NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Detention Conditions in New Mexico

What our attorneys see inside the facilities holding New Mexicans

Courts, Corrections and Justice Committee
Local Collaboration With Immigration Enforcement Agencies and Its Impact on Detention

Teague González, Executive Director
New Mexico Immigrant Law Center
November 6, 2026 | State Capitol, Room 322, Santa Fe

Where Detention Sits in Our Work

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Immigration legal services work like health care. Detention is the emergency room.

PREVENTIVE CARE

Family preparedness

Guardianship and power of attorney documents, know-your-rights education, and a household plan for who picks up the children if a parent is detained.

1,523 people reached since September 2025

PRIMARY CARE

Non-emergency cases

Visa petitions, adjustment of status, work authorization, green card and DACA renewals, citizenship. Long timelines, high stakes, no courtroom emergency.

167 cases won in the past twelve months

EMERGENCY CARE

Deportation defense

Someone is already in custody. Removal defense, bond, and federal habeas corpus petitions to challenge unlawful detention and win release.

The fastest growing part of our caseload

Legislation reaches this column. When state and local resources cannot be used for federal immigration enforcement, fewer New Mexicans end up here at all.

Enforcement in New Mexico communities has pushed more of our work into the third column. Today I am reporting on what we see there.

Who Is Detained in New Mexico

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Almost everyone we meet inside has been living in this country for years

The people we meet inside

- People who have lived in the United States for years, often decades
- Parents of United States citizen children
- People who bought property, built businesses, and paid taxes here
- People who applied for status, attended every ICE check-in, and showed up to court

How people end up inside

- A traffic stop, and a call to ICE that no law required
- ICE waiting outside a courthouse, or at the jail door when someone is released
- Targeted arrests in our communities, plus whoever else is standing there
- Arrests at check-ins people showed up to voluntarily
- Transfers in from other states to free up beds here

1,500+

people held in New Mexico detention centers on an average day

3

detention facilities in New Mexico: Cibola, Torrance, and Otero

Across the state line

New Mexicans are also sent to El Paso and to Camp East Montana. Our staff visit people inside Camp East Montana, and we sit on the steering committee of the Shut Down Camp East Montana Campaign, a coalition of New Mexico and El Paso organizations documenting conditions there.

Cibola and Torrance operate under direct contracts between ICE and CoreCivic. Otero is the subject of ongoing litigation.

How the Handoff Happens

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Four of our own cases this year. Different counties, the same pattern.

Rio Rancho, May 2026

County law enforcement pulled him over and asked for his driver's license. He was taken to a store parking lot and handed to ICE. Seven years in New Mexico. No record beyond traffic violations.

Carlsbad to Roswell, August 2026

Pulled over for speeding, then arrested because his license was revoked. He was driven to Roswell and turned over to ICE. He had a pending case through his United States citizen wife.

Gallup, driving home to Hobbs

He was driving his work truck across the state. Unmarked SUVs followed him, pulled him over, and asked for identification. He was detained at the roadside. Two United States citizen children.

Carlsbad, April 2026

Arrested on a first DUI. The court released him on his own recognizance. ICE was waiting as he walked out. His only prior record was a traffic citation.

242

intakes since January 2025 where our staff recorded that we suspect the arrest was made without a warrant. That is a suspicion noted at intake, not a legal finding.

What these four have in common

Most people we meet inside have no record beyond traffic violations. Immigration detention is civil detention, and nothing in state law required a single one of these handoffs. Each was a choice someone made, county by county, with no written policy behind it.

Conditions Inside: Access to Counsel

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

What our attorneys have documented at Torrance, Cibola, and Otero

Visits obstructed	Officers do not bring everyone on our list to scheduled legal visits, and visits are cut short. We leave without seeing people we traveled to see.
Families cannot find people	Errors in the ICE detainee locator make it hard to confirm where someone is held, worst at Otero. Families are given no current information on how to arrange a visit.
Phones and legal calls fail	At Otero, nearby data center construction has repeatedly cut phone and internet lines, disrupting court appearances and family calls. During recent storms, Torrance lost electricity and running water for 18 to 48 hours, with phones out and no legal calls available.
Hearings move without notice	Hearings are regularly delayed with no notice to the person or their attorney. Transfers in and out of New Mexico facilities are unpredictable and irregular.
Removal without a pattern	Third country removals appear to follow no discernible process we can advise a client about.

Every one of these is a barrier between a detained New Mexican and a lawyer. None of them is visible from outside the facility.

Conditions Inside: Health and Safety

These are public health conditions, not only legal ones

Medical care denied or delayed

- An infected tooth left untreated
- Partial facial paralysis in a man who had a stroke in custody
- Untreated eye conditions and progressive vision loss
- A pregnant woman detained at Otero
- People in their seventies held in detention

Safety and basic conditions

- At Torrance, 18 to 48 hours without electricity or running water during recent storms
- Rodents and a lizard in the housing area, and constant fire alarms, on our most recent Torrance visit
- Accounts of race and gender based retaliation at both Torrance and Cibola
- More transgender people in custody, with transgender women held among men or placed in solitary confinement

Why this belongs in front of this committee

A facility without running water, a stroke without follow-up care, and a pregnancy without prenatal care are health emergencies happening inside New Mexico. The people living through them are New Mexico residents, and the great majority of them will return to New Mexico communities. Conditions inside these facilities do not stay inside these facilities.

How We Know: We Are Inside Every Week

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Four counts, four definitions. They measure different things and should not be added together.

What we count, and over what window

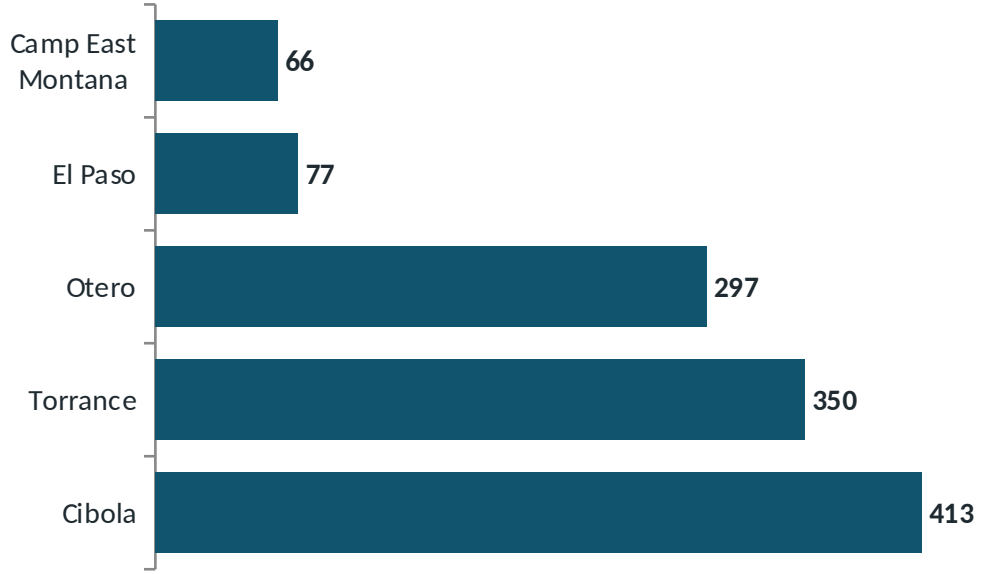
1,042 in-person conversations inside Cibola and Torrance, September 2025 through October 2026

588 individual people our Albuquerque team tried to see in person, same facilities and window

277 intake requests from New Mexicans held at Torrance, Otero, El Paso, and Camp East Montana, November 2025 through this week

1,656 detention intakes on file in our case management system, January 2025 through this week

Detention intakes on file, by facility



What these numbers do and do not say

- Each count uses a different window and a different definition, and Torrance appears in more than one. They cannot be added.
- An intake on file is not a visit, and may not be a unique person. Someone detained twice has two records.
- People are routinely transferred, released, deported, or find counsel before we arrive. Those count as attempts we could not complete.

When we cannot take a detained case

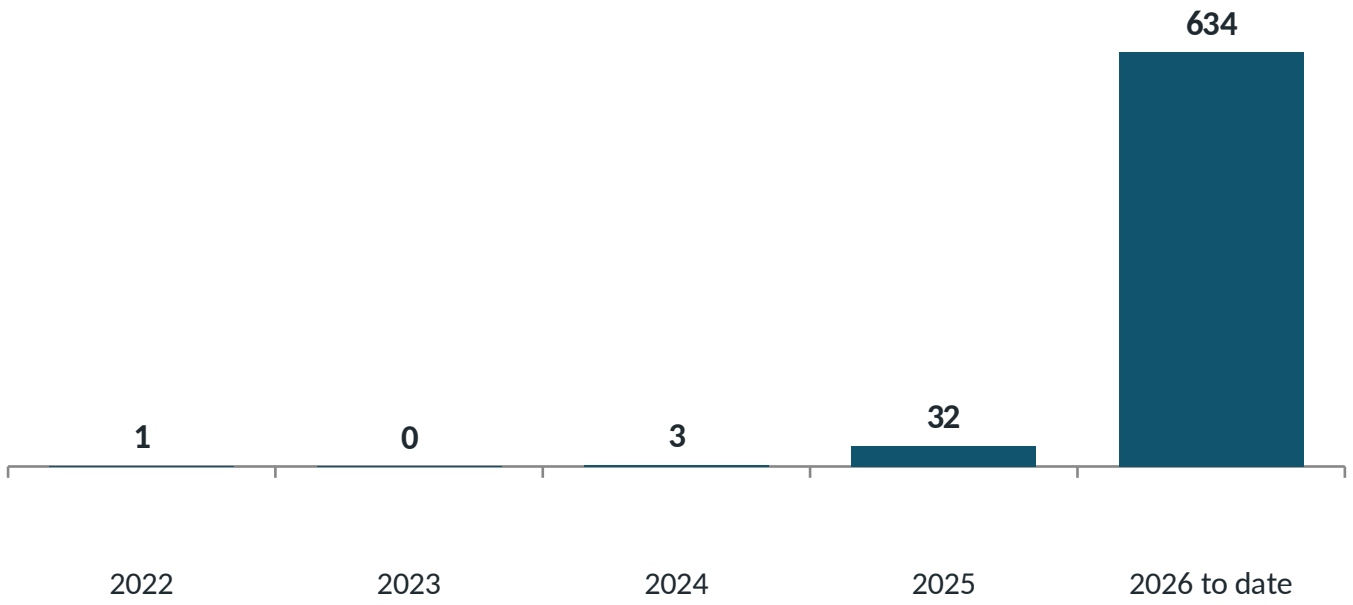
61 referred out to a national pro bono placement partner since January 2026

18 accepted · 29 declined · 5 pending · 9 withdrawn

Nearly half are declined. There is not enough detained representation capacity anywhere in the country.

What This Is Doing to the Federal Docket

Immigration habeas corpus cases decided in the District of New Mexico



1,599 immigration habeas cases are currently active in the District of New Mexico.

What the petitions are about

- Broad misclassification of people as subject to mandatory detention, which denies them a bond hearing
- Procedural and substantive due process violations
- Unlawful warrantless arrests by ICE
- Prolonged detention of people whose immigration case is already over

Santillan Quiroz v. Mullin

In June 2026 the Tenth Circuit held that a person who already entered the country is not subject to mandatory detention, and warned that detaining people without any possibility of bond raises serious due process concerns.

The New Mexico Habeas Project

Built with the ACLU of New Mexico, with thought partnership from Innovation Law Lab and immigration attorney Allegra Love. The project now also includes participation from UNM Law and Contigo Immigrant Justice. Volunteers need no immigration background. As of this week 41 attorneys are registered, 11 habeas cases are active, and four people were released through the project in the past seven days.

How We Have Changed to Meet This

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Five shifts since enforcement in New Mexico escalated

Federal court capacity, built in house

Four of our attorneys are now admitted in federal court and litigating complex habeas cases directly, rather than referring them out and hoping someone takes them.

Pro bono recruitment at scale

300 attorneys trained through the Habeas Project and 41 now registered to take cases, with templates, sample petitions, PACER filing instructions, mentorship, and guidance on fee recovery under the Equal Access to Justice Act.

Proyecto Pro Se, launching this fall

Quick turnaround help for people in removal proceedings who are not detained: asylum and cancellation applications, motions to continue, motions to appear by video, motions to reopen, appeals to the Board of Immigration Appeals, and work permits.

A helpline that answers

Three intake specialists per shift and a dedicated intake attorney. For three months running, most first-time callers are asking about someone who has been detained.

Policy work, built with the people living it

We work alongside community partners, directly impacted families, and legislators on protective state and local legislation, including a measure to keep public resources out of federal immigration enforcement and the Empowering Survivors' Voices Act.

The Cheapest Hour Is the One Before the Arrest

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Family preparedness is what keeps a detention from becoming a child welfare case

What a preparedness plan contains

Who cares for the children. Guardianship and power of attorney documents so a child is not handed to the state when a parent is detained.
Where the documents live. Birth certificates, passports, immigration paperwork, and A numbers somewhere a family member can reach them.
What happens to the assets. Bank accounts, a vehicle, a lease, a small business, addressed before anyone is in custody.
What to do in the moment. Know-your-rights training, and the phone number to call first.

1,523

people given family preparedness materials or services since September 2025

126

know-your-rights and community education events statewide, against a goal of 50

Why this matters to the state budget, not only to the family

A family with a plan does not lose a child to foster care during a detention. Nine young people avoided CYFD involvement this year through guardianship work alone. Preparedness planning takes hours. Undoing an unplanned separation takes years, and the state pays for most of it.

How to Reach Us

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

The same flow as our public intake flyer, available in English and Spanish

STEP 1 Call the Helpline at (505) 247-1023

STEP 2 Tell us what you need. A bilingual specialist assesses your situation.

Calling about someone in detention?

If the person lived in New Mexico before being detained, our Deportation Defense Team follows up and assesses every option available.

Calling for yourself or someone not detained?

Reception schedules an intake, by phone or in person, that reviews your history and every form of relief you may qualify for.

STEP 3 An attorney or DOJ Accredited Representative reviews the intake.

If we can accept the case

A full legal consultation confirms the best path, a representation agreement is signed, and the case begins.

If we cannot

The caller still receives an individualized assessment, legal advice, referrals, and, where timing is the obstacle, a plan to come back.

Families and the public: (505) 247-1023. Share the number and the flyer far and wide.

Community partners: we keep a separate referral email for detained cases, shared directly with partner organizations rather than posted publicly. Send name, date of birth, country of origin, and an A number.

We Are Answering the Phone

September 2026, and the trend since September 2025

84%

of calls reaching reception were answered in September, the sixth consecutive month above target

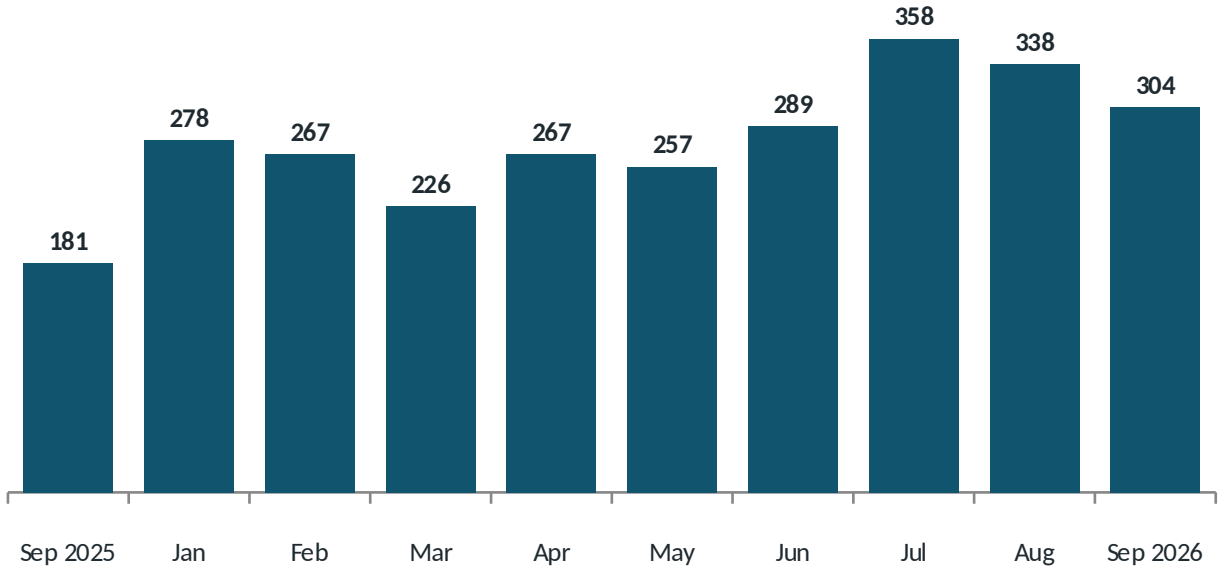
828

calls answered by reception in September, the highest monthly total of the year

93%

of first-time callers received the information or screening they asked for within two weeks

First-time callers reaching the Helpline each month



What the trend shows

A year ago we answered roughly a quarter of the calls that came in. We have been above 84 percent every month since April. Call volume has not fallen, and for three months running the majority of first-time callers have been asking about someone in detention.

Why We Sometimes Have to Say Not Yet

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

Most people who reach us have a viable claim. A few do not, and that has consequences.

The scrutiny attorneys are under

- A Department of Justice memo raises the prospect of criminal exposure for attorneys who file claims the government deems false.
- State court judges have received letters from federal authorities about approving the predicate findings that Special Immigrant Juvenile Status requires.
- A federal grand jury is investigating Special Immigrant Juvenile visas around the country.
- Federal funding for children's legal services has ended.

What that means for a family

We screen every family for every form of relief they might qualify for, and we pursue everything viable. Most people who call us have a real claim, and we help them with all of it.

For a small number, no option exists right now. Filing a thin claim today can leave a person worse off than waiting, because a denial now routinely puts someone into removal proceedings.

Enforcement priorities and the odds change. A door that is shut in 2026 may open in two to four years, and we tell families that plainly.

The difference between us and the people taking your constituents' money

We will not charge a family thousands of dollars to file a claim with no merit. Others will. A meritless filing almost always ends in an order of removal, and the family has paid for the privilege.

Two New Mexico Families

Both reached us through the Helpline this year

Detained, pregnant, released

A client was detained in southeast New Mexico on New Year's Day, separated from her partner and her children. She learned she was pregnant while in custody. Our team filed a habeas petition demanding her release and represented her in cancellation of removal proceedings. After we showed the court she was receiving inadequate prenatal care, including medical staff telling her they could not find the baby's heartbeat, she was released. Her baby was born this summer. We still represent her in El Paso.

A citizen, arrested at a gas station

A man from Los Lunas had lived there for years with his wife and two young children. ICE arrested him at a gas station outside Albuquerque a couple of months ago and took him to Torrance. We represented him in immigration court and won his release by showing he has derivative United States citizenship. His toddler was with him at the arrest and is still in therapy after watching his father taken away. We continue to support the family.

One of these two people is a United States citizen. He was held at Torrance until a lawyer could prove it. That is what happens when people are arrested first and screened afterward.

What State Law Already Does, and Where It Stops

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

New Mexico has gone further than most states. We now know exactly how far that is.

HB 9, the Immigrant Safety Act

Signed February 2026, effective May 20, 2026

WHAT IT DOES

Bars 287(g) agreements that deputize local officers to act as ICE agents. Bars local governments from entering or renewing federal detention contracts for civil immigration violations. Bars selling public property for immigrant detention.

WHAT IT DOES NOT REACH

Informal collaboration. A phone call, a text, a release timed to ICE arriving, an officer driving someone to a handoff. None of that requires an agreement, so none of it is covered. A private operator contracting directly with ICE is also outside the law, which is why Cibola and Torrance are open today.

Nondisclosure of Sensitive Personal Information Act

Effective July 1, 2025

WHAT IT DOES

Bars state agency employees from disclosing sensitive personal information, including immigration status and national origin, outside their own agency.

WHAT IT DOES NOT REACH

County sheriffs, municipal police, and private contractors. Only the State Ethics Commission can enforce it. In July 2026 the Commission had to sue the Corrections Department over probation officers disclosing status to ICE.

What is left is informal, and informal is most of it

HB 9 closed the paperwork. Not one of the handoffs we showed you needed paperwork. Thirty-three counties, thirty-three sets of practice, nothing written down in any of them. One county walks a man to a parking lot and hands him over. The next county does not. A patchwork cannot be reconciled county by county. It takes one statewide rule covering every public body and every public resource.

NMILC
NEW MEXICO IMMIGRANT LAW CENTER

What Would Help

There is only so much we can do to stop ICE from coming into our communities. There is nothing we have to do to support them.

1 More legal capacity

A lawyer is what stands between a New Mexican and a removal order entered without a hearing. More capacity means on-site presence at every facility holding New Mexicans instead of two, and the staff to document how people were arrested rather than capturing it on a fraction of intakes.

2 Send us constituents

The main line is (505) 247-1023 and the intake flyer is public in English and Spanish. Partner organizations also have a dedicated referral email for detained cases.

3 Pass protective laws

This is the piece we cannot build ourselves. State law that keeps public resources out of federal immigration enforcement would reduce how many New Mexicans are detained at all. We are also carrying the Empowering Survivors' Voices Act.

4 Tell us what you see

Patterns in your district shape where we send staff, where we hold clinics, and which protections we bring back to this committee.

Teague González, Executive Director

New Mexico Immigrant Law Center

Helpline (505) 247-1023 | info@nmilc.org | NMILC.org

Albuquerque • Las Cruces • Santa Fe