

Minnesota prisons head calls out ICE misinformation on arrests, cooperation

By KSTP

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Minnesota's chief of prisons is once again pushing back on repeated misinformation from U.S. Immigration and Customs Enforcement (ICE) and Homeland Security (DHS).

Paul Schnell, commissioner of the Minnesota Department of Corrections (DOC), spoke at a press conference on Thursday, accusing federal agencies of either seriously misunderstanding DOC's processes or intentionally trying to mislead the public.

"Despite our best efforts to correct the record and engage directly with the U.S. Department of Homeland Security, they continue to publicly repeat information that is inaccurate and misleading. This is no longer a simple misunderstanding," Schnell said. "At best, DHS fundamentally misunderstands Minnesota's correctional system. At a minimum, this reflects systemic data management inadequacies or incompetence as it relates to DHS tracking detainers and custody. At worst, it is pure propaganda. Numbers released without evidence to stoke fear rather than inform the public."

The commissioner noted DOC has tried numerous times to connect with Homeland Security officials to correct some of the reported misinformation they've repeated but DHS has not yet responded to any requests.

The press conference came a week after DOC publicly disputed claims made by Homeland Security and just hours after Border Patrol Commander at Large Greg Bovino and ICE Executive Assistant Director of Enforcement and Removal Operations Marcos Charles again touted immigration enforcement operations in Minnesota.

Inaccurate numbers

Homeland Security has said there are 1,360 people with ICE detainers in Minnesota custody. Schnell says it's unclear where Homeland Security got that number, but it's nowhere near reality.

Just this week, DOC reached out to every county in the state and tallied 94 people with ICE detainers in county jails. In state custody, there are another 207 people with active ICE detainers, according to Schnell.

"Despite requests, DHS has provided no data, no data source, no tracking methodology, no jurisdictional breakdown, and no timeframe explaining how their numbers were produced,"

Schnell said. “We have asked to come together around the data. We have received no answer.”

Misleading “arrests”

Schnell also highlighted that not only does Homeland Security continue to claim DOC doesn’t cooperate with ICE, but it also insinuates that some of their agents are arresting people that Minnesota is actually handing over.

“We are seeing them claim that they arrested people that they picked up from our prisons through our cooperation in the last few months. What we do know is this: DHS’s claims do not match Minnesota’s records, Minnesota court data or basic jurisdictional realities,” Schnell said.

In just one example, Schnell showed video of ICE picking up Meng Khong Yang and Joshua Fornoh, two people highlighted by DHS on one of its “Worst of the Worst” releases, just a day before Homeland Security announced them as “criminal illegal aliens arrested yesterday during Operation Metro Surge.”

Charles had claimed earlier Thursday that Homeland Security doesn’t highlight arrests of individuals turned over by Minnesota prisons.

Others highlighted by DHS, according to Schnell, were released from Minnesota prisons to ICE “decades ago.”

“We’ve reviewed every single person that DHS has publicly named and here’s what we found: Many individuals were never in Minnesota DOC custody at all, several have no Minnesota court or prison records whatsoever, some had short stays in Minnesota county jails, some are in custody in other states, many were released directly to ICE, including cases going back to 2009, 2001, even into the 1990s,” Schnell said.

Again, Schnell suggested Homeland Security either is failing to understand how their detainees were taken into custody or is intentionally trying to mislead people, proposing that they have “serious records problems.”

Lack of understanding

On Thursday, Charles acknowledged, “The Department of Corrections for Minnesota does honor our detainees; we pick individuals up from the state.” However, he added, “It’s the counties that do not honor our detainees” and called on Gov. Tim Walz to “talk to the counties and let them honor our detainees.”

Schnell said that Charles’ latter point is inaccurate, as Minnesota law already allows counties to cooperate with ICE detainees and Walz can’t control those operations. In fact,

Minnesota law requires the state to notify ICE when a non-U.S. citizen arrives in custody and Schnell said DOC complies with that fully and honors all ICE detainees.

The commissioner also noted that even some of the individuals who are released and later picked up by ICE could have been smoothly transferred if ICE wanted. However, if ICE doesn't put out a detainer or schedule a pickup, jails can't hold people longer than legally allowable.

"The information that's being put out certainly does not reflect reality," Schnell said, again encouraging DHS to better coordinate with them instead of claiming DOC doesn't cooperate with ICE.

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