

United States Senate

WASHINGTON, DC 20510

February 26, 2026

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, DC 20032

The Honorable Rodney Scott
Commissioner
Customs and Border Protection
1300 Pennsylvania Ave NW
Washington, D.C. 20229

Dear Secretary Noem and Commissioner Scott:

I write to express deep and urgent concern about the recent death of Nurul Amin Shah Alam in Buffalo, New York after being taken into custody by U.S. Customs and Border Protection (CBP) on February 19, 2026. Without any attempt to contact Mr. Shah Alam's family or efforts to ensure his safety, Border Patrol agents left Mr. Shah Alam, who was nearly blind and had limited English proficiency, at a coffee shop. He was found deceased just a few days later. These series of negligent actions demand a full investigation surrounding the events leading up to Mr. Shah Alam's release from federal custody and his subsequent death, and what steps will be taken to prevent this from happening again.

According to reports, Mr. Shah Alam had been in custody at the Erie County holding center since February 2025.¹ Following a plea agreement with the Erie County District Attorney, his family posted bail on February 19, 2026. However, pursuant to a federal detainer placed on Mr. Shah Alam, the Erie County Sheriff's Office contacted Border Patrol and informed them of his release. Border Patrol agents then arrived at the county holding center and took custody of Mr. Shah Alam. After confirming he was not "amenable to removal" due to his refugee status, Border Patrol agents left Mr. Shah Alam, who was nearly blind and had limited English proficiency, at a Tim Hortons coffee shop, without access or means to contact his family or lawyer. On February 24, the Buffalo Police Department found Mr. Shah Alam deceased, miles away from his location when he was released from federal custody.

According to an official statement by CBP, after confirming his lawful status as a refugee, federal agents offered Mr. Shah Alam a "courtesy ride, which [Mr. Shah Alam] chose to accept", to the Tim Hortons coffee shop which was determined to be a "safe location".

¹ Hunter-Gasperini, K., & Catterson, T. (2026, February 25). Congressman Kennedy calls for investigation after missing man found dead on Perry Street. News 4 Buffalo. <https://www.wivb.com/news/local-news/buffalo/missing-man-found-dead-on-perry-street/>

Additionally, the statement alleges that Mr. Shah Alam “showed no signs of distress, mobility issues, or disabilities requiring special assistance.” However, according to Mr. Shah Alam’s family and lawyer, he was mostly blind, dealt with “serious medical conditions, and spoke little, if any, English. These inconsistent accounts warrant questions as to whether Border Patrol agents adequately and accurately assessed Mr. Shah Alam’s physical impairments or his ability to safely navigate his surroundings or get in contact with his family.

It is unclear whether federal agents made any attempts to inform Mr. Shah Alam’s family about chain of custody or even his last-known location. His family and the entire Buffalo community deserve answers. I demand a full accounting of the events and actions taken by federal agents while Mr. Shah Alam was in their custody. I ask that you provide answers to the following questions and requests by March 4, 2026:

1. Please provide a full accounting of Mr. Shah Alam’s custody timeline, including all actions taken by Border Patrol agents during this time.
 - a. Please provide the exact time and location where Mr. Shah Alam came into federal custody. Please provide the exact time and location where Mr. Shah Alam was released from federal custody.
 - b. Please provide details on how Border Patrol agents communicated with Mr. Shah Alam given his limited English proficiency. Please confirm whether translation services were utilized.
 - c. Did Border Patrol agents attempt to notify the family of Mr. Shah Alam prior to his release? If not, please provide a justification.
2. Mr. Shah Alam was severely visually impaired and suffered from serious medical conditions. What factors were taken into consideration that led Border Patrol agents to determine that despite Mr. Shah Alam’s medical condition, he was sufficient to be left on his own at a coffee shop?
3. Border Patrol determined that Mr. Shah Alam was in the United States lawfully as a refugee. What was the basis to request a federal detainer for Mr. Shah Alam to be held by the Erie County’s Sheriff’s Office, even after his family posted bail?
4. What is the current release protocol for individuals being released from ICE or CBP custody who are found to be not amenable to removal?
 - a. How was the coffee shop determined to be a safe location?
 - b. Did Border Patrol agents assess any local non-governmental organizations shelters or other local stakeholders before determining the release location?
 - c. Did Border Patrol agents notify any local law enforcement agency or other unit of local government of Mr. Shah Alam’s location prior to or after transporting him to the release location?
5. Will CBP’s Office of Professional Responsibility be conducting an investigation into this incident?
6. What is the official notification procedure following an individual’s release from ICE or CBP custody, specifically with regard to informing the individual’s family members or legal counsel?

7. Will federal authorities commit to coordinating with the Erie County Sheriff's Office and other local authorities to conduct a full investigation into the death of Nurul Amin Shah Alam?

Sincerely,



Kirsten Gillibrand
United States Senator