

CITY OF EL PASO, TEXAS
AGENDA SUMMARY FORM



DEPARTMENT / COUNCIL OFFICE: City Attorney's Office

AGENDA DATE: 4/1/26

PUBLIC HEARING DATE:

CONTACT PERSON NAME: Karla M. Nieman

PHONE NUMBER: 915-212-0033

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

AGENDA ITEM:

Discussion and action on a resolution calling for a reaffirmation of the independence of federal grand juries and requesting impartial investigations of allegations involving federal immigration enforcement agencies, specifically related to the recent deaths that have taken place at the immigration facility located on Fort Bliss.

ISSUE STATEMENT:

On March 17, 2026, in conjunction with item #24 council directed the City Attorney to prepare for consideration by the City Council at the next practicable City Council Meeting a resolution calling for reaffirmation of the independence of federal grand juries and requesting impartial investigations of allegations involving federal immigration enforcement agencies, specifically related to the recent death of Geraldo Lunas Campos and others that have taken place at Camp East Montana

BACKGROUND:

Follow up Resolution tied to item #24 on the March 17, 2026 council agenda.

COUNCIL OPTIONS:

Approve Resolution

COMMITTEE REVIEW AND/OR RECOMMENDATION:

N/A

COMMUNITY AND STAKEHOLDER OUTREACH (if applicable, as an attachment) – please include:

None

RELATED CITY POLICIES:

None

PRIOR COUNCIL ACTION:

Follow up Resolution tied to item #24 on the March 17, 2026 council agenda.

LEGAL REVIEW:



Legal counsel reviewed as a part of Council packet



Legal counsel reviewed in advance of packet as an individual item

AMOUNT AND SOURCE OF FUNDING:

N/A

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

N/A

NAME	AMOUNT (\$)

ATTACHMENTS:

Resolution

FOR MORE INFORMATION:

*****REQUIRED AUTHORIZATION*****

SIGNATURE: _____

(If Agenda Summary Form is initiated by Purchasing, client department should sign also)

**A RESOLUTION CALLING FOR REAFFIRMATION OF THE INDEPENDENCE OF
FEDERAL GRAND JURIES AND REQUESTING IMPARTIAL INVESTIGATION OF
ALLEGATIONS INVOLVING FEDERAL IMMIGRATION ENFORCEMENT
AGENCIES.**

WHEREAS, the Fifth Amendment to the United States Constitution establishes the federal grand jury as an independent constitutional body with authority to investigate federal crimes; and

WHEREAS, the United States Supreme Court has repeatedly affirmed that federal grand juries operate independently of prosecutors and judges, including in *Stirone v. United States*, 361 U.S. 212 (1960); *United States v. Sells Engineering, Inc.*, 463 U.S. 418 (1983); and *United States v. Williams*, 504 U.S. 36 (1992); and

WHEREAS, “A grand jury has broad investigative powers to determine whether a crime has been committed and who has committed it. The jurors may act on tips, rumors, evidence offered by the prosecutor, or their own personal knowledge.: *United States v. Dionisio*, 410 U.S. 1 (1973) citing *Branzburg v. Hayes*, 408 U.S.655, at 701 (1972); and

WHEREAS, on February 3, 2026, the El Paso City Council unanimously approved an agenda item to explore legal avenues to ensure accountability for Immigration and Customs Enforcement (ICE) activities, prevent immigration detention centers within city limits, clarify protocols for ICE access to City facilities, and obtain reporting on City-ICE cooperation; and

WHEREAS, on March 17, 2026, the El Paso City Council approved an agenda item to amend the February 3, 2026 motion to add a directive calling for a reaffirmation of the independence of federal grand juries and requesting impartial investigations of allegations involving federal immigration enforcement agencies; and

WHEREAS, here in El Paso, Texas at “Camp East Montana”, the migrant detention facility located on Fort Bliss, there have been reports of several deaths, one of which was ruled a homicide; and

WHEREAS, applicable federal criminal statutes prohibit deprivation of rights under color of law (18 U.S.C. § 242), conspiracy against rights (18 U.S.C. § 241), obstruction of justice (18 U.S.C. § 1512), fraud and false statements (18 U.S.C. § 1001), misprision of felony (18 U.S.C. § 4), and related offenses; and

WHEREAS, public trust in the rule of law requires that allegations against federal officials be reviewed by bodies independent of the agencies concerned.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

1. That the City of El Paso respectfully requests that the United States District Court for the Western District of Texas reaffirm to sitting and future federal grand juries their

independence from federal prosecutors and judges, their authority to investigate potential federal crimes, and their ability to consider allegations involving federal agents.

2. That the City of El Paso calls upon sitting and future federal grand juries to exercise their independent constitutional authority to investigate alleged misconduct by officers or agents of ICE, CBP, and the Department of Justice.
3. That such investigations should include potential violations of 18 U.S.C. §§ 4, 241, 242, 1512, 1001, and other applicable federal statutes.
4. That grand jury investigations proceed independently of internal agency reviews and without deference to agencies whose conduct is the subject of inquiry.
5. That where evidence establishes probable cause, grand juries should issue indictments against any individual, regardless of position or rank, who is found to have committed federal crimes.
6. That the City of El Paso reaffirms its commitment to safeguarding constitutional rights, supporting peaceful protest, and upholding the principle that no person is above the law.
7. That the City Clerk is directed to transmit official copies of this Resolution to the Chief Judge and judges of the U.S. District Court for the Western District of Texas (El Paso Division), the United States Attorney for the Western District of Texas, the United States District Clerk for the Western District of Texas, and members of the local congressional delegation.
8. That the City encourages members of the public, civil-rights organizations, journalists, medical professionals, and witnesses to submit evidence of alleged federal crimes at East Camp Montana located on Fort Bliss through appropriate channels, including local law-enforcement agencies, consistent with established procedures for handling such evidence.

PASSED AND APPROVED this ___ day of _____, 2026.

CITY OF EL PASO, TEXAS

Renard U. Johnson
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

 (for)

Karla M. Nieman
City Attorney