

New Mexico Freedom City Policies

Please note that this resource is intended as an overview of policies around the State of New Mexico related to the treatment of immigrants and undocumented people. There may be other policies in place that are not reflected in this document, and this overview is not intended as an endorsement of any specific policy. Please be aware that there may be other groups and individuals already advocating for the improvement of these policies in your community.

Rio Arriba County (2010-082):

1. Resolution reaffirming the Counties commitment to civil rights and equal access to county services regardless of immigration status.
2. Opposes any legislation “encouraging or compelling” local law enforcement to enforce federal civil immigration laws.
3. Calls on Congress to develop comprehensive immigration reform that allows for the reunification of immigrant families and a path to citizenship for undocumented workers.

Rio Arriba County Detention Center (2015-024):

1. An update of the Adult Detention Center Policies that instructs personnel to disregard immigration detainees.
2. Mandates that inmates not be held beyond their release date even if there is an ICE hold.
3. Allows inmates to post bond even when there is an ICE hold.
4. Prohibits ICE officials from telephone or in person contact with inmates without a court order.

Farmington Police Department (101-12):

1. Reaffirms Department’s commitment to unbiased policing.
2. Prohibits Department personnel from initiating, prolonging, or expanding the scope or duration of an investigatory or enforcement activity in order to determine a person’s immigration status.

San Juan County Detention Center (16-17-50):

1. Update of policies that prohibits inmates from being detained solely for an immigration detainee.
2. Allows for an inmate to be detained on an ICE hold if the warrant is signed by a U.S. Magistrate judge or District Court judge and then only for 48 hours beyond when that inmate would have been otherwise eligible for release.

Taos County Adult Detention Center (2014-14):

1. Update to policy prohibiting any staff from notifying ICE regarding any detainee at TCADC.
2. Prohibits asking a detainee about their place of birth or country of origin upon admission.
3. Prohibits telephone communication between a detainee and ICE unless court ordered.

4. Prohibits detaining someone based solely on an immigration detainer; must be accompanied by an arrest warrant.

Taos County Sheriff's Department (Chapter 18):

1. Updates the Department's policy prohibiting bias-based profiling.
2. Prohibits Department personnel from initiating, prolonging, or expanding the scope or duration of an investigatory or enforcement activity in order to determine a person's immigration status.

City of Santa Fe

1. No municipal resources can be used to identify or apprehend any non-citizen resident on the sole basis of immigration status (Resolution 1999-6).
2. No City employee shall make or initiate any inquiry regarding the immigration status of any person, except as required by law to determine the eligibility for city employment or for a federal benefit program administered by the city (Resolution 2017-19).
3. No City employee shall disclose to any person or agency outside city government any sensitive information, including immigration status or national origin, regarding persons (except as required by law to provide a city service or carry out a city government function, or upon receipt of a valid court order or IPRA request).
4. City employees shall refuse access to all non-public areas of city property by federal immigration agents for the purposes of enforcing federal immigration laws unless they present a federal warrant issued by a judge.

Santa Fe County and Santa Fe County Adult Detention Facility (SFCADF)

1. Santa Fe County affirms access to all county services including public safety protection regardless of immigration status (Resolution 2010-20).
2. SFCADF does not honor Immigration Customs Enforcement Agency (ICE) or Customs and Border Patrol Agency (CBP) detainees.
3. Inmates with bondable charges shall be able to post bond regardless if there is an ICE Detainer. Release shall not be delayed.
4. No inmate shall be booked on an ICE administrative warrant signed by an ICE official, only warrants signed by a judge or magistrate.
5. Information about ICE detainees will only be shared through requests pursuant to IPRA or via telephone, not on the county booking website.
6. SFCADF will not notify ICE when an inmate with an ICE detainer is released.
7. SFCADF does not allow ICE access to booking records or interviews with inmates in person or over the phone. SFCADF does not inquire about immigration status, nor does it share information with ICE or CBP.

Santa Fe Community College

1. SFCC will protect student privacy and ensure confidentiality by prohibiting the release of information about immigration status to law enforcement agencies.
2. Campus security will refrain from collaborating or volunteer information to ICE for purposes of immigration enforcement.
3. SFCC will refuse access to campus property to federal immigration officials for purposes of immigration enforcement.

Santa Fe Public Schools

1. SFPS will protect student privacy and ensure confidentiality by prohibiting release of information about students' immigration status to law enforcement agencies (Resolution 2017-14)
2. Staff will refrain from collaborating with or volunteering information to ICE for the purposes of immigration enforcement.
3. SFPS will refuse access to schools and other SFPS property to federal immigration officials for the purpose of immigration enforcement, except upon receipt of a warrant.

City of Albuquerque (M-17-4):

1. Memorial that reaffirms the City's commitment to "immigrant friendly status" based on the Resolution passed by the City in 2000 (R-00-151).
2. That Resolution stated "no municipal resources shall be used to identify individuals' immigration status or apprehend persons on the sole basis of immigration status, unless otherwise required by law to do so."

Albuquerque Police Department (SOP 1-4):

1. Prohibits bias-based policing/profiling by APD, which includes the "inderdiction, detention, arrest, or other non-consensual treatment" of an individual based on citizenship status and other factors.

Albuquerque Public Schools (Immigrant Students Regardless of Documented Status):

1. APS will not deny admission to a school age child on the basis of known, or suspected, undocumented status.
2. APS will not engage in any practice to deter or discourage the right of a student to attend public school.
3. APS will not require students or parents/legal guardians to disclose or document their immigration status or make inquiries that would expose their undocumented status.
4. APS will not require Social Security numbers.

Bernalillo County (2017-22):

1. Resolution declaring Bernalillo County's as an "immigrant friendly" county.
2. Calls on Congress to enact "just and humane" immigration reform.
3. Prohibits any county monies, personnel, or resources for the enforcement of federal civil immigration laws unless required by law to do so.

Bernalillo County Metropolitan Detention Center (Policy 6.13 Immigration Detainers and Warrants):

1. MDC will not detain any inmate and will not delay the otherwise authorized release of any inmate, as a result of detainer requests or administrative warrants received by ICE.
2. An immigration detainer request or an administrative warrant shall not inhibit an inmate's ability to post bond.
3. All warrants must be signed by a judge or magistrate. No inmate shall be booked on an administrative warrant signed by an ICE official. No inmate release shall be delayed, in any way, because of an immigration administrative warrant.
4. When an inmate who is the subject of an ICE detainer request or administrative warrant has been released, records staff shall notify ICE. Such notification will occur after the release has been processed by all required staff in accordance with releasing procedures and the releasing packet has been returned to records staff by the releasing officer.

Doña Ana County (2014 Safe Community For All Residents):

1. Prohibits the use of county funds or resources to assist in the enforcement of federal immigration law or to gather, disseminate, or transmit information on the immigration status of Doña Ana County residents.
2. Prohibits county employees, in their official capacity, from assisting with any CBP or ICE investigation, arrest or detention for alleged violations of federal immigration law.

Las Cruces Public Schools (2017 RESOLUTION ENSURING IMMIGRANT STUDENT ACCESS TO THE FULL BENEFITS OF AN LCPS EDUCATION):

1. Prohibits LCPS staff from taking any steps that would inhibit or deny access to the benefits of an LCPS public education based on immigration status.
2. Prohibits requiring or collecting data on students' immigration status or place of birth.
3. Creates a rapid response plan in the event a minor student is deprived of adult care, supervision, or guardianship outside of school due to a federal law enforcement action.
4. Any request for information by immigration agents shall be initially denied and immediately forwarded to the Superintendent for review.
5. Creates a process and safeguards for students if an immigration official requests access to the school site or to student data.