

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

The Advocates for Human Rights and L.H.M.,)
through her next friend C.A.,)
Plaintiffs,)
v.)
U.S. DEPARTMENT OF HOMELAND)
SECURITY; KRISTI NOEM, in her official)
capacity as Secretary of Homeland Security;)
U.S. IMMIGRATION AND CUSTOMS)
ENFORCEMENT; TODD LYONS, in his)
official capacity as Acting Director of)
Immigration and Customs Enforcement;)
MARCOS CHARLES, in his official capacity)
as the Acting Executive Director for)
Immigration and Customs Enforcement's)
Enforcement and Removal Operations; DAVID)
EASTERWOOD, in his official capacity as)
Acting Field Office Director for Immigration)
and Customs Enforcement's Enforcement and)
Removal Operations St. Paul Field Office; U.S.)
FEDERAL PROTECTIVE SERVICE; and)
FARON K. PARAMORE, in his official)
capacity as Director of the Federal Protective)
Service,,)
Defendants.)

CASE NO. 25-cv-00749

**DECLARATION OF ASSISTANT FIELD
OFFICE DIRECTOR MICHAEL BOTTJEN IN
SUPPORT OF RESPONDENTS' OPPOSITION
TO MOTION FOR PROVISIONAL CLASS
CERTIFICATION**

I, Michael Bottjen, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am employed by the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) as an Assistant Field Office Director (AFOD) with the St. Paul Field Office. I have held this position since July 28, 2024.

2. I have been employed by ICE since November 2003. Since that time, I have held several positions with ICE: Immigration Enforcement Agent (2003-2006); Deportation Officer (2006-2009) with experience in all aspects of the identification, arrest, case management, and removal of aliens present in the United States in violation of law; Supervisory Detention and Deportation Officer (2009-2024),

DECLARATION OF ASSISTANT FIELD OFFICE DIRECTOR MICHAEL BOTTJEN IN SUPPORT OF RESPONDENTS' OPPOSITION TO MOTION FOR PROVISIONAL CLASS CERTIFICATION 25-CV-00749

1 overseen various units as first-line supervisor for fugitive operations, custody management, non-detained
 2 case management, prosecutions, and the alternatives to detention program; Assistant Field Office Director
 3 (2024-Present) managing a portfolio of programs that include the non-detained case management,
 4 alternatives to detention, and sub-offices in South Dakota and North Dakota.

5 3. I provide this declaration based on my personal knowledge, reasonable inquiry, and
 6 information obtained from various records, systems, databases, and other DHS employees, and
 7 information portals maintained and relied upon by DHS in the regular course of business.

8 **Detention Conditions at the Bishop Henry Whipple Federal Building (Whipple)**

9 4. Whipple is located in Ft. Snelling, Minnesota accommodates office space for ERO St. Paul,
 10 office space for ICE attorneys, a waiting area, a processing area for ERO check-ins, and a processing area
 11 for arrests.

12 5. The processing area at Whipple is comprised of 17 ICE hold rooms with the following
 13 square footage: two large rooms – 481 sq. ft each.; eight medium rooms – 225 sq. ft. each; five small
 14 rooms – 95 sq. ft. each; one small medical isolation room – 95 sq. ft.; and one small, padded isolation
 15 room – 95 sq. ft. The maximum capacity for the ICE hold rooms at the Whipple Building was set by the
 16 fire marshal at 142. At 10 a.m. CST on February 3, 2026, there were 48 aliens in custody at Whipple.

17 6. The ICE hold rooms at Whipple are primarily used for the short-term confinement of aliens
 18 while they await transfer to other ICE detention facilities, immigration court hearings, removal, or other
 19 processing. Whipple is in compliance with ICE Directive No. 11087.2, Operations of ERO Holding
 20 Facilities (issued Jan. 31, 2024).

21 7. The majority of aliens in custody at Whipple are transported to other ICE facilities within
 22 24 hours, absent exceptional circumstances. At 10 a.m. CST on February 3, 2026, there were 4 aliens who
 23 have been held at Whipple for more than 24 hours.

24 8. Aliens in custody in the processing area are separated by sex once placed in a holding cell.

25 9. Each ICE hold room is equipped with at least one toilet and sink, except for the padded
 26 ICE hold room. The two large ICE hold rooms are equipped with two toilets and sinks each.

27 10. The ICE hold rooms are not equipped with private sleeping quarters, but blankets are
 28

1 provided. Aliens in custody can ask for multiple blankets. Blankets are regularly cleaned. Concrete bench
2 seating is available in each ICE hold room.

3 11. The ICE hold rooms and bathrooms are cleaned by a professional cleaning staff, using
4 industrial cleaning products, multiple times a day.

5 **Access to Counsel at Whipple**

6 12. At intake, aliens held in custody at Whipple are verbally informed that they can make calls,
7 including to attorneys, family, friends, or the consulate. All calls are conducted in the processing area, and
8 they are free of charge to the alien.

9 13. Aliens in custody at Whipple can make as many free, unmonitored legal calls to their
10 attorneys via an available landline. There is no time restriction on the legal services calls. The legal
11 services calls are not recorded. If an alien is issued a Notice to Appear, the alien is provided a Form I-826,
12 Notice of Rights and Request for Disposition, and a list of free or low-cost legal services. Fully processed
13 aliens who are remaining in Minneapolis are provided with the list of free legal service providers.

14 14. Because Whipple is a short-term holding facility and not designed to house people for
15 extended periods of time, and for operational reasons, it is not possible to provide facilities for in-person
16 visitation by legal services providers at Whipple. However, ICE officers periodically monitor the general
17 telephone line: 612-409-7799 and public access email address: stpaul.outreach@ice.dhs.gov. ICE officers
18 review and address concerns that are brought to their attention via the email box. Generally ICE detention
19 facilities are better equipped with infrastructure to host in-person meetings with counsel.

20 15. Language assistance services are provided at Whipple for aliens who have limited English
21 proficiency. Spanish-speaking ICE officers are also available to help with translations when needed. ICE
22 has a language contractor which offers translation services for 135 languages, there is a posting in the
23 processing area about the language services.

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

3 Executed on February 3, 2025, in Minneapolis, Minnesota.
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Michael Bottjen
7 Assistant Field Office Director
8 Enforcement and Removal Operations
9 U.S. Immigration and Customs Enforcement
10 U.S. Department of Homeland Security
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