https://www.santafenewmexican.com/opinion/editorials/disappeared-in-new-mexico-its-not-the-american-way/article_180ebb06-0477-11f0-8a10-af3a22674898.html

OUR VIEW

Disappeared in New Mexico: It's not the American way

Mar 19, 2025

New Mexico residents are disappearing — as many as 48 individuals gone after a weeklong operation by the U.S. Immigration and Customs Enforcement agency earlier this month.

No one disagrees that violent criminals need to be returned to their home countries. But as Americans, we should all demand that anyone arrested or detained be afforded the due process guaranteed by the Constitution, including to noncitizens.

This guarantee is designed to ensure no one residing in the U.S. is denied the protections of the Fifth Amendment, which states clearly that “no person shall be deprived of life, liberty, or property, without due process of law.”

ADVERTISEMENT

Report Ad Report Ad

No person. Not no citizen.

What has is happening in New Mexico and across the country, to people accused of being in the U.S. illegally fails to meet constitutional standards.

By shrouding these operations in secrecy, we don't know if the people picked up in Santa Fe, Albuquerque and Roswell are dangerous, or if that's just a talking point from the immigration enforcement agency. It's not as though federal officials are known for transparency; look at what's happening across the country with stepped-up immigration enforcement. Just this month:

- A German citizen with a green card was detained at Logan Airport in Boston and violently interrogated after officials discovered a misdemeanor marijuana charge in his past.
- A Canadian actor was stopped at the border because of an incomplete work visa and held for two weeks in what she described as inhumane conditions.
- A Peruvian citizen who overstayed her visa was arrested returning home from Puerto Rico after a delayed honeymoon.

The cases described represent overreach and a failure to focus on removal of truly dangerous criminals. Is that what is happening in New Mexico? We don't know because the facts of the cases are not public.

Here, the American Civil Liberties Union filed a complaint with two oversight offices of the U.S. Department of Homeland Security after ICE published a news release touting the arrests. The release states 20 of the 48 people arrested have faced arrests or convictions of serious felonies, while 21 were under final orders of removal. The people arrested had remained in the country despite being ordered to leave by an immigration judge or had faced criminal charges while being here illegally, ICE claimed.

Fine. If that's the case, then list the names of the individuals picked up, the charges against them and the dates judges ordered their removal. There's no need for secrecy. There's also no need to withhold the location of where people are being held or to deny detainees a lawyer or access to translation services. If these are truly dangerous criminals, ICE should be proud to detail their crimes.

Immigrant advocates are arguing that it is unclear whether most of the people actually have significant criminal records. "We know that we're all being criminalized and that they're putting everyone into the same category," said Marcela Díaz, with immigrant advocacy group Somos un Pueblo Unido.

Heck, maybe ICE did New Mexicans a favor and took violent criminals off the street. But without giving names, charges and information about where these people were taken, there's no way of establishing the truth.

Detaining people only for them to simply vanish is cruel. This is not how the American justice system is supposed to work, and all people who believe in the Constitution and rule of law should speak up to oppose these raids. Justice is for everyone, or it is for no one.