



October 1, 2026

Mayor John Whitmire
City of Houston – Mayor's Office
901 Bagby Street
Houston, TX 77002
mayor@houstontx.gov

Dear Mayor Whitmire,

We urge you to exercise the full scope of your authority as mayor to ensure accountability for federal agents committing crimes in Houston. While the killing of Lorenzo Salgado Araujo was the most horrific instance of criminality federal agents committed in Houston, it was not the first. We are concerned that local officials in Houston remain hesitant to exercise their power and fulfill their responsibility to enforce state criminal laws against federal officials. To prevent further violence and to ensure justice for existing victims of federal violence, we respectfully urge your office, consistent with applicable law, to open investigations, or cause the Houston Police Department to open investigations, into other crimes that federal agents have committed in Houston. We also urge that you ensure that local law enforcement know their powers and responsibilities when federal agents break the law. Federal agents have no immunity under the Constitution or federal law for these types of actions. Local officials in Houston must safeguard Houstonians from violence, particularly when that violence is unlawfully perpetrated by agents of our own federal government.

Background

On July 7, 2026, U.S. Immigration and Customs Enforcement (ICE) agents in two unmarked SUVs blocked the van of Lorenzo Salgado Araujo, shot and killed him, and arrested the surviving passengers.¹ Mr. Salgado Araujo's belongings were stolen and he was sent to the hospital as a John Doe.²

Three witnesses stated that Mr. Salgado Araujo never threatened the ICE agents with his vehicle to warrant the stop and that ICE officials shot at Mr. Salgado Araujo soon after they exited their vehicle.³ None of the federal officers involved in the incident wore—or have disclosed wearing—body cameras.⁴ The U.S. Department of Justice and the U.S. Department of Homeland Security (DHS) refused to cooperate with Harris County District Attorney Sean Teare's investigation, refused to disclose the names of the perpetrators, claimed the officers involved acted in self-defense, and painted Mr. Salgado Araujo as an aggressor before any investigation was completed.⁵ Claims by DHS seeking to protect ICE agents and disparage Mr. Salgado Araujo have been contradicted by video evidence and witness statements, fitting a common pattern of DHS obfuscation in other incidents of ICE violence.⁶

¹ Christina Morales & Jacey Fortin, *What We Know About the ICE Shooting of Lorenzo Salgado Araujo*, N.Y. Times (Aug. 26, 2026), <https://www.nytimes.com/2026/07/09/us/houston-ice-shooting-lorenzo-salgado-araujo.html>; Arelis R. Hernández, Joyce Sohyun Lee & Imogen Piper, *What Videos Show About ICE's Pursuit of Immigrant's Van Before Houston Shooting*, Wash. Post (July 11, 2026), <https://www.washingtonpost.com/investigations/2026/07/11/videos-show-ice-agents-pursuing-van-unmarked-vehicles-before-fatal-shooting>. See also, Adrian Carrasquillo, *He Lived Here for 35 Years. Put Three Kids in College. ICE Killed Him.*, Bulwark (July 8, 2026), <https://www.thebulwark.com/p/he-lived-here-for-35-years-put-three-kids-in-college-ice-killed-jim-lorenzo-salgado-araujo>; Lucy Feldman, *These Two Brothers Are Fighting to Protect Immigrant Families After a Tragedy*, Time (Sep. 15, 2026), <https://time.com/collection/latino-leaders/2026/ronaldo-salgado-lorenzo-salgado-araujo-jr>.

² Bianca Seward, *'They Haven't Made It Easy': Family of Houston Man Fatally Shot by ICE Says They're Unable to Claim His Body*, Hou. Pub. Media (July 10, 2026), <https://www.houstonpublicmedia.org/articles/news/local/2026/07/10/556720/lorenzo-salgado-araujo-family-ice-shooting-houston-medical-examiner>.

³ Bianca Seward, *Lorenzo Salgado Araujo's Passengers Dispute ICE's Account of His Fatal Shooting, Their Attorney Says*, Hou. Pub. Media (July 10, 2026), <https://www.houstonpublicmedia.org/articles/news/politics/immigration/2026/07/10/556770/ice-shooting-houston-lorenzo-salgado-araujo-passengers-dispute-dhs-account>.

⁴ Luke Barr & Meridith Deliso, *ICE Officers Not Wearing Body Cameras During Deadly Houston ICE Shooting, DHS Says, as Family Pushes for Answers*, ABC7 (July 9, 2026), <https://abc7.com/story/ice-officers-not-wearing-body-cameras-during-deadly-houston-shooting-dhs-says-family-pushes-answers/19477206>.

⁵ Sondra Hernandez, *Harris County DA Sean Teare Calls ICE's Lack of Transparency on Houston Shooting 'Unacceptable'*, Hou. Chron. (July 13, 2026), <https://www.houstonchronicle.com/news/houston-texas/trending/article/houston-ice-shooting-harris-county-da-gives-22343157.php>.

⁶ Al Jazeera Staff, *Witnesses Contest the Trump Administration's Account of Texas ICE Killing*, Al Jazeera (July 10, 2026), <https://www.aljazeera.com/news/2026/7/10/witnesses-contest-the-trump>

We are pleased that District Attorney Teare took the initiative to open a criminal investigation, despite funding and coordination challenges.⁷ The news that grand jury proceedings have already begun demonstrates that timely accountability is possible.⁸

We ask that your office now turn its attention to other violent crimes committed by federal agents in Houston, particularly the assaults of Arnaldo and Arnulfo Bazan.

On October 23, 2025, Arnaldo Bazan, a citizen, and his father, Arnulfo Bazan, were stopped by masked agents who blocked their vehicle with their vehicles, exited their vehicles, and started hitting the windows. Arnulfo, fearing for the safety of his son, drove away to a store where they exited the vehicle.⁹ Arnaldo began to film the encounter.¹⁰ Contrary to public statements by the federal government, video evidence suggests that federal agents rammed Bazan's vehicle, creating a dangerous situation for both the residents and the public.¹¹

When they exited the vehicle, agents violently assaulted Arnulfo Bazan. Fearing for his father's safety, Arnaldo began to yell and an agent put him in an illegal chokehold, creating a potentially life-threatening situation with no

[administrations-account-of-texas-ice-killing](#); Uriel J. García, *Substance Found in Van After Houston ICE Shooting Wasn't Drugs, DA and U.S. Rep. Sylvia Garcia Say*, Tex. Trib. (July 24, 2026), <https://www.texastribune.org/2026/07/24/texas-ice-shooting-drug-test-results-salt-meth>; Nathan O'Neal, *ICE Claims About Vehicle Attacks 'Difficult' to Believe, Says Federal Judge*, Fox 9 KMSP (Jan. 12, 2026), <https://www.fox9.com/news/ice-claims-vehicle-attacks-difficult-believe-federal-judge-jan-2026>.

⁷ Stephen Simpson, *Harris County DA's Office to Treat ICE Shooting as Criminal Investigation, Says It May Take Months or Years to Complete*, Tex. Trib. (July 13, 2026), <https://www.texastribune.org/2026/07/13/texas-ice-shooting-houston-harris-county-investigation/>; David Nakamura, Ted Hesson & Arelis R. Hernández, *Feds Sideline Texas Officials in Probe into ICE Shooting, District Attorney Says*, Wash. Post (July 8, 2026), <https://www.washingtonpost.com/immigration/2026/07/08/feds-sideline-texas-officials-probe-into-ice-shooting-district-attorney-says/>; Orko Manna, *KHOU 11 One-on-One with Harris County DA Sean Teare About Deadly ICE Shooting Investigation*, KHOU (July 16, 2026), <https://www.khou.com/article/news/local/deadly-ice-shooting/harris-county-da-sean-teare-investigation/285-29e45bf6-d1e1-4f38-b058-d4eff91f2523>.

⁸ Pooja Lodhia, *Grand Jury Proceedings Have Begun in Houston ICE Shooting Case, Law Enforcement Sources Confirm*, ABC13 (Sep. 10, 2026), <https://abc13.com/post/grand-jury-proceedings-have-already-begun-lorenzo-salgado-araujo-ice-shooting-case-law-enforcement-sources-confirm/19811427>.

⁹ Kyle McClenagan, *Before a Man Was Deported to Mexico, His Son Says They Were Assaulted by Unidentified Officers in Houston*, Hou. Pub. Media (Oct. 28, 2025), <https://www.houstonpublicmedia.org/articles/news/politics/immigration/2025/10/28/534487/ice-houston-immigration-fiel-deportation>.

¹⁰ *Id.*

¹¹ Nicole Foy & McKenzie Funk, *We Found More Than 40 Cases of Immigration Agents Using Banned Chokeholds and Other Moves That Can Cut Off Breathing*, ProPublica (Jan. 13, 2026), <https://www.propublica.org/article/videos-ice-dhs-immigration-agents-using-chokeholds-citizens>.

justification.¹² Arnoldo was then detained to “confirm his identity,” and released—though agents did not return the phone he used to document the arrest. Using the “Find My” app to locate his phone, he found it in a vending machine for used electronics.¹³ Arnoldo’s mother, took him to the Houston Police Department (HPD) and filed a report, but HPD were apparently hesitant to begin an investigation of federal agents.¹⁴

This is just one example of many in which federal agents have subjected Houston to illegal acts of violence and theft. We urge your office to carefully review these incidents to determine, in each case, whether federal agents violated Texas criminal law. Even if the federal agents obtained a warrant or otherwise had legal bases for making certain arrests, they are not permitted to commit violent assaults on, or to steal from, the people swept up in these raids and arrests. Moreover, given the pattern of false claims by federal agents and their agencies, Houston officials must undertake their own investigations and not merely accept the federal government’s narrative in these cases. We urge you to begin these investigations and make it clear to federal agents that they will be held accountable for violations of criminal law in your jurisdiction.

The Supremacy Clause Does Not Preclude Prosecution

The Supremacy Clause “is designed to ensure that states do not ‘retard, impede, burden, or in any manner control’ the execution of federal law.” *New York v. Tanella*, 374 F.3d 141, 147 (2d Cir. 2004) (quoting *McCulloch v. Maryland*, 17 U.S. (4 Wheat.) 316, 436 (1819)). It does not, however, “gran[t] a license to federal officials to flout state laws with impunity.” *Whitehead v. Senkowski*, 943 F.2d 230, 234 (2d Cir. 1991); *see also Idaho v. Horiuchi*, 253 F.3d 359, 362 (9th Cir.), *vacated as moot*, 266 F.3d 979 (9th Cir. 2001) (“When federal officers violate the Constitution, either through malice or excessive zeal, they can be held accountable for violating the state's criminal laws.”).

Under the test set forth by the Supreme Court in *Cunningham v. Neagle*, a federal officer is entitled to immunity from state criminal prosecutions if “he was authorized to [act] by the law of the United States,” and that “in doing that act, he did no more than what was necessary and proper for him to do.” 135 U.S. 1, 75 (1890); *see also Tanella*, 374 F.3d at 147; *Texas v. Kleinert*, 855 F.3d 305, 314–15 (5th Cir. 2017) (to succeed on a Supremacy Clause immunity defense, a defendant must show they were “(1) a federal officer; (2) authorized by federal law to perform an act; (3) who, in performing the authorized act, did no more than what the officer subjectively believed was necessary and proper; and (4) that belief was objectively reasonable under the circumstances”). Where any one of these qualifications are not met, federal officers may be held criminally liable for violating state laws. *Morgan*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

v. People of State of California, 743 F.2d 728, 733–34 (9th Cir. 1984) (federal agents who may have instigated an altercation with civilians while intoxicated were not immune to state prosecution); *Pales v. Paoli*, 5 F.2d 280, 280–82 (1st Cir. 1925) (federal agent who fired on a car after attempting to stop it without reasonable suspicion acted in a “wholly illegal and unauthorized” manner and could be prosecuted).

Federal agents may not harass or abuse individuals engaged in protected speech, which includes recording public officials in public spaces and even verbally criticizing the officers. *Turner v. Lieutenant Driver*, 848 F.3d 678, 688 (5th Cir. 2017); *see also Houston v. Hill*, 482 U.S. 451, 461 (1987). Nor can the perpetrators evade culpability by claiming that they were following orders when the acts otherwise fail the *Neagle* test. *Cf. Pales v. Paoli*, 5 F.2d 280, 280–82 (1st Cir. 1925) (an agent who followed orders to carry out unlawful searches did not have immunity for crimes committed in the course of those searches); *Drury*, 200 U.S. at 8 (fatally shooting a surrendered suspect on a superiors’ orders “could not reasonably be claimed [to have been done] in the performance of a duty imposed by the Federal law.”). Instead, senior officials who give these orders or orchestrate unlawful raids should themselves be subject to investigation.

The available evidence in the killing of Mr. Salgado Araujo and the assaults and other crimes committed against Arnolando and Arnulfo Bazan do not support claims of immunity. But even if there were a dispute of fact over immunity, in these cases or in other investigations, potential immunity would not prevent state criminal investigations. *Drury*, 200 U.S. at 7–8; *Whitehead*, 943 F.2d at 235–36 (fact disputes precluded federal immunity); *Morgan*, 743 F.2d at 733–34 (same).

Investigating Federal Abuses

We urge you to make what should be an uncontroversial statement: when Houston residents are illegally assaulted, kidnapped, or killed the perpetrators of those crimes will be prosecuted, regardless of their status as a federal agent or official.

We recognize that the federal government has adopted a policy of noncooperation with local and state authorities in investigating incidents involving its federal officers,¹⁵ including in this case.¹⁶ Therefore, we urge you, in addition to making that statement, to take steps to ensure that neither the Trump administration’s targeting of vulnerable communities nor its attempts to cover up the abuses of its agents disrupt the enforcement of the rule of law in Houston.

¹⁵ Ernesto Londoño, *Once Again, Federal Officials Exclude Minnesota From Investigation of a Fatal Shooting*, N.Y. Times (Jan. 25, 2026), <https://www.nytimes.com/2026/01/25/us/federal-exclude-minnesota-shooting-investigations.html>.

¹⁶ Nakamura, Hesson & Hernández, *supra* note 7.

First, local investigation should begin as soon as your office receives notice of a potentially criminal incident. We urge you to order the Houston Police Department (HPD) reinstate its decades-old policy that required HPD detectives to investigate every officer-involved shooting within city limits, even when it involved federal officers.¹⁷ Under this policy, city law enforcement officers responded to the scene within minutes and begin gathering evidence and questioning witnesses.¹⁸ Soon after Trump's second inauguration, the city shelved this well-regarded and commonsense policy. Instead, Houston Police Chief Noe Diaz began deferring to the law enforcement agency responsible for the shooting, turning an automated process into a case-by-case decision.¹⁹ HPD chose not to respond when notified about Mr. Salgado Araujo's shooting and therefore did not send any officers to the scene when he was killed.²⁰ Instead, Harris County District Attorney Teare's representatives went to the scene a day later, a delay that significantly hindered local investigation and paved the way for federal authorities to control the evidence and investigation.²¹ Meanwhile, despite this policy having existed for decades before, you stated incorrectly to the press in the immediate aftermath of Mr. Salgado Araujo's shooting that HPD could not independently investigate the killing.²² HPD can investigate, and it must, if it is to pursue justice and accountability for crimes already committed, and to protect Houston residents from federal agents who falsely believe they can commit crimes of violence with impunity. HPD should immediately reinstate its traditional policy of responding to all shootings regardless of whether a federal agency is involved.

Second, we urge you to inform the public that Houstonians can rely on HPD to independently investigate all shootings within city limits. Enforcing state and local law is not only reasonable and appropriate, but also part of the police department's duty to Houstonians. We encourage you to issue guidance reinforcing this to Houston law enforcement and local officials, as released by Ramsey County Attorney John Choi in Minnesota²³ and Mayor Mike Johnston in Denver,

¹⁷ Dylan McGuinness & Matt deGrood, *HPD Quietly Ended Automatic Probes of Federal Police Shootings Before ICE Shooting of Lorenzo Salgado*, Hou. Chron. (Sep. 9, 2026), <https://www.houstonchronicle.com/news/investigations/article/hpd-ice-shooting-investigation-policy-change-22414278.php>.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² Dominic Anthony Walsh, *Houston Mayor John Whitmore Says HPD Can't Investigate ICE Shooting. Legal Experts Disagree*, Hou. Pub. Media (July 9, 2026), <https://www.houstonpublicmedia.org/articles/news/city-of-houston/2026/07/09/556660/ice-shooting-houston-mayor-john-whitmire-hpd-police-investigation>.

²³ Mohamed Ibrahim, *Ramsey County Prosecutor Opens Investigations into Federal Officers, Calls for Public Reports*, Sahan J. (Jan. 27, 2026), <https://sahanjournal.com/public-safety/ramsey-county-attorney-john-choi-investigates-federal-officers>.

Colorado.²⁴ Houston law enforcement and justice officials must have complete clarity that federal officers are not immune from state criminal investigation and that state law enforcement have a duty to investigate crimes committed by federal officers.

We also urge you to ensure that residents have a safe way to report violations of state criminal law by federal agents. Victims of federal violence should be publicly encouraged by you to step forward with the reassurance that their complaints will be taken seriously by Houston city officials.

By taking these steps and by committing to investigating potential state crimes, you will be joining other proactive investigatory and prosecutorial agencies in the country. Investigations of federal agents are underway in Illinois, Colorado, Minnesota, and Oregon.²⁵ In Minnesota, Hennepin County Attorney Mary Moriarty brought assault charges against two U.S. Immigration and Customs Enforcement (ICE) agents.²⁶ In Colorado, District Attorney Sean P. Murray, for the Sixth Judicial District, brought charges against a U.S. Customs and Border Patrol agent for putting a protestor in a chokehold and damaging the protestor's cell phone.²⁷

²⁴ *Report Misconduct by Federal Agents to the California Attorney General*, Cal. Dep't of Just., <https://oag.ca.gov/ReportMisconduct> (last visited Sep. 30, 2026).

²⁵ Londoño, *supra* note 15; Jack Morphet & Kris Maher, *Police Who Once Backed ICE's Mission Are Losing Faith in Its Tactics*, Wall St. J. (Jan. 24, 2026), <https://www.wsj.com/us-news/police-who-once-backed-ices-mission-are-losing-faith-in-its-tactics-e123c348>; Press Release, Hennepin County Atty's Off. (Jan. 9, 2026), <https://www.hennepinattorney.org/news/news/2026/January/HCAO-Evidence-Submission-Portal>; Yesenia Amaro, *Can Oregon Prosecute Federal Agents? State Officials Say They'll Try*, Oregonian (Dec. 1, 2025), <https://www.oregonlive.com/politics/2025/11/can-oregon-prosecute-federal-agents-state-officials-say-theyll-try.html>; Dave Savini & Samah Assad, *Broadview Police Chief Accuses ICE Agents of Making False 911 Calls*, CBS News (Oct. 2, 2025), <https://www.cbsnews.com/chicago/news/broadview-police-chief-thomas-mills-ice-agents-false-911-calls>; Mark Rivera et al., *Family Fights for Accountability Nearly 1 Year After Deadly ICE Shooting in Franklin Park*, ABC7 (Sep. 8, 2026), <https://abc7chicago.com/post/family-fights-accountability-1-year-deadly-ice-shooting-kills-silverio-villegas-gonzalez-franklin-park-illinois/19807869>; Jack Healy, *Immigration Agent Is Charged With Assaulting a Protester*, N.Y. Times (Apr. 22, 2026), <https://www.nytimes.com/2026/04/21/us/durango-colorado-immigration-officer-charged-assault.html>.

²⁶ Nicole Acevedo & Daniella Silva, *ICE Agent Charged in Operation Metro Surge Shooting Is Arrested in Texas*, NBC (May 29, 2026), <https://www.nbcnews.com/news/us-news/ice-agent-charged-operation-metro-surge-shooting-arrested-texas-rcna347567>; Matt Sepic, *ICE Agent Charged in Twin Cities Road Rage Incident Posts Bond*, MPR News (May 22, 2026), <https://www.mprnews.org/story/2026/05/22/ice-agent-gregory-morgan-jr-to-appear-in-minnesota-court-after-road-rage-incident>; Megan Rose & Andy Mannix, *Trump's DOJ Blocked Serious ICE Shooting Charge Over Federal Prosecutor's "Strongest Possible" Objections*, ProPublica (Sep. 2, 2026), <https://www.propublica.org/article/doj-blocks-charges-ice-agent-minneapolis-julio-cesar-sosa-celis>.

²⁷ Colleen Slevin & Morgan Lee, *CBP Officer Charged With Assault Over Treatment of Protester Outside Colorado ICE Facility*, Assoc. Press (Apr. 22, 2026), <https://www.pbs.org/newshour/nation/cbp-officer-charged-with-assault-over-treatment-of-protester-outside-colorado-ice-facility>.

Prosecutors in Arizona, California, Illinois, Minnesota, Pennsylvania, Texas, Vermont, and Virginia have made public statements that federal officers do not have absolute immunity from state criminal prosecution.²⁸ Officials in Denver, Colorado have ordered local law enforcement officers to intervene if federal agents use excessive force against residents.²⁹ The Attorney General of New York has committed to sending staff to observe ICE raids.³⁰

State and local governments have a critically important role in this nation's system of laws. Houston need not and should not wait for its residents to institute civil actions or for the criminal and removal proceedings to reveal the scope of the Trump administration's abuses, particularly given the lengths to which the Trump administration has gone to evade oversight and hide the identities and criminal behavior of individual agents.³¹ Houston has the power and duty to enforce its criminal laws, even against federal actors and even against powerful defendants.

²⁸ Shaila Dewan, *Local Prosecutors Join Forces to Bring Charges Against Federal Agents*, N.Y. Times (Jan. 27, 2026), <https://www.nytimes.com/2026/01/27/us/prosecutors-charges-against-federal-agents.html>; *Law Enforcement Guidance Statement*, Rob Bonta, Cal. Att'y Gen. (Jan. 27, 2026), <https://oag.ca.gov/system/files/media/2026-dle-07.pdf>; Public Statement, Lake County State's Att'y's Off., (Jan. 25, 2026), <https://lcsao.org/DocumentCenter/View/372/Statement-Minneapolis>; Heather Knight & Kellen Browning, *Pelosi Says Police May Arrest Federal Agents Who Violate California Law*, N.Y. Times (Oct. 22, 2025), <https://www.nytimes.com/2025/10/22/us/politics/nancy-pelosi-ice-agent-arrest.html>; see generally, *Fight Against Federal Overreach*, <https://www.federaloverreach.org> (last visited Sep. 30, 2026).

²⁹ Lindsey Toomer, *Denver Policies Seek to Protect City Residents from Federal Immigration Enforcement*, Colo. Newslne (Feb. 28, 2026), <https://coloradonewslne.com/briefs/denver-protect-residents-immigration-enforcement>.

³⁰ Luis Ferré-Sadurní, *New York Attorney General to Send Observers to Document ICE Raids*, N.Y. Times (Feb. 3, 2026), <https://www.nytimes.com/2026/02/03/nyregion/letitia-james-ice-observers-new-york.html>.

³¹ J. David McSwane & Hannah Allam, *Unfettered and Unaccountable: How Trump Is Building a Violent, Shadowy Federal Police Force*, ProPublica (Oct. 18, 2025), <https://www.propublica.org/article/trump-dhs-ice-secret-police-civil-rights-unaccountable>; Jaimie Ding, *Trump Administration Sues California Over Law Banning Masked Federal Agents*, NBC News (Nov. 17, 2025), <https://apnews.com/article/federal-agents-ice-mask-lawsuit-immigration-97bd5027946c677badfc78ba2d85c71a>.

Conclusion

We urge you to publicly acknowledge the important role that state and local officials play in holding federal officials accountable for their violence against community members. We urge you and HPD to review existing reports of other unlawful assaults and thefts conducted by federal agents in Houston, and publicly encourage the victims to come forward if they have information about such misconduct. Furthermore, we remain seriously concerned that federal officers will continue to violate Texas criminal laws. We encourage you to respond to, investigate, and, as appropriate, prosecute any crimes committed by federal agents and officials.

Sincerely,

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Council Member Mario Castillo, District H
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