

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROBERT F. KENNEDY HUMAN
RIGHTS; SOUTHERN BORDER
COMMUNITIES COALITION;
URBAN JUSTICE CENTER,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY; KRISTI NOEM, in her
official capacity as Secretary of
Homeland Security,

Defendants.

Civil Action No. 25-1270-ACR

PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs Robert F. Kennedy Human Rights, Southern Border Communities Coalition, and Urban Justice Center hereby move for a preliminary injunction to restrain and enjoin Defendants from terminating the functions of the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL), Office of the Citizenship and Immigration Services Ombudsman (CISOM), and Office of the Immigration Detention Ombudsman (OIDO), by (1) placing virtually all employees of these three offices on administrative leave and ordering that they stop performing any work tasks; (2) eliminating 99% (4 out of approximately 400) staff positions from the three offices via a reduction in force, leaving insufficient staff to carry out statutory mandates; (3) destroying any data or records subject to the Federal Records Act, except in accordance with the procedures described in 44 U.S.C. Chapter 33; or (4) taking any other steps that hinder CRCL's, CISOM's, and OIDO's ability to perform their statutory responsibilities. Plaintiffs further seek an order (1) reinstating all employees of CRCL,

CISOM and OIDO who were placed on administrative leave on March 21, 2025 until final judgment is entered in this action, unless Defendants deem reinstatement to be inappropriate for a particular employee based on an individualized, performance- or conduct-based reason; (2) resuming all complaint processing and other statutorily required tasks that were suspended with the work stoppage on March 21, 2025; (3) reinstating, until final judgment is entered in this action, any contractors whose contracts were terminated or who were ordered to stop working on projects for CRCL, CISOM, or OIDO on or after March 21, 2025; and (4) restoring to the websites of CRCL, CISOM and OIDO any reports, memoranda, or other documents that have been removed from those websites during 2025.

As set forth in more detail in the accompanying memorandum, Defendants have taken steps that make it impossible for CRCL, CISOM and OIDO to perform the functions assigned to them by statute. Defendants ordered all employees of these three offices to stop work completely on March 21, 2025 and have prohibited them from contacting community partners or individuals with pending complaints. Defendants have also initiated a reduction in force that would permanently remove 99% of the employees from these three offices by May 23, 2025. These actions are ultra vires, contrary to specific statutory requirements, and arbitrary and capricious. They also violate the Impoundment Control Act and Anti-Deficiency Act. Absent preliminary relief, Plaintiff Robert F. Kennedy Human Rights (RFK), plaintiff Southern Border Communities Coalition (SBCC) and its members, and Plaintiff Urban Justice Center (UJC) will experience irreparable harm as a result of Defendants' actions.

This motion is based on the attached memorandum of law, the attached declarations and exhibits, and all other pleadings and papers filed in this action, oral argument of counsel, and any other matters that may come before the Court.

At approximately 5:34 PM on Wednesday, May 7, undersigned counsel emailed the Director and Deputy Director of the Federal Programs Branch of DOJ, along with the Chief of the Civil Division of the U.S. Attorney's Office in Washington, D.C. to notify them of Plaintiffs' intent to file this motion and to propose a briefing schedule. At the time of filing, Defendants' counsel have not yet responded. Undersigned counsel subsequently emailed the same three individuals copies of all the documents being filed with the Court

Dated: May 8, 2025

Respectfully submitted,

/s/ Karla Gilbride

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