

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SUSAN TINCHER, JOHN BIESTMAN,
JANET LEE, LUCIA WEBB,
ABDIKADIR NOOR, and ALAN
CRENSHAW, *on behalf of themselves and
other similarly situated individuals,*

Case No. 25-cv-04669

Plaintiffs,

DECLARATION OF [REDACTED]
[REDACTED]

v.

KRISTI NOEM, Secretary, U.S.
Department of Homeland Security (DHS);
TODD LYONS, Acting Director, U.S.
Immigration and Customs Enforcement
(ICE); MARCOS CHARLES, Acting
Executive Associate Director,
Enforcement and Removal Operations
(ERO), ICE; DAVID EASTERWOOD,
Acting Field Office Director, ERO, ICE
Saint Paul Field Office; JOHN A.
CONDON, Acting Executive Associate
Director, Homeland Security
Investigations (HSI); The Department of
Homeland Security; Unidentified Federal
Agencies; and Unidentified Federal
Agents; *in their official capacities,*

Defendants.

I, [REDACTED], declare as follows:

1. I am a resident of the Whittier neighborhood of Minneapolis, Minnesota. I am over 18 years of age. I am a children's entertainer who specializes in face painting.
2. On Saturday, January 24, 2026, at about 8:50 am, I was getting ready to go to work when I heard whistles outside. I knew the whistles meant that ICE agents were in the area, so I decided to check it out on my way to work. I've been involved in observing in my community because it is so important to document what ICE is doing to my neighbors. Connecting to your local community and knowing who your neighbors are is something I profoundly value.
3. I drove to Nicollet Ave. and 26th where I could hear the whistles coming from. I turned south onto Nicollet. There were already several ICE agents there and they'd set up a sort of vehicle convoy on Nicollet and 28th. There were also about 15 observers there, recording and observing ICE.
4. I saw ICE agents surrounding cars and punching car windows. I also saw them stopping vehicles further down Nicollet, so I backed up because I didn't feel safe continuing on.
5. I noticed a man sort of acting to help traffic move more smoothly. He helped me find a place to park. I got out with my whistle and my camera. I went over to him and said something like, "I'm going to film and use my whistle."
6. It seemed like most ICE activity was happening a little farther down the street from us, near 27th. Someone was being thrown to the ground.

7. I started recording. There was an agent by a car across the street. Two observers were a few feet away from the agent, blowing their whistles. One was wearing a backpack.
8. I and the man who was observing and helping direct traffic were standing in the street. There was a phone in the man's hand recording a video.
9. An agent approached and asked us to back up, so I moved slowly back onto the sidewalk.
10. The man stayed in the street, filming as the other observers I mentioned earlier were being forced backward by another ICE agent threatening them with pepper spray. The man went closer to support them as they got threatened, just with his camera out. I didn't see him reach for or hold a gun.
11. Then the ICE agent shoved one of the other observers to the ground. Then he started pepper spraying all three of them directly in the face and all over. The man with the phone put his hands above his head and the agent sprayed him again and pushed him.
12. Then the man tried to help up the woman the ICE agent had shoved to the ground. The ICE agents just kept spraying. More agents came over and grabbed the man who was still trying to help the woman get up. All three of the observers looked to have been badly affected by the pepper spray. I could feel the pepper spray in my eyes.

13. The agents pulled the man on the ground. I didn't see him touch any of them—he wasn't even turned toward them. It didn't look like he was trying to resist, just trying to help the woman up. I didn't see him with a gun. They threw him to the ground. Four or five agents had him on the ground and they just started shooting him. They shot him so many times.

14. I don't know why they shot him. He was only helping. I was five feet from him and they just shot him.

15. The video I recorded of what happened accurately depicts the events leading up to the agents shooting him and several minutes afterwards. The video is attached as Exhibit 1.

16. I have read the statement from DHS about what happened and it is wrong. The man did not approach the agents with a gun. He approached them with a camera. He was just trying to help a woman get up and they took him to the ground.

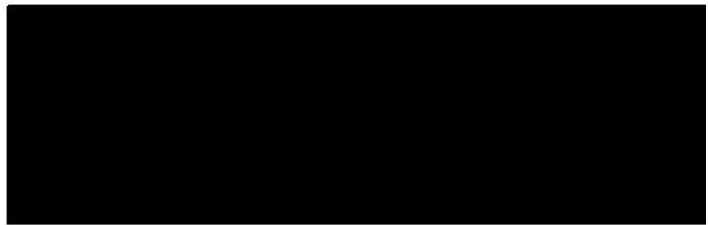
17. I feel afraid. Only hours have passed since they shot a man right in front me and I don't feel like I can go home because I heard agents were looking for me. I don't know what the agents will do when they find me. I do know that they're not telling the truth about what happened. I've heard that other witnesses might have been arrested and taken to the Whipple Building.

18. I am disgusted and gutted at how they are treating my neighbors and my state. I keep alternating between crying and feeling determined—it is important to remember the value of documenting injustice. We show up for the people who need us to bear

witness, because it can't just be one group of people bearing the brunt of their tyranny. This is a struggle to protect our freedom and democracy, those things are on the line. He lost his life for those values.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated and signed on Jan 24, 2026 in Hennepin County, State of
Minnesota.



UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLACEHOLDER FOR
SEALED EXHIBIT 1 (VIDEO) TO
DECLARATION OF [REDACTED]

SUSAN TINCHER, JOHN
BIESTMAN, JANET LEE, LUCIA
WEBB, ABDIKADIR NOOR, and
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Defendant(s)

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