

## Minnesota corrections commissioner disputes ICE arrest numbers

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JUANA SUMMERS, HOST:

The new head of federal immigration enforcement in Minnesota now says the current operation will only end if local authorities allow ICE to take custody of immigrants in local jails and prisons. The head of Minnesota's prison system says it has been cooperating with the Federal Department of Homeland Security on these requests, that Homeland Security's statistics are vastly wrong and that ICE is taking credit for arrests made by local law enforcement in order to justify its expanded operation in the state.

Paul Schnell is the commissioner of the Minnesota Department of Corrections, and he is here with me now. Welcome to ALL THINGS CONSIDERED.

PAUL SCHNELL: Thanks for having me.

SUMMERS: Paul, to start, your agency says that it has documented 68 instances where Homeland Security has falsely claimed that ICE made arrests here in Minnesota. Tell us what's happening here.

SCHNELL: Well, across the board, there has been considerable concern on our part about the vast number of differences that exist both in what's happening, what they're taking credit for by way of arrest. And these are cases where we facilitated or coordinated the transfer of custody from the Department of Corrections to them. But even beyond that, the number of supposed targets is very large that they're saying is in - are in custody in Minnesota, and it's simply not true. We simply cannot square up where these numbers are coming from for DHS.

SUMMERS: Now, your department created some YouTube videos. They highlight four examples of prisoner transfers that are being claimed by DHS as ICE arrests. Tell us about these and why you picked these four.

SCHNELL: When we started to have information being put out by ICE and by Customs and Border Patrol that gave the indication that somehow these people were released into the community by the Department of Corrections and then they had to go out as part of their Operation Metro Surge and locate these people and take them into custody, when in fact

there was a safe transfer of custody that was coordinated with DOC staff in the local office of the immigration office here.

And so I think to correct the record and make sure that Minnesotans knew what was happening - and really people across the country - because we're concerned that they're using these numbers as justification for the massively outsized force that they have here to do immigration enforcement.

SUMMERS: What compelled you to come out and speak out about this, to make a statement about this?

SCHNELL: Well, first and foremost, I think we have an obligation to Minnesotans to make sure that they know what the public policy is here. But more than that, we needed to make sure that we were holding to account DHS, who was putting out information that were wildly, vastly different than what the reality is here. Even when we look at the people in jail, the numbers are very low in Minnesota. And yet, this is the justification for over 3,000 agents sent out across Minnesota?

SUMMERS: I do want to ask you about something that Tom Homan said yesterday. He's, of course, the federal border czar newly in charge of operations here. He said that a drawdown of operations here in the state of Minnesota will only happen with the cooperation of local officials. And one thing that he specifically honed in on was that local jails grant access to ICE in order to seize undocumented immigrants. And I wonder, how does that demand that Tom Homan made square with the existing cooperation that you all have already with federal immigration authorities?

SCHNELL: So first and foremost, I think the prison system is easier because we have a much more stable population. But sheriffs are in a very difficult position because they face legal liability if they hold people beyond their appointed time. And having judicial orders or detainers or holds that are signed by a judge would address this issue. But to date, we have not seen a willingness on the part of DHS to pursue those.

SUMMERS: I could imagine that some people might ask, if the people in question are undocumented immigrants and have been found to have committed crimes, why is Minnesota's corrections department speaking up here? How would you respond to that?

SCHNELL: Well, again, I really think, at the end of the day, we want to make sure people are held to account. And they have an obligation to serve a sentence that's been imposed by our court system here, and that represents the justice interests of our state as well as these crime victims. And we can't forget that. Corrections plays a critical - we think - important role.

And so for us to speak out is really about speaking on behalf of our state and making sure that people in Minnesota and people across the country know what's happening. We all

care about public safety, and we should be focused on those people who represent a considerable threat in our communities, whether it's in Minnesota or anywhere in the country. But that's not what we're seeing play out operationally.

SUMMERS: We've been speaking with Paul Schnell, Minnesota's Department of Corrections commissioner. Thanks so much.

SCHNELL: Thank you for having me.

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