



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

February 13, 2026

Joseph Cuffari
Office of Inspector General
Mail Stop 0305
U.S. Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528-0305

Dear Inspector General Cuffari,

On behalf of Citizens for Responsibility and Ethics in Washington (“CREW”), I strongly urge you to instruct the Department of Homeland Security, Immigration and Customs Enforcement, and Customs and Border Protection (collectively, “DHS”) personnel to preserve and retain all evidence and all records related to DHS personnel’s use of lethal force, including digital data and text messages.

National attention is intensely and appropriately focused on the shooting deaths of two American citizens, Renee Nicole Good and Alex Pretti, by DHS personnel in the course of DHS’s aggressive operations in Minneapolis.¹ Almost immediately after each incident, and before any meaningful investigations into them, DHS leadership made a series of statements regarding the shootings that were immediately contradicted by video evidence, including that Good and Pretti were committing acts of domestic terrorism.² Since then, investigations into DHS’s use of force have reportedly been hindered by DHS personnel, as DHS’s own Office of Professional Responsibility has been unable to access evidence

¹ Tiffany Wertheimer, *Who was Renee Nicole Good, the Woman Killed by ICE?*, BBC (Jan. 13, 2026), <https://www.bbc.com/news/articles/c1jepdgy256o>; Kurt Streater, *How Alex Pretti’s Death Became a National Tipping Point*, N.Y. Times (Feb. 1, 2026), <https://www.nytimes.com/2026/02/01/us/alex-pretti-minneapolis.html>.

² Jude Joffe-Block, Huo Jingnan and Audrey Nguyen, *DHS Keeps Making False Claims About People. It’s Part of a Broader Pattern*, NPR (Jan. 31, 2026), <https://www.npr.org/2026/01/31/nx-s1-5690124/ice-alex-pretti-immigration-unproven-claims-dhs-enforcement-arrests>;

Ximena Bustillo, *Internal Review Contradicts White House Narrative of Pretti’s Death*, NPR (Jan. 28, 2026) <https://www.npr.org/2026/01/27/g-s1-107608/alex-pretti-death-internal-review-immigration>.

requested from Homeland Security Investigations,³ and local law enforcement has been blocked from conducting its own investigations in defiance of standard practice.⁴ These facts raise significant doubts that DHS personnel are complying with federal law and DHS policies mandating the collection and retention of evidence and records regarding these and other uses of force.

DHS policy mandates that “[u]ses of force shall be documented and investigated” and that each DHS component maintain “internal processes to collect and report accurate data” on the use of force.⁵ In response to the use of deadly force, CBP, which employs the officers who reportedly killed Pretti, further mandates a “CBP supervisor,” among other things, collect a report from “the involved employee(s) addressing public safety and evidence preservation,” “secure the incident scene,” and “[e]nsure that all CBP employees who were involved and/or witnessed the incident have been identified and advised that they will be interviewed by investigative personnel,” and that a “Responsible Official” “[e]nsure that information regarding the deadly force incident is collected and reported.”⁶ In addition to these policies, DHS personnel are required by federal regulation to report to the appropriate authorities, including your office, “waste, fraud, abuse, and corruption,” which includes failures by DHS to adhere to DHS policies meant to preserve evidence regarding the use of lethal force by its personnel.⁷

Federal law imposes further obligations on DHS personnel. The Federal Records Act and Freedom of Information Act require DHS personnel to maintain complete records of

³ Shimon Prokupecz, Holmes Lybrand and Evan Perez, *Investigators in Customs and Border Protection's Internal Probe Into Alex Pretti Killing Have Limited Evidence Access*, CNN (Jan. 28, 2026), <https://www.cnn.com/2026/01/28/us/cbp-pretti-investigation-evidence-fbi-dhs>.

⁴ *Despite Having Warrant, BCA Denied Access to Scene Where Federal Agents Shot, Killed Man in South Minneapolis*, KARE 11 (Jan. 24, 2026), <https://www.kare11.com/article/news/local/ice-in-minnesota/bca-blocked-from-scene-where-federal-agents-fatally-shot-man-south-minneapolis/89-2d4bf800-d146-49ee-8eb8-4ff5e09f02c8>.

⁵ U.S. Dep't of Homeland Sec., *Policy Statement 044-05 (Revision 01), Update to the Department Policy on Use of Force* (Feb. 6, 2023), https://www.dhs.gov/sites/default/files/2023-02/23_0206_s1_use-of-force-policy-update.pdf.

⁶ U.S. Customs & Border Prot., *CBP Use of Force - Administrative Guidelines and Procedures Handbook, L. Enft Safety & Compliance Directorate Operations Support, 4500-002B* 15, 16, 18 (Jan. 2021) (emphasis in original)

https://www.cbp.gov/sites/default/files/assets/documents/2021-Jul/cbp-use-of-force-admin-guide-procedure-handbook_4500-002B.pdf. Despite its role in public life and its agent's reported use of deadly force against an American citizen, DHS does not meaningfully publish ICE's policy on Firearms and the Use of Force. The only version of that policy it publishes is entirely redacted except for a one-paragraph "Purpose/Background" statement that confirms that the policy assigns responsibilities for agency employees and, in conjunction with the ICE Firearms and Use of Force Handbook, establishes procedures and protocols concerning firearms and the use of force, including (but not limited to) . . . reporting of use of force incidents[.]” See U.S. Immigration and Customs Enfor., *ICE Directive 19009.3: Firearms and Use of Force* (May 26, 2023), https://www.ice.gov/doclib/foia/policy/19009.3_firearmsUOF.pdf.

⁷ 5 C.F.R. § 4601.108.

their activities,⁸ encompassing “all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business,”⁹ including records from “electronic messaging systems.”¹⁰ Agencies must also “make and preserve records” documenting the “functions . . . of the agency” in order to “furnish the information necessary to protect the legal . . . rights of . . . persons directly affected by the agency’s activities.”¹¹ DHS personnel are subject to severe criminal penalties if they destroy or alter evidence, tamper with witnesses or otherwise obstruct a federal investigation.¹²

To preserve the integrity of the DHS, permit a proper investigation by DHS OIG and other oversight bodies of the deaths of two American citizens at the hands of government agents and fulfill DHS’s legal obligations, it is imperative that your office issue a directive to DHS personnel that both reiterates their obligations under DHS policy and federal law to preserve evidence regarding the lethal use of force and directs their compliance.

Sincerely,



Donald K. Sherman
President and Chief Executive Officer

⁸ 44 U.S.C. §§ 3301; 5 U.S.C. § 552.

⁹ 44 U.S.C. § 3301(a)(1)(A).

¹⁰ 36 C.F.R. §§ 1220.12, 1220.18. *See also* DHS, *Policy Directive 141-03, Electronic Records Management Updates for Chat, Text, and Instant Messaging* (Feb. 23, 2018), https://www.dhs.gov/sites/default/files/2024-06/141-03_policy-directive.pdf (mandating capture and management of electronic records, including electronic transactions such as text, chat, and instant messaging); *see also* 44 U.S.C. § 3105 (requiring DHS to establish safeguards to prevent unlawful removal or destruction of records).

¹¹ 44 U.S.C. § 3101.

¹² *See, e.g.*, 18 U.S.C. §§ 1510, 1512, 1519.