

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 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

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

PINEROS Y CAMPESINOS 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 K-D- IN
SUPPORT OF PLAINTIFFS
NATIONAL EDUCATION
ASSOCIATION AND AMERICAN
FEDERATION OF TEACHERS'
MOTION FOR STAY UNDER 5
U.S.C. § 705**

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

I, [REDACTED] ("K-D-"), upon my personal knowledge, hereby declare under penalty of perjury as follows:

1. My name is **K-D-**. 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 an English language elementary school teacher at a school in Minneapolis, Minnesota.
4. I am a member of the National Education Association (NEA) and the American Federation of Teachers (AFT).
5. In my elementary school, about 12-15% of the students are multilingual. Many of those multilingual students have recently immigrated to the United States.
6. As an ELL teacher, I have long been a resource of information for immigrant families at my school, so I try to remain knowledgeable about policies that could affect them. Accordingly, before January 2025, I was aware of the sensitive locations policy. I also learned of the policy through my involvement with my union.
7. Previously, I had felt confident telling my students' families that school property was a safe place for them and that ICE would not come onto our grounds. As a result, I was not concerned about immigration enforcement in or around schools prior to January 2025.
8. When the policy was revoked in January 2025, I began to fear for my students and even some

of my colleagues.

9. Since the federal occupation of Minneapolis began, there has been a huge influx of immigration enforcement activity near school buildings in my district, including close to my own school. On three different occasions, federal immigration agents have been parked across the street from the school during the school day. The agents and their cars are visible from school classrooms, and on one occasion students were present to see them.
10. Recently, after a set of large demonstrations occurred in the city, a larger group of agents brought their cars to that location across from our school while our after-school parks program was in session. The agents got out of their cars wearing masks and carrying firearms. That day, a network of parents had to escort staff and children to their cars for safety.
11. I have also observed federal agents in our school parking lot taking pictures of staff members' vehicles, including my own. This has made me concerned about being followed and surveilled when I leave school grounds. In an attempt to keep staff members safe and keep their information less publicly accessible, my school had to shut down the meet-the-teachers page of our website.
12. I have frequently seen federal agents lurking near the school during student pick-up and drop-off times, and I hear frequent reports of immigration enforcement presence at school bus stops. As a result, I have had to advise families not to have children go home from the bus stop alone. For safety, some staff and parents are volunteering to ride the bus with children and some even escort them all the way home. Federal agents have also taken pictures of these parent volunteers.
13. So far, one parent from my school has been abducted by ICE, and two other students' households have had someone taken.
14. Kids do not feel safe at school, and neither do staff. Schools can no longer be considered safe

spaces, as we now worry that our own government could be coming to get us while at school. Educators like myself have had to take a lot of time away from instruction to think about things like ensuring that people can leave the building safely and whether to have students go outside for recess when they could be kidnapped by federal immigration agents. We have had to develop contingency plans to prepare for ICE showing up at school during recess, dismissal, etc. Once these protocols are set, it is very difficult to find age-appropriate ways to practice them with tiny children.

15. My colleagues and I can see that every kid feels afraid, even those who are not directly impacted by immigration enforcement. Many of the children are showing difficulty regulating their emotions. Typically, they count on us as teachers to help them regulate and manage their feelings, but now our own stress makes it harder for us to help them. Conversations attempting to reassure students are therefore very difficult and require extra emotional energy. Spending this additional time reassuring students also prevents me from providing normal instruction.
16. Fear of immigration enforcement at my school has led to a sharp decrease in attendance because families do not feel safe sending their children to school. The resulting disruption in learning has directly affected students' academic performance, and I expect that this will be reflected in the standardized tests we have still had to administer.
17. Because of intense fear, a large percentage of our multilingual students – approximately 90% – have recently switched to remote learning. As a result, teachers have quickly had to pivot to hybrid instruction, which has required major modifications and extra work outside of my normal work hours. I have had to go to extreme lengths to ensure my students are able to access online learning, including visiting a student's home to ensure they could log into their iPad.
18. Students being absent from the building is also preventing my school from conducting the

requisite testing for English learners so that we may receive Title III funding. If that window closes and we can't do the testing, we stand to lose a lot of critical funds. Such a loss could lead to job losses as well as a decrease in resources such as professional development and translation services.

19. Because of this climate of fear and mountain of extra work on top of an already challenging job, I and other teachers I talk to feel broken from stress. I am frequently in tears. At least one of us cries every day, though we are careful not to do it in front of the kids.
20. 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 [2/5/26].

/s/ [KD]

[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

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*

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*

***Pro hac vice application forthcoming*

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*
cchooper@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

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