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January 26, 2026

Secretary Kristi Noem
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, D.C. 20528

Dear Secretary Noem,

On Sunday, January 25, 2026 Gregory Bovino, Commander of USBP, made the following statement in response to a reporter's question as to whether the officers involved in the shooting of Alex Pretti were still on duty:

> *"All agents that were involved in that scene are working, not in Minneapolis but in other locations. That's for their safety. There's this thing called doxxing. The safety of our employees is very important to us, so we're going to keep those employees safe".*

As a former district attorney who has investigated officer-involved shootings, I am deeply concerned to hear that the officers on the scene for this incident, including those who discharged their weapons, are still on the streets and have not been placed on leave for 72 hours followed by administrative duty, as required by the CBP Use of Force Administrative Guidelines and Procedures Handbook[1] and as recommended by the International Association of Chiefs of Police[2].

I am also deeply concerned by Mr. Bovino's statement that these officers have been reassigned to duties outside the State of Minnesota. Relocating material witnesses away from the jurisdiction where a homicide occurred by the Department of Homeland Security requires a clarification from DHS that your officers will comply with state and local investigators, and that this movement of personal is not part of a wider effort to obstruct a fair investigation and shield agents from potential criminal charges. The civil strife in Minnesota is the direct result

[1] U.S. Customs and Border Protection, CBP Use of Force - Administrative Guidelines and Procedures Handbook § (2021), https://www.cbp.gov/sites/default/files/assets/documents/2021-Jul/cbp-use-of-force-admin-guide-procedure-handbook_4500-002B.pdf.

[2] *Officer-Involved Shooting Guidelines* (International Association of Chiefs of Police, 2013), https://www.theiacp.org/sites/default/files/2018-09/Psych-OfficerInvolvedShooting.pdf.

of the outrageous conduct exhibited by DHS officers under your command. You chose to place masked agents on the streets of a peaceful American city; now, you must choose to uphold the rule of law.

I call on you to immediately take the following actions:

1. Immediate placement on administrative leave of all officers directly involved in the Minneapolis shooting and any supervising personnel with operational oversight, as required by CBP policy.
2. Confirmation that all body-worn camera footage, radio transmissions, supervisory directives, and other evidentiary material have been preserved and secured from alteration or destruction and that the Department of Homeland Security intends to comply with the temporary restraining order granted by U.S. District Court Judge Eric Tostrud and requested by the Minnesota Bureau of Criminal Apprehension and Hennepin County Attorney's Office.
3. Cooperation with state and appropriate local authorities to facilitate a joint, independent investigation into the facts and circumstances of this incident.
4. Ongoing briefings to Congress on the status of these investigations.

Given the unresolved questions surrounding the conduct of federal officers on January 24th, placing officers on immediate administrative leave is both appropriate and necessary.

Sincerely,



William R. Keating
MEMBER OF CONGRESS