



State of Illinois  
Illinois Department of Human Rights



# ILLINOIS ACCOUNTABILITY COMMISSION

## APPENDIX B POLICY RECOMMENDATIONS April 2026





# **POLICY RECOMMENDATIONS OF ILLINOIS ACCOUNTABILITY COMMISSION**

Presented below are policy changes that the Commission recommends to federal, state and local governments and other relevant sectors to address, prevent, and remedy the harms of federal immigration enforcement activities like those of Operation Midway Blitz. The Commission recommends that federal Executive Branch agencies take action to implement these changes wherever possible. The Commission recognizes that in many instances, federal statutory changes, Congressional action, or state legislative action may be necessary for implementation. In such cases, the Commission urges Congress or the Illinois General Assembly to take such action.

The Commission has highlighted several existing Illinois statutory protections and administrative actions that mitigated some of the harms of Operation Midway Blitz that may be useful for other states to consider in anticipation of potential immigration enforcement surges.

The Commission thanks the many organizations and individuals who submitted policy recommendations, and the victims who bravely chose to share their experiences. Their stories matter, and their insights informed the findings of this report and recommended strategies to prevent future harm to others.

# KEY RECOMMENDATIONS

The Commission has identified key recommendations that most directly address the findings of misconduct and harm committed or caused by federal agents during Operation Midway Blitz.

- **Finding 1** – Federal immigration agents engaged in dangerous high-speed vehicular pursuits, extreme physical force, indiscriminate use of chemical agents, shootings, beatings, and other violent acts, amounting to unconstitutional uses of force.
  - ♦ **Key Recommendation for Federal Government: Prohibit Roving Patrols, Hold Agents Accountable and Require Body Worn Cameras**

DHS should end the use of roving patrols, and Congress should ban the practice. Agents must be adequately trained on de-escalation and crowd control techniques. DHS must reign in agents' use of chemical agents, physical force and vehicular pursuits. Civil immigration enforcement should not escalate to the point that officers need to use any type of crowd control device. In any case, federal agents should never deploy tear gas, pepper spray and other chemical agents prior to issuing an order to disperse and providing time and space for individuals to comply. In addition, DHS should distribute body worn cameras to all agents and ensure any officer with a body worn camera complies with the policy requiring it to be activated to record all encounters.
- **Finding 2** – Officials from Immigration and Customs Enforcement, Customs and Border Protection, the Department of Homeland Security, and the White House routinely lied to the public about the motivations and outcomes of Operation Midway Blitz and concealed and distorted key facts about events involving federal immigration agents.
  - ♦ **Key Recommendation for Federal Government: Hold Senior Leadership Accountable**

Congress should investigate and hold federal leadership accountable for the pattern of misinformation during Operation Midway Blitz. DHS must improve transparency so that the public can evaluate claims made by federal officials about incidents involving federal immigration agents.

- **Finding 3** – Federal immigration agents conducted discriminatory stops and unlawful warrantless arrests, creating widespread fear throughout the Chicago metropolitan area and beyond.
  - ♦ **Key Recommendation for Federal Government: End Warrantless Arrests**  
Congress must amend the Immigration and Nationality Act to end warrantless arrests for civil enforcement matters and prohibit discriminatory stops that rely on race, ethnicity, workplace, accent or language. Congress must also strengthen the requirements for arrests made pursuant to an administrative warrant to prevent agents from misusing them as cover for warrantless arrests.
  
- **Finding 4** - CBP and ICE paramilitary tactics like face masks, military fatigues and body armor, unmarked vehicles, and military-style weapons, along with surveillance of protesters and observers, created an environment of occupation that terrorized immigrants and attempted to silence individuals engaged in First Amendment protected activity
  - ♦ **Key Recommendation for Federal Government: Stop Paramilitary Tactics**  
DHS must prohibit agents from wearing face coverings or otherwise hiding their identity. DHS must stop agents from brandishing weapons to intimidate or harass. DHS must ensure agents display visible identification at all times. DHS must immediately end its unlawful surveillance of and interference with first amendment activities, and Congress must investigate, end these retaliatory practices, and dismantle whatever databases DHS has amassed containing biometric data.
  
- **Finding 5** – Inhumane conditions and lack of due process were used by federal immigration agents to coerce individuals in detention into leaving the country, even if they had a legal pathway to residency or relief from deportation.
  - ♦ **Key Recommendation for Federal Government: Restore Due Process**  
Congress must prioritize immigration law reform and redirect funding to DHS initiatives that improve due process in the immigration system rather than expanding detention. Congress must restore humanitarian policies for the treatment of all detained foreign nationals. Congress must also prohibit DHS detaining or separating children from their parents and restore conditional release for parents and children waiting disposition of their civil cases. DHS must immediately restore access to bond hearings for all individuals in detention.

- ♦ **Finding 6** – High-level White House, DHS and other federal officials enabled and encouraged misconduct by ICE and CBP agents during Operation Midway Blitz by urging agents to “go hard,” defending and mischaracterizing incidents of use of force, shielding agents from accountability, lifting safeguards, and effectuating harmful policies.
- ♦ **Key Recommendation for Federal Government: Discipline ICE and CBP Agents Who Committed Misconduct**

Federal oversight systems responsible for disciplining officers who harm the public, such as the DHS Office of Inspector General, DHS Office for Civil Rights and Civil Liberties and the Department of Justice’s Criminal Section of the Civil Rights Division, must be re-opened and empowered to hold officers accountable. Congress should also lift barriers in federal law that make it difficult for individuals to seek monetary damages for constitutional violations by federal officers. Congress should also hold DHS leadership accountable for the many failures of DHS’ officers to comply with standard practices during Operation Midway Blitz and monitor DHS compliance with training and standards requirements.
- **Finding 7** - Operation Midway Blitz had a pervasive chilling effect on civic life, negatively undermined community trust in state and local law enforcement, strained many businesses and economic districts in the Chicago area, and hurt the mental health and well-being of Illinois children and families.
  - ♦ **Key Recommendation for State of Illinois: Protect Civic Life**

The State of Illinois, private sector partners, county and municipal governments, and non-profit organizations should continue to collaborate on ways to alleviate the economic damage caused by Operation Midway Blitz, expand access to legal services and family preparedness planning support, and prevent further disruption to civic life by immigration enforcement activities, including the potential intimidation or interference with elections. Congress should also allocate funding to offset the impact of Operation Midway Blitz to Illinois governments, communities and businesses.

- **Finding 8** - Illinois' Trust Act and other Initiatives to support immigrants promoted public safety, despite claims to the contrary by the federal government
  - ♦ **Key Recommendation for other states and local governments: Enact Policies Like the Illinois TRUST Act**

The Trump Administration targeted Illinois on the faulty assumption that the TRUST Act made Illinois unsafe, when it was actually the conduct of ICE and CBP agents that put Chicagoans in harm's way. Now more than ever, states and local governments that have not yet adopted legislation like the TRUST Act should do so to safeguard the relationship between their residents and local police.

# FULL RECOMMENDATIONS

## Creating Commonsense Immigration Policy and Enforcement Guardrails

### Federal Recommendations

Congress must undertake significant reforms to immigration law, including broadening lawful pathways to residency in federal law to prevent the instability experienced by many individuals, to provide workforce stability, and to uncouple civil immigration from criminal law enforcement. This should include a rebalancing of funding towards visa processing, refugee reception, processing of political asylum applications, and enforcement oversight. Excessive funding for enforcement and detention should be drastically cut.

Congress must strictly limit U.S. Customs and Border Protection (CBP) from engaging in civil immigration enforcement in the interior of the United States away from U.S. borders and ports of entry, and reassess the definition for a “reasonable distance from the border” (the so-called “100-mile rule”) to prevent redeployment of CBP like Operation Midway Blitz.

Congress should exercise its oversight authority to prevent federal agencies from withholding congressionally approved funds from states based on politically motivated objections to sanctuary cities.

## Ending Indiscriminate Enforcement Sweeps & Warrantless Arrests for Civil Enforcement

### Federal Recommendations

Consistent with the Fourth Amendment, require ICE and CBP to obtain a warrant issued by a federal judge to make an arrest in a subject’s residence or business.

End the authority of DHS agents to conduct warrantless arrests for civil immigration violations and strengthen statutory requirements for administrative warrants with the following:

- officers must accurately document individualized probable cause of the noncitizen’s lack of lawful immigration status to obtain an administrative warrant.
- all administrative warrants must be approved by an immigration judge or supervising officer at least 24 hours in advance of execution.
- all administrative warrants must be issued concurrently with or based on a previously issued Notice to Appear or existing removal order.
- at the time of arrest, all administrative warrants must be served on the recipient with the Notice to Appear or proof of an existing removal order.

End roving patrols, arrest quotas, bounties, and other incentives that encourage indiscriminate sweeps.

Prohibit discriminatory stops based solely on an individual’s race, ethnicity, workplace, accent, or language (aka “Kavanaugh stops”).

## Prohibiting Identity Shielding Techniques by ICE & CBP

<b>Federal Recommendations</b>	Prohibit use of face coverings for the purposes of concealing an officer's identity during immigration enforcement (unless legitimate and documented need).
	Require officers to display their agency, unique identification number and last name on their uniform/badge.
	Require officers to verbalize their ID number and last name if asked.
	Standardize the uniforms and equipment that DHS officers carry to enable the public to identify officers.
	Prohibit use of unmarked vehicles during civil immigration enforcement activities, use of vehicles without license plates, and license plate swapping, absent a previously documented, specific need to do so for safety reasons.
<b>State and Local Recommendations</b>	State and local law enforcement should evaluate their protocols for how and when their officers should attempt to confirm that individuals purporting to be conducting immigration enforcement activities are actually federal officers.

## Protecting Sensitive Locations and Local Autonomy

<b>Federal Recommendations</b>	Congress should statutorily prohibit civil immigration enforcement activities in or near sensitive locations, (e.g. courthouses, schools, churches, hospitals) and expand prior administrative policy to create a buffer zone of 1,000 feet around any sensitive location.
	Congress should end 287(g) agreements which allow ICE to delegate powers to local law enforcement officers.
	Congress should designate voting locations as sensitive locations to prevent potential intimidation of voters or other interference with the right to vote by federal agents.
<b>State and Local Recommendations</b>	For the purposes of civil immigration enforcement, prohibit use of publicly owned property by federal immigration officers for apprehending non-citizens or as staging areas, processing locations, or operation bases.
<b>Private Sector Recommendations</b>	Private businesses and other private sector entities (including religious institutions, private schools, and healthcare facilities) should develop response plans for potential immigration enforcement to help employees feel prepared to respond, including distribution of written safety protocols, know your rights trainings, clearly designating private areas of work locations with signs, and training certain employees to be points of contact who are designated to communicate with law enforcement officers. Additional resources are available at: <a href="http://illinoisimmigrationinfo.org/orgs-employers">illinoisimmigrationinfo.org/orgs-employers</a> .

## Preventing, Investigating and Disciplining Unlawful Use of Force

### Federal Recommendations

DHS must end the practice of roving patrols and Congress must prohibit them. Dangerous tactics deployed by ICE and CBP roving patrols, such as indiscriminate use of tear gas and high-speed vehicle pursuits, must end immediately.

DHS should prohibit immigration agents from carrying tear gas and pepper spray as a regular course of practice, and only allow certain agents to carry those weapons in exigent circumstances with the advance approval of a supervisor based on specific documented criteria. Prohibit use of chemical agents or agents, including pepper spray and tear gas, prior to issuing an order to disperse in a sufficient manner to ensure the order is heard and repeated if necessary, followed by sufficient time and space to allow compliance with the order; before deployment require consideration of impact on nearby children, the elderly, or people with disabilities; require supervisory authorization except in exigent circumstances.

Congress should mandate that DHS submit timely reports to the public of all use of force incidents involving federal immigration agents, including any resulting injuries. DHS should also require agents to submit immediate written reports to their supervisors of use of any "less lethal" weapons, such as chemical agents and "stun grenades".

DHS internal oversight entities must conduct thorough, timely, and transparent investigations of any reported use of excessive force and allegations of misconduct and restrict the accused agents role in the field pending the outcome of such investigations.

Immediately require officers to activate body worn cameras at the start of any encounter. DHS should distribute body worn cameras for all enforcement operations. DHS should enact comprehensive prohibitions on biometric analysis of footage, data isolation requirements, and strict penalties for noncompliance.

Officers should be subject to appropriate disciplinary actions, up through termination, based on the findings of the investigation, taking into account past discipline and behavior. Officers with repeated incidents of discipline should be removed from their position.

DHS should review all hires since January 2025 to determine if such agents lack appropriate background checks and qualifications. DHS should suspend any such agents from field duties immediately and review their criminal background checks, educational and work experience, qualifications, and training. DHS should determine whether such agents can be returned to the field after training or whether they must be dismissed.

DHS' use of force policies should be amended to protect individuals engaging in First Amendment-protected activities and to train all personnel in safe crowd control tactics, including the prioritization of de-escalation techniques, verbal dispersal orders, and providing time and physical pathways to leave the scene before crowd control weapons are deployed. Reaffirm policies requiring federal law enforcement officers to request or render medical aid to injured civilians.

## Preventing, Investigating and Disciplining Unlawful Use of Force

	<p>Rescind the vehicle pursuit policy adopted in December 2025 and reinstate the 2023 policy, to prohibit high-speed chases in nearly all circumstances. Ensure such policy (1) prohibits a pursuit when the only violation is failure to yield during a traffic stop; (2) contains specific factors for weighing risks/benefits; (3) bans pursuits in areas of heightened risk and school zones, (4) requires agents to immediately terminate a pursuit when ordered by supervisor; (5) bans PIT maneuvers, (6) prohibits brake checks, and (7) prohibits shooting at moving vehicles absent imminent threat of serious bodily harm and require officers to move out of vehicle's path where feasible.</p>
	<p>Enforce current DHS policy that bans chokeholds unless deadly force is justified. Ensure thorough and transparent investigations whenever deadly force is used.</p>
	<p>Federal agents should be required to take disability inclusive use-of-force training and training for interacting with a person experiencing a mental health crisis.</p>
	<p>Mandate de-escalation training and enhanced firearms qualification standards.</p>
	<p>DHS should ensure full evidence preservation (including personal and government-issued devices) and independent investigation of serious force incidents, and U.S. DOJ should impose civil and criminal penalties for intentional destruction of evidence by federal immigration agents.</p>
<p><b>State and Local Recommendations</b></p>	<p>State and local law enforcement should ensure officers accept, document, investigate, and refer for potential prosecution reported allegations of excessive use of force by federal agents.</p>
	<p>State and local law enforcement entities should reaffirm with their officers the obligation to render aid when any person needs medical attention, including individuals with disabilities.</p>
	<p>State and local law enforcement need clarity about their role in responding to incidents involving immigration enforcement activities, balancing the intent of the TRUST Act, public safety and protection of first amendment activity.</p>

## Safeguarding Against Improper Surveillance

<b>Federal Recommendations</b>	DHS should stop surveillance of individuals participating in first amendment activities, including elected officials and including tracking and creating or maintaining a database of individuals engaged in first amendment activities.
	Congress should enact a comprehensive framework for DHS data collection about individuals, including prohibiting ICE and CBP from using biometric surveillance in civil immigration enforcement and require deletion of all biometric information collected for civil immigration enforcement purposes. DHS should end use of Mobile Fortify and other applications that use facial recognition or biometric data to identify and track individuals without their consent.
	DHS should prohibit agents from taking photos of individuals and vehicles not connected to criminal or civil enforcement investigation.
	Congress should investigate DHS' procurement and use of all surveillance technology, including social-media monitoring tools, facial recognition software, license plate readers, and phone location tracking software to assess whether these technologies are violating individuals' privacy rights.

## Ensuring Due Process and Safety Protections for Detained Individuals

<b>Federal Recommendations</b>	DHS should immediately end the separation of families by prohibiting custodial detention for civil immigration enforcement of children under the age of 18 years and releasing parents of children under the age of 18 years; Congress should enshrine that prohibition into law.
	Congress should prohibit the detention of any U.S. citizens in ICE holding facilities.
	Congress should limit the circumstances under which DHS may keep an individual in detention pending the outcome of their civil immigration case, and restore humanitarian pathways for release from detention that were eliminated by the Trump Administration.
	Congress should codify protections for providing immediate access to a person's attorney while they are in detention, prohibit willful interference with counsel, and ensure that families can identify when a family member is in detention and maintain communication with them.
	Congress should prohibit the use of detention facilities in foreign countries and prohibit forced removals to 'third-countries.

## Ensuring Due Process and Safety Protections for Detained Individuals

DHS must ensure immigration agents provide detained individuals with information about where they are being detained, why, and provide individuals multiple opportunities to contact family members without cost.

DHS shall prohibit transfers that separate individuals from family or place them across state lines from counsel absent documented necessity.

Require transparent standards governing detention transfers, including access to counsel prior to a transfer and notification to counsel and family of impending transfers across state lines with ample time to challenge and or prepare for any change of location.

Protect the integrity and transfer of identification documents and asylum and immigration paperwork.

Guarantee appointed, publicly funded counsel for all unaccompanied minors.

Require documented parental or guardian consent for actions affecting children in custody and prohibit transfer or removal of U.S. citizen or LPR children without informed written consent.

Mandate public reporting on incidents involving children in immigration custody.

Establish enforceable national detention standards with a private right of action.

DHS must ensure its detention facilities comply with applicable state laws regarding health and safety and restore the Office of the Immigration Detention Ombudsman.

Require medical screening, documentation of medication and health needs, and a continuity of care plan developed by clinician that includes prompt access to medications, and medical release pathways for individuals with acute psychiatric conditions or complex medical needs, disabilities, pregnancy or postpartum care needs, or other medically vulnerable populations.

Congress should investigate conditions in ICE holding facilities and detention centers, prohibit the use of any private contractors for the operation of ICE holding facilities and detention centers, and enshrine in federal law the ability of legislators, attorneys and advocates to observe detention conditions

Congress should expand and codify the alternatives to detention program and guarantee participation for families with children under 18, families impacted by medical emergencies or ongoing medical treatment, individuals with disabilities, families with proven hardship resulting from detention, and other humanitarian factors.

## Ensuring Due Process and Safety Protections for Detained Individuals

	<p>Congress should address the practice of coerced 'voluntary deportations' by:</p> <ul style="list-style-type: none"> <li>• Requiring independent witnesses to be present when individuals sign any agreement for removal</li> <li>• Prohibiting the use of transfers, withholding of food and basic needs, and other threats to coerce someone to agree to removal</li> <li>• Prohibiting ICE and CBP officers from presenting stipulated removals to detainees until they have had an opportunity to speak with counsel</li> <li>• Providing waiting period for individuals to consult with an attorney before an immigration judge signs a stipulated order of removal</li> <li>• Requiring immigration judges to hold brief, individualized, in-person (or remote) hearings before approving any stipulated orders of removal, similar to how federal judges have a hearing prior to any entering a plea in a criminal proceeding</li> </ul>
<p><b>State and Local Recommendations</b></p>	<p>Enact requirements that local communities be notified if any private property in their jurisdiction is going to be used as a detention center prior to any lease or purchase.</p>
	<p>State and local governments should work with community partners to ensure that family members of individuals in civil immigration detention have access to Know Your Rights information and other available resources.</p>

## Reform and Strengthen DHS Misconduct Protocols

<p><b>Federal Recommendations</b></p>	<p>DHS should:</p> <ul style="list-style-type: none"> <li>• Restore and strengthen the authority and independence of DHS oversight bodies, including the Office of the Inspector General, DHS Office for Oversight and Civil Liberties, the Immigration Detention Ombudsman, and the Office of the Citizenship and Immigration Ombudsman, ensuring adequate staffing, authority, and investigative capacity</li> <li>• Expand CBP and ICE Offices of Professional Responsibility to ensure it has the capacity to conduct timely, thorough and objective investigations of misconduct, and that the capacities of those offices remain sufficient when compared to the number of officers they employ.</li> <li>• Conduct an administrative investigation any time a federal immigration agent discharges a firearm or other weapon or uses deadly force and require the Inspector General to release the results of each investigation.</li> </ul>
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## Reform and Strengthen DHS Misconduct Protocols

Congress should:

- Conduct full investigations into Operation Midway Blitz and the shootings of Martinez and Gonzalez and require senior federal administration officials to testify about their roles in operational command and misleading the public
- Establish an independent review board, reporting directly to Congress, with subpoena authority to investigate serious use-of-force and deadly force incidents, civil rights complaints, detention conditions, and patterns of misconduct, and to issue public reports.
- Require DOJ and DHS to preserve and share evidence with state and local entities conducting criminal investigations into firearm discharges and any other use of force resulting in death or serious bodily injury (unless there is a legitimate reason to exclude them).
- Reinstate the National Law Enforcement Accountability Database (NLEAD) as a vetting tool for hiring federal law enforcement officers and require the Department of Justice to share information with state and local governments.

Congress should guarantee the ability of individuals to seek relief in court for constitutional violations by federal officers and agencies engaged in immigration enforcement activities. There are many ways that Congress could accomplish this objective:

- Extend Section 1983 to federal agents and agencies to allow for damage suits for constitutional violations committed by federal officers
- Amend the “law enforcement proviso” of the Federal Tort Claims Act to ensure that federal agencies may be subject to tort liability for constitutional violations committed by federal law enforcement officers, and clarify that the “discretionary function exception” does not apply to claims against law enforcement officers
- Amend the Westfall Act to clarify that the Federal Tort Claims Act does not preclude civil actions against federal officials for constitutional violations brought under state-created causes of action

### State and Local Recommendations

The State of Illinois should pass a statute that provides the same cause of action and defenses as under Section 1983 against anyone who, under color of law, violates rights under the U.S. Constitution. This statute would shore up rights available under Illinois law.

## Raising the Hiring Bar for Federal Immigration Agents

### Federal Recommendations

Require DHS to establish a certification program for immigration enforcement officers that ensures agents are qualified to become law enforcement officers

Future administrations should consider requiring all ICE/CBP agents hired as part of the 2025 hiring surge to be re-vetted

Undo the hiring waivers implemented by DHS

## Increasing Transparency of DHS Enforcement Activity

### Federal Recommendations

Congress should require DHS to release data about arrests and detentions on a monthly basis so that the public has timely information with sufficient detail for public to assess scope of immigration activities happening in their communities.

Congress should require ICE to provide notice to law enforcement prior to any enhanced presence of immigration enforcement officers in tehri jurisdiction, consistent with DHS' prior practice.

## Supporting Health and Well-Being of Impacted Communities

### Federal Recommendations

Allow humanitarian release from detention for individuals when they or their family are undergoing active medical treatment for serious illness

Prevent federal CMS from retaliating against states and institutions, like hospitals and medical providers, for providing care to individuals who are undocumented and ensure individuals can access care without fear of immigration enforcement

Congress should allocate funding to offset the impact of Operation Midway Blitz to communities, businesses and individuals. There should private/public partnerships to stabilize small businesses that experience economic hardships due to immigration enforcement surges, and that can retain flexibility to respond to evolving needs

Congress should prevent federal agencies from using programmatic data (e.g. Medicaid data) for immigration enforcement

## Supporting Health and Well-Being of Impacted Communities

<b>Private philanthropy and governments of all levels</b>	Government officials, providers, philanthropic leaders, and other key stakeholders should explore ways to expand access to behavioral and mental health supports for communities most impacted by Operation Midway Blitz. Initiatives to connect immigrants and refugees to social services, like the Illinois Welcoming Center, are important to eliminating barriers to benefits and supports. Schools, healthcare providers, and community organizations should also provide training and resources to ensure their staff have access to necessary mental health supports
	Support organizations providing legal services, refugee resettlement services, know your rights campaigns, and family preparedness planning, particularly as the federal government has cut funding for many organizations that provide these services
	Invest in programs and services to help heal families and communities who have experienced trauma due to Operation Midway Blitz. Programs that foster racial and community healing, like Healing Illinois, will be essential in the wake of Operation Midway Blitz.
	Help individuals who may be temporarily unable to work due to immigration enforcement activity through rental assistance grants, food assistance programs, temporary income support, home and childcare support and other financial assistance
<b>State and Local Recommendations</b>	State of Illinois should continue to support implementation of protections like TRUST Act, the Court Access, Safety and Participation Act, and the Health Care Sanctity and Privacy Law

## Creating An Archive of OMB

<b>State Recommendation</b>	Maintain an interactive digital public record to preserve information related to research, investigations, and submissions shared with the Commission related to documenting Operation Midway Blitz in a way that is publicly accessible, legible, and supports future accountability efforts.
	Develop partnerships with legal and research institutions to continue relevant analysis and preservation of video and narrative records that are identified as relevant to future accountability efforts. Explore the possibility of establishing longer term video submission pathways available to the public.
	Support further initiatives to document the stories of lived experiences during Operation Midway Blitz, including local art projects, community listening sessions hosted by nonprofit organizations

## Use the IAC's Record for Short- and Long-Term Accountability

### Government and community partners

Collaborate with initiatives that build clear referral pathways and legal resources for individuals interested in pursuing civil complaints following misconduct by individual federal officers, including through the Federal Tort Claims Act, to strengthen the IAC's record and offer referrals to interested impacted individuals.

Continue collaboration efforts with the Illinois Congressional Delegation to advance opportunities for future accountability efforts, and recommendation implementation strategy.

# CRITICAL ILLINOIS LAWS AND ADMINISTRATIVE STEPS TAKEN TO PROTECT IMMIGRANT COMMUNITIES

In addition to the policy recommendations above, the Commission has identified numerous actions taken by the Illinois General Assembly and Illinois Executive Branch agencies to ensure that essential services, like healthcare, schools and law enforcement, remain available in all communities. The following selection of Illinois laws and agency actions have proven to be most critical in achieving this goal. Additionally, the Office of the Governor and Illinois administrative agencies worked in partnership with community organizations, legal advocates, and service providers to identify needs and priorities. This open communication has proven to be essential in responding to a changing legal landscape.

## Statutory Protections

- I. **Illinois TRUST Act** ([5 ILCS 805/1](#)) – prohibits state and local law enforcement from assisting in the enforcement of civil immigration law, sharing information with federal immigration agents, stopping or detaining an individual based solely on their citizenship or immigration status, and prohibits state and local entities from entering into contracts (such as 287(g) agreements) to detain individuals for civil immigration violations
- II. **Private Detention Facility Moratorium Act** ([730 ILCS 141/1](#)) - prohibits state and local entities from contracting with private detention facilities
- III. **Voices of Immigrant Communities Empowering Survivors (VOICES) Act** ([5 ILCS 825/1](#))– requires state and local law enforcement agencies to have policies in place to certify requests from victims of violent crime for T and U visas
- IV. **Illinois Bivens Act** ([740 ILCS 16/5-1](#))– allows for civil legal action against any law enforcement officer who knowingly violated the Illinois or United States constitution
- V. **Court Access, Safety and Participation Act** ([705 ILCS 96/10-1](#)) – prohibits civil arrest of anyone in and around courthouses who are attending certain state court proceedings; allows for civil damages for false imprisonment (including statutory damages of \$10,000) if the person knew or should have known the person arrested was attending a state court proceeding

- VI. Health Care Sanctity & Privacy Law** ([210 ILCS 85/6.14h](#)) – prevents release of protected health information; requires hospitals to implement policy regarding interactions with law enforcement
- VII. Public Higher Education Act** ([110 ILCS 167/18](#)) – bars schools from taking certain actions regarding the actual or perceived immigration status of students, employees, or those associated with them; requires schools to adopt procedures for approving requests from law enforcement agents
- VIII. Child Care Act** ([225 ILCS 10/3.8](#)) – prohibits day care centers from sharing immigration status; requires day care centers to adopt plan of action for interacting with immigration agents and notifying parents if an agent requests a child’s information; requires DCFS and IDEC to provide know-your-rights materials, preparedness, plans and other resources
- IX. Amendments to Illinois Right to Privacy in the Workplace Act** ([820 ILCS 55/14 - 19, 25](#)) – employers may not impose stricter employment authorization standards than those required by federal law; employers may not take adverse employment action based on notifications from federal agencies not responsible for immigration enforcement notifications or from outside vendors indicating discrepancies in employee identification documents; employers must notify employees in writing of a federal agency or third-party notification of discrepancies in employee verifications

## Administrative Actions

### I. Internal State Operations

Illinois Executive Branch agencies conducted reviews of existing data collection and sharing practices with federal government and other entities. To the extent that states and local governments have not already done so, they should conduct similar reviews to remove indications about immigration or citizenship status that are not legally required for program eligibility. The Illinois Governor’s Office of New Americans established interagency workgroups to coordinate state agency activities related to immigration enforcement and established regular communication channels with immigrant-serving community organizations to identify emerging issues, share resource needs, and coordinate efforts.

The Governor’s Office participated in a coordinated initiative across the City of Chicago with leaders across violence prevention and intervention, faith communities, homelessness

services, immigration legal services, and civil and human rights organizations to respond to threats of National Guard deployment and Operation Midway Blitz. This coordination involved identifying needs for philanthropic funding, sharing information to organize and mobilize response efforts, and align on messaging. The Office of New Americans worked in partnership with various state agencies to platform partners offering Know Your Rights, organizational preparedness planning, and family preparedness trainings and information to relevant stakeholders including local government partners, business leaders, childcare providers, and more

Illinois Executive Branch agencies provided clear communications to program grantees about evolving requirements from the Federal government and worked with grantees to respond to community needs during periods of heightened enforcement. For example, the Illinois Department of Human Services (IDHS) and the Illinois Department of Early Childhood (IDEC) amplified existing program flexibilities for day care centers in the Child Care Assistance Program in response to potential attendance declines due to Operation Midway Blitz enforcement activity. Additionally, several agencies released non-regulatory guidance and compiled other resources to support sensitive locations in developing policies and procedures, including:

- i. DCFS and IDHS: Guidance in multiple languages can be found [here](#)
  1. Immigration Enforcement Resources for Families and Day Care Providers
  2. Guidance on Immigration Enforcement Actions at License Exempt Child Care Providers Participating in the Child Care Assistance Program (CCAP)
  3. DCFS Support for Families Facing Immigration Challenges
- ii. ISBE: Guidance in multiple languages can be found [here](#)
  1. Non-Regulatory Guidance on the Safe Schools for All Act<sup>1</sup> and Immigration Enforcement Actions
  2. Newcomer resources for schools and districts
  3. Social Emotional Learning (SEL) resources

## **II. Supporting a Coordinated Response for Immigration Legal Services, Know Your Rights Education, and Other Needed Supports**

Illinois has had a long history of leading immigrant-friendly advocacy, policy, and funding. Following the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which advanced strict immigration enforcement policy and restricted access to welfare, a multicultural broad-base coalition of advocates began to organize around state-level policy solutions to support immigrant families. In the wake of this advocacy, the State of Illinois began a decades-long process to leverage state funding and policy to formalize protections and programs for immigrant communities that continues today. These nation-leading programs and models include, but are not limited to:

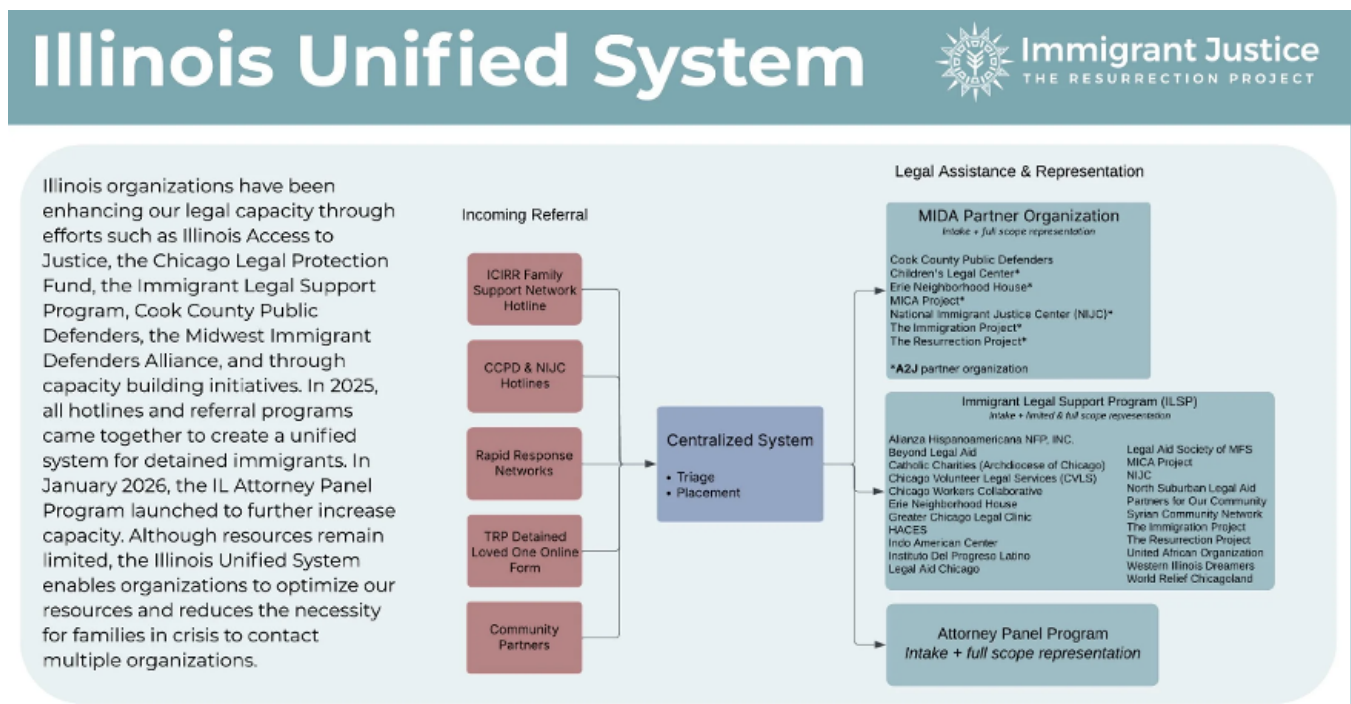
- 1. 1999:** Illinois Family Resource Program (IFRP) was established to leverage community-based organizations to provide culturally competent case management and navigation support for immigrant families seeking access to public benefits. The Illinois Coalition for Immigrant and Refugee Rights (ICIRR) manages a network of 44 partners.
- 2. 2005:** The New Americans Initiative (NAI) was established to assist low-income immigrant families with citizenship information & education, interview preparation, application processing, and citizenship scholarships for eligible Illinois residents. The program is managed by the Illinois Coalition for Immigrant & Refugee Rights (ICIRR) across 62 community-based partners.
- 3. 2007:** The Illinois Welcoming Center model was established as a one-stop state office designed to provide access to comprehensive state services to New Americans. Today, the program funds a suite of referral and support services at 42 community-based organizations across the state.
- 4. 2011:** Family Support Network Hotline was launched by ICIRR to support immigrant families in navigating a range of legal and other challenges, including social services, legal aid, health care referrals, DACA and citizenship workshops, and documenting enforcement activity.
- 5. 2020:** Illinois Access to Justice program established to leverage state funding to expand access to community-based legal services with a focus on increasing access for both communities impacted by immigration detention and communities impacted by incarceration. The Resurrection Project manages a network of partners that focus on immigration legal

services focus on full scope immigration representation, deportation defense, and community navigation.

**6. 2022:** The Midwest Immigrant Defenders Alliance (MIDA) was formed in 2022 by the National Immigrant Justice Center (NIJC), The Resurrection Project (TRP), The Immigration Project (TIP), and the Law Office of the Cook County Public Defender (CCPD) to coordinate legal support for low income detained individuals.

**7. 2023:** The Illinois Immigration Legal Support Program was established to advance a state-funded pro se clinic model to support immigration legal services and screenings. The Resurrection Project manages partners to offer clinic-based legal services across the state.

The decades-long investment in formalizing government partnerships with community-based, immigrant serving organizations and more recent investments in scaling immigrant legal services, education, and supports were essential to supporting a scaled and strong response to community needs. Provided below is a flow chart detailing the “Illinois Unified System” - a systems-level legal services solution to respond to increased immigration arrests, detention, and orders of removal with heightened coordination across dozens of partner organizations to maximize state-funded programs, philanthropic commitments, and limited sector capacity. These partnerships were leveraged in the months before and during Operation Midway Blitz.



The State of Illinois has made significant investments in increasing access to legal services for immigrants through the Illinois Access to Justice (ILA2J) and the Immigrant Legal Support Program (ILSP). These programs seek to improve access to legal services for immigrant communities and to mitigate the devastating effects of detention and deportation. Crucially, the ILSP and ILA2J programs were leveraged to expand a centralized intake system for people impacted by detention which was expanded during Operation Midway Blitz. The centralized legal system allows clients to request services, receive legal screenings, receive a legal orientation, and be evaluated for representation through a single workstream supported by multiple partners. Those individuals whose cases were appropriate for ongoing legal representation were then referred to appropriate services. It reduced duplication of effort from multiple screenings among different organizations and built capacity building by training, integrating, and supporting organizations within the existing partnerships with limited experience providing services to people in detention. Continued and expanded investment in these services are crucial to helping families make informed choices and exercise their legal rights. Through a coalition of partner organizations, ILA2J and ILSP provide holistic services to immigrant communities by:

- a. Training and coordinating Community Navigators to provide Know Your Rights educational sessions, support services and accompaniment for families in immigration proceedings, and referrals to legal services.
- b. Providing immigration legal services to support individuals in immigration proceedings, including legal screenings, advice, representation in removal proceedings, and representation for other immigration benefits.
- c. Expanding access to limited-scope and pro se services, so immigrants can access legal counsel and remedies when unable to obtain ongoing representation.
- d. Additionally, the state supported the National Immigrant Justice Center's [Immigration Court Helpdesk](#) as federal funds were eliminated. The helpdesk is an essential frontline service providing immigrants free legal information at the Chicago Immigration Court.

Between July and December 2025, over 12,000 people attended Rapid Response and Know Your Rights trainings supported through the Immigrant Family Access Hotline Program. IDHS partnered with the Illinois Coalition for Immigrant and Refugee Rights (ICIRR) to establish the Family Support Network (FSN) Hotline, which serves as a statewide critical first point of contact for community members, triaging needs and connecting individuals to relevant

resources, including IDHS-funded legal services. The FSN Hotline also served a vital role during Operation Midway Blitz to gather and disseminate real-time information about federal enforcement activities, enhancing community safety and fostering broader coordination among service providers. When possible, states should partner with or support statewide centralized hotlines to support immigrant communities. During Operation Midway Blitz, calls to the hotline increased from 2,636 calls in July 2025 to 15,345 calls in October 2025.

In collaboration with the Resurrection Project, Illinois Coalition for Immigration and Refugee Rights, National Immigrant Justice Center, and the City of Chicago Mayor's Office of Immigrant and Refugee Rights, IDHS launched the Illinois Immigration Information Hub to provide trusted and centralized information on changes in immigration policy and resources.

IDHS convened a Refugee Legal Services Community of Practice to bring together leaders across the refugee immigration field to exchange best practices and advance collaborative solutions. In addition to ongoing Know Your Rights efforts, in 2026, IDHS began working with community-based partners to adapt and provide Know Your Rights Education and information to refugee communities as they face new legal uncertainty.

### **III. Supporting Impacted Communities – Immigrants and their Neighbors**

The Illinois Department of Early Childhood and several state agencies released a "[Supporting Illinois Families Social Media Toolkit – Guidance for Times of Heightened ICE Activity](#)" that agencies, schools, healthcare workers, child care centers, and community partners could share to support families during period of community stress or immigration enforcement activity. Illinois law allows parents to establish short-term guardianship under the Illinois Probate Act, meaning that an adult other than a parent can take temporary custody of a child for up to one year. This process reduces barriers to formally identifying a back-up caregiver. The Illinois Department of Children and Family Services offered [a form](#) that has become an integral part of family preparedness guidance and trainings offered by community partners as an option for families.

During October and November 2025, IDHS facilitated counselling support on weekends at the Broadview Processing Center to connect family members of detained individuals and protesters with community-based mental health resources. Through the Immigrant Family Resource Program and Illinois Welcoming Centers, IDHS provides case management support to help immigrant families access social services. Connecting available services to immigrant-service programs in times of crisis can help families access assistance quickly and in a

culturally and linguistically appropriate manner. At Illinois Welcoming Centers, families could also receive Crisis Funds, one-time financial support for rental assistance or other emergency financial needs.

During Operation Midway Blitz, food banks and pantries reported an increase in the number of individuals relying on a proxy to pick-up their food. In 2024, Illinois adopted the Access and Parity Rule to remove the requirement of verification identity to make emergency foods more accessible which helped during Operation Midway Blitz.



