



OFFICE OF THE RAMSEY COUNTY ATTORNEY  
JOHN J. CHOI, COUNTY ATTORNEY

March 20, 2026

Office of the General Counsel  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr. Ave SE  
Washington, DC 20528-0485

**Re: Touhy Demand for Information Concerning Criminal Investigation of January 18, 2026, Incident Involving ChongLy Scott Thao**

Dear Sir or Madam,

Please consider this letter a formal demand, pursuant to relevant Department of Homeland Security (DHS) regulations and applicable agency procedures, for the production of information necessary to conduct a pending criminal investigation of federal officers under state law. The request is made in the course and scope of an official state criminal investigation being conducted by the Ramsey County Sheriff's Office, in collaboration with this office. We seek materials in DHS's possession, custody, or control that are material and necessary to the investigation and factual determinations of alleged criminal violations occurring within Saint Paul in Ramsey County, Minnesota.

On the afternoon of January 18, 2026, several individuals broke into the Saint Paul home of ChongLy Scott Thao, a U.S. citizen. Mr. Thao was handcuffed and removed from his home without his consent, wearing only a pair of shorts and Crocs in sub-freezing weather. He was then driven around in a vehicle and questioned and identified for about one hour until they returned him to his home. Based on the investigation so far, including publicly available information about Operation Metro Surge, it is presumed that the individuals involved were officers of one or more DHS agencies. There is no indication the officers had a warrant for entry or arrest.

Federal officers may be found criminally liable under state law unless they act with legal authority in a way that is necessary and proper. Whether or not these officers committed a crime, and whether they may ultimately be immune from prosecution, can only be determined through a full investigation. The public is demanding, and deserves, transparency when authorities may have violated their trust. This transparency, and accountability when warranted, is in the interest of all who work in law enforcement and government generally. Without it, we lose the trust of these we are sworn to serve and protect and our entire system of government loses credibility.

It is the duty of local officials to investigate the possible commission of crimes under state law. Like all states, the State of Minnesota, through its agencies and divisions, has a well-established independent sovereign right and responsibility to investigate possible violations of its criminal laws, including by agents of the federal government. The possible offenses under investigation here include, but are not limited to, kidnapping, false imprisonment, and burglary.

March 20, 2026

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**Page 2 of 4**

As part of its investigation of this incident, the Ramsey County Sheriff's Office sent a letter on February 24<sup>th</sup>, 2026 to Immigration and Customs Enforcement Saint Paul Field Office Director Sam Olson requesting information related to the incident. In response, a Ramsey County Sheriff's Office investigator was invited to meet with I.C.E. Section Chief Howard Weisman, and that meeting took place on March 5<sup>th</sup>, 2026. Section Chief Weisman indicated that he was not authorized to share this information.

We do not know, and Section Chief Weisman did not indicate, who does have that authority. Therefore, in the interest of time and efficiency, we are making this formal demand under the legal framework established by United States ex rel. Touhy v. Ragen, 340 U.S. 462 (1951), and DHS's implementing regulations governing agency responses to subpoenas, demands, and requests for official information. This demand should not be necessary, historically local and federal law enforcement agencies have collaborated in incidents like this, and under the applicable regulatory structure for DHS, "Nothing in this subpart affects the disclosure of official information to ... federal, state, local, or foreign prosecuting and law enforcement authorities in conjunction with criminal law enforcement investigations, prosecutions, or other proceedings ..." 6 C.F.R. §5.41(i).

All the information requested bears on the pending investigation and will directly assist us in completing a comprehensive review, regardless of the outcome. The information will allow us to determine who was involved, what exactly occurred, under what authority those involved were acting or believed they were acting, and to begin to assess whether their actions were necessary and proper.

Pursuant to 6 CFR §§ 5.41 et seq. and analogous subcomponent regulations, we formally demand production of the below-listed information and documents, and access to personnel. We ask that DHS, and all its respective subcomponents, provide the material described related to the incident of January 18, 2026, when federal officers entered the Saint Paul home (address provided upon request) of ChongLy Scott Thao, and subsequently detained him without consent.

1. Any and all documents, communications, and records, including electronically stored information, relating to the incident, including but not limited to incident reports, witness information and interview records or notes, use-of-force reports, internal correspondence, body-worn camera or surveillance footage, radio transmissions, GPS/AVL data, and chain-of-command notifications;
2. Policies, directives, standard operating procedures, and training materials in effect on January 18, 2026, concerning home entry; the requirements for warrants; and the questioning, apprehension, and detention of immigrants and U.S. citizens;
3. Records identifying and reflecting duty status, assignment, and supervisory oversight for any officers or agents of DHS or its subcomponents at the scene of the incident or directly or indirectly involved off-site; and
4. Access to interview federal agents and officers on duty on January 18, 2026, in Saint Paul, Ramsey County, Minnesota, and/or who were involved in the incident.

March 20, 2026

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Page 3 of 4

To the extent any responsive information is claimed to be sensitive or restricted, we request production subject to appropriate protective measures and redactions consistent with DHS regulations. We will comply with all procedural requirements specified by DHS, including the submission of any required declarations, certifications, or forms, and are prepared to coordinate scope, custodians, search parameters, and production formats to facilitate prompt compliance.

The requested information is essential to assess criminal liability, ensure the integrity of the investigation, and fulfill our obligations under state law; delay or denial would materially impair our ability to determine the facts and administer justice. We may request different or additional information at a later date. Please confirm receipt, identify the appropriate DHS component point of contact, and advise of any additional steps required for agency consideration.

We ask for a response to this request by April 30, 2026, and are available to meet and confer at your earliest convenience.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Hao Q. Nguyen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Hao Q. Nguyen  
Trial & Appellate Division Director  
651-266-3152

March 20, 2026

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**Page 4 of 4**

**CC via Electronic Mail:** Office of the General Counsel, U.S. Department of Homeland Security, [OGC@hq.dhs.gov](mailto:OGC@hq.dhs.gov)

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