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Liberal Pair Allege Racial Profiling In New Mexico

Two Liberal residents have accused police of racial profiling and of improperly seizing \$57,000 in cash from them after they were pulled over for speeding on an eastern New Mexico highway.

Carlos Portillo and his cousin, both of Liberal, filed a lawsuit May 14 in state District Court in Santa Fe after being stopped on U.S. 54 in Tukumcari driving 10 miles over the speed limit on their way from Kansas to El Paso, Texas.

The lawsuit against the city of Tukumcari, state police Chief Faron Segotta and unnamed state and city officers said no speeding ticket was issued but the pair was detained and property was taken from them.

The complaint asks a judge to order police to account for and return all property seized, including the money. It also seeks undisclosed damages.

Portillo, who was born in the U.S., was carrying \$59,000 in cash to buy farming equipment at an auction, according to the lawsuit filed by Santa Fe attorney Stephen Aarons.

After police stopped Portillo on May 2, authorities seized clothes, Portillo's boots, the car and most of the cash, the lawsuit said. Tukumcari is on Interstate 40 about 40 miles from the Texas border.

"Inexplicably, the police officers returned \$2,000 from plaintiff Portillo's wallet to him for spending money, drove plaintiffs to a nearby hotel and provided a receipt for property seized by the city police ... except for the U.S. currency," the lawsuit said.

The lawsuit alleges several officers divided the cash among themselves, intending to keep it "with no record of having seized a large sum."

The lawsuit listed the amount as \$47,000, but the complaint will be amended to correct that to \$57,000.

A police inventory lists only the boots and the car. A box labeled "other" is checked under the reason for items being seized, there's no mention of the money,

The lawsuit contends speeding is "not an arrestable offense" but Portillo "appeared to be a Mexican national to the police officer" who detained the couple without probable cause because they "fit some sort of profile in violation of their civil rights" against unreasonable search and seizure.

Other officers, including state police officers, arrived and searched the vehicle with a drug-sniffing dog but found nothing, the lawsuit said.

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