



State of Illinois
Illinois Department of Human Rights



ILLINOIS ACCOUNTABILITY COMMISSION

**LAKEVIEW DISCRIMINATORY
STOPS AND INDISCRIMINATE
TEAR GAS
INVESTIGATION BRIEF**
April 2026



INVESTIGATION BRIEF

Lakeview Discriminatory Stops and Indiscriminate Tear Gas

Date: October 24, 2025

Location: Multiple Locations in the Lincoln Park and Lakeview neighborhoods in Chicago, Illinois

Estimated Number of Agents Involved: At least 9

Categorization: Use of force and discriminatory stops

SUMMARY OF EVENTS

During the morning of October 24, 2025, several cars of masked CBP agents patrolled the Lincoln Park and Lakeview neighborhoods on the north side of Chicago, questioning several men about their citizenship, seemingly based solely on their apparent race or occupation. In less than an hour, the agents had made at least 5 discriminatory stops, detaining at least 3 individuals. In at least two of those encounters, agents chased after individuals whom they had no reason to believe were unlawfully present in the United States other than their apparent race or ethnicity or apparent workplace. Near the intersection of North Lakewood Avenue and West Henderson Street, agents chased several construction workers onto private property, arresting one of the workers inside a private garage. The agents had no warrant, no probable cause to believe any criminal activity had been committed or that the individuals were unlawfully present in the United States before they gave chase and arrested him. In fact, the agents did not appear to ever question any of the construction workers about their immigration status. During this arrest, a crowd formed on the street, and as agents attempted to hoist the detained man over a pointed fence, the crowd became larger and objected to the agents' behavior.

As Judge Ellis noted, and as corroborated by the Commission's investigation, while one person appeared to unsuccessfully attempt to deflate the tires of a vehicle, protestors in the crowd were not seen touching agents, throwing anything or acting violently toward the agents.ⁱ Moreover, there did not appear to be anything obstructing the agents from leaving the scene once they completed their arrest. Nevertheless, the agents deployed at least three canisters of tear gas at the crowd, and the gas dissipated throughout the neighborhood, causing some of the residents to experience symptoms including skin irritation, coughing, nausea and vomiting. Commission attorneys spoke with 14 witnesses, all of whom are Lakeview residents and either witnessed the incident or had other relevant knowledge about the activity that morning.

DISCRIMINATORY ENCOUNTERS AND ARRESTS

Using Bovino's "turn and burn" approach to rack up arrests, federal agents often blurred the line between a voluntary encounter and a temporary detention when they approached individuals on the street to question them about their citizenship status. For immigration-related stops, federal agents need at least reasonable suspicion to believe a person is unlawfully present in the United States and cannot rely on apparent race or ethnicity alone.

On the morning of October 24, 2025, U.S. Customs and Border Patrol (“CBP”) agents conducted roving patrols in Chicago’s Lincoln Park and Lakeview neighborhoods as part of Operation Midway Blitz. The agents, wearing masks and without identifying badges, started the morning with a series of random stops of individuals that they passed on the street and in a parking lot. None of these stops appeared to be justified by a reasonable suspicion of criminal activity or unlawful presence in the United States, and the agents appeared to be targeting the individuals in large part because of their race. Body Worn Camera (“BWC”) footage captures each of these encounters.

Home Depot

As shown by BWC footage, CBP agents travelled through a Home Depot parking lot on West North Avenue in the Lincoln Park neighborhood in an unmarked vehicle at approximately 10:48 AM. The federal vehicle pulled up behind a car parked in a parking spot blocking it in. Three agents, each wearing CBP uniforms and face masks, exited the vehicle and approached the parked car. One agent approached the driver’s side door, knocked on the window, asked the driver, who appears to be Latinx, “How’s it going, buddy? You a United States’ citizen sir?” The driver responded, “Of course I am.” The agent then asked, “Alright, where were you born?” The driver responded, “Here.” The agent then asked, “Here? Where is here?” to which the driver responded “Here bro. ... Doesn’t my voice sound like I’m over here man for real.” The agent responded, “Yeah, yeah.” The driver then said, referring to the random stop, “That’s like the most racist sh** I’ve ever seen.” The agent responded, “No, not racist, just asking you a question just like ... asking.” Another agent can be seen in the video questioning another individual who is standing outside the passenger side front door. After this brief exchange, the agents returned to their unmarked vehicle and drove away. There does not appear to be a reason for the CBP agents to believe either of these individuals might be unlawfully present in the United States, and the impetus for stopping to question appears to be apparent race or ethnicity and presence in a Home Depot Parking Lot.



Image 1 CBP Video/CHC Litigationⁱⁱ

Willie Lill's Spirits & Kitchen

Around 11:30 AM, the same three agents and an additional unmarked vehicle with at least three other agents, pulled over when they saw construction workers outside of Willie Lill's Spirits & Kitchen on West Diversey Parkway near North Pine Grove Avenue in the Lakeview neighborhood. Body worn camera footage shows the federal vehicle stop and the driver immediately exit the vehicle and run across the street towards Individual A, who had headed towards the restaurant's front door once the agents' vehicle stopped.ⁱⁱⁱ The agent grabbed Individual A, held pepper spray to their face, placed them in their unmarked vehicle and then handcuffed them. There is no indication that agents had a reasonable suspicion of criminal activity or unlawful presence in the United States and appeared to stop them solely based on his apparent race and presence at a construction site. Additionally, there is no evidence that agents had sufficient probable cause to justify an arrest of Individual A or that agents were justified in using pepper spray to effectuate the arrest. The individual remained in the agent's unmarked vehicle throughout the morning, including when the agents deployed tear gas as described below.



Image 2 CBP Body Worn Camera Footage^{iv}

Lakeview Stoplight

About 10 minutes later, the agents continued to drive through the Lakeview neighborhood. While stopped at a red light, a man walked across the street in front of the agents' vehicle.^v Within seconds, the agents exited their vehicle and approached the man to ask about his citizenship. The man appears confused and ultimately responds that he is a U.S. citizen. The agents then retreat back to their vehicle and drive away. There does not appear to be a reason for the CBP agents to believe this individual might be unlawfully present in the United States other than his apparent race or ethnicity.



Image 3 CBP Body Worn Camera/CHC Litigation^{vi}

West Henderson Street

At approximately 11:49 AM, the agents drove east down West Henderson Street and pulled over behind a man retrieving tools from the back of a commercial van parked in front of a home.^{vii} At least two masked agents exit their vehicle and approach the van. In the BWC video, it appears the man is loading or unloading equipment as ladders can be seen alongside the vehicle on the curb. One of the agents approaches the man in the back of the van to question him. Another individual is working in a yard behind a residential fence in front of the home. An agent walks up to the sidewalk and ask the man working in the yard if he is a U.S. citizen. As soon as the worker replied that he was a U.S. citizen, the agents returned to their vehicles. Once again, there is no indication that the agents had reason to believe either of these individuals might be unlawfully present in the United States other than that one was in a vehicle with industrial equipment and one was performing yardwork.



Image 4 CBP Body Worn Camera/CHC Litigation^{viii}

North Lakewood Avenue

At approximately 11:50 AM, agents drove two unmarked SUVs near the intersection of West Henderson Street and North Lakewood Avenue. The agents then drove the wrong direction (north) on North Lakewood Avenue, a south directional one-way street. The agents stopped in front of the home and quickly exited their vehicles. One of those vehicles included Supervisory Border Patrol Agent Kristopher Hewson, Border Patrol Agent Dalton Smith and Border Patrol Agent Joshua McBee. Agent Hewson, from the Calexico/EI Centro Station, reported in his incident report that the agents “observed several individuals sitting on the sidewalk/and on vehicles parked on the road eating lunch. They were outside of a house being worked on for some sort of construction.”^{ix} Agent Hewson did not document any other facts providing reason to believe these individuals might be unlawfully present in the United States.

According to his incident report, Agent Hewson verbally identified himself as a United States Board Patrol Agent upon exiting the vehicle. At that point, the individuals who had been eating lunch ran, and the agents gave chase. Two CBP agents were recorded jumping over a locked gate and fence onto the private multi-unit residential property of Leo Feler. Feler was not home at the time but was alerted to the activity when one of the workers engaged the home’s wired doorbell. Feler observed the agents and workers on the security cameras placed throughout his property. In the backyard of the residence, several agents climbed a fence onto a private deck and another agent entered the garage, where Individual B was seized. The agents gave no warning, provided no documentation or warrant, and never asked for identification from any of the individuals at the scene.



Image 5 Home Surveillance Video Submitted by Leo Feler



Image 6 Home Surveillance Video Submitted by Leo Feler

The first-floor tenant confirmed that the agents never presented a warrant authorizing their presence on Feler’s property. Video footage from the home’s security camera recorded the tenant saying, multiple times, “you do not have a warrant to be on our property,” as well as Feler shouting multiple times through his security camera, “you are not allowed on the property, get off my property, this is private property.”^x The agents ignored these commands and continued to chase the workers in and around the property. One of the workers was pulled through a second-floor window by another worker, cutting himself and dropping blood throughout Feler’s home. Agents can be seen in one body camera video trying to force Individual B to jump over a pointed fence while he is already in handcuffs; when he resists one agent holds a can of pepper spray within inches of his face and asks twice “do you want it?”^{xi}



Image 7 CBP Body Worn Camera Footage/CHC Litigation^{xii}

Teargassing on North Lakewood

While they were attempting to remove Individual B from the property, a crowd of people formed on the street, some of whom were blowing whistles and others demanding that the agents release Individual B and that the agents leave the neighborhood. As the tenant continued to remind the agents that they had no permission to be on the private property, the agents demanded that she open the gate to the sidewalk, which she did. The agents then exited the property and put individual B in one of their unmarked vehicles.



Image 8 Submitted to Commission by Leo Feler



Image 9 Submitted to Commission by Dallas Knapp



Image 10 U.S. District Court Northern District of Illinois^{xiii}

Because the agents' vehicles were still facing north on the southbound street, the agents driving the vehicles reversed down the south down the street in the correct direction of traffic. During the arrests, a crowd of neighbors began to gather around the agents' vehicles on the street and sidewalk. As noted by Judge Ellis, while CBP claimed that a civilian vehicle prevented the agents from leaving the scene, cell phone video and multiple witnesses confirmed that at all times there appeared to be sufficient room for the agents to drive their vehicles away from the crowd.^{xiv}

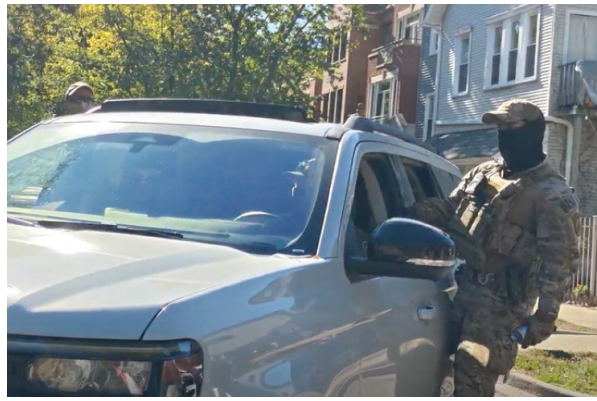


Image 11 Submitted to Commission by Jacob Oelsner

However, as the crowd grew, and seemingly without any immediate threat, the agents deployed at least three canisters of tear gas from their vehicles toward the crowd. The agents were not clearing a path for their vehicles to pass because they threw the canisters in the opposite direction from which their vehicles were moving, calling into question the purpose of deploying tear gas. While BWC footage captures agents giving some verbal warnings before they threw the canisters, multiple witnesses at the scene said they did not hear any warnings. In one BWC video, an agent can be heard telling another, "Throw it for fun."^{xv}

The agents threw the canisters in the opposite direction from which they were moving, but due to the winds that day, the tear gas began blowing back in the agents' direction. A federal agent driving one vehicle was in so much distress that he exited the vehicle and entered another resident's property on North Lakewood Avenue to try to avoid the tear gas. The homeowner, who had just returned home from a medical procedure, was shocked by the sight of the agent in tactical gear on her property. Two handcuffed men who were detained in the agents' vehicle were hit with the tear gas and pleaded for help and one told the agent that he felt like he was drowning.^{xvi}

Eventually, the tear gas made its way downwind, covering people on the street and entering several homes. Witnesses described symptoms such as coughing, nausea, vomiting, gagging, skin irritation and teary eyes, and for some the symptoms persisted for days after the incident. While the tear gas dissipated, the agents left the scene.



Image 12 Submitted to Commission by Bruce Turner



Image 13 Submitted to Commission by Bruce Turner



Image 14 Submitted to Commission by Bruce Turner



Image 15 Submitted to Commission by Jacob Oelsner

Due to the presence of federal immigration agents ICE in Lakeview on October 24, schools in the neighborhood were placed on lockdown. One parent informed the Commission that the principal of her daughter's preschool alerted parents that the preschool would remain on lockdown throughout the course of the day. Despite the school taking these precautions, this parent remained fearful. This fear has persisted.

The impact on the Lakeview community was significant. One resident noted that "for the rest of that week, at least, anytime I heard sirens outside, I would look outside and just wonder if it's gonna happen again." Other residents described feeling continued anxiety, fear, and anger. Feler's tenant moved away for several weeks, and was hesitant to return to the neighborhood.

COMMISSION DETERMINATIONS OF MISCONDUCT

Based on the information it has gathered, the Commission has determined that there is reasonable cause to believe that federal agents should be formally investigated for possible violations of agency policy, state and federal criminal laws, and individuals' constitutional rights. In particular, the following instances of misconduct should be investigated further:

- Agents conducted roving patrols and sought to question individuals in both public and private property about their citizenship status. In some cases, agents stopped individuals using force or a show of authority, which required the agents to have at least reasonable suspicion that the individuals were unlawfully present in the United States. Agents needed specific articulable facts of unlawful presence and could not rely on apparent race or ethnicity alone for a valid temporary stop under the Fourth Amendment. However, in their Lakeview operations, agents relied on discriminatory factors such as apparent race or ethnicity and language. They also relied on non-particularized factors such as appearance as a day laborer or presence at a construction site to stop and question individuals about their citizenship status.
- Agents arrested and took individuals into custody without a warrant and without the required probable cause to believe that the person was unlawfully present and presented a flight risk, as required by federal law and federal court orders.
- Agents entered private property without a warrant or consent to investigate the citizenship status of individuals who were located on the property.
- Agents improperly deployed teargas at residents and protesters on Lakewood Avenue. The gassing was retaliatory and lacked a valid law enforcement purpose because the agents had a clear path to exit from the area and the protesters were not posing a threat to the agents or others.

Endnotes

- i *Chicago Headline Club v. Noem*, 810 F.Supp.3d 842, 946 (N.D.Ill. Nov. 6, 2025).
- ii Axon BWC 2025-10-24_1150_D01A2898X at 2:03 – 2:25, available at: <https://www.lovvy.com/class-actions/government-accountability/chc-v-noem/>.
- iii Axon BWC 2025-20-24_1230_D01A2898X at 1:19, <https://www.lovvy.com/class-actions/government-accountability/chc-v-noem/>.
- iv *Id.*
- v Axon BWC 2025-10-24_1244_D01A2898X at 2:01-2:12, <https://www.lovvy.com/class-actions/government-accountability/chc-v-noem/>.
- vi *Id.*
- vii Axon BWC 2025-10-24_1249_D01A2282F at 2:06-2:1, <https://www.lovvy.com/class-actions/government-accountability/chc-v-noem/>.
- viii *Id.*
- ix CBP E-STAR Incident Report #25829, *Chicago Headline Club v. Noem*, Doc. 284-29 (N.D. Ill. Nov. 24, 2025), <https://www.lovvy.com/wp-content/uploads/2025/11/284-29-ESTAR-Incident-Report-10.24.2025.pdf>.
- x Video submitted to Commission by Leo Feler.
- xi Axon BWC 2025-10-24_1250_D01A2898X at 8:45, <https://www.lovvy.com/class-actions/government-accountability/chc-v-noem/>.
- xii *Id.*
- xiii *Chicago Headline Club v. Noem*, 810 F.Supp.3d 842, 946 (N.D. Ill., Nov. 6, 2025).
- xiv *Id.* at 946–47.
- xv Axon BWC 2025-10-24_1256_D01A2094R at 4:05-4:10, <https://www.lovvy.com/class-actions/government-accountability/chc-v-noem/>.
- xvi Axon BWC 2025-10-24_1250_D01A2898X at 16:30-16:35, <https://www.lovvy.com/class-actions/government-accountability/chc-v-noem/>.

