

United States Senate

WASHINGTON, DC 20510

February 27, 2020

Matthew T. Albence
Acting Director
U.S. Immigration and Customs Enforcement
500 12th St., SW
Washington, D.C. 20536

Dear Acting Director Albence:

We write to express our concerns about the detrimental impact the Trump administration's policies on deportation and enforcement operations are having in communities across New Mexico. We request that Immigration and Customs Enforcement (ICE) meet with local stakeholders and our offices in New Mexico to discuss ICE operations in the state to determine a path forward that reinstates humane and sensible immigration policies.

We have received troubling reports from New Mexican residents that ICE officers are gaining access into homes under false pretenses by using fear and lies. We have also heard disturbing accounts of ICE officers demanding that residents open their doors and/or allow ICE to search their home based on ICE's administrative, not judicial warrants. As you are aware, ICE administrative warrants are not issued by a judge, but instead by ICE officers themselves and do not give ICE officers the authority to demand entry into a home or private space in order to make an arrest.

The problem is exacerbated by ICE officers identifying themselves as police and wearing deceptive uniforms to appear as local police when they knock on doors. Seeing the word "police" on ICE uniforms and equipment leads individuals to associate ICE officers with local law enforcement. This association often results in migrants conflating the two and discourages individuals from calling for help when they become the victims of or witness a crime. When federal immigration officials misidentify as police, the relationship between the immigrant community and local law enforcement agencies is damaged. These behaviors erode trust between the immigrant community and local enforcement's community policing efforts, and lead some residents to be fearful of opening the door to local police during an actual emergency.

We have also received reports from our constituents that ICE is expanding enforcement activities in Albuquerque, New Mexico, targeting immigrant workers and families at home, at work, and after dropping their children off at school. We are concerned about ICE operations at sensitive locations like schools, hospitals and religious institutions. This runs contrary to established department policy on enforcement at or near certain community locations. This is causing residents to no longer feel safe in their own neighborhoods. These alarming tactics not only have a traumatic impact on families, often resulting in separating children from their parents and plunging families into poverty, but also have broader public safety, economic and public health implications.

Instead of targeting families, ICE should prioritize its enforcement efforts on actual risks to public safety and national security. We believe a productive discussion between ICE, the New Mexico delegation, and key stakeholders is critical in gaining transparency and restoring trust back into our communities. Prior to that meeting, please provide our staffs with Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI) monthly arrest data for Albuquerque between January 2019 and February 2020.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Tom Udall". The signature is fluid and cursive, with the first letter of each word being significantly larger than the others.

TOM UDALL
United States Senator

A handwritten signature in blue ink that reads "Martin Heinrich". The signature is fluid and cursive, with the first letter of each word being significantly larger than the others.

MARTIN HEINRICH
United States Senator