

Congress of the United States
Washington, DC 20515

August 7, 2025

Hon. Pamela J. Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Hon. Kristi Noem
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King, Jr. Ave. SE
Washington, D.C. 20032

Todd Lyons
Acting Director
U.S. Immigration and Customs Enforcement
500 12th St. SW
Washington, D.C. 20536

Dear Attorney General Bondi, Secretary Noem, and Acting Director Lyons:

We write this letter in support of laws and ordinances in the State of Illinois, Cook County, and the City of Chicago governing local law enforcement interactions with immigrant communities. In the wake of yet another dismissal in federal court of your attacks on these laws,¹ we urge your Administration to respect the autonomy of these state and local laws rather than renew failed, retaliatory lawsuits and policies.

These state and local policies ensure Illinois' law enforcement comply with the United States Constitution, and they direct local resources toward community safety, while allowing the federal government to focus on federal immigration enforcement. These policies are in accordance with the law, maintain local autonomy, boost local economies,² focus law enforcement resources on serving local needs, and promote effective policing strategies that foster trust between police and the communities they serve. The federal government may not unconstitutionally commandeer local law enforcement authority, nor ignore state autonomy by executive order.³ Illinois is well within its authority to determine its local law enforcement

¹ See *U.S.A. v. State of Illinois*, 1:25-cv-01285, ECF No. 86, (Memorandum Opinion and Order dismissing lawsuit against Illinois, Cook County, and the City of Chicago).

² Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Center for American Progress, (January 26, 2017), <https://www.americanprogress.org/article/the-effects-of-sanctuary-policies-on-crime-and-the-economy>.

³ See Donald J. Trump, *Executive Order 14287: Protecting American Communities from Criminal Aliens*, 90 Fed. Reg. 18,761 (Apr. 28, 2025); *Executive Order 14218: Ending Taxpayer Subsidization of Open Borders*, 90 Fed. Reg. 10,581 (Feb. 19, 2025); *Executive Order 14159: Protecting the American People Against Invasion*, 90 Fed. Reg. 8443, Jan. 20, 2025).

priorities, and your efforts to coerce state and local jurisdictions into enforcing federal immigration law raise serious constitutional concerns.⁴

The bipartisan *Illinois TRUST Act* took effect in 2017, in consultation with law enforcement, including the support of the Illinois State Police. Bruce Rauner, the Republican then-Governor of Illinois, signed the legislation into law.⁵ In general, the *TRUST Act* as amended prohibits local law enforcement from detaining an individual solely due to an immigration detainer or administrative warrant, stopping or arresting an individual solely based on the individual's citizenship or immigration status, and inquiring into an individual's citizenship or immigration status.⁶ It also prohibits the sharing of information other than immigration or citizenship status with federal immigration authorities, entering contracts or agreements to detain individuals for the purposes of civil immigration enforcement, responding to immigration notification and detainer requests, or allowing federal immigration agents access to detainees in local custody. The state's laws do not restrict federal immigration authorities from operating within the state. In fact, Illinois permits cooperation with the Department of Homeland Security (DHS) Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) in criminal investigations.⁷

Similarly, the *Chicago Welcoming City Ordinance* prevents the arrest or detention of an individual solely on the basis of a civil immigration violation and prevents local officials from giving ICE access to detainees unless such access is based on a legitimate law enforcement purpose that is not civil immigration enforcement.⁸ Consistent with the *Illinois TRUST Act*, the *Welcoming City Ordinance* does not prevent ICE from engaging in immigration enforcement activities. Cook County has also adopted ordinances focusing its sheriff and jail resources on criminal law enforcement needs in the county without obstructing ICE from conducting federal enforcement.⁹

These provisions—and similar provisions adopted by jurisdictions around the country—comply with federal law and longstanding judicial precedent.¹⁰ Courts around the country have upheld the legality of such provisions and barred the federal government from compelling localities to cooperate in immigration enforcement under threat of withholding federal grants.¹¹ This well-

⁴ Multiple federal courts have called into question or ruled unconstitutional federal efforts to commandeer local law enforcement officials. See, e.g., *City of Chicago v. Sessions*, 321 F. Supp. 3d 855, 872 (N.D. Ill. 2018), *aff'd on other grounds sub nom. City of Chicago v. Barr*, 961 F.3d 882 (7th Cir. 2020); *City & County of San Francisco v. Sessions*, 349 F. Supp. 3d 924, 953 (N.D. Cal. 2018), *aff'd on other grounds sub nom. City & County of San Francisco v. Barr*, 965 F.3d 753 (9th Cir. 2020); *United States v. California*, 921 F.3d 865, 889 (9th Cir. 2019); *New York v. Department of Justice*, 343 F. Supp. 3d 213, 237 (S.D.N.Y. 2018), *rev'd*, 951 F.3d 84 (2d Cir. 2020).

⁵ See Gov. Rauner Signs Trust Act, Illinois.gov (Aug. 28, 2017), <https://www.illinois.gov/news/press-release.14747.html>. In 2021, the *TRUST Act* was amended by the *Illinois Way Forward Act*. See Law Enforcement and Immigration, Office of Attorney General Kwame Raoul, <https://www.illinoisattorneygeneral.gov/Safer-Communities/Resources-for-Law-Enforcement/Law-Enforcement-And-Immigration/>.

⁶ See *Illinois Trust Act*, 5 ILCS 805/15.

⁷ 5 ILCS 805/15(i).

⁸ Section 2-173-020(c) of Chapter 2-173 of the Municipal Code of Chicago.

⁹ Code of Cook County Ordinances, Ch. 46, Sec. 37.

¹⁰ See Miriam Jordan, *What Are Sanctuary Cities?*, N.Y. Times (Jan. 22, 2025), available at <https://www.nytimes.com/2025/01/22/us/sanctuary-cities-trump-immigration.html>.

¹¹ See *City and County of San Francisco v. Barr*, 965 F.3d 753, 757 (9th Cir. 2020); *United States v. California*, 921 F.3d 865, 891 (9th Cir. 2019); *City of El Cenizo v. Texas*, 890 F.3d 164, 180-81 (5th Cir. 2018); *Galarza v. Szalczyk*,

established precedent was again upheld by a recent federal district court ruling, which dismissed the Trump Administration’s lawsuit against Illinois, Cook County, and Chicago, and affirmed these policies are protected by the Tenth Amendment.¹²

Under current ICE policy, ICE can use an immigration detainer request to ask law enforcement to hold a person for up to 48 hours past their scheduled release date.¹³ However, courts have held that state and local jurisdictions violate a person’s Fourth Amendment rights when complying with an immigration detainer without a judicial warrant (and corresponding finding of probable cause), thus potentially making them liable for damages.¹⁴ Therefore, in passing these laws, Illinois, Cook County, and the City of Chicago—along with hundreds of other jurisdictions across the country—protect local resources while ensuring compliance with the Constitution and leaving the enforcement of federal immigration law to federal officials.

Illinois, Cook County, and the City of Chicago’s policies are clearly lawful exercises of state and local police power under the Tenth Amendment to the Constitution.¹⁵ As is their prerogative, Illinois, Cook County, and the City of Chicago made the decision to enact laws fostering trust between law enforcement and noncitizens, ensuring that noncitizen victims of crimes, such as survivors of domestic violence, can seek the help and protection they need and are willing to come forward and cooperate with local law enforcement.¹⁶ Police have long recognized that when community members fear that cooperation with local law enforcement may result in deportation, it undermines public safety and creates a chilling effect among residents otherwise willing to report crimes and cooperate with investigations.¹⁷ Research shows that localities that restrict local law enforcement from engaging in federal civil immigration enforcement have significantly lower crime rates compared to localities where local police assume immigration-related responsibilities, possibly because their policies foster confidence between local agencies

745 F.3d 634, 643-45 (3d Cir. 2014); *McHenry County v. Raoul*, 44 F.4th 581, 592 (7th Cir. 2022). Most recently, a federal judge blocked the Administration from punishing 16 welcoming cities and counties under two recent executive orders, indicating that the threats to funding for welcoming jurisdictions cause “irreparable injury in the form of budgetary uncertainty, deprivation of constitutional rights, and undermining trust between Cities and Counties and the communities they serve.” *City and County of San Francisco v. Donald J. Trump*, 3:25-cv-01350 (N.D. Cal., April 24, 2025), ECF No. 111.

¹² See *U.S.A. v. State of Illinois*, 1:25-cv-01285, ECF No. 86, (Memorandum Opinion and Order dismissing lawsuit against Illinois, Cook County, and the City of Chicago).

¹³ See *Immigration Detainers*, Immigration and Customs Enforcement, <https://www.ice.gov/immigration-detainers>; *Moreno v. Napolitano*, 213 F. Supp. 3d 999 (N.D. Ill. Sept. 30, 2016); *Gonzalez v. ICE*, 16 F. Supp. 3d 995 (C.D. Cal. 2019).

¹⁴ See *Miranda-Olivares v. Clackamas Cty.*, No. 3:12-CV-02317-ST at 11 (D. Or. Apr. 11, 2014); *Roy v. City of L.A.*, No. 2:12-cv-09012, 2018 WL 914773 (C.D. Cal. 2018); *Orellana v. County of Suffolk*, No. 17-CV-4267, 2025 WL 481723 (E.D.N.Y. 2025).

¹⁵ U.S. Const. Amend. X; see *infra*, notes 4 and 11.

¹⁶ Catalina Amuedo-Dorantes and Monica Deza, *Can Sanctuary Policies Reduce Domestic Violence?* (Logan, UT: Center for Growth and Opportunity at Utah State University, 2020), available at <https://www.theego.org/research/can-sanctuary-policies-reduce-domestic-violence>.

¹⁷ Yuki Otsu, *Sanctuary Cities and Crime*, Volume 192, *Journal of Economic Behavior & Organization*, (Nov. 2021), available at <https://www.sciencedirect.com/science/article/abs/pii/S0167268121004480>.

and the communities with which they interact.¹⁸ These trends explain the longstanding support from many local law enforcement leaders for such policies.¹⁹

On April 25, a federal judge issued a preliminary injunction against the withholding of funding from so-called sanctuary jurisdictions, raising concerns that the executive branch is repeating unconstitutional policies enjoined during President Trump's first term. The court's injunction applies to "any Executive Order or agency directive that purports to attempt to cut off federal funding from States or localities that meet the Government's definition of 'sanctuary' jurisdiction," which the court characterized as the "wholesale, overly broad and unconstitutional manner threatened by [President Trump's Executive Orders 14159 and 14218]."²⁰ DHS then issued a list of so-called "sanctuary" jurisdictions, including Chicago and Illinois, which only exacerbated these concerns. The National Sheriffs Association stated that the list was created "without any input, criteria of compliance, or a mechanism for how to object to the designation" and further stated that, "[sheriffs] nationwide have no way to know what they must do or not do to avoid this arbitrary label."²¹ Although that list was rescinded, the Justice Department issued a revised list on August 5, highlighting the Trump Administration's continuing efforts to undermine state and local law enforcement priorities.²²

It is both legal and reasonable for Illinois, Cook County, Chicago, and other jurisdictions to pass laws that both ensure compliance with the Constitution and improve policing outcomes at the local level. As lawmakers who value the rule of law, public safety, and the U.S. Constitution, we urge you to abandon your efforts to usurp Illinois, Cook County, and Chicago's lawful authority, including through the Justice Department's lawsuit that was recently dismissed. These laws neither impede nor interfere with the enforcement of federal immigration law by federal authorities.²³ We applaud Illinois, Cook County, and Chicago lawmakers for ensuring that their

¹⁸ Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Center for American Progress (Jan. 26, 2017), available at <https://www.americanprogress.org/wp-content/uploads/sites/2/2017/01/SanctuaryJurisdictions-report.pdf>; Walter Ewing, *Cities with 'Sanctuary' Policies Save Lives from Domestic Violence, Immigration Impact* (June 5, 2020), available at <https://www.immigrationimpact.com/2020/06/05/sanctuary-cities-domestic-violence/>.

¹⁹ See Law Enforcement Immigration Task Force Letter on H.R. 5717, *Law Enforcement Immigration Task Force* (Sept. 19, 2024), available at <https://leitf.org/2024/09/law-enforcement-immigration-task-force-letter-on-h-r-5717/>; Alexia Fernández Campbell, *US police chiefs are fighting the crackdown on 'sanctuary cities'*, Vox (Aug. 18, 2017), available at <https://www.vox.com/policy-and-politics/2017/8/18/16130954/police-sanctuary-cities>; Chuck Wexler, *Op-Ed: Police chiefs across the country support sanctuary cities because they keep crime down*, L.A. Times (March 6, 2017), available at <https://www.latimes.com/opinion/op-ed/la-oe-wexler-sanctuary-cities-immigration-crime-20170306-story.html>.

²⁰ See *San Francisco v. Trump*, 3:25-cv-01350, ECF No. 111; 136.

²¹ See also Nat'l Sheriffs Ass'n, *NSA President Issues Statement Calling For DHS Accountability and Transparency* (May 31, 2025), available at <https://www.sheriffs.org/nsa-president-issues-statement-calling-for-dhs-accountability-and-transparency>.

²² See Tim Sullivan, *Justice Department releases new list of so-called sanctuary jurisdictions*, Associated Press (Aug. 6, 2025), available at <https://apnews.com/article/trump-immigration-sanctuary-cities-deportation-95277c47a04cdd5e07bbc29da51c0813>; see also Democratic Governors Association, *Statement from Democratic Governors on Donald Trump's Use of California's National Guard* (Jun. 8, 2025), available at <https://democraticgovernors.org/updates/statement-from-democratic-governors-on-donald-trumps-use-of-californias-national-guard/>.

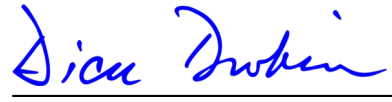
²³ Joel Rose, *Justice Department Sues Chicago and Illinois over 'Sanctuary Laws'*, NPR News (Feb. 6, 2025), available at <https://www.npr.org/2025/02/06/nx-s1-5288871/justice-department-sues-chicago-and-illinois-over-sanctuary-laws>.

policies comply with the Constitution, prioritize public safety, and actively foster trust between the police and the communities they serve.

Sincerely,



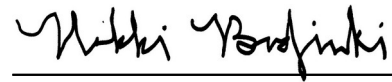
Jesús G. "Chuy" García
Member of Congress



Richard J. Durbin
United States Senator



Tammy Duckworth
United States Senator



Nikki Budzinski
Member of Congress



Sean Casten
Member of Congress



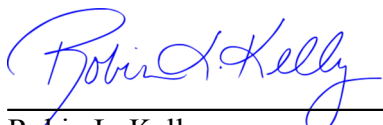
Danny K. Davis
Member of Congress



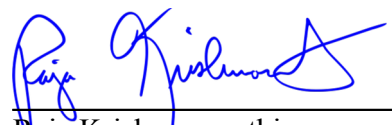
Bill Foster
Member of Congress



Jonathan L. Jackson
Member of Congress




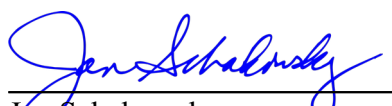
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Member of Congress




Raja Krishnamoorthi
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Mike Quigley
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Delia C. Ramirez
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Jan Schakowsky
Member of Congress


Bradley Scott Schneider
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