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

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| ELINOR HILTON, COLLEEN FAGAN, POLYXENIA PANTOS, and CARLYN WILLIAMS,<br>on behalf of themselves and all others similarly situated,<br><br>Plaintiffs,<br><br>v.<br><br>MARKWAYNE MULLIN, Secretary of Homeland Security; TODD LYONS, Acting Director, U.S. Immigration and Customs Enforcement; JOHN A. CONDON, Acting Executive Director, Homeland Security Investigations; RODNEY SCOTT, Commissioner, U.S. Customs and Border Protection; MICHAEL BANKS, Chief, U.S. Border Patrol; THE U.S. DEPARTMENT OF HOMELAND SECURITY; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; HOMELAND SECURITY INVESTIGATIONS; U.S. CUSTOMS AND BORDER PROTECTION; U.S. BORDER PATROL; UNIDENTIFIED FEDERAL AGENCIES; and UNIDENTIFIED FEDERAL AGENTS,<br><br>Defendants. | Case No. 2:26-cv-00092-JAW |

**DECLARATION OF ELIZABETH MCLELLAN**

I, Elizabeth McLellan, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a resident of Westbrook, Maine, a close suburb to the city of Portland. I have lived here for about fifteen years.

2. I recently became aware that the federal government described interactions I had with ICE agents on January 21, 2026 in their Opposition to Plaintiffs' Motion for a Preliminary Injunction. Based on what I am able to read, I believe the January 21 interaction is described on page 8. Most of what the government describes is wrong.

3. On January 21, 2026, I decided to go to an elementary school bus stop in the Frenchtown neighborhood to observe and record ICE with my friend, [redacted]. I had heard that ICE was targeting bus stops and I wanted to protest the fact that DHS agents were targeting families who were just trying to drop their kids off to go to school. I had also witnessed an ICE arrest on my street earlier that morning, and I wanted to protest the arrests taking place in my neighborhood.

4. When I arrived at the bus stop, I saw a vehicle driven by what appeared to be a female ICE agent parked right at the bus stop. I parallel parked on the same side of the road behind the agent's car, and [redacted] parked several car lengths behind me. I got out of my car to protest the ICE agent's presence there by shouting and blowing a whistle. Over the next minute or so, about a dozen other people who lived near that intersection also came out to protest ICE by yelling and whistling.

5. Within a few minutes of when I arrived, a school bus arrived at the bus stop. Another observer walked up to the doors of the bus and informed the bus driver that law enforcement officers were nearby. The bus drove off at this point.

6. A few minutes after the school bus left, the agent started to drive away from the bus stop.

7. I thought it was likely the ICE agent was going to another arrest site, and I decided to follow her in order to observe, record, and protest. I returned to my car and began to

drive behind the agent who was leaving the bus stop. I obeyed all traffic laws and drove at a reasonable distance. In fact, the agent soon got a few car lengths ahead of me, and passed through an intersection before I got stopped at a red light. I could no longer see the ICE vehicle after stopping at the red line, so I began driving back toward my home via my normal route. A few turns later, I happened to end up behind the ICE vehicle in a left turn lane one street away from my house. When she turned left and then right, toward my street—which is where I had intended to turn—I started to become very scared. I realized we *were* approaching my house. During this time, I had been on the phone with [redacted] and I told him I was afraid this agent was driving to my house.

8. The agent drove to my house and parked outside of it. I parked at the curb, and [redacted] parked behind me. At this time I saw at least three other ICE vehicles come around the corner at a high speed. They stopped outside of my house, completely blocking the road, and at least one vehicle completely blocked my car from entering my driveway.

9. The agent from the original vehicle I had been driving behind got out and approached me while I was in my car. She was holding up her smartphone as if to film my face. She otherwise looked very calm and didn't appear threatened or on edge. As she recorded, the agent said, "This is a warning. We know you live right here, Elizabeth." Another agent also pulled out a can of mace and made as if to spray it at [redacted] who had been recording this interaction.

10. I took the agent saying my name and that she (and ICE) knew where I lived as a clear threat to me and my family. I was especially afraid because my daughter was in the house and I wasn't sure if things would escalate. I knew ICE had shot and killed an observer in her car

the week earlier in Minnesota, and I didn't want my daughter involved in any of this. I called 911 at this point.

11. While I was on the phone with 911, the female agent said to me that she was giving me a warning and that I was impeding her.

12. [redacted] and I told the agents that we were not impeding anything. I stayed in my car this whole time, rolled my window down when the agents were talking to me and otherwise kept it rolled up, and kept my car in park. Nothing I did could be construed as threatening.

13. I stayed on the phone with 911 for a few minutes, who told me to comply with the officers, which I did. After a few minutes, the agents left.

14. Contrary to what the government alleges, I did not engage in any "threatening or obstructive conduct" during the January 21 encounter, and neither did [redacted]. For the majority of the interaction, I sat in my car and called 911, because I was so intimidated that ICE had led us back to my house. From my car, I could see [redacted] interacting with the agents. I saw him yelling at the agents, but nothing he did could have been taken as threatening or obstructive. To the best of the recollection, I saw [redacted] holding his phone and his hands up as the officers walked up to him.

15. I also did not position my vehicle so that any agents could not leave, as the government alleges. My car and [redacted]'s both remained parked on the curb the entire time. I was not blocking anyone from coming or going—in fact, I felt like I could not get into my own driveway and wasn't free to leave.

16. I do not know why these agents would misrepresent what happened at this interaction. I have feared since January that I would be retaliated against for observing and protesting against ICE during the surge. A few days after I was led to my house, I became aware

of a January 29, 2026 ICE press release that included an image of me protesting and recording ICE agents from my car, which called me a "protestor" trying to "thwart" their activities. I have never been so paralyzed in my life as when I saw that press release—I felt terrified and specifically targeted. Though the press release is now no longer available on ICE's website, an archived version was saved and has appeared in public news articles, which makes me feel like the targeting never ends. Between the January 21 intimidation at my home and this press release, I was so scared that I found other places for my family members to sleep for a few nights.

17. [redacted]

18. [redacted], my fears of being retaliated against feel more well-founded and never ending than ever. I feel like there has been a concerted effort to punish me for speaking out against ICE and recording what they did in Westbrook.

19. I am less likely to speak out because I fear what will happen next if I do. I have been so scared that I haven't traveled internationally, fearing that I won't be able to get back into the country like I have heard has happened to other protestors and observers. I also limited going to local protests and political gatherings because I fear my face or license plate will be recognized [redacted]. I feel all of these things are supposed to be my right to free speech to exercise, and I am being punished for it.

20. All of this has also impacted how physically safe I feel. Since January, I have gotten cameras for my house because I feel less safe in my home. I am afraid of being

recognized because the government has made an example of me and feel there is no truly safe space for me.

21. I have been aware of this lawsuit but too afraid to speak out because of all of this and because of the retaliation I had heard happening to other people who recorded and protested against ICE in Maine. Given the inaccuracies in what the government wrote about me and [redacted], I feel I had no choice but to correct the record, even though I still fear being retaliated against and targeted for being associated with this lawsuit.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 16, 2026.

*/s/ Elizabeth McLellan*
Elizabeth McLellan