



State of Illinois
Illinois Department of Human Rights



ILLINOIS ACCOUNTABILITY COMMISSION

ARREST AND BEATING IN MELROSE PARK INVESTIGATION BRIEF April 2026



INVESTIGATION BRIEF

Arrest And Beating In Melrose Park

Date: November 2, 2025

Location: Melrose Park, IL

Estimated Number of Agents Involved: 3 Border Patrol Agents

Categorization: Roving Patrol, Kavanaugh Stop, Use of Excessive Force, Coercive Detention, Materially Inaccurate Official Report

INTRODUCTION

On November 2, 2025, Ricardo Aguayo Rodriguez, 54, went to the store on his bicycle in Melrose Park.ⁱ He had lived in the country since age 17, had a job in construction, and was part of a tight-knit family that has lived in Chicago for many years.ⁱⁱ That same morning, Border Patrol agents Jesus Guillen and Shane Travis were on a roving patrol with Supervisory Border Patrol agent Nestor Hernandez.ⁱⁱⁱ They reported driving in an unmarked vehicle to blend in with the public and secretly search for criminal activity. A separate team of CBP agents from a specialized tactical unit provided security as part of a Quick Reaction Force.

At approximately 9:30 AM, agents were conducting a “consensual encounter” along Main Street when Agent Guillen observed Rodriguez on a bicycle.^{iv} Rodriguez was unknown to Agent Guillen at the time. Rodriguez reportedly dropped the bicycle when he saw the agents and ran through an alley. Agent Guillen gave chase on foot and saw Rodriguez fall as he ran between parked cars and a building. When Rodriguez attempted to stand up, Agent Guillen placed his bodyweight on Rodriguez. After they both fell on the ground, Agent Guillen shot pepper spray at Rodriguez’s face without warning. Agent Guillen also wrapped his legs around Rodriguez while on the ground. Agent Guillen reported in an incident report that Rodriguez placed his arms close to Agent Guillen’s firearm, and Agent Guillen then punched Rodriguez in the head three times. Agent Guillen also reported that one of his punches hit Rodriguez above the eye because Rodriguez “was struggling,” causing a “small laceration.”^v Rodriguez began to bleed before two agents from the Quick Reaction Force arrived to help handcuff Rodriguez and take him into custody. Rodriguez was taken to a nearby hospital for treatment. He was not presented for prosecution for assault or any other crime.

In his incident report, Agent Guillen reported that Rodriguez had “moderate injuries,” which he described as a “cut above his right eye.”^{vi}

his waist for control, but my service weapon was exposed since it is located on my right hip. I could feel his body weight turn in a position where his arms were getting close to my service weapon. Even after the OC spray and his constant resistance I felt like I had no choice but to strike him on the head to defend my weapon and gain control of his hands. My strikes were targeting the side of the head to avoid damaging any sensitive areas of the face. I struck the individual 3 times, but because of his continued

Page 8 of 1

CHC v. Noem

Print Date: 2025-11-05

CBP001454

Case: 1:25-cv-12173 Document #: 338-45 Filed: 02/06/26 Page 9 of 9 PageID #: 10211-#25895

struggling my fist caught his forehead above his right eye causing a small laceration. I stopped as soon as I saw the blood and thought it would at least give me an advantage to try and handcuff him again. Almost immediately after quick response team arrived and were able to help get control of the individual and place him in handcuffs.

During the struggle I was hesitant to yell out for help and receive more attention from possible agitators. During this operation

Image 1CBP Incident Report^{vii}



Image 2 Photo of Rodriguez's Injuries^{viii}



Image 3 Photo of Rodriguez's Injuries^{ix}

Rodriguez filed a civil suit in November 2025 disputing the agents' account of the incident.^x Rodriguez alleges that Agent Guillen approached him while he was riding his bicycle and tackled him to the ground. According to the amended complaint, Rodriguez surrendered and was not posing a threat when Agent Guillen punched Rodriguez in the head and put him in a chokehold. Rodriguez alleges that he was "severely injured and taken to the hospital afterwards." A bystander recorded paramedics transporting Rodriguez to the hospital from the agents' vehicle.^{xi}



Image 4 Telemundo Chicago^{xii}

Rodriguez's family learned about the incident from acquaintances and tried to visit him at the hospital. They were denied visitation by federal agents. Family members reported that Rodriguez was discharged from the hospital in the early morning hours the next day and detained at the Broadview detention facility. He was then transported to detention centers in Indiana, Oklahoma, and Texas before he was released in Juarez, Mexico with only the clothes he was wearing. He was detained by immigration authorities for about four months, and his family reports that he was denied proper medical care for his injuries. He was also reportedly ordered to sleep on the floor and was given pills by staff that made him cough up blood. ^{xiii}

Family members recently visited Rodriguez in Mexico and shared the lasting impact the incident has had on Rodriguez and his entire family. They indicated that Rodriguez suffered multiple broken teeth, broken ribs, a dislocated collar bone, and serious injuries to his hand and other parts of his body. They reported that Rodriguez continues to have trouble sleeping and suffers physically and mentally from the incident.^{xiv} Many family members who live in the Chicago area remain fearful of federal authorities, including his sister who caught a glimpse of Rodriguez at the hospital and saw him covered in bandages. She stated, "This has affected us physically and in every way. I sometimes couldn't sleep and cried a lot. All my family, too, because we love each other as a family."^{xv}



Image 5 Chicago Tribune

A neighbor recorded part of the incident from a window.^{xvi} The short video shows Agent Guillen and Rodriguez on the ground with Agent Guillen grabbing Rodriguez from behind and his legs wrapped around Rodriguez. A pepper spray bottle is laying near the agent and Rodriguez. The video also shows Agent Guillen's arm on one side of Rodriguez's neck and the other in a control hold under Rodriguez's armpit. Rodriguez is bleeding from the face. Agent Guillen is shown punching Rodriguez in the head as Rodriguez gasps trying to communicate with Agent Guillen calling him "friend" (Image 6). Two other agents arrive to help take Rodriguez into custody.



Image 6 Chicago Tribune^{xvii}

A supervisory border patrol agent was on scene with the agents, and Agent Guillen notified him in-person about the use of force.^{xviii} The supervisor was in a position to assess the extent of Rodriguez's injuries compared with Agent Guillen's account of the incident. Contrary to the agents' statement that they were on a roving patrol secretly searching for criminal activity, DHS issued a statement indicating that agents were on an enforcement operation to arrest Rodriguez.^{xix} DHS also stated that Rodriguez was an undocumented immigrant from Mexico with a criminal record. The family disputes any recent criminal history.^{xx} Rodriguez is currently living in Mexico.

“Border Patrol was conducting an immigration enforcement operation in Melrose Park to arrest Rodriguez...”^{xxi}

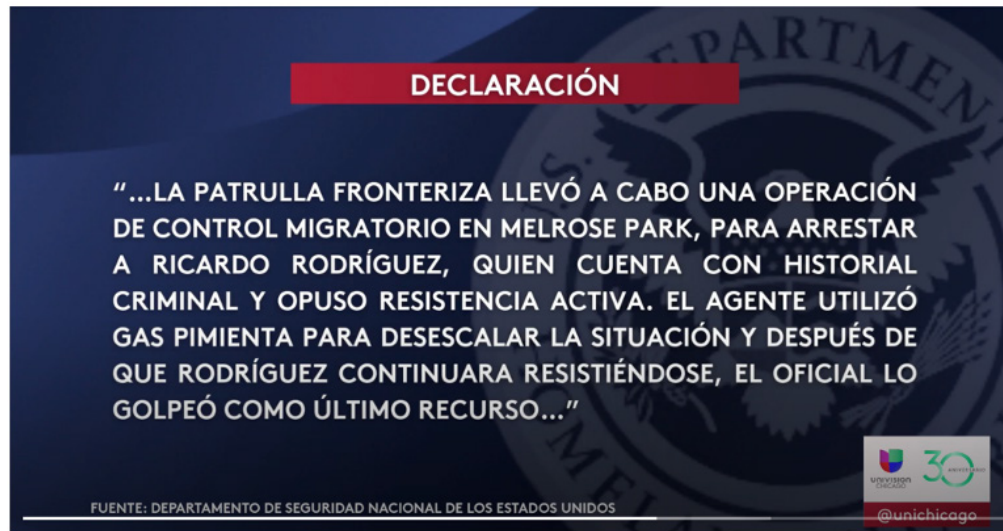


Image 7 Telemundo

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 individual's constitutional rights. In particular, the following instances of misconduct should be investigated further:

- Agents likely engaged in an impermissible stop when they pursued Rodriguez on foot and used force to keep him pinned to the ground. Agents were required to have at least reasonable suspicion that Rodriguez was illegally present in the United States to temporarily detain him for further questioning. They could not rely on his apparent race or ethnicity alone, and they needed articulable and particularized facts of illegal presence. Agent Guillen reported that Rodriguez rode his bicycle in public and ran toward an alley, but these reported facts are no different from actions that others who are legally present would take. In addition, Rodriguez disputes the agent's account of the encounter, and Agent Guillen has been involved in other forceful encounters stemming from questionable stops in the Chicago area.
- Agent Guillen likely violated agency policy when he used physical force to detain Rodriguez

who posed no threat to the agent. The agent failed to de-escalate the incident when Rodriguez reportedly fell by using other feasible options, such as questioning Rodriguez, ordering him to stop, or warning him before using force. The agent also did not summon for assistance or wait for other agents to arrive who were nearby and providing security.

- Agent Guillen and other agents likely used excessive force to detain Rodriguez who was, at most, passively resisting based on the Agent Guillen's own account. Agent Guillen inflicted serious injuries on Rodriguez after punching him in the head, applying a chokehold, and spraying him with pepper spray. Agent Guillen tried to conceal the excessive force by minimizing the injuries suffered by Rodriguez in the incident report.
- Supervisors failed to detect the inconsistencies in Agent Guillen's written report based on the extent of Rodriguez's injuries. They also failed to initiate, at a minimum, an administrative investigation into Agent Guillen's actions and potential policy violations. The agents' report was also inconsistent with a DHS press statement suggesting that agents had targeted Rodriguez due to his criminal history. According to the agents' report, they encountered Rodriguez on a street and did not know his identity before the encounter.

Endnotes

- i IAC Interview with Edward and Dora Suane (Mar. 23, 2026).
- ii Id.
- iii CBP E-STAR Incident Report # 25895, Chicago Headline Club v. Noem, Doc. 338-45 (N.D. Ill. Nov. 2, 2025), <https://loevyandloevy.wetransfer.com/previews/834909f42b6f94af4e3e20bf9462e72720260209181837/0193d8?itemId=b831751abdd44625b6ae855a348915e20260209181902>.
- iv Id.
- v Id.
- vi Id.
- vii Id.
- viii Submitted to Commission by Rodriguez's attorney.
- ix Submitted to Commission by Rodriguez's attorney.
- x Am. Compl., Rodriguez v. John Doe USBP Agents, 25-cv-13493, Doc. 14 (N.D. Ill. Dec. 3, 2025).
- xi Telemundo Chicago, Dan de alta a hombre detenido en un operativo migratorio en Melrose Park [Video] YouTube (Nov. 3, 2025), <https://www.youtube.com/watch?v=Js2ECB-hau8>.
- xii Id.
- xiii IAC Interview with Edward and Dora Suane (Mar. 23, 2026).
- xiv Id.
- xv IAC Interview with Dora Suane (Mar. 23, 2026).
- xvi Chicago Tribune, Melrose Park man detained on his way home from a grocery store on his bike [Video] YouTube (Nov. 3, 2025) https://www.youtube.com/shorts/Ouj4_QhihNI.
- xvii Chicago Tribune, Melrose Park man detained on his way home from a grocery store on his bike [Video] YouTube (Nov. 3, 2025) https://www.youtube.com/shorts/Ouj4_QhihNI.
- xviii CBP E-STAR Incident Report #25895, Chicago Headline Club v. Noem, Doc. 338-45 (N.D. Ill. Nov. 2, 2025), <https://loevyandloevy.wetransfer.com/previews/834909f42b6f94af4e3e20bf9462e72720260209181837/0193d8?itemId=b831751abdd44625b6ae855a348915e20260209181902>.
- xix Univision 'Lo golpearon mucho': familiares denuncian violenta detención de migrante por parte de agentes federales [Video] (Nov. 4, 2025), <https://www.univision.com/local/chicago-wgbo/arrestos-ice-patrulla-fronteriza-chicago-migrantes-videos-melrose-park>.
- xx IAC Interview with Edward and Dora Suane (Mar. 23, 2026).
- xxi Univision 'Lo golpearon mucho': familiares denuncian violenta detención de migrante por parte de agentes federales [Video] (Nov. 4, 2025), <https://www.univision.com/local/chicago-wgbo/arrestos-ice-patrulla-fronteriza-chicago-migrantes-videos-melrose-park>.

