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PRESS RELEASE

State Ethics Commission files lawsuit against New Mexico Corrections Department for disclosing New Mexico probationers' personal information to federal ICE agents

Albuquerque, NM, July 10, 2026 – The New Mexico State Ethics Commission (“NMSEC”) filed a civil enforcement action against Alisha Tafoya Lucero in her official capacity as the Secretary of the New Mexico Corrections Department (“NMCD”) for the department’s violations of the Nondisclosure of Sensitive Personal Information Act (“NSPIA”), NMSA 1978, §§ 10-16I-1 to 10-16I-4.

The NSPIA, effective as of July 1, 2025, prohibits New Mexico state agency employees from intentionally disclosing sensitive personal information, including information regarding an individual’s immigration status and national origin, to anyone outside of the state agency, except in limited, enumerated circumstances. The Commission is authorized to enforce the NSPIA through civil actions in district court when there is a violation of the Act.

The Commission’s lawsuit concerns a pattern and practice by employees in NMCD’s Adult Probation and Parole Division (“PPD”) intentionally disclosing probationers’ immigration status and national origin to United States Immigration and Customs Enforcement (“ICE”) for the purpose of facilitating probationers’ arrests by ICE.

Since the NSPIA took effect in July 2025, NMCD PPD’s continued violations of the law have resulted in at least four New Mexico probationers being taken into

ICE custody, causing hardships to the probationers themselves, as well as their family members, many of whom are American citizens and New Mexicans.

The Commission is seeking several injunctive remedies to stop NMCD's NSPIA violations, protect the personal information of New Mexico's probationers, and promulgate NMCD policies and procedures sufficient to prevent future NSPIA violations.

The injunctive relief includes: (i) forbidding NMCD employees from sharing probationers' immigration status or national origin with ICE agents or facilitating New Mexico probationers' arrest by federal immigration agents; (ii) requiring communications with federal immigration authorities to go through NMCD PPD Region supervisors exclusively; and (iii) establishing educational training to NMCD PPD employees regarding NSPIA's nondisclosure requirements, NMCD agency policies to prevent NSPIA violations and, effective disciplinary measures for employees who violate NSPIA.

"The Legislature enacted the Nondisclosure of Sensitive Personal Information Act to ensure that New Mexicans can trust state agencies with their most sensitive personal information—not fear that it will be used against them," said Amelia Bierle, Deputy Director of the New Mexico State Ethics Commission. "The Corrections Department's mission is to strengthen New Mexico communities by providing those entrusted to its care with opportunities for positive personal growth and self-development. Using sensitive personal information to facilitate arrests by ICE betrays the Department's own mission and violates New Mexico law."

[Click here to read the State Ethics Commission's complaint.](#)

About the State Ethics Commission

The State Ethics Commission is an independent, constitutional state agency with the authority to enforce civil violations of New Mexico's governmental ethics and disclosure statutes, including the Nondisclosure of Sensitive Personal Information Act. The Commission is comprised of three Democratic Commissioners, three Republican Commissioners, and one independent Commissioner who is registered as "decline to state."

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For more information about the State Ethics Commission, please visit sec.nm.gov.