

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,*

Court File No. 25-cv-04669
(KMM/DTS)

Plaintiffs,

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,*

**DECLARATION OF
NICOLE CLELAND**

Defendants.

I, Nicole Cleland, state as follows:

1. I am a 56-year-old resident of Richfield, Minnesota.
2. I am a Director with Target Corporation.
3. Around 10:45 a.m. on January 10, 2026, I was engaged in Legal

Observation in my community. The group I volunteer with was tracking possible

ICE/CPB vehicles in my neighborhood. As I was commuting, I ended up behind one of

the vehicles, a white Dodge Ram, that had been identified as ICE/CPB and followed into the parking lot of a local Mexican Supermarket where other ICE vehicles were. Other legal observers were also in the area and the vehicle I had been observing left the lot and I as well as another commuter continued to follow as there was also concern about a local apartment building being raided.

4. During this time, I observed a white Dodge Ram being driven by what I believed to be federal enforcement agents. I maneuvered behind the vehicle with the intent of observing the agents' actions.

5. I maintained a safe distance from the vehicle, often following with one or more other cars in between our vehicles.

6. After following them for a short time, the Dodge Ram stopped in front of the other commuter's vehicle and I pulled in behind at the intersection of West 60th Street toward Lyndale Avenue South, the vehicles were blocking my path forward. Two other vehicles, that I believed to be driven by federal enforcement agents were in front of the Dodge Ram. I did not feel I had any option other than to stop behind the other commuter's vehicle.

7. An agent exited the vehicle and approached my vehicle. I remained in my vehicle. The agent addressed me by my name and informed me that they had "facial recognition" and that his body cam was recording.

8. The agent stated that he worked for border patrol. He wore full camouflage fatigues.

9. The agent stated that I was impeding their work. He indicated he was giving me a verbal warning and if I was found to be impeding again, I would be arrested. I replied that I was in my neighborhood and simply community through my community. I acknowledged that I heard what he said.

10. The agent returned to his vehicle and drove away, the other two vehicles had already left the area. I turned in the opposite direction.

11. I drove at a safe speed and followed applicable traffic laws at all times.

12. I made no physical contact with the agents.

13. At no point did I threaten the agents.

14. I can discern no reason why the agents stopped me other than the fact that I was following them.

15. Three days after the interaction, on January 13th, I received an email notice that my Global Entry/TSA-Pre Check privilege for passing through airport security had been revoked. I logged onto the Global Entry site and the notification letter indicated that indeed my status had been revoked and that they can't always disclose the reason. The notification did provide some reasons that my status may have changed and the only one that makes sense was "The applicant has been found in violation of any customs, immigration, or agriculture regulations, procedures, or laws in any country." I was not detained, I was not arrested so difficult to understand how I was "found in violation." I had been a member of the Global Entry program since 2014 without incident. I am not particularly concerned with the revocation of my privileges in isolation. However, given that only three days had passed from the time that I was stopped, I am concerned that the

revocation was the result of me following and observing the agents. This is intimidation and retaliation. I was following Legal Observer laws. I within my rights to be doing what I was doing.

16. I travel frequently. I am concerned that I may experience other complications while traveling stemming simply from the exercise of my rights.

17. My husband also travels frequently for business; I am worried that his travel status may be affected as well.

18. The interaction with the agents on January 10th made me feel angry and intimidated. I have been through Legal Observer Training and know my rights. I believe that I did not do anything that warranted being stopped in the way that I was on January 10th.

19. I am concerned that border patrol and other federal enforcement agencies now have my license plate and personal information, and that I may be detained or arrested again in the future.

20. I am concerned about further actions that could be taken against me or my family.

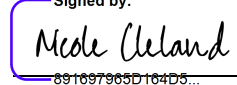
21. I have instructed my family to be cautious and return inside if they see unfamiliar vehicles outside of our home.

22. I have not engaged in any further legal observation of border patrol or other federal enforcement agents since the events of January 10th. I am currently assessing when I will return to active observations. I have, however, continued to engage in peaceful protests.

23. I will continue to participate in peaceful protests. It is my first amendment right to do so; and I do not agree with what is happening in our community. I support immigration enforcement if it is directed at the “worst of the worst,” but that is not what is happening here. I believe it is my duty as a white American citizen, with the various privileges that entails, to stand up for members of my community.

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

Dated: 1/20/2026
County: Hennepin

Signed by:

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Nicole Cleland