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Judge rules against University of California’s assertion of blanket police access to student protester’s phone

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On Wednesday, Santa Cruz County Judge Erika Ziegenhorn partially granted the motion put forward by anti-genocide student protester Laaila Irshad to quash the search warrant from six months ago that had allowed campus police from the University of California Santa Cruz (UCSC) to seize and access all data on her cellphone, which contains data dating back to elementary school.

Judge Ziegenhorn ordered UCSC police to seal and destroy all information obtained outside a 30-day window around the alleged vandalism incident, as well as any communications with attorneys. Although the court declined to order the immediate return of Irshad’s phone, indicating a separate legal procedure would be required for that outcome, the ruling provides an important precedent against the normalization of digital surveillance as a tool to suppress campus dissent. This is a victory for the entire working class, whose rights were equally at stake in the courtroom Wednesday.

The ruling also marks the first legal victory for student protesters, who have faced an intensifying campaign of repression on college campuses across the United States for their opposition to the US-backed Israeli genocide in Gaza. The warrant itself had all the hallmarks of retaliation for Irshad’s lawsuit challenging UC’s violent repression of the UCSC anti-genocide encampment.

The warrant for her phone was served just fifteen days after her lawsuit was announced, in a manner that maximized public humiliation: during a fire drill in the middle of the night outside Irshad’s dorm, while she was in her pajamas, alongside hundreds of students, including those she supervises as a resident assistant. UC police even used a photograph from Irshad’s press conference about her lawsuit as identification while serving the warrant.

In the intervening months, the university has argued that all aspects of the sweeping warrant, including its contents and the method through which it was served, were legally appropriate and that the warrant should be upheld without modification.

The hearing was attended by at least 40 students, faculty and other protesters–all of whom had to drive up to an hour each way from Santa Cruz to be at the Watsonville courthouse. Protesters expressed strong support for Irshad and fierce opposition to the university administration, and by extension the Democratic Party, which defended the seizure. Irshad is represented by the American Civil Liberties Union, the Center for Protest Law and Litigation and civil rights attorney Thomas Seabaugh, who addressed an assembly of students outside the courthouse after the hearing.

“I think it was an important win,” Seabaugh told the assembled crowd at the courthouse steps. “It’s a dangerous time in the world, as everyone knows who has looked out the window recently. This is not a time where anybody should be arguing for weaker interpretations of constitutional rights.”

“The UC Board of Regents received a richly deserved black eye today,” Seabaugh told the *World Socialist Web Site*. “They came in asking the judge to rubber-stamp this warrant, and that’s not what happened.”

The ruling is particularly significant given that Judge Ziegenhorn was the same judge who initially signed the search warrant and is a former prosecutor. It must also be noted that the UC Board of Regents, which fought to uphold the seizure, includes California Governor Newsom and many other high-ranking Democrats.

Irshad, a third-year undergraduate and resident advisor at UCSC, had her cellphone seized by university police officers on October 1, 2024, just fifteen days after she filed a civil rights lawsuit against the university. That lawsuit challenged the mass banishment of over 110 students and faculty from campus following protests last May against the genocide in Gaza.

The police seized Irshad’s phone under the pretense of investigating alleged vandalism, utilizing a warrant so broad it authorized searching all data on her device back to “the date of

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inception of first data storage”—essentially permitting examination of her entire digital life, including data back to when she was in fifth grade.

UCSC police Detective James Watson claimed in a declaration that the warrant was part of an ongoing investigation that began in June 2024, months before Irshad filed her lawsuit. However, he offered no explanation for why the warrant was not sought until mid-September, nor why officers executed it during a fire drill when Irshad was in pajamas surrounded by hundreds of her fellow students.

The university paid for representation by the prominent law firm Munger, Tolles & Olson—a decision that drew criticism from protesters gathered outside the courthouse.

“UC Santa Cruz is in the most dire budgetary situation of every single UC in the system. And it spent a minor fortune on a top-ranking Democratic Party law firm in San Francisco to come argue against freedom of speech,” noted one of Irshad’s supporters outside the courthouse.

Another protester added, “I think it’s a bigger problem, not just with the campus, the UCSC campus, but overall with the US and in support for Israel. And I think we’re going down a very authoritarian way in terms of how we deal with protests, with people getting attacked, people getting arrested, their phones being seized, their rights being taken away. It’s not limited just to Trump, but again, it’s just the overall government.”

The hearing’s outcome marks a significant moment in what has become a national crackdown on campus demonstrations against Israel’s military operations in Gaza. Since April 2024, more than 3,000 students have been arrested on campuses across the United States, with many facing academic discipline, housing evictions, visa revocations and invasive seizures of personal digital devices.

This case has drawn parallels to other instances of retaliation against campus activists, including Cornell University’s attempts to deport student Momodou Taal for his involvement in protests against military contractors, and Columbia University’s treatment of Palestinian rights advocates Mahmoud Khalil and Mohsen Mahdawi, who were detained by Immigration and Customs Enforcement (ICE) for deportation despite being permanent residents.

In Michigan, state police and FBI agents conducted raids on the homes of pro-Palestinian activists in April, seizing electronic devices in a manner similar to the UCSC case, also citing alleged vandalism as a pretext.

The UCSC crackdown reflects the bipartisan nature of the assault on democratic rights in America. The initial mass arrests at UCSC occurred under the Biden administration in May 2024, and enforcement actions have continued and intensified under Trump. University of California administrators, predominantly affiliated with the Democratic Party, have been at the forefront of these repressive measures.

UC administrators remain prepared for brutal repression of dissent. The UCSC administration purchased what campus documents described as “military equipment” to be used against protesters last year, including drones, “breaching tools,” and grenade launchers with sponge and chemical rounds, according to university records obtained by student activists.

Irshad’s case has galvanized support among students, faculty and community members concerned about the erosion of First Amendment protections on university campuses. It demonstrates that there is popular support for the defense of democratic rights, foremost in the working class.

Broader questions remain about the legality of the university’s militarized response to the encampments last May, which the *LA Times* reported cost millions of dollars and involved police agencies from across California. According to court documents, one student suffered a stroke allegedly resulting from overly tight zip-tie restraints after pleading with officers to loosen them.

The ruling Wednesday in Irshad’s case establishes decisively in court that the university overreached in its attempts to repress, intimidate and terrorize student protesters.

Victory was only possible through a concerted legal challenge, which won widespread support among students and workers. Every attack on democratic rights can and must be challenged. The defense of democratic rights cannot be left to any faction of the Democratic Party, which stood solidly on the opposite side of the barricades.

However, legal challenges alone are not enough to safeguard democratic rights, as Trump’s open defiance of court rulings makes clear. The working class must lead the fight in defense of democratic rights, including through industrial action.

Student protesters, including Irshad, have made enormous sacrifices to oppose the ongoing genocide in Gaza and the Trump administration’s accelerating drive toward fascist dictatorship. Achieving these just aims requires a turn to the working class, just as workers must come to the defense of victimized student protesters to defend centuries of hard-won rights.

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