



**OFFICE OF THE DISTRICT ATTORNEY
SECOND JUDICIAL DISTRICT
STATE OF NEW MEXICO
SAM BREGMAN
DISTRICT ATTORNEY**

January 21, 2026

Bill Shaw
ERO ICE Assistant Field Office Director
5441 Watson Drive SE
Albuquerque, NM 87105

Dear Mr. Shaw,

I write to express my deep concern about ICE procedures and operations across the country. Videos and the accompanying reporting raise significant questions about ICE's willingness and ability to comply with constitutional limitations while performing their duties. These incidents further undermine confidence in ICE leadership's commitment to ensuring basic due process for the public that they serve.

ICE's nationwide pattern of unconstitutional enforcement actions give rise to questions and unease about ICE activity in New Mexico. Specifically, certain activity by ICE agents reported in other states would be criminal under the laws of New Mexico.

False imprisonment is a felony under New Mexico law. NMSA 1978, § 30-4-3 provides: "False imprisonment consists of intentionally confining or restraining another person without his consent and with knowledge that he has no lawful authority to do so." There is no exception under New Mexico law for law enforcement officers who detain or restrain a person without lawful authority. Unless an ICE Officer has a valid warrant, lawful authority for restraint or detention under New Mexico and Federal law requires either reasonable suspicion or probable cause.

Therefore, any ICE agent who, without a signed warrant and without reasonable suspicion or probable cause, detains, confines or restrains a person in Bernalillo County may be subject to prosecution.

Please let me know if you have any questions or concerns.

Sam Bregman
Second Judicial District Attorney
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