

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

U.H.A. *et al.*,

Plaintiffs,

v.

Pamela Bondi, *et al.*

Defendants.

Case No. 26-417

DECLARATION OF DEPUTY FIELD OFFICE DIRECTOR TAURIA RICH

I, Tauria Rich, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am employed by the Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) as Deputy Field Office Director (DFOD) with the St. Paul Field Office. I have held this position since October 5, 2025.
2. I have been employed by ICE since July 2006, holding several positions: Immigration Enforcement Agent (2006-2007); Deportation Officer (2007-2016), handling all aspects of alien identification, arrest, case management, and removal; Supervisory Detention and Deportation Officer (2016-2020), overseeing the Criminal Alien Program (CAP) and Fugitive Operations Teams (FOT); Assistant Field Office Director (2020-2021), managing FOT, CAP, criminal prosecutions, intelligence, special response team, and sub-offices in South Dakota and North Dakota; DFOD, overseeing all enforcement and removal operations in the St. Paul Area; and Field Office Director

(2024-2025) for ERO Chicago, overseeing operations in both the St. Paul and Chicago Area.

3. As the DFOD of the ERO St. Paul Field Office, I direct and oversee all ICE enforcement, detention, and removal operations, as well as federal immigration law enforcement, in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. This includes matters related to the CAP and Fugitive Operations Program (FOP). I also coordinate with state and local law-enforcement agencies regarding immigration detainers and agreements pursuant to Immigration and Nationality Act (INA) § 287(g).
4. I am aware of the instant lawsuit. I am also aware of the temporary restraining order (TRO) issued by the U.S. District Court for the District of Minnesota in this case. Specifically, ICE cannot arrest or detain aliens on the basis that they are refugees who failed to timely adjust to lawful permanent resident status, and ICE must immediately release all class members. For class members who are detained outside of the District of Minnesota, ICE must immediately transport class members to Minnesota and then release the aliens within five days of arrival, after coordinating release with aliens' counsel.
5. The statements contained in this declaration are based upon my personal knowledge, reasonable inquiry, and information made available to me in the course of my official duties from information obtained from records, systems, databases, other DHS employees, and/or information portals maintained and relied upon by DHS.
6. On May 10, 2010, ICE issued Policy No. 11039.1: Detention of Refugees Admitted under INA § 207 Who Have Failed to Adjust to Lawful Permanent Resident Status. Although the policy explained that, under INA § 209(a)(1), refugees who are physically

present in the United States for at least one year are to return, or be returned, to the custody of DHS for inspection and examination, it restricted the legal authority of officers to maintain custody of refugees who failed to present themselves for inspection.

On December 18, 2025, ERO's Acting Executive Associate Director Marcos Charles issued a memorandum to all Field Office Directors rescinding ICE Policy No. 11039.1, effective immediately. On this date, Liana J. Castano, Assistant Director of ERO Field Operations notified all ERO personnel that the policy was rescinded.

7. The rescission of this policy enables ICE to effectuate its mission to protect the United States from national security and public safety threats through screening and vetting protocols associated with visa adjudications and other immigration processes.
8. In early January 2026, ERO Officials in Minnesota were notified by ERO senior leadership of an USCIS initiative to identify refugees who failed to timely apply to adjust their status and therefore are required by law to be inspected and evaluated by USCIS. USCIS provided ERO with a list of such aliens in the state of Minnesota.
9. Using the list provided by USCIS, ERO conducted further screening to prioritize the apprehension of aliens with criminal backgrounds, and after those, principal applicants who had failed to file timely adjustment of status applications.
10. As designed, the process is as follows: Once an alien is in ICE custody, interviews are scheduled related to this initiative within 48 hours of the alien being transferred to a long-term facility. Once USCIS conducts the interview and a decision on the adjustment of status application is issued, ICE would then make a custody determination. If the application is granted, the alien will be released; if, for example, derogatory information is discovered, USCIS will issue a notice of intent to terminate (NOIT) refugee status.

11. My understanding is that USCIS works expeditiously to render a decision on an aliens' admissibility for adjustment of status following an interview with the alien. However, aliens' length of detention varies on a case-by-case basis due to various factors, including attorney and alien responsiveness to USCIS's request to schedule an interview as well as habeas corpus petitions and any accompanying District court orders.
12. ICE does not operate any of its own facilities in Minnesota. Rather, ICE makes use of an Inter-Governmental Service Agreement (IGSA) or riders on a U.S. Marshal's contract with local county jails, the wardens of which determine how many beds are available to ICE.
13. Due to the lack of available bedspace in Minnesota, ERO has been forced to move aliens arrested and detained as part of Operation PARRIS and other, ongoing operations, to ICE facilities in other parts of the United States. A significant reason ERO in Minnesota is suffering from a bedspace issue is due to the obstructive actions of the current Minnesota Attorney General, Keith Ellison, who has on no less than two separate occasions issued state binding legal opinions prohibiting local law enforcement agencies from working with ICE. On February 6, 2025, Attorney General Ellison issued a legal opinion expressing that Minnesota law enforcement is expressly prohibited from holding someone on an immigration detainer if the person would otherwise be released from custody. On December 12, 2025, Attorney General Ellison went even further and issued an additional legal opinion stating Minnesota sheriffs may not unilaterally enter into INA § 287(g) agreements with ICE. Taken independently, these legal opinions cause great harm and very much hamper ERO's

ability to conduct its lawful enforcement of federal immigration laws, but taken together the chilling effect on ERO's ability to build relationships with traditionally independent law enforcement agencies cannot be overstated, the direct effect of which is a significant cause of the issues that formed the basis for this litigation today.

Practically speaking, ICE has had access to ten or fewer beds available to use for Operation PARRIS locally since Operation Metro Surge in Minnesota began in November 2025.

14. As of January 29, 2026, seventy-two aliens have been detained under Operation PARRIS and therefore subject to this TRO. Of those, the majority were released for various reasons including after USCIS approved their adjustment of status application or if a habeas petition was granted ordering release. Prior to the issuance of the TRO, any remaining aliens would have been detained under INA § 209, during the pendency of the process of inspecting and examining them for admission for lawful permanent residence.

Operational Limitations imposed by the TRO

15. Through its TRO, this Court envisions all detained aliens being returned to Minnesota within five days of this order. This is operationally infeasible due to the number of moving parts.
16. Transportation is highly dependent on the availability of flights. Given the short time frame permitted by this order, ICE would be reliant on the use of commercial flights which are also limited, subject to weather changes – such as those created by the nearly nationwide storm this past Saturday – and delays. This also requires additional officers, who have their own obligations, to be made available to escort the alien on the commercial flight.

17. This order also requires ICE to coordinate release of the alien directly to counsel or other authorized individuals; this is subject to those individuals' availability. ICE has been advised that some counsel will not be immediately available to pick up their clients. Timely coordination with attorneys may also be infeasible if there is no G-28 already on file, indicating that an attorney represents an alien. Additionally, the TRO also instructs release to "individuals specifically authorized by counsel" which is not readily ascertainable by ERO. Identification of such "specifically authorized" individuals must be verified.

18. Nor should these aliens be in custody once they have adjusted to lawful permanent resident status where there is no legal basis for detention.

19. This time-sensitive level of coordination also requires the attorneys to be available once the alien has been returned to the state otherwise the alien shall remain in custody.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my information, knowledge, and belief.

Executed on this 31st day of January 2026.

Tauria Rich
Deputy Field Office Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security