

STEPHEN W MANNING, OSB No. 013373
stephen@innovationlawlab.org,
smanning@ilgrp.com
INNOVATION LAW LAB
333 SW 5th Ave., Suite 200
Portland, OR 97204-1748
Telephone: +1 503-922-3042

**Pro hac vice*

Additional counsel on last page

STANLEY YOUNG, CA No. 121180*
syoung@cov.com
JEHAN A. PATTERSON, D.C. No. 1012119*
jpatterson@cov.com
SABRINA MCGRAW, CA No. 334120*
smcgraw@cov.com
AMBER LOWERY, D.C. No. 1780982*
alowery@cov.com
ANALESE BRIDGES, D.C. No. 90029992*
abridges@cov.com
EVAN CHIAACCHIARO, D.C. No. 90037819*
echiacchiaro@cov.com
COVINGTON & BURLING LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
Telephone: +1-202-662-5129

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

PINEROS Y CAMPEÑINOS UNIDOS DEL
NOROESTE; AUGUSTANA LUTHERAN
CHURCH; OUR LADY OF GUADALUPE
PARISH; SAN FRANCISCO INTERFAITH
COUNCIL; WESTMINSTER PRESBYTERIAN
CHURCH; NATIONAL EDUCATION
ASSOCIATION; AMERICAN FEDERATION OF
TEACHERS; AMY LOMANTO; HANNA MAE
ANDERSON; LAUREN FONG; and CAROLINE
KEATING MEDEIROS,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security; U.S.
DEPARTMENT OF HOMELAND SECURITY;
TODD LYONS, in his official capacity as Acting
Director of Immigration and Customs Enforcement;
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT; RODNEY S. SCOTT in his
official capacity as Commissioner of Customs and
Border Protection; U.S. CUSTOMS AND
BORDER PROTECTION,

Defendants.

Civil Action No.: 6:25-cv-699-AA

**DECLARATION OF H-M- IN
SUPPORT OF PLAINTIFFS
NATIONAL EDUCATION
ASSOCIATION AND AMERICAN
FEDERATION OF TEACHERS'
MOTION FOR STAY UNDER 5
U.S.C. § 705**

**DECLARATION OF H-M- IN SUPPORT OF PLAINTIFFS NATIONAL EDUCATION
ASSOCIATION AND AMERICAN FEDERATION OF TEACHERS' MOTION FOR STAY
UNDER 5 U.S.C. § 705**

I, H- M- ("H-M-"), upon my personal knowledge, hereby declare under penalty of perjury as follows:

1. My name is **H-M-**. The facts set forth in this declaration are based on my personal knowledge, unless otherwise indicated, and, if called as a witness, I could and would testify thereto. I am over eighteen years of age and of sound mind to declare to the facts stated herein.
2. I am offering this Declaration in my individual capacity and not on behalf of the institution that employs me.
3. I currently serve as a school psychologist at an elementary school in a suburb of St. Paul, Minnesota. I have been a school psychologist for almost 30 years.
4. I am a member of the National Education Association (NEA) and the American Federation of Teachers (AFT).
5. My school population is approximately 43% Hispanic and about 60% students of color overall. At least 30-40% of students are multilingual.
6. Prior to January 2025, I was never concerned about immigration enforcement in and around schools. I had never heard of such a thing happening in my decades working in schools.
7. My school has a dual language program, so it has been disproportionately impacted by immigration activity. Recently, one child came to school and reported, "ICE stole my dad." We frequently hear that a student's extended family member has been taken by immigration enforcement agents. One student at our school was even taken by ICE alongside his family while they were on their way to a court date. We do not know the current location of this family.

8. Because I am the school psychologist, it falls to me to work with our school's social worker and administration to tell our kids what happened and try to help them cope. Their reactions are heartbreaking.
9. On January 20, 2026, my school instituted an emergency response protocol when ICE was sighted in our school parking lot. The students were brought into the building from recess, and no one could enter or leave the building for over one hour. On the same day, ICE was present in the park directly adjacent to our school at dismissal. Extra staff members were present outside to keep our students and families safe as children boarded their buses, parents picked up their students, and students walked home. Should we be alerted about the presence of ICE at or near our building again, these procedures will continue to be followed.
10. On another occasion, ICE used our district's Early Childhood building as a staging area without permission.
11. These incidents further frightened students, and it is stressful to feel like I cannot really help them the way I wish I could.
12. On many days, staff members try to spend more time helping at arrival and dismissal than they normally would, because we feel that those are the times when an incident with ICE would be most likely to happen.
13. My school has had a huge increase in absences, I believe because students are afraid of immigration enforcement at or near school. More than 100 students – about 15-20% of the school's population – are absent on any given day. It has gotten to the point that we have just begun to offer distance learning the way we did during COVID, which has involved reconfiguring classes so that some teachers could teach distance learning while some teach in

person. Approximately 50% of our multilingual students are now no longer attending school in person. Managing this transition has greatly increased my colleagues' workload, and I expect that I too will soon have to offer virtual therapy appointments for students.

14. Responding to fears of immigration enforcement has largely taken over my work, and other tasks have had to be dropped or put on the back burner. Some students who had preexisting appointments aren't getting seen, and some evaluations aren't getting done as promptly as they would if we weren't in this situation.
15. Many of my school's students rely on receiving food at school. I worry that when students don't come to school, they aren't getting the nutrition they need. A volunteer network through my school has helped organize food deliveries for students' families.
16. It was already rare for my colleagues and I to take a lunch break or planning period. Now, we frequently stay into the evening hours as well.
17. As a school with a dual language program, we have many teachers and staff members who are originally from other countries and fear that federal agents will take them or their family – even if they are here legally. They are still showing up to support our students every day, but I fear for them too.
18. I deeply wish that people in our school building could at least feel safe while at the school building. This is the first time in my career when I feel that I cannot confidently tell my students that they will be safe and okay.
19. I am afraid that federal law enforcement may retaliate against and target me, my school, or my students if my identity becomes public as a result of my participation in this lawsuit.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed in [REDACTED] MN on 2/9/26

/s/ HM

H [REDACTED] M [REDACTED]

STEPHEN W MANNING, OSB No. 013373
stephen@innovationlawlab.org, smanning@ilgrp.com
TESS HELLGREN, OSB No. 191622
tess@innovationlawlab.org
RACHEL LANDRY, Mass. No. 713320*
rachel@innovationlawlab.org
NELLY GARCIA ORJUELA, OSB No. 223308
nelly@innovationlawlab.org INNOVATION LAW
LAB
333 SW 5th Ave., Suite 200
Portland, OR 97204-1748
Telephone: +1 503-922-3042

STANLEY YOUNG, CA No. 121180*
syoung@cov.com
JEHAN A. PATTERSON, D.C. No. 1012119*
jpatterson@cov.com
SABRINA MCGRAW, CA No. 334120*
smcgraw@cov.com
AMBER LOWERY, D.C. No. 1780982*
alowery@cov.com
ANALESE BRIDGES, D.C. No. 90029992*
abridges@cov.com
EVAN CHIACCHIARO, D.C. No. 90037819*
echiacchiaro@cov.com
Covington & Burling LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
Telephone: +1-202-662-5129

Attorneys for Plaintiffs

**Pro hac vice*

BRANDON GALLI-GRAVES, Tx. No. 24132050*
brandon.galli-graves@justiceactioncenter.org
ESTHER H SUNG, Cal. No. 255962*
esther.sung@justiceactioncenter.org
KAREN C TUMLIN, Cal. No. 234961*
karen.tumlin@justiceactioncenter.org
HILLARY LI, Ga. No. 898375*
hillary.li@justiceactioncenter.org
LAURA FLORES-PERILLA, Cal. No. 355645*
laura.flores-perilla@justiceactioncenter.org
EMILY SATIFKA, Nj. No. 330452020*
emily.satifka@justiceactioncenter.org
JUSTICE ACTION CENTER
PO Box 27280
Los Angeles, CA 90027
Telephone: +1 323-450-727

Attorneys for Plaintiffs

DANIEL MCNEIL, D.C. No. 455712**
dmcneil@aft.org
CHANNING COOPER, Md. No. 1212110182*
ccooper@aft.org
AMERICAN FEDERATION OF
TEACHERS
555 New Jersey Avenue, N.W.
Washington, D.C. 20001
Telephone: +1 202-879-4400

Attorneys for Plaintiff American Federation
of Teachers

***Pro hac vice application forthcoming*

LUBNA A. ALAM, DC No. 982169*

lalam@nea.org

KATHERINE E. LAMM, DC No. 1006319*

klamm@nea.org

NATIONAL EDUCATION ASSOCIATION

1201 16th Street NW

Washington, DC 20036

(202) 822-7035

Attorneys for Plaintiff National Education
Association