

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KASSANDRA ROSADO and KREISAU
GROUP LLC,

Plaintiffs,

v.

PAMELA BONDI, in her official capacity as
Attorney General, and

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security,

Defendants.

Civil Action No.: 1:26-cv-01532

**VERIFIED COMPLAINT FOR
CIVIL RIGHTS VIOLATIONS**

JURY TRIAL DEMANDED

INTRODUCTION

1. As the federal government has ramped up immigration enforcement across the nation, Americans have increasingly discussed, debated, and voiced their views about the issue. A central part of the discussion is the tactics employed by U.S. Immigration and Customs Enforcement (ICE). Americans have watched ICE operations in videos shared online, seen them on the news, and witnessed them in public with their own eyes. Some of these scenes have depicted masked government agents grabbing people off the street and whisking them away in unmarked vehicles,¹

¹ Associated Press, *Video shows masked federal agents handcuffing Turkish student at Tufts University* (YouTube, Mar. 26, 2025), <https://www.youtube.com/watch?v=7-fSpi7ZHoQ>.

smashing civilians' car windows,² tear gassing and pepper spraying children,³ arresting citizens and lawfully present immigrants only to later confirm their status and release them,⁴ and killing citizens with firearms.⁵

2. Increased ICE enforcement and concerns about abuses of power have led people across the country to create websites, social media groups, and apps dedicated to sharing information about ICE enforcement activities. Their purposes vary. Some focus on sharing information so people concerned for their safety can avoid areas where ICE is operating. Plaintiff Kassandra Rosado created a Facebook group for that purpose, allowing fellow residents of Chicago to share information about ICE sightings. Other efforts focus on documenting ICE activities to inform the public and hold our government accountable. Plaintiff Kreisau Group LLC created the Eyes Up app for that reason, allowing users to preserve and view videos of ICE activity across the country.

² CBS News, *Video shows father being detained by ICE while dropping child off at preschool* (YouTube, July 22, 2025), <https://www.youtube.com/watch?v=HWJwYtMJ4Rg>.

³ ABC 7 Chicago, *Federal agents pepper spray 1-year-old girl in Cicero after Little Village clashes, dad says: VIDEO* (YouTube, Nov. 9, 2025), <https://www.youtube.com/watch?v=GA15qWaa-8>; Toria Sheffield, *Minneapolis Family, Including 6 Children, Tear-Gassed After They Were Caught in Clash Between ICE and Protesters*, People (Jan. 18, 2026, at 5:38 PM EST), <https://people.com/minneapolis-family-including-6-children-tear-gassed-by-ice-agents-11887948> [https://perma.cc/6FTR-S32Y].

⁴ Richard Luscombe, *'Madness': two US citizens violently detained by ICE in Minnesota, officials say*, The Guardian (Jan. 13, 2026, at 15:55 EST), <https://www.theguardian.com/us-news/2026/jan/13/ice-immigration-target-minnesota> [https://perma.cc/L24P-AYUS].

⁵ Bora Erden et al., *Timeline: A Moment by Moment Look at the Shooting of Alex Pretti*, N.Y. Times (Jan. 25, 2026, at 5:50 PM ET), <https://www.nytimes.com/interactive/2026/01/24/us/minneapolis-shooting-alex-pretti-timeline.html> [https://perma.cc/ZW5D-M5L4].

3. The First Amendment protects the right to discuss, record, and criticize what law enforcement does in public. *See, e.g., ACLU of Ill. v. Alvarez*, 679 F.3d 583, 586, 595–97 (7th Cir. 2012) (protecting the right to record and distribute such videos). That is true even when—and especially when—that information may be “embarrassing to the powers-that-be.” *N.Y. Times v. United States*, 403 U.S. 713, 723–24 (1971) (Douglas, J., concurring).

4. But Attorney General Pamela Bondi and Homeland Security Secretary Kristi Noem want to control what the public can see, hear, or say about ICE operations. Wielding the power of federal criminal law, they coerced Facebook to disable Rosado’s Facebook group and coerced Apple to remove Kreisau Group’s Eyes Up app from its App Store. That’s unconstitutional. The First Amendment prohibits the government from coercing companies to censor protected speech. *NRA v. Vullo*, 602 U.S. 175, 190–91 (2024) (“[A] government official cannot do indirectly what she is barred from doing directly.”). Without this Court’s intervention, this unconstitutional coercion will continue.

5. Our First Amendment right to speak “to oppose or challenge police action without thereby risking arrest is one of the principal characteristics by which we distinguish a free nation from a police state.” *City of Houston v. Hill*, 482 U.S. 451, 462–63 (1987). Plaintiffs bring this case to preserve our country’s fundamental character as a free nation, asking this Court to protect the basic First Amendment right to share information about our government and its activities.

JURISDICTION AND VENUE

6. This action arises under the First Amendment to the United States Constitution and the Declaratory Judgment Act, 28 U.S.C. §§ 2201–2202.

7. This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1343.

8. The Court has authority to issue the requested relief under the Declaratory Judgment Act at 28 U.S.C. §§ 2201–2202, Rules 57 and 65 of the Federal Rules of Civil Procedure, and the Court’s inherent equitable powers. The Court has authority to award costs and attorneys’ fees under 28 U.S.C. § 2412.

9. Venue against officers of the United States is proper in this district under 28 U.S.C. § 1391(e)(1)(B) because a substantial part of the events or omissions giving rise to this action occurred in this district.

PARTIES

Plaintiffs

10. Plaintiff Kassandra Rosado is a U.S. citizen, born and raised in Chicago, and a resident of Cicero, Illinois, a suburb of Chicago. Rosado created the Facebook group “ICE Sightings – Chicagoland” and oversaw it until October 2025, when Facebook disabled her group in response to demands of federal officials.

11. Plaintiff Kreisau Group LLC is a New Mexico limited liability company created and operated by Mark Hodges, a U.S. citizen who resides in Indiana. Kreisau Group created the Eyes Up app, which was available for download on Apple’s App Store until October 2025, when Apple removed it in response to demands of federal officials.

Defendants

12. Defendant Pamela Bondi is the Attorney General and heads the U.S. Department of Justice (DOJ). In that capacity and through her subordinates and agents, Bondi has authority to investigate and prosecute alleged violations of federal criminal law.

13. Defendant Kristi Noem is the Secretary of Homeland Security and has ultimate authority over the U.S. Department of Homeland Security (DHS), which includes various component agencies including Immigration and Customs Enforcement (ICE). In that capacity and through her subordinates and agents, Noem has authority to investigate and enforce alleged violations of immigration laws and criminal statutes.

14. Defendants Bondi and Noem, along with their subordinates in DOJ and DHS, have repeatedly threatened to prosecute individuals and entities for disseminating information, including through apps and social media groups, about ICE operations. They took actions to coerce Facebook and Apple to remove such apps and groups, including those of plaintiffs.

FACTUAL ALLEGATIONS

A. Immediately after President Trump takes office, ICE ramps up enforcement in Chicago and other targeted cities.

15. During his 2024 campaign for the presidency, Donald Trump promised that “on day one” he would begin “the largest deportation operation in the history of our country.”⁶

16. After his reelection, Trump tapped Tom Homan as his “border czar.” Homan promised that ICE would begin enforcement in Chicago the day after Trump’s inauguration.⁷

17. On January 20, 2025, the day President Trump took office, he issued an executive order that called for “total and efficient enforcement” of America’s immigration laws, authorized ICE to carry out that mandate, and provided for action against “so-called ‘sanctuary’ jurisdictions,”⁸ which included Chicago.

18. On January 21, 2025, DHS issued a directive permitting ICE to target “America’s schools and churches” to make immigration arrests.⁹

⁶ *Speech: Donald Trump Holds a Campaign Rally in Concord, North Carolina*, at 0:50:28, Roll Call (Oct. 21, 2024), <http://rollcall.com/factbase/trump/transcript/donald-trump-speech-campaign-rally-concord-north-carolina-october-21-2024/#108> [https://perma.cc/Z777-K39K].

⁷ Elyssa Kaufman et al., *Tom Homan, President-elect Trump’s border czar, says deportation plan will start in Chicago*, CBS News (Dec. 11, 2024, at 7:15 AM CST) <https://www.cbsnews.com/chicago/news/tom-homan-trump-border-czar-chicago/> [https://perma.cc/L2WD-3SZ3].

⁸ Exec. Order No. 14,159, 90 Fed. Reg. 8443, 8443, 8446 (Jan. 20, 2025), <https://www.govinfo.gov/content/pkg/FR-2025-01-29/pdf/2025-02006.pdf> [https://perma.cc/4974-6GAB].

⁹ *Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole*, Dep’t of Homeland Security (Jan. 21, 2025), <https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse> [https://perma.cc/W55K-JTH5].

19. That same day, Homan announced that ICE teams were already on the ground in Chicago.¹⁰ Mass arrests soon followed.¹¹

20. The impact of the ICE raids, and the fear of more to come, was immediate. Churches, schools, and business owners in targeted cities reported drops in attendance even in the first week of Trump's term.¹²

21. In Little Village, a neighborhood in Chicago with a large Mexican-American population, relatively few ventured outside, and as a result, local businesses suffered.¹³

22. Fear and uncertainty grew as Chicago residents shared stories of sightings or possible sightings of ICE officers.¹⁴

¹⁰ FOX 32 Chicago, *Trump's ICE teams already on the ground in cities like Chicago*, at 0:34 (YouTube, Jan. 21, 2025), <https://www.youtube.com/watch?v=N8nGlCXS8IQ>.

¹¹ Heather Cherone, *Immigration Raids Detained 100 People in Chicago Area, Top Cop Says, But He Doesn't Know How Many Have Criminal Records*, WTTW News (Jan. 28, 2025, at 2:31 PM), <https://news.wttw.com/2025/01/28/immigration-raids-detained-100-people-chicago-area-top-cop-says-he-doesn-t-know-how-many> [https://perma.cc/SZ5X-URT5].

¹² Miriam Jordan et al., *Immigrant Communities in Hiding: 'People Think ICE Is Everywhere'*, N.Y. Times (Jan. 30, 2025) <https://www.nytimes.com/2025/01/30/us/immigrant-communities-hiding-ice.html> [https://perma.cc/VYY3-9BZE].

¹³ Fox 32 Chicago, *Fear of ICE raids impacting Chicago neighborhood* (YouTube, Jan. 21, 2025), <https://www.youtube.com/watch?v=LE4HqaCmNEU>.

¹⁴ Adriana Cardona-Maguidad & Elvia Malagón, *In Trump's first week as president, angst over deportation threats rises*, Chi. Sun-Times (Jan. 25, 2025, at 6:30 AM EST), <https://chicago.suntimes.com/immigration/2025/01/25/donald-trump-immigration-deportation-threats-ice-community-schools-churches-sanctuary-chicago> [https://perma.cc/W9EG-2JEB].

23. On January 25, the administration directed ICE to dramatically ramp up its national quota of daily arrests.¹⁵ The next day, ICE announced it had zeroed in on Chicago for “enhanced targeted operations.”¹⁶

B. Kassandra Rosado creates a Facebook group to help her community stay apprised of ICE operations in Chicago.

24. Plaintiff Kassandra Rosado is a lifelong resident of the Chicago area, where she founded and runs a small business selling jewelry. She and other small-business owners set up booths at community events to sell their wares. Rosado would frequently organize such community events herself in the spirit of helping local merchants and promoting community engagement.

25. After President Trump’s inauguration on January 20, 2025, and the Trump administration’s announcements about expanded immigration enforcement, Rosado saw that people in her community were afraid of ICE raids and how they would impact daily life in Chicago. Rosado—a U.S. citizen of Mexican descent—observed that this fear was particularly pronounced in Chicagoans of Hispanic heritage. She and other business owners discussed how the corresponding reduction in attendance at public events where they set up shop was hurting their business.

¹⁵ Nick Miroff & Maria Sacchetti, *Trump officials issue quotas to ICE officers to ramp up arrests*, Wash. Post (Jan. 26, 2025), <https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota/> [https://perma.cc/4U4B-XM5N].

¹⁶ *Statement by US Immigration and Customs Enforcement*, U.S. Immigr. & Customs Enft (Jan. 26, 2025), <https://www.ice.gov/news/releases/statement-us-immigration-and-customs-enforcement> [https://perma.cc/YKP8-SKHC].

26. On January 26, 2025, Rosado created the Facebook group “ICE Sightings – Chicagoland.” The group started small, consisting mostly of fellow business owners, along with some friends and family members. The purpose at that time was to keep each other better informed about where ICE was operating in Chicago and how it was affecting the community. Members would post locations where they had witnessed or heard about ICE presence, sometimes including photos or videos of arrests and other enforcement activity.

27. The group remained small until September 2025, when ICE commenced and publicly touted an enforcement surge in Chicago dubbed “Operation Midway Blitz.”¹⁷ As reports of officers shooting Chicagoans inflamed the city—including a man shot and killed by an ICE officer during a September 12 traffic stop,¹⁸ and a woman shot five times in her vehicle on October 4¹⁹—interest also surged in Rosado’s Facebook group. These violent encounters, along with reports of ICE officers arresting or detaining even citizens and immigrants with lawful status,²⁰ gave

¹⁷ *ICE Launches Operation Midway Blitz in Honor of Katie Abraham to Target Criminal Illegal Aliens Terrorizing Americans in Sanctuary Illinois*, Dep’t of Homeland Sec. (Sep. 8, 2025), <https://www.dhs.gov/news/2025/09/08/ice-launches-operation-midway-blitz-honor-katie-abraham-target-criminal-illegal> [https://perma.cc/H3PU-WHN2].

¹⁸ Tom Schuba & Nader Issa, *ICE officer said his injuries were ‘nothing major’ after deadly shooting near Chicago, video shows*, Chi. Sun-Times (Sep. 22, 2025 at 11:51 PM), <https://chicago.suntimes.com/the-watchdogs/2025/09/22/ice-officer-injuries-nothing-major-deadly-franklin-park-shooting-mexican-immigrant-chicago-video> [https://perma.cc/69EM-54HD].

¹⁹ James Hill et al., *Judge dismisses charges against 2 people accused of ramming vehicle of federal agents conducting Chicago immigration sweeps*, ABC News (Nov. 20, 2025, at 7:23 PM), <https://abcnews.go.com/US/doj-drops-charges-2-people-accused-ramming-vehicles/story?id=127714651> [https://perma.cc/2SB8-6QS4].

²⁰ *Castañón Nava v. Dept. of Homeland Sec.*, No. 18-cv-3757, 2025 WL 2842146, at *15 & n.13 (N.D. Ill. Oct. 7, 2025).

Chicagoans reason to fear being injured or arrested due to their proximity to ICE raids, no matter their immigration status.

28. By October, membership in the Chicagoland Facebook group ballooned to nearly 100,000 members, with members publishing thousands of posts and comments per day at the group's peak. Members continued posting information about where ICE was operating, including photographs and videos of enforcement activity.

29. The Chicagoland Facebook group became an increasingly important forum for Chicagoans to share information so they could stay safe by avoiding areas where ICE was operating. Group members at times also voiced their opinions on ICE's tactics.

30. Rosado updated the description of the group on its Facebook page to note the abuses of power causing membership in her group to surge: "Brutality and Excessive Force is not necessary to ask someone about their citizenship status," "Local Police don't wear masks to successfully apprehend their targets, ICE agents shouldn't either," and "U.S. CITIZENS ARE NOT COLLAT[E]RAL DAMAGE."

31. Rosado instituted, highlighted, and enforced rules for the group (in addition to the default guidelines Facebook applies to all groups). She prohibited "hate speech or bullying" and required discussion be "kind and courteous." As membership and activity on her group surged, Rosado recruited others who volunteered to help her review and moderate content. Rosado and her volunteer moderators instructed group members not to post anything threatening, hateful, or

that promoted violence or illegal conduct. They would remove such posts or comments when they found them.

32. Out of thousands of posts and tens of thousands of comments that members of the Chicagoland group created through October 2025, Facebook's own moderators found and removed only five purportedly violating its guidelines.

33. Even as to these five posts, Facebook advised Rosado that they were "participant violations" that "don't hurt your group." Facebook further explained: "Groups aren't penalized when members or visitors break the rules without admin approval."

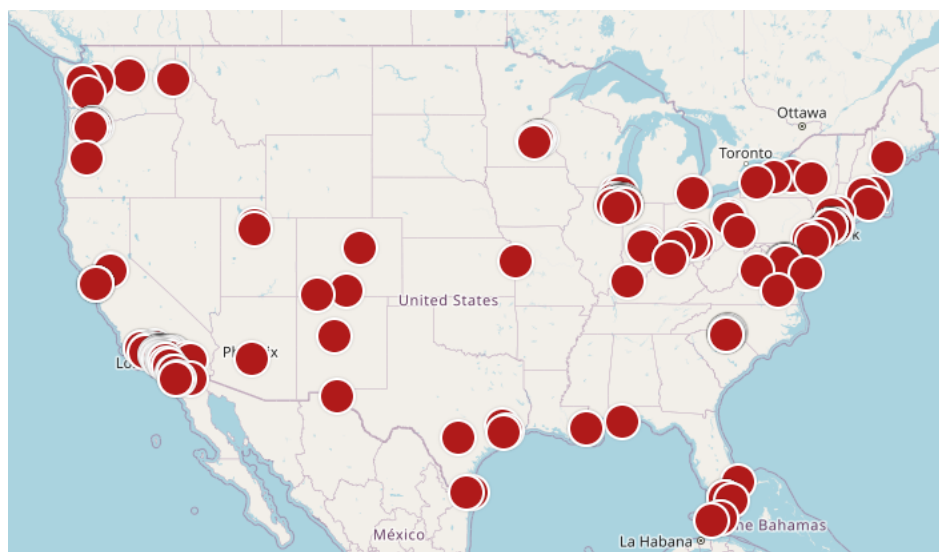
C. Kreisau Group creates the "Eyes Up" app to store videos of ICE enforcement activity.

34. Mark Hodges, who has a degree in journalism, founded and runs a marketing and video production company. He also founded Kreisau Group LLC, which describes itself as "a technology-driven group focused on exposing injustice, defending human rights, and building resilient tools for people living under increasingly authoritarian systems." Part of that mission is to document and preserve evidence of governmental abuse of power.

35. Hodges saw people posting videos documenting ICE officers committing potential civil rights violations, and he wanted to ensure such videos remained available in the future as evidence in efforts to hold government accountable. So through Kreisau Group, he created Eyes Up, an online tool allowing users to record, securely store, and view these videos.

36. Eyes Up has three main functions: (1) users can upload preexisting videos to the Eyes Up video archive for secure storage; (2) users can use Eyes Up to record new content live and simultaneously upload it (so that, if the recording device is confiscated or destroyed mid-recording, the recording will not be lost); and (3) users can view videos that they or others have uploaded.

37. Videos become publicly accessible on Eyes Up only after Hodges or Kreisau Group moderators manually review and post them. Eyes Up arranges the videos in a map interface based on geolocation data:



38. Eyes Up is not useful for tracking ICE location or movement in real time. Because Hodges or other moderators manually review each video before it becomes publicly available, any ICE officers would be long gone by the time a video is posted.

39. Eyes Up became accessible via its website, <https://eyesupapp.com>, on August 13, 2025, available for download as an app on Google Play on August 16, and available for download on Apple's App Store on August 27.

40. Videos on Eyes Up depict, for example, ICE officers in Charlotte pulling a U.S. citizen from his car parked in a parking lot and throwing him to the ground;²¹ officers in a Colorado town pointing guns at a vehicle, while the occupants repeatedly scream that there was a one-month-old baby in the backseat, and then smashing in a window;²² and officers in Chicago shooting a peacefully protesting pastor in the head with a pepper ball.²³

41. To date, users have submitted hundreds of videos that are now accessible to the public and securely stored for future viewing.

D. Federal officials, threatening criminal prosecution, begin targeting apps and online resources sharing information about ICE enforcement.

42. Starting in the summer of 2025, federal officials began targeting speech about where ICE was operating, casting aspersions of criminality and threats of prosecution toward anyone remotely associated with such ICE-related speech.

43. On June 30, CNN interviewed the creator of ICEBlock, an iPhone app allowing users to share location information about ICE operations so they can avoid interacting with ICE.²⁴

²¹ *Full video of US citizen being thrown to the ground by agents in Charlotte*, Eyes Up (Nov. 14, 2025), <https://eyesupapp.com/video/651ef8f1-48a0-4c6f-ad55-34c22167dcd4>.

²² *ICE breaks glass and endangers a 1 month old baby*, Eyes Up (Oct. 2, 2025), <https://eyesupapp.com/video/5d809966-38b7-4ff4-ac6d-63047f1a0dd3>.

²³ *Chicago's Broadview ICE Targets Pastor in Prayer: Opens Fire from Rooftop, Shooting Him and Causing Him to Collapse*, Eyes Up (Oct. 7, 2025), <https://eyesupapp.com/video/3a5af4c3-f989-4e94-a192-5f7a986644da>.

²⁴ Clare Duffy, *'I wanted to do something to fight back': This iPhone app alerts users to nearby ICE sightings*, CNN (June 30, 2025, at 10:14 AM), <https://www.cnn.com/2025/06/30/tech/iceblock-app-trump-immigration-crackdown> [https://perma.cc/UD8S-BLZZ].

44. That day, White House Press Secretary Karoline Leavitt said this app constituted “incitement” of “violence against our ICE officers” and criticized CNN merely for *reporting* on the app.²⁵

45. Similarly, ICE Acting Director Todd Lyons alleged the app was “inviting violence” against officers and accused CNN of “willfully endangering the lives of officers.”²⁶

46. On July 1, when asked about CNN’s reporting on the ICEBlock app, Homan said, “DOJ needs to look at this” and “send a strong message.”²⁷

47. Later that day, when asked to respond to Homan’s call for prosecuting CNN, Defendant Noem said: “We’re working with the Department of Justice to see if we can prosecute them for that ... and we’re going to actually go after them and prosecute them with the partnership of Pam [Bondi] if we can because what they’re doing, we believe, is illegal.”²⁸

48. In making that remark, and in her other communications alleged in this complaint, Noem spoke as the head of the Department of Homeland Security, with

²⁵ *Press Secretary Karoline Leavitt Briefs Members of the Media*, at 20:30, White House (June 30, 2025), <https://www.whitehouse.gov/videos/press-secretary-karoline-leavitt-briefs-members-of-the-media-june-30-2025/>.

²⁶ *Statement from ICE acting Director Todd M. Lyons on news coverage of ‘ICE spotting’ app*, U.S. Immigr. and Customs Enf’t (June 30, 2025), <https://www.ice.gov/news/releases/statement-ice-acting-director-todd-m-lyons-news-coverage-ice-spotting-app> [https://perma.cc/QTW8-92N8].

²⁷ Benny Johnson (@bennyjohnson), X (June 30, 2025, at 12:29 PM), <https://x.com/bennyjohnson/status/1939722973373497632>.

²⁸ The National Desk, *Kristi Noem wants to prosecute CNN over report on ICEBlock app that tracks ICE agents*, YouTube (July 1, 2025), https://www.youtube.com/shorts/x-3RJO3_Yo.

the authority to direct investigations and enforcement actions under federal criminal statutes.

49. The same day, in a segment covering the ICEBlock app, Fox News host Sean Hannity asked Defendant Bondi whether putting out an app warning of ICE officers in the area made you “guilty of obstruction” and “aiding and abetting.” Bondi opined in response, “Yeah, and that’s what he’s doing.” She threatened that she was “looking at” the developer of ICEBlock and he “better watch out” because, she claimed, “that’s not a *[sic]* protected speech.”²⁹

50. In making that remark, and in her other communications alleged in this complaint, Bondi spoke as the head of the Department of Justice, with the authority to direct investigations, enforcement actions, and prosecutions under federal criminal statutes.

E. Defendants coerce Apple into taking down apps sharing information about ICE, including Eyes Up.

51. On October 2 and 3, Apple removed several apps that shared information about the location of ICE operations, including ICEBlock and a similar app called Red Dot (on October 2) and Plaintiff Kreisau Group’s Eyes Up app (on October 3).

²⁹ *Pam Bondi scolds CNN for allegedly promoting ICE tracker app: ‘Shame on them!’*, at 6:39, Fox News (June 30, 2025, at 9:27), <https://www.foxnews.com/video/6375072267112>.

52. In a statement on the removals, Apple said that “[b]ased on information we’ve received from law enforcement,” it had removed ICEBlock and “similar apps” from the App Store.³⁰

53. In a statement to Fox News on October 2, Defendant Bondi boasted that Apple acted in response to DOJ’s demands: “We reached out to Apple today demanding they remove the ICEBlock app from their App Store — and Apple did so.”³¹

54. Similarly, in public remarks at an October 8 domestic terrorism roundtable, Bondi confirmed DOJ’s active role in the removal of apps sharing information about ICE: “We had Apple and Google take down the ICEBlock apps.” She further threatened: “We’re not going to stop at just arresting the violent criminals we can see in the streets.”³²

55. Influential political activist Laura Loomer, who had drawn attention to the Red Dot app prior to its removal and claimed to have sources in DOJ, confirmed DOJ had demanded removal of that app: “DOJ ordered Apple to delete the App from the App Store.”³³

³⁰ Clare Duffy, *Apple removes ICE tracking apps after Trump administration says they threaten officers*, CNN (Oct. 3, 2025), <https://www.cnn.com/2025/10/03/tech/iceblock-apple-removed-trump> [https://perma.cc/SM4H-RQE4].

³¹ Ashley Oliver, *Apple takes down ICE tracking apps after pressure from Bondi DOJ*, Fox Bus. (Oct. 2, 2025, at 8:12 PM), <https://www.foxbusiness.com/politics/apple-takes-down-ice-tracking-app-after-pressure-from-ag-bondi> [https://perma.cc/7KWC-YQSQ].

³² *Remarks: Donald Trump Holds an Antifa Roundtable with Internet Personalities*, Roll Call, at 0:12:37 (Oct. 8, 2025) <https://rollcall.com/factbase/trump/transcript/donald-trump-remarks-antifa-roundtable-october-8-2025/> [https://perma.cc/ZQ63-LUVP].

³³ Laura Loomer (@LauraLoomer), X (Oct. 12, 2025 at 8:09 AM), <https://x.com/LauraLoomer/status/1977345952718438707> [https://perma.cc/P9H6-F7MP];

56. Both Kreisau Group and the ICEBlock developer received the same rationale from Apple for the removal of their apps: Apple had received “information” from “law enforcement” showing that the app violated its guidelines because “its purpose is to provide location information about law enforcement officers that can be used to harm such officers individually or as a group.” Apple cited its app review guideline 1.1.1, which prohibits “Defamatory, discriminatory, or mean-spirited content, including references or commentary about religion, race, sexual orientation, gender, national/ethnic origin, or other targeted groups.”

57. Apple had never previously stated that Eyes Up purportedly violated guideline 1.1.1 or included “Defamatory, discriminatory, or mean-spirited content.”

58. In fact, when Apple had independently reviewed Kreisau Group’s application to include Eyes Up in the App Store in August 2025, Apple did not conclude that Eyes Up violated guideline 1.1.1. During that review, Eyes Up was already available on its website, and Apple had full knowledge of the purpose of Eyes Up, of actual videos available on it, and of how it worked (including its location features). Apple flagged some unrelated issues, which Kreisau Group resolved before Apple approved the app. Apple raised no concern that Eyes Up contained “Defamatory, discriminatory, or mean-spirited” content in violation of guideline 1.1.1.

59. Apple’s transparency reports show that from 2022 to 2024, it almost never removed apps for “Defamatory, discriminatory, or mean-spirited” content

see also Laura Loomer (@LauraLoomer), X (Oct. 12, 2025 at 8:51 AM), <https://x.com/LauraLoomer/status/1977812771799461893> [https://perma.cc/84VD-494M] (claiming access to a “DOJ source” on the subject).

under guideline 1.1.1. Apple removed only three apps by US-based creators under guideline 1.1.1 in 2022, four apps in 2023, and none in 2024.³⁴

60. To date, Eyes Up remains available for download on Google Play and accessible via its website, <https://eyesupapp.com>.

61. Kreisau Group has appealed to Apple for reinstatement of Eyes Up. Kreisau Group showed that Eyes Up does not allow for real-time tracking of ICE locations, and it offered to address any safety concerns Apple might have. Apple has nonetheless declined to reinstate Eyes Up on its App Store.

F. Defendants coerce Facebook into disabling Rosado’s Facebook group.

62. About a week after coercing Apple to take down Eyes Up and similar apps, federal officials turned to coercing Facebook into disabling Rosado’s “ICE Sightings – Chicagoland” group.

63. Facebook has a history of submitting to government threats of criminal prosecution based on disfavored content decisions. For example, during the 2024 election, Trump railed against Facebook’s content moderation decisions and threatened Mark Zuckerberg with “life in prison.”³⁵ After Zuckerberg announced changes to Facebook’s moderation policies in the wake of Trump’s reelection, a

³⁴ Available at <https://www.apple.com/legal/more-resources/>.

³⁵ Jill Colvin, *New Trump book defends 2018 Putin meeting, taunts rivals and threatens to imprison Meta’s Zuckerberg*, Associated Press (Aug. 29, 2024, at 4:21 PM), <https://apnews.com/article/trump-book-zuckerberg-prison-election-donations-putin-b717f6248311b3ed002d872ec97d59d9> [https://perma.cc/QJV4-WUD8].

reporter asked Trump whether Zuckerberg was “directly responding to the threats [Trump had] made to him in the past,” and Trump replied, “Probably.”

64. On October 12, 2025, Laura Loomer tagged Defendants Noem and Bondi in a social media post flagging the Chicagoland Facebook group, alleging it was among the ICE tracking apps and pages that “are getting people killed.” She cited the group as evidence that Zuckerberg was continuing to subvert the Trump administration, lamented that Zuckerberg had “faced zero punishment” from the Trump administration, and suggested Zuckerberg should “be contacted by the DOJ” because “he has no regard for the life of [ICE] agents.”³⁶

65. The next day, Loomer posted that a “DOJ source” had told her that DOJ “contacted Facebook and their executives at META to tell them they need to remove these ICE tracking pages from the platform.”³⁷

66. Also that day, without any prior notice to Rosado, Facebook disabled her “ICE Sightings – Chicagoland” group, making its content inaccessible to its members or the public.

67. On October 14, Defendant Bondi claimed credit in a social media post: “Today following outreach from [DOJ], Facebook removed a large group” that, she claimed, “was being used to dox and target [ICE] agents in Chicago.” And Bondi

³⁶ Laura Loomer (@LauraLoomer), X (Oct. 12, 2025, at 8:09 AM), <https://x.com/LauraLoomer/status/1977345952718438707> [https://perma.cc/P9H6-F7MP].

³⁷ Laura Loomer (@LauraLoomer), X (Oct. 12, 2025, at 8:51 AM), <https://x.com/LauraLoomer/status/1977812771799461893> [https://perma.cc/84VD-494M].

vowed that DOJ “will continue engaging tech companies to eliminate platforms where radicals can incite imminent violence against federal law enforcement.”³⁸

68. In another social media post that day, Defendant Noem affirmed that Facebook removed the group “thanks to” the DOJ. She further warned: “We will prosecute those who dox our agents to the fullest extent of the law.”³⁹

69. The rationale Facebook provided to Rosado for disabling her group was that it “went against the Community Standards multiple times.”

70. But Facebook’s policies don’t provide for disabling groups if a few members post ostensibly prohibited content; they call for removing groups when the *group moderator* repeatedly either creates prohibited content or affirmatively “approves” such content.⁴⁰ Facebook’s moderators had removed only five posts on Rosado’s Facebook group over the lifetime of the group, none of them created or approved by Rosado or her moderators.

71. And Facebook had previously advised Rosado that it had only identified this handful of “participant violations” of its rules, which “don’t hurt your group.”

³⁸ Attorney General Pamela Bondi (@AGPamBondi), X (Oct. 14, 2025, at 10:23 AM), <https://x.com/AGPamBondi/status/1978104370186137616> [https://perma.cc/URN8-C6WJ].

³⁹ Secretary Kristi Noem (@Sec_Noem), X (Oct. 14, 2025, at 3:32 PM), https://x.com/Sec_Noem/status/1978182132414448008 [https://perma.cc/Y299-C5UV].

⁴⁰ *Removing Pages and groups*, Meta: Transparency Ctr. (last updated Nov. 12, 2024), <https://transparency.meta.com/enforcement/taking-action/removing-pages-groups/> [https://perma.cc/3T3K-HLGA].

72. A Facebook spokesperson, when asked by the media to confirm whether DOJ requested removal of the group, declined to comment and pointed to Bondi's social media post.⁴¹

73. The same day that Facebook took down her group, Rosado started a second group titled "ICE Sightings – Chicagoland 2," which to date has approximately 50,000 members. Rosado instituted limitations on who can join the group (requiring moderators to vet and approve any new member) and what they can discuss (prohibiting any posts besides ICE sightings in Chicago).

74. Rosado's original "ICE Sightings – Chicagoland" group and the content posted there remain inaccessible to the public and the nearly 100,000 members who had joined the group.

INJURIES

75. Attorney General Bondi and Secretary Noem violated Rosado's and Kreisau Group's First Amendment rights—along with the First Amendment rights of members of Rosado's "ICE Sightings – Chicagoland" Facebook group and users of Kreisau Group's Eyes Up app—by coercing Apple and Facebook into suppressing protected speech about ICE operations by Rosado and Kreisau Group and the members of the public who used their respective group and app.

⁴¹ Nader Issa, *Facebook suspends popular Chicago ICE-sightings group at Trump administration's request*, Chi. Sun-Times (Oct. 14, 2025, at 5:53 PM), <https://chicago.suntimes.com/immigration/2025/10/14/facebook-suspends-popular-ice-sightings-group-at-trump-administrations-request> [https://perma.cc/N3R5-DSMZ].

76. When the government coerces a third party into censoring protected speech through an implicit or explicit threat, “such a threat is actionable and thus can be enjoined even if it turns out to be empty—the victim ignores it, and the threatener folds his tent.” *Backpage.com, LLC v. Dart*, 807 F.3d 229, 231 (7th Cir. 2015). The coercion brought to bear on Apple and Facebook by defendants and their agents by itself, simply in the attempt, caused plaintiffs constitutional harm.

77. Moreover, in this case, where Apple and Facebook *yielded* to the coercion and suppressed the targeted speech, Rosado and Kreisau Group suffered and continue to suffer further First Amendment irreparable injuries. These injuries include loss of channels for their protected speech, reduction in audiences to receive their speech, and reduction in the pool of participants contributing to their speech.

78. Such “loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 19 (2020) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976) (plurality op.)).

79. These irreparable harms will continue absent declaratory and prospective injunctive relief.

80. At no point have Bondi or Noem backtracked from their position that any involvement in ICE-tracking speech exposes an individual or business to criminal prosecution, nor from their demands that Apple and Facebook suppress such speech.

81. Accordingly, Bondi and Noem's threats continue to hang over Apple and Facebook, who would risk adverse government action were they to reinstate Kreisau Group's app or Rosado's Facebook group.

82. Because Bondi and Noem's ongoing suppression of plaintiffs' protected speech presents an actual controversy within this Court's jurisdiction, plaintiffs are entitled to a judgment declaring their rights and legal relations between the parties.

FIRST CAUSE OF ACTION
First Amendment Violation
Plaintiff Kassandra Rosado

83. Rosado realleges and incorporates the preceding paragraphs as though fully set forth here.

84. The First Amendment provides that "Congress shall make no law ... abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." U.S. Const. amend. I.

85. The First Amendment protects the right to report on and otherwise share information about our government. *See, e.g., N.Y. Times*, 403 U.S. 713. That protection includes recording public law enforcement activity and disseminating those recordings. *Alvarez*, 679 F.3d at 586, 595–97. And it includes criticism of the government and government employees, including law enforcement officers. *See, e.g., Hill*, 482 U.S. at 462–63.

86. Rosado's creation of Facebook groups to send and receive information about where and how ICE carries out its duties in public, to share photographs and

videos of ICE carrying out its duties in public, and to exchange opinions about and criticism of ICE's tactics in carrying out its duties, is speech protected by the First Amendment.

87. The government "violate[s] the First Amendment through coercion of a third party" when its conduct "could be reasonably understood to convey a threat of adverse government action in order to punish or suppress the plaintiff's speech." *Vullo*, 602 U.S. at 191.

88. Bondi and Noem wield the authority to direct investigations, enforcement actions, and (in Bondi's case) prosecutions under federal criminal law. Bondi, Noem, and their subordinates at DOJ and DHS made a series of threats of prosecution toward anyone remotely associated with disfavored ICE-related speech. Bondi contacted Facebook demanding that it disable Rosado's Facebook group, and Facebook immediately complied. Facebook reasonably understood Bondi and Noem's course of conduct to convey a threat of adverse government action against Facebook in order to suppress Rosado's speech.

89. Moreover, by seeking to prevent and succeeding in preventing the dissemination of speech on Facebook, as opposed to punishing the speech after it occurs, their coercion operates as a prior restraint. *See Backpage.com*, 807 F.3d at 235. "Threatening penalties for future speech goes by the name of 'prior restraint,' and a prior restraint is the quintessential first-amendment violation." *Id.* (citation omitted).

90. A prior restraint bears “a heavy presumption against its constitutional validity,” *Bantam Books v. Sullivan*, 372 U.S. 58, 70 (1963), and Bondi and Noem’s conduct does not satisfy the extraordinary justifications required for a prior restraint.

91. Bondi and Noem’s coercion further discriminates against speech based on the (actual or perceived) viewpoint expressed, which the First Amendment does not tolerate. *Iancu v. Brunetti*, 588 U.S. 388, 393, 398–99 (2019).

92. Bondi and Noem are not suppressing laudatory speech about ICE’s operations. ICE’s own social media accounts, for example, frequently share videos and photos of ICE arrests and other information indicating where enforcement operations occurred.⁴² Bondi and Noem only target such speech, like with Rosado’s Facebook group, that shares information about ICE operations in ways that are critical of those operations or that defendants perceive as such.

93. Defendants retaliated against Rosado’s Facebook group for the simple reason that the government disfavors the speech being shared. But the government has no legitimate interest in “stop[ping] *private actors* from speaking as they wish”

⁴² See, e.g., U.S. Immigr. & Customs Enf’t (@ICEgov), X (Jan. 1, 2026, at 11:05 AM), <https://x.com/ICEgov/status/2014368770630808051> [https://perma.cc/S48C-FK6K] (naming specific street in Milaca, Minnesota where ICE conducted a “targeted operation”); U.S. Immigr. & Customs Enf’t (@ICEgov), X (June 10, 2025, at 5:02 PM), <https://x.com/ICEgov/status/1932543795507106216> [https://perma.cc/RJ6A-47CR] (posting photograph of an arrest that identified by name the specific neighborhood in Tampa, Florida) (reposted from Florida Dept. of Highway Safety and Motor Vehicles, @FLHSMV); U.S. Immigr. & Customs Enf’t (@ICEgov), X (June 11, 2025, at 11:55 PM), <https://x.com/ICEgov/status/1933010171363578356> [https://perma.cc/JE2Y-RAAJ] (posting picture and description of specific federal building in Los Angeles, California where law enforcement was “stand[ing] watch”).

to “tilt[] public debate in a preferred direction.” *Moody v. NetChoice, LLC*, 603 U.S. 707, 741 (2024) (quoting *Sorrell v. IMS Health Inc.*, 564 U.S. 552, 578–79 (2011)).

94. Rosado is entitled to injunctive relief preventing Bondi and Noem and their subordinates from coercing Facebook into disabling or declining to reinstate her ICE-sighting Facebook group. *See Bell v. Hood*, 327 U.S. 678, 684 (1946) (“[I]t is established practice for this Court to sustain the jurisdiction of federal courts to issue injunctions to protect rights safeguarded by the Constitution.”); *see also Ex parte Young*, 209 U.S. 123 (1908).

95. Without declaratory and injunctive relief against Bondi and Noem’s coercion, the defendants will continue to violate Rosado’s First Amendment rights by coercing Facebook to continue suppressing Rosado’s “ICE Sightings – Chicagoland” group.

SECOND CAUSE OF ACTION
First Amendment Violation
Plaintiff Kreisau Group LLC

96. Kreisau Group LLC realleges and incorporates the preceding paragraphs as though fully set forth here.

97. Kreisau Group’s app, Eyes Up, allows users to record and disseminate recordings of public law enforcement activity. The First Amendment protects the right to record public law enforcement activity and disseminate those recordings. *Alvarez*, 679 F.3d at 586, 595–97.

98. Bondi and Noem wield the authority to direct investigations, enforcement actions, and (in Bondi’s case) prosecutions under federal criminal law.

Bondi, Noem, and their subordinates at DOJ and DHS made a series of threats of prosecution toward anyone remotely associated with disfavored ICE-related speech. Bondi contacted Apple directing it to remove disfavored ICE-related apps from its App Store, and Apple immediately complied, including by removing Kreisau Group's Eyes Up app. Apple reasonably understood Bondi and Noem's course of conduct to convey a threat of adverse government action against Apple in order to suppress Kreisau Group's speech. Such coercion of a third party to suppress protected speech violates the First Amendment. *Vullo*, 602 U.S. at 191.

99. Bondi and Noem's coercion further discriminates against speech based on the (actual or perceived) viewpoint expressed, which the First Amendment does not tolerate. *Iancu*, 588 U.S. at 393, 398–99.

100. Bondi and Noem are not suppressing laudatory speech about ICE's operations, but only such speech, like with Kreisau Group's Eyes Up app, that shares information about ICE operations in ways that are critical of those operations or that defendants perceive as such.

101. Defendants retaliated against Kreisau Group's app for the simple reason that the government disfavors the speech being shared, which is not a legitimate government interest. *See Moody*, 603 U.S. at 741 (citing *Sorrell*, 564 U.S. at 578–79).

102. Kreisau Group is entitled to injunctive relief preventing Bondi and Noem and their subordinates from coercing Apple into removing and declining to

reinstate Eyes Up on the Apple App Store. *See Bell*, 327 U.S. at 684; *see also Ex parte Young*, 209 U.S. 123.

103. Without declaratory and injunctive relief against Bondi and Noem's coercion, the defendants will continue to violate Kreisau Group's First Amendment rights by coercing Apple to continue suppressing Kreisau Group's Eyes Up app.

PRAYER FOR RELIEF

WHEREFORE, plaintiffs respectfully request the following relief:

A. Declare that Bondi and Noem's coercion of Facebook into disabling and declining to reinstate Rosado's "ICE Sightings – Chicagoland" Facebook group suppresses disfavored speech in violation of the First Amendment;

B. Declare that Bondi and Noem's coercion of Apple into removing Kreisau Group LLC's Eyes Up app from the Apple App Store and declining to reinstate the app suppresses disfavored speech in violation of the First Amendment;

C. Enter a preliminary and permanent injunction enjoining defendants and their agents, officials, servants, employees, and persons acting in concert with them from continuing to coerce Facebook into suppressing Rosado's "ICE Sightings – Chicagoland" Facebook group;

D. Enter a preliminary and permanent injunction enjoining defendants and their agents, officials, servants, employees, and persons acting in concert with them from continuing to coerce Apple into prohibiting Kreisau Group LLC's Eyes Up app from the Apple App Store;

E. Award reasonable attorneys' fees and costs under 28 U.S.C. § 2412 and any other applicable law; and

F. Award such other relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

In compliance with Federal Rule of Civil Procedure 38, plaintiffs demand a trial by jury on all issues so triable.

Dated: February 11, 2026

Respectfully Submitted,

/s/ Colin P. McDonell

Colin P. McDonell

James C. Grant (pro hac vice forthcoming)

Hannah M. Abbott (pro hac vice forthcoming)

FOUNDATION FOR INDIVIDUAL

RIGHTS AND EXPRESSION

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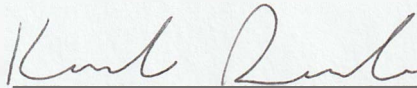
Counsel for Plaintiffs

Verification of Kassandra Rosado

Under 28 U.S.C. § 1746, I, Kassandra Rosado, declare as follows:

1. I created the “ICE Sightings – Chicagoland” Facebook group and am a plaintiff in the present case.
2. I have read the complaint in this case.
3. I have personal knowledge of the factual allegations in paragraphs 10, 24–33, 66, 69–71, 73–74 of the complaint and know them to be true.
4. I verify under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February 10, 2026.

A handwritten signature in cursive script, appearing to read 'Kassandra Rosado', is written over a horizontal line.

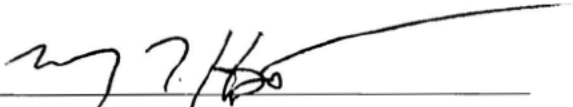
Kassandra Rosado

Verification of Mark Hodges

Under 28 U.S.C. § 1746, I, Mark Hodges, declare as follows:

5. I founded and run Kreisau Group LLC, a plaintiff in the present case.
6. I have read the complaint in this case.
7. I have personal knowledge of the factual allegations in paragraphs 11, 34–41, 51 (concerning the removal of Eyes Up), 56–58, and 60–61 of the complaint and know them to be true.
8. I verify under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February 10, 2026.



Mark Hodges