

Judge temporarily blocks effort to deport Palestinian activist who helped lead Columbia student protests

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Mahmoud Khalil stands outside the gates of the Columbia University campus in New York on April 30, 2024. Seth Harrison/USA Today Network/Imagn Images

(CNN) — A federal judge in New York has blocked any efforts by President Donald Trump’s administration to deport Mahmoud Khalil, a Palestinian activist at Columbia University who was arrested Saturday night, until a conference Wednesday, according to court documents.

It’s unclear whether he will appear in court on Wednesday.

“To preserve the Court’s jurisdiction pending a ruling on the petition, Petitioner shall not be removed from the United States unless and until the Court orders otherwise,” the Monday filing

said.

Khalil, who helped lead Columbia’s student protest movement demanding a ceasefire in Gaza, was arrested Saturday night by federal immigration authorities who said they were acting on a State Department order to revoke his green card, according to his attorney.

His arrest is the latest escalation by Trump – in what he calls “the first arrest of many to come” – to crack down on pro-Palestinian demonstrations on college campuses, and comes days after he vowed to deport foreign students and imprison “agitators” involved in “illegal protests.”


On Monday evening, hundreds carried signs as they marched through lower Manhattan and called for Khalil’s release.

Khalil, who completed his work on his master’s degree in December, was at the forefront of the student-led anti-war movement at Columbia University last year. He was among those under investigation by a new university committee that brought disciplinary charges against dozens of students for their pro-Palestinian activism, according to The Associated Press.



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“ICE’s arrest and detention of Mahmoud follows the US government’s open repression of student activism and political speech, specifically targeting students at Columbia University for criticism of Israel’s assault on Gaza,” Khalil’s attorney Amy Greer said. “The US government has made clear that they will use immigration enforcement as a tool to suppress that speech.”

Khalil is currently being held at a detention facility in Jena, Louisiana, according to a source with direct knowledge of the case.

His lawyers asked the court to issue an order reversing Khalil’s transfer to Louisiana, which they argued in the filing undermines the court’s jurisdiction and his access to legal counsel and family.

Khalil emailed interior university president Katrina Armstrong the night before his arrest to

Khalil emailed interim university president Katrina Armstrong the night before his arrest to request her help in securing legal support and other protections following what he described as a “dehumanizing doxing campaign against him,” according to court documents.

In the email, Khalil said people were falsely labeling him a “terrorist threat” and calling for his deportation.

CNN has reached out to Columbia University regarding Khalil’s request. Attorneys for Khalil also detail difficulty reaching him after he was transferred to Louisiana.

Although it’s not yet clear what he is being charged with, Khalil’s arrest appears to be among the first actions following Trump’s promise to deport international students who joined the protests against Israel’s war in Gaza across college campuses last year. Legal experts point out once there is an allegation the only person who has authority to revoke a person’s immigration status, such as a student visa or green card, is an immigration judge.

Green card holders have broad rights as legal residents of the United States, including the right to work and protection by all laws of the United States, the person’s state of residence and local jurisdictions.

The State Department declined to comment on Khalil’s case, noting visa records are confidential under US law.

Khalil was apprehended by two plainclothes Department of Homeland Security agents at the university-owned apartment building where he lives with his wife, a US citizen, Writers Against the War on Gaza said in a news release.

The DHS agents said the State Department revoked Khalil’s student visa, although he does not have a student visa, but rather a green card, and is a lawful permanent resident, the group said. When Khalil’s wife, who is eight months pregnant, showed the agents his green card, “one agent was visibly confused and said on the phone, ‘He has a green card,’” according to the news release.

“However, after a moment, the DHS agents stated that the State Department had ‘revoked that too.’ Khalil’s wife then phoned his attorney, who spoke with the agents in an attempt to intervene,” the group said. “When Khalil’s attorney requested that a copy of the warrant be emailed to her, the agent hung up the call.”

Columbia University confirmed in a statement Sunday there have been reports of ICE around campus and said the university “has and will continue to follow the law.”

The university did not respond to CNN’s request for additional information, including whether

the school had received a valid warrant for Khalil's arrest, which its statement said is required before entering Columbia property.

A town hall for Columbia students aimed at helping them navigate what's going on is scheduled for Wednesday, according to a message addressed to the student community Sunday.

Immigration law gives broad authority to the administration

The Trump administration based the arrest on a provision of immigration law that gives it broad authority on who can be subject to deportation, according to a senior Homeland Security official.

The Immigration and Nationality Act states "an alien whose presence or activities in the United States the Secretary of State has reasonable ground to believe would have potentially serious adverse foreign policy consequences for the United States is deportable." The term "alien" refers to anyone who isn't a citizen or national of the United States.

That provision of the law was used as grounds to detain Khalil, according to the official, who didn't rule out it could be used in future cases as well.

If the judge decides the allegations are sustained, the person in custody can still apply for relief, but the whole process can drag on for months, according to Camille Mackler, founder and executive director of Immigrant ARC, a coalition of legal service providers in New York.

"There is a question of whether due process is going to happen here or for anyone else," Mackler said. "We are seeing the Trump administration use the power of government to go after people or institutions they do not like or agree with. In a free society that shouldn't happen."

John Sandweg, a former acting director of ICE, said in an email to CNN the use of a provision to deport a green card holder is rare, and often used with other immigration charges, "including that the person lied in their green card application and did not disclose ties to the terror organization."

"The Administration may also be relying on another provision that arguably allows ICE to deport someone when the 'Secretary of State has reasonable ground to believe' that the person's presence or activities in the US present 'serious adverse foreign policy consequences for the United States,'" Sandweg added while also noting the use of it is also rare.

Donna Lieberman, the executive director of the New York Civil Liberties Union, told CNN's Boris

Sanchez that it “reeks of McCarthyism.”

“The claim is that his opposition to the activities of Israel with regard to the Palestinians are grounds for him to be deported. And that is simply illegal,” she said.



Pro-Palestinian student protesters set up a tent encampment at Columbia University on April 24, 2024. Nikita Payusov/Middle East Images/AFP/Getty Images

Activists, friends fight for his release

Columbia has been at the forefront of US campus protests over Israel’s war in Gaza since last year, inspiring a wave of demonstrations across university campuses in the US and abroad. Last April, protesters at Columbia went on to seize a campus building, resulting in dozens of arrests – some of those cases were later dismissed in court.

A university task force said Jews and Israelis at the school were ostracized from student groups, humiliated in classrooms and subjected to verbal abuse amid the spring demonstrations.

Pro-Palestinian protesters have repeatedly said there’s nothing antisemitic about criticizing

Israel over its actions in Gaza or expressing solidarity with Palestinians and calling for a ceasefire.

Since Hamas' deadly attacks on October 7, 2023, Israel's offensive in Gaza has killed more than 45,000 Palestinians, mostly women and children, according to the Palestinian Ministry of Health. It also has imposed a siege and razed entire communities, rendering nearly 90% of the population displaced, according to the United Nations, and 100% food insecure, according to former US Secretary of State Antony Blinken.



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Although demands among protesters varied at each university, the majority of demonstrations called for their colleges to divest from companies that support Israel and the war in Gaza.

At Columbia, Khalil was selected to serve as a negotiator for the students during the Gaza Solidarity Encampment on the university campus and spent 17 months protesting Israel's bombardment of Gaza.

The Gaza Solidarity Encampment was organized by Columbia University Apartheid Divest (CUAD), a student-led coalition of more than 100 organizations including Students for Justice in Palestine and Jewish Voice for Peace, to protest what they describe as the university's "continued financial investment in corporations that profit from Israeli apartheid, genocide, and military occupation of Palestine," according to CUAD.

Khalil was calling for Columbia University to "stop using the student endowment to invest in different Israeli weapons manufacturing companies and basically remove any sort of support from Israel," said Zainab Khan, another Columbia graduate who was active in the student-led anti-war movement.

"Everyone is scared, everyone's angry," she added. "If this can happen to one of the best in our group, then it can happen to anyone."

Trump administration ramps up efforts to crack down on pro-Palestinian voices

Columbia has become the first target in Trump's campaign to cut federal money to colleges accused of tolerating antisemitism amid the Israel-Hamas war.

The president said in a post on social media Monday his administration is working to deport “terrorist sympathizers from our country — never to return again.”

Trump signed an executive order during his second week in office to “combat antisemitism” on college campuses – by potentially revoking visas and directing universities to “monitor” and “report” on international students and staff.



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“We will be revoking the visas and/or green cards of Hamas supporters in America so they can be deported,” U.S. Secretary of State Marco Rubio said on X in response to reports of Khalil’s detention.

Columbia was one of 60 US colleges and universities notified Monday by the US Department of Education’s Office for Civil Rights that it faces consequences if it doesn’t comply with Title VI protections for Jewish students

New York University Professor Robert Cohen, an expert in student activism and social protest in 20th-century America, told CNN the Trump administration’s language and generalization that protesters are “pro-jihadist” is “dangerous.”

“To act as if everybody in the movement is supporting Hamas is a vast oversimplification,” Cohen said. “Most people involved in the movement nationally were opposed to the war because of the fact that there were a lot of people dying, a lot of civilians were getting killed.”

Khalil’s arrest brought outrage from civil rights and advocacy organizations. Murad Awawdeh, president of the New York Immigration Coalition, said the targeting of Khalil was an “affront” to his First Amendment rights, while the Council on American-Islamic Relations, the nation’s largest Muslim civil rights and advocacy organization said the arrest was an attack on “the very humanity of Palestinians.”

“This arrest is unprecedented, illegal, and un-American. The federal government is claiming the authority to deport people with deep ties to the U.S. and revoke their green cards for advocating positions that the government opposes,” Ben Wizner, director of the American Civil Liberties Union’s Speech, Privacy, and Technology Project said in a press release on Monday.

New York Attorney General Letitia James took to X to say she’s “extremely concerned,” about the arrest of Khalil, adding that her office is monitoring the situation and is in contact with his attorney.

This story has been updated with additional information.

CNN's Lauren Mascarenhas, Jeff Winter, Elizabeth Wolfe and Sabrina Souza contributed to this reporting.

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