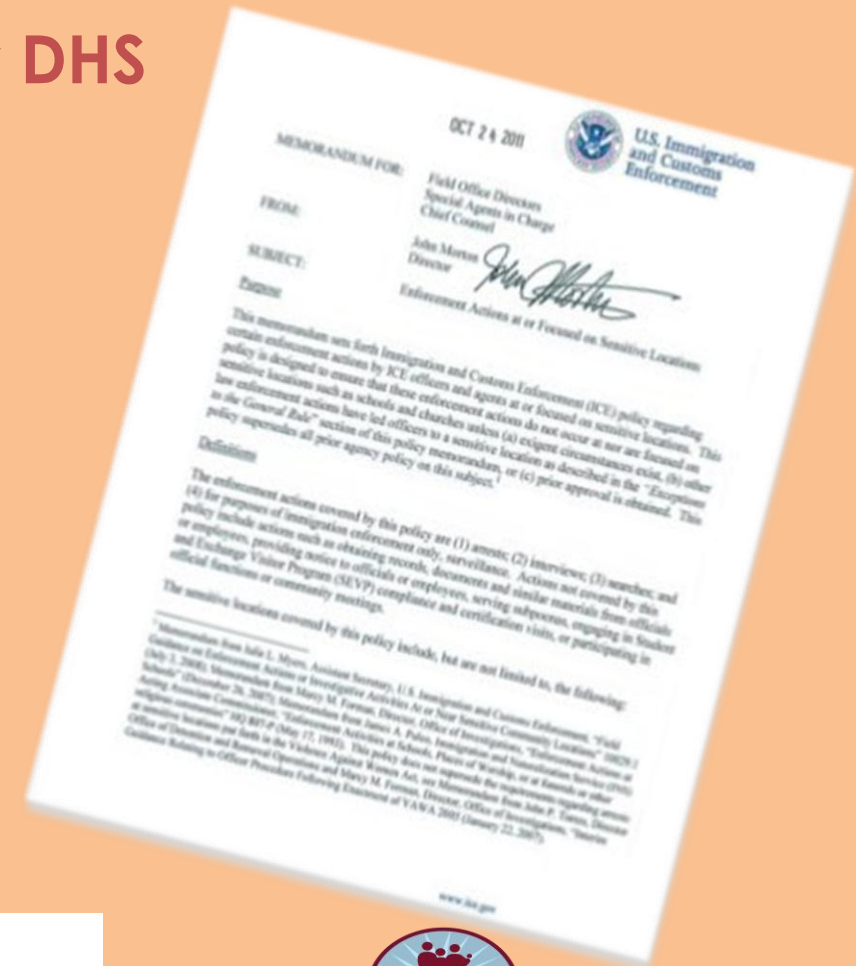


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SECURE LOCATIONS MEMO-PRESIDENT RESCINDS MEMO

According to an ICE Memorandum published by DHS in 2011, immigration enforcement activities are prohibited in the following locations:

- ❑ Public Schools
- ❑ K-12 (H.S.), Community Colleges and Universities
- ❑ Hospitals
- ❑ Community Clinics and Treatment Centers
- ❑ Religious Institutions
- ❑ Sites of Protests



PREPARE A FAMILY SAFETY PLAN

- ❑ Share this information with trusted family members and friends.
- ❑ If you have children, prepare a childcare affidavit.
- ❑ Gather all your important documents and place them in an area that is safe and accessible.
- ❑ Have the name and number of an immigration attorney that can represent you if you are detained.
- ❑ Make sure your family knows your A #
- ❑ Have money on hand if you need to post a bond, or pay for an attorney



U.S. Citizenship
and Immigration
Services

Your Alien Registration Number A 123456789

Your DOS Case ID: _____

HOW TO LOCATE A FAMILY MEMBER WHO IS DETAINED?

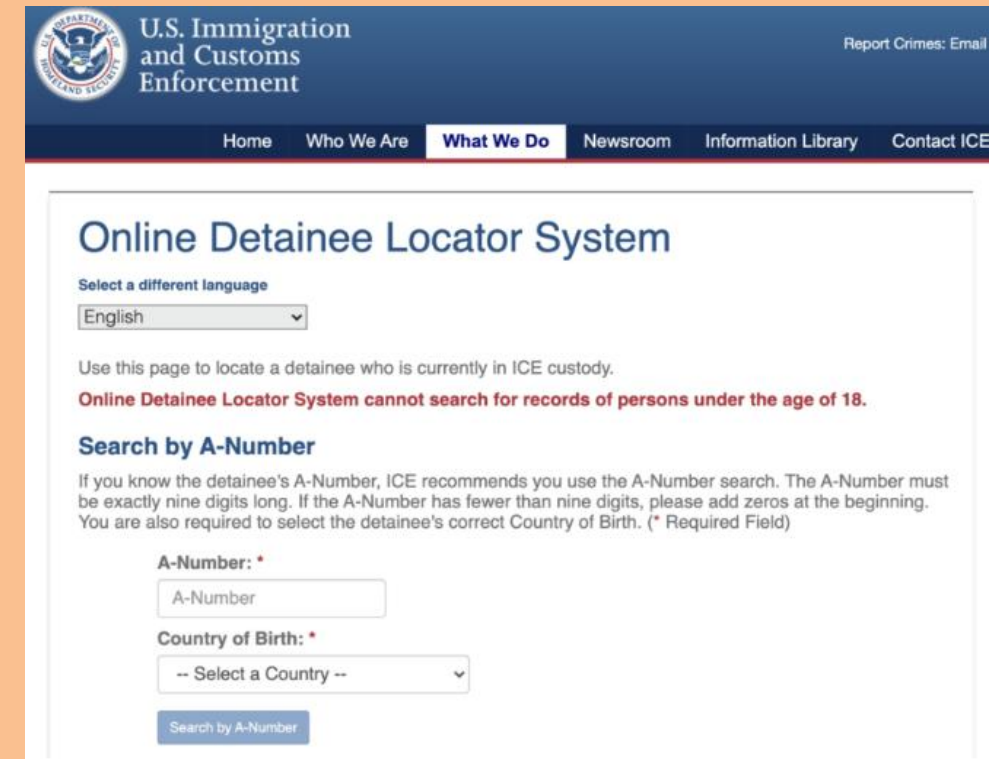
❏ To find someone, you can contact ICE directly:

- **Local Los Angeles Office** (Covers Los Angeles, Orange, San Bernardino, Riverside Counties and the Central Coast) **(213) 830-7911**
- **Local San Diego Office** (San Diego and Imperial Counties) **(619) 710-8301**
- **Local San Francisco Office** (Northern California, Hawaii and Guam) **(415) 844-7911**

You can also use the Detainee locator on the web:

www.ice.gov

- ▶ **IMPORTANT:** To obtain information via telephone or web you need a complete name, date of birth (DOB) or an Alien Registration Number or A # for the detained individuals.



The screenshot shows the official website of the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. The page is titled "Online Detainee Locator System". It features a language selection dropdown menu set to "English". Below this, there is a warning: "Online Detainee Locator System cannot search for records of persons under the age of 18." The main section is "Search by A-Number", which includes instructions: "If you know the detainee's A-Number, ICE recommends you use the A-Number search. The A-Number must be exactly nine digits long. If the A-Number has fewer than nine digits, please add zeros at the beginning. You are also required to select the detainee's correct Country of Birth. (* Required Field)". There are input fields for "A-Number" and "Country of Birth" (a dropdown menu with "-- Select a Country --"). A "Search by A-Number" button is at the bottom.



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LIST OF DOCUMENTS IMPORTANT CONTACTS

☐ Important information that everyone should have accessible:

- Name, telephone number, date of birth of all members of the household, the phone number for your children's school, your doctor's phone number, and your work phone number. A list of all allergies, medical conditions, and list of medications for everyone in your household. Telephone number for the consulate of your country of origin and the phone number of an immigration lawyer.

☐ Important Documents that you need to keep in a safe location:

- Birth certificates and marriage certificate, passports of country of origin, vaccine records for your children, social security cards, identity documents, A #'s, childcare affidavit, titles to property, business, autos, etc.

☐ Identify someone that can be responsible for your children:

- A responsible adult that knows about the caregiver affidavit and can provide a safe residence for your child/ren and is the person that is listed as the emergency contact at your children's school or childcare center/provider.

Gracias!

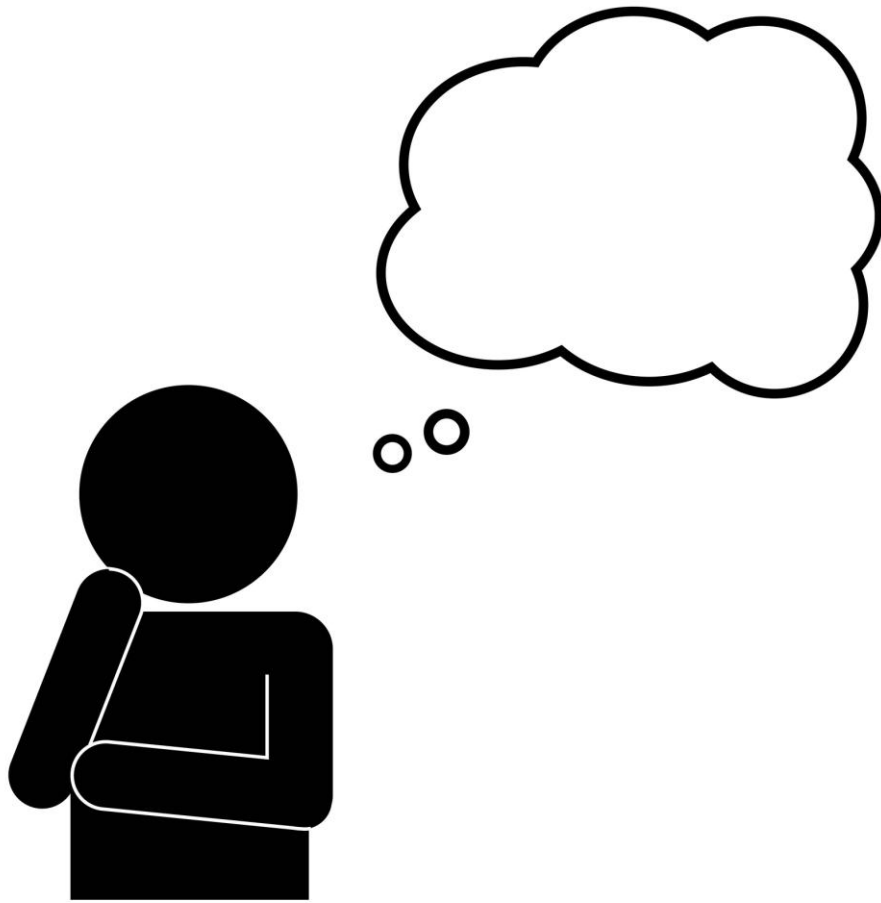
**Jeannette Zanipatin,
Director of Policy, Advocacy
and Litigation**

jzanipatin@chirla.org

SOMOS CHIRLA



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QUESTIONS?

Thank You





The Network advances health equity and improves health outcomes by providing guidance on the effective use of laws and policies.

Network attorneys can provide consultation and guidance to:

TELL US WHAT YOU'RE WORKING ON.
WE'RE READY TO HELP.

[REQUEST A CONSULTATION](#)



- Identify the ways in which laws and policies may or may not impact a particular project or community; or the potential impact on different populations within a community.
- Provide examples of and compare public health laws or policy strategies from other jurisdictions.
- Analyze the legal authority to implement a policy or law, or reforms.
- Apply equity tools to laws and policies.