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ST. PAUL, MINNESOTA**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA****Case:** Kirchner v. Ellison**Civil Action No.:** _____**EXHIBIT B: Noem Defends ICE Use of Chemical Agents Despite Judicial Order
Restricting Use****Source:** CBS News, Face the Nation Interview Transcript**Date:** January 18, 2026**Speakers:**

- **Margaret Brennan** — CBS News, Face the Nation
- **Kristi Noem** — Secretary of Homeland Security

1. Brennan: We go now to Castlewood, South Dakota and Homeland Security Secretary Kristi Noem. Good morning to you, Madam Secretary.

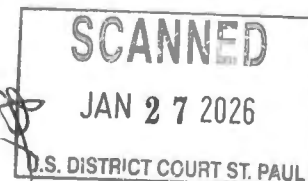
2. Noem: Good morning.

3. Brennan: DHS calls this the largest operation in its history. Nearly 3,000 federal agents out there. Is this an open-ended deployment or is there a metric for success that ends it?

4. Noem: Well, I think every day we get a murderer off the streets of Minneapolis, the public is safer and President Trump is keeping his promise to the American people. And we literally have arrested and detained thousands of illegal criminals in Minnesota since President Trump came back into the White House. And I've never met a family that ever said, "Oh, I wish you would've left that rapist free. I wish you would've left that murderer on the streets." So we're just so thankful that we have a president that's upholding the law and is determined to make sure that the laws are applied equally to everyone.

5. Brennan: According to Pew, Minnesota's population of immigrants here illegally stands at 2.2%. So how do you judge when you've gotten everyone off the streets that you say is requiring your federal agents be there? How do you say we've had mission accomplished?

6. Noem: Well, we won't stop until we are sure that all the dangerous people are picked up, brought to justice, and then deported back to their countries. We don't have a number or a date. We wouldn't be in this situation if Joe Biden hadn't allowed our open border policies to be in place and allowed up to 20 million people unvetted into this country. We have no idea how many dangerous people are here when you have millions of people coming in that are terrorists, suspected terrorists, criminals, coming from countries in the mass migration that the Biden administration facilitated. I can't tell the people of Minnesota exactly how many dangerous criminals they have. I do know that they're extremely grateful every time we get a pedophile off the street. We arrested an individual this week that was raping children. I think those parents in Minnesota can sleep better at night knowing that that person isn't free.



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2 **7. Brennan:** Sure. But you just said millions. What's the breakdown of the percentage of those who
3 you have in custody who have actually committed a criminal offense versus just the civil
4 infraction?
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6 **8. Noem:** Every single individual has committed a crime. But 70% of them have committed or have
7 charges against them on violent crimes—crimes that they are charged with or been convicted
8 of—that have come from other countries that are here illegally, first of all, and then they have
9 committed a criminal act while they've been here or in their home countries as well.
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11 **9. Brennan:** It's not 70%.
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13 **10. Noem:** Yes, it is. It absolutely is.
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15 **11. Brennan:** 70% of everyone you have detained? You guys keep changing your percentage.
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17 **12. Noem:** You pick and choose what numbers you think work, but the facts are that 70% of the
18 people that we have detained have charges against them or have been convicted of charges, and
19 they need to be brought to justice and we're gonna keep doing that no matter how much you guys
20 keep lying and don't tell the public the truth. It absolutely is that these law enforcement officers
21 are out there every day doing the work to protect the American people, and they will keep doing
22 that because they believe in enforcing the law, which is exactly what President Trump has
23 charged them with.
24

25 **13. Brennan:** Okay, well, our reporting is that 47%—based on your agency's own numbers—47%
26 have criminal convictions against them.
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28 **14. Noem:** You're wrong again.
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30 **15. Brennan:** Well, that's from your agency.
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32 **16. Noem:** We'll get you the correct numbers so you can use them in the future.
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34 **17. Brennan:** Let's talk about other numbers here at CBS. 54% of Americans think the ICE agent
35 shooting of Renee Goode was not justified. 60% say the Trump administration responded to the
36 ICE agent's actions unfairly. These numbers show you do not have the American public on your
37 side. Does that concern you?
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39 **18. Noem:** Well, the facts are that this individual weaponized her car and threatened the life of the
40 law enforcement officer and those around him. And that is what the media needs to cover. People
41 understand the truth when they have the chance to hear the facts around the case. And this
42 individual was impeding law enforcement operations for quite some time before this incident
43 happened. It's a tragedy that this situation has happened in this country, and we hope there's never
44 another situation like this. But this officer relied on his training to defend his life and to defend
45 those around him. We're grateful that we're in a situation where we hope that more people don't
46 weaponize their vehicles like this. We're seeing it happen over and over again. We've seen over a
47 hundred different vehicles weaponized and attacking law enforcement officers. I would hope that
48 Mayor Frey when he's on here—
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50 **19. Brennan:** Yeah.
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1 **20. Noem:** —that he'll announce that he's gonna start working with us to bring safety to the streets. If
2 he would set up a peaceful protest zone so that these individuals can exercise their First
3 Amendment rights and do so peacefully, we would love that. We could work together to make
4 sure we're getting criminals to justice and letting people still express their First Amendment
5 rights.

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7 **21. Brennan:** Well, you know that it is in dispute—about weaponizing a car versus driving forward.
8 But I'll put that aside.

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10 **22. Noem:** No, it's really not. Everybody can watch the videos and see that.

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12 **23. Brennan:** Well, let me talk to you about the officer, Jonathan Ross.

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14 **24. Noem:** Mm-hmm.

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16 **25. Brennan:** He was struck, he was hospitalized—

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18 **26. Noem:** Oh, don't say his name. I mean, for heaven's sakes. We shouldn't have people continue to
19 dox law enforcement when they have an 8,000% increase in death threats against them.

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21 **27. Brennan:** —was struck—

22
23 **28. Noem:** I know, but that doesn't mean his name should continue to be said. His life—he got
24 attacked with a car that was trying to take his life, and then people have attacked him and his
25 family and they are in jeopardy. And we have law enforcement officers every day who are getting
26 death threats and getting attacked at their hotels—

27
28 **29. Brennan:** Well, can you tell me about his status right now?

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30 **30. Noem:** —things thrown at them and—

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32 **31. Brennan:** Well, of course no one condones violence against anyone, but CBS reported that he did
33 have internal bleeding in the torso, but he was released that same day. So is he back at work? Did
34 you give him the required three days of suspension?

35
36 **32. Noem:** We followed the exact same protocols that we always have for years as to investigations
37 into these situations.

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39 **33. Brennan:** But three days—

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41 **34. Noem:** I'm not going to talk about his medical records. I know that, you know, that in itself is his
42 prerogative to discuss his health. But we're hopeful that all of our law enforcement officers know
43 that they can go out and do their job, apply the law equally to everyone, and that they can do so
44 safely and that the media and people aren't going to attack them for standing up for what's right.

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46 **35. Brennan:** I'm asking you about your policies. I asked you if you had put him on administrative
47 leave. This is in question because the governor of Minnesota said the only person not being
48 investigated for the shooting of Renee Goode is the federal agent who shot her. Is he correct that
49 the federal agent is not being investigated in any way? Is there any review of protocol here?
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- 1 36. **Noem:** We are following the exact same investigative and review process that we always have
2 under ICE and under the Department of Homeland Security and within the administration—the
3 exact same policy that the Biden administration used.
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- 5 37. **Brennan:** So his actions are being—
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- 7 38. **Noem:** We haven't changed any of that. I would not listen to Governor Walz. He has a very bad
8 track record. Billions of dollars of fraud was stolen from people under his watch. He allowed it to
9 happen. And he also ignored the law and allowed the city of Minneapolis to burn down in 2020.
10 He certainly doesn't have good judgment in these types of situations, and I'm not gonna be taking
11 any advice from him on how we implement the law and protect people.
12
- 13 39. **Brennan:** Do I understand you saying that the Office of Professional Responsibility is doing its
14 own probe to determine whether the ICE agent violated protocol? And that he was on three days
15 of administrative leave, because that is what is in the handbook?
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- 17 40. **Noem:** The protocol and the guidance within that handbook and within our policies is being
18 followed exactly like it has been for years.
19
- 20 41. **Brennan:** Okay. So there is some review of his actions is what I understand you saying there.
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- 22 42. **Noem:** There always is. Every law enforcement officer knows that when they take the oath to step
23 up and to protect the public and put their lives on the line, they absolutely know that everything
24 that they do will be analyzed and investigated. But also what they don't—I don't think they
25 realized until just recently—is how the liberals and the Democrats and the media would attack
26 them and try to ruin their lives for doing what's right. And we're seeing in Minneapolis an
27 unprecedented fraud history going on by elected leaders and individuals in that state, but also
28 criminal activity and it's being allowed to happen. When we did these operations in other cities
29 across the country, we didn't see this kind of violence. We didn't see organized funded protestors
30 come in to conduct acts of violence against our law enforcement officers—
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- 32 43. **Brennan:** Well, let's talk about that.
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- 34 44. **Noem:** —like we're seeing in Minneapolis. The elected leaders and Mayor Frey are allowing that
35 to happen and allowing this kind of violence to happen. We didn't see it in Louisiana, we didn't
36 see it in Florida, we didn't see it in other cities.
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- 38 45. **Brennan:** We'll talk to Frey about what's happening in the city. We shouldn't have to be watching
39 it here in Minneapolis. But we have heard—and I'm asking you here about the security of your
40 agents that you say you are concerned about—the local police chief said your agents are being
41 forced into situations out in Minneapolis that they're not prepared to deal with. And we looked
42 and the Government Accountability Office said back in 2021, most ICE agents are not trained to
43 handle crowd control. So are you looking at expanding the training for the agents that you are
44 putting in this situation that you describe as dangerous out in Minneapolis?
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- 46 46. **Noem:** They are absolutely trained for the situations that they're put in. We would never put an
47 officer in a situation that they would be beyond their training and skillset. And so these are highly
48 trained individuals that are here and in Minneapolis doing operations.
49
- 50 47. **Brennan:** The Minneapolis police chief is not an expert on crowd control and deescalation?
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1 48. **Noem:** They are frankly—they are trained—their specialized skillset is being utilized for where
2 they are located and the jobs that they're doing in Minneapolis and across other cities across the
3 country. They have an incredible amount of training that is ongoing throughout their careers.
4

5 49. **Brennan:** Do you want to expand that—crowd control training—in handling enforcement
6 operations that they have?
7

8 50. **Noem:** Do I wanna expand it based on the Minneapolis Police Chief's advice? I would not—but
9 some Republican lawmakers have called for it.
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11 51. **Brennan:** Well, Republican lawmakers and Democrat lawmakers—
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13 52. **Noem:** They absolutely can continue to debate. That's what they're supposed to do, is work on
14 policy and pass laws. What I know is that the Department of Homeland Security has always been
15 entrusted with training our federal law enforcement officers. We do it for many different
16 agencies. We train those within the ATF, the DEA. We train those that are established across the
17 country. We are the largest law enforcement operation and department in the government beyond
18 the Department of Defense, and we're proud of that. And we've done it with excellence for years
19 and are continuing to put the resources and people into our law enforcement officers they need to
20 change and to challenge the situations they're facing on the ground.
21

22 53. **Brennan:** Yeah. But you've described this situation as unique. You've acknowledged that. I
23 wanna talk to you about some of the incidents that the public has seen. There was a US citizen,
24 Aaliyah Rahman, on her way to a medical appointment out in Minneapolis. She was dragged out
25 of her car and detained. Video of her arrest was spreading on social media. There were allegations
26 there of aggressive tactics. You've seen other incidents. For example, out in Minneapolis, this
27 family with six children—one as young as six months old—got caught up in an incident as they
28 were driving to basketball practice.
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30 54. **Noem:** Mm-hmm.
31

32 55. **Brennan:** The mother, Destiny Jackson, told CBS ICE agents stopped the car, told them to leave,
33 but the agents were in the way and they feared that what happened to Renee Goode would happen
34 to them. They didn't drive off. ICE released a canister of tear gas and the mother described giving
35 her infant CPR. We're showing that video there. Do any of these tactics seem to you heavy-
36 handed?
37

38 56. **Noem:** Yeah, the family was caught up in that situation because of violent protestors that were
39 impeding law enforcement operations, and that family would've never been in that situation if
40 those protestors had been acting peacefully and law enforcement was able to do their job without
41 being threatened. And so it's a terrible situation that that family had to go through, and I hope it
42 never happens again. But we need to remember that because the mayor and the governor have
43 allowed this kind of violence to be perpetuated across Minneapolis is why there's other innocent
44 people that are impacted throughout the city, but throughout their state as well. And it doesn't
45 have to be this way. If they would establish a peaceful protest zone, they could enforce their laws.
46 And if Governor Walz didn't recognize that what he is doing there is poor leadership, he wouldn't
47 have put his National Guard on standby in order to respond.
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49 57. **Brennan:** Are your agents going to comply—I know the White House has asked him to—
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51 58. **Noem:** And I'm hopeful that he does recognize that he needs to start working with us.

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2 **59. Brennan:** Sorry—with the federal order on Friday to not use chemical agents?
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4 **60. Noem:** That federal order was a little ridiculous because that federal judge came down and told us
5 we couldn't do what we already aren't doing.
6

7 **61. Brennan:** Well, we just saw video of chemical agents being used.
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9 **62. Noem:** We only use those chemical agents when there's violence happening and perpetuating and
10 you need to be able to establish law and order to keep people safe. That's the only situation. So
11 that judge's order didn't change anything for how we're operating on the ground because it's
12 basically telling us to do what we've already been doing.
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14 **63. Brennan:** Madam Secretary, thank you for your time this morning.
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17 **Source:** <https://www.youtube.com/watch?v=EdUpUm2c48I>
18

19 **Date:** January 18, 2026
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