

**Statement for the Record  
House Committee on Oversight and Government Reform**

June 12, 2025: “A Hearing with Sanctuary State Governors”

For over four decades, the National Immigrant Justice Center (NIJC) has dedicated itself to ensuring human rights protections and access to justice for immigrants, refugees, and asylum seekers. Headquartered in Chicago, IL, NIJC provides direct legal services to approximately 11,000 low-income individuals each year and advocates on behalf of our immigrant communities through federal advocacy, impact litigation, and public education.

NIJC respectfully submits this statement for the record for the June 12, 2025 House Oversight hearing, which is targeting Illinois Governor JB Pritzker and Illinois’ “TRUST Act,”<sup>1</sup> signed into law in 2017 under then-Republican Governor Rauner.<sup>2</sup> This law preserved Illinois resources to focus on Illinoisans’ needs and priorities, while keeping domestic violence survivors safer. Mujeres Latinas en Acción sponsored the TRUST Act and said in a statement: “Passing the TRUST Act through the Senate is an incredibly important victory for our community, particularly for those who are victims of domestic violence and sexual assault. . . This can be a life or death situation for many of our clients, with the Trust Act immigrant survivors will be given peace of mind that they can ask for help.”<sup>3</sup>

In this statement, NIJC raises concerns regarding the context of this hearing; clarifies how the TRUST Act is lawful; highlights federal courts’ longstanding constitutional concerns with federal overreach associated with immigration enforcement practices and other concerns that should merit this Committee’s oversight; and emphasizes how Illinois’ welcoming policies priorities the safety and economic well-being of all its residents.

**1. This hearing is part of a larger set of retaliatory and unlawful attacks on Illinois and other states the Trump administration views as refusing to bend to its authoritarian agenda.**

As this hearing unfolds, cities across the United States are reeling from the military assault underway on the people of Los Angeles, illustrating how aggressive immigration enforcement practices threaten rather than ameliorate public safety concerns.<sup>4</sup> Turning cities and states into war

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<sup>1</sup> See *Illinois Trust Act*, 5 ILCS 805/1, <https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3818>.

<sup>2</sup> The TRUST Act was further amended in 2021, following the passage of the Illinois Way Forward Act. See National Immigrant Justice Center (NIJC), *New State Law Takes Effect to End ICE Detention in Illinois* (Aug. 2, 2021), <https://immigrantjustice.org/press-release/new-state-law-takes-effect-to-end-ice-detention-in-illinois/>.

<sup>3</sup> NIJC, *Illinois TRUST Act Passes Senate: Victory for Immigrants, Refugees and Domestic Violence Survivors* (May 4, 2017) (quoting Neusa Gaytan, then-Interim Executive Director and Senior VP of Programs of Mujeres Latinas en Acción).

<sup>4</sup> See Philip Bump, *Despite administration rhetoric, ICE heavily targets non-criminals*, Washington Post Opinion,

zones has been a longstanding goal of this administration to quell dissent and suppress the voices of communities of color.<sup>5</sup> These attacks have targeted cities and states with established welcoming policies, punishing localities for advancing policies that prioritize their resident needs rather than advance the administration's anti-immigrant crackdown. This retaliation has threatened core principles of federalism and states' Tenth Amendment right not to be commandeered by the federal government.

In particular, Illinois has been a target of this administration's wrath since before President Trump returned to office. The incoming "border czar," Tom Homan, announced that the Department of Homeland Security's (DHS) Immigration and Customs Enforcement's (ICE) crackdown on immigrant communities would begin in Chicago and that he would seek to prosecute Mayor Johnson if he did not "cooperate." Homan used profane language to attack the Mayor and Governor Pritzker.<sup>6</sup>

On Day 1, Trump ordered the Attorney General and DHS Secretary to undertake "any other lawful actions, criminal or civil, that they deem warranted," based on his own false allegations that welcoming policies interfere with enforcement of immigration laws.<sup>7</sup> This order built on the legal theories of Stephen Miller, the white supremacist architect of many of Trump's current and past anti-immigrant policies.<sup>8</sup> Within a week of Trump's return to office, ICE and several federal agencies launched enforcement actions that targeted Chicago and its suburbs with violent arrests in violations of the Fourth Amendment.<sup>9</sup> NIJC represents small business owners and domestic violence survivors who are devoted spouses, grandparents, and community members still jailed in remote county jails used by ICE nearly 5 months after the January operation.<sup>10</sup>

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(June 11, 2025) <https://www.washingtonpost.com/opinions/2025/06/11/deportation-ice-criminals-campaign-polling/> ("Before Trump took office, about 1 in 16 ICE detainees had no criminal charges or convictions. Now 1 in 4 don't. . . . The soldiers are purportedly there to stave off danger but also serve to bolster the idea that danger exists in the first place, justifying the administration's approach. The soldiers are there, in other words, to target a legitimate source of danger to the administration: dissent sparked by federal officers vacuuming up as many foreign-born moms and dads as they can, as quickly as possible.").

<sup>5</sup> Myah Ward, *George Floyd unrest informs Trump's response to Los Angeles protests*, Politico (June 10, 2025), <https://www.politico.com/news/2025/06/10/george-floyd-unrest-informs-trumps-response-to-los-angeles-protests-00398528>.

<sup>6</sup> Shia Kapos, *Homan tells Democrats to 'get the hell out of the way' on immigration*, Politico (Dec. 9, 2024), <https://www.politico.com/live-updates/2024/12/09/congress/border-czars-tough-talk-00193416>.

<sup>7</sup> Executive Order 14159 of January 20, 2025, *Protecting the American People Against Invasion*, 90 Fed. Reg. 8443 (published on Jan. 20, 2025).

<sup>8</sup> NPR, *Stephen Miller and White Supremacy* (Nov. 17, 2019), <https://www.npr.org/2019/11/17/780231676/stephen-miller-and-white-supremacy>. See also Southern Poverty Law Center, *Extremist Files, Stephen Miller* (last visited June 11, 2025), <https://www.splcenter.org/resources/extremist-files/stephen-miller/>

<sup>9</sup> See *Castañón Nava et al. v. Department of Homeland Security et al.*, No. 18-cv-3757-RRP (N.D. Ill.); Adriana Cardona-Maguigad, *Trump's immigration arrests in Chicago raise questions about 4th Amendment violations*, Chicago SunTimes (Feb. 5, 2025), <https://chicago.suntimes.com/immigration/2025/02/05/chicago-immigration-lyons-elgin-trump-ice-raids-border-wall-immigration-know-your-rights>.

<sup>10</sup> See Organized Communities Against Deportation, *Abel Deserves Due Process, Not Deportation*, petition (last visited June 11, 2015), <https://ocadchi.salsalabs.org/abelsupport/index.html>.

The executive branch has continued its campaign to punish state and local jurisdictions throughout the past few months. The U.S. Department of Justice (DOJ) also issued two<sup>11</sup> memoranda<sup>12</sup> which direct personnel to investigate and civilly and criminally prosecute sanctuary jurisdictions. The day after that second memorandum, DOJ sued Chicago, Cook County, and the State of Illinois—recycling arguments that failed under Trump’s first term.<sup>13</sup> However, the Trump administration’s retributive campaign is undeterred from repeated court losses. A federal judge recently blocked<sup>14</sup> the Trump administration from punishing 16 welcoming cities and counties under President Trump’s Executive Orders 14,159 and 14,218.<sup>15</sup> The court’s ruling asserted that threats to funding for welcoming jurisdictions cause “irreparable harm in the form of budgetary uncertainty, deprivation of constitutional rights, and undermining trust between Cities and Counties and the communities they serve.”<sup>16</sup> The court saw no distinction between these efforts and Trump’s failed attempts to punish welcoming cities during his first term, which also were found unlawful by federal courts.

The administration could have learned from its many failures—across two terms—that state and local jurisdictions are within their constitutional rights to set their own law enforcement policies, and refuse to be complicit in terrorizing immigrant communities alongside the federal government. Alas—four days after a preliminary injunction in April 2025, President Trump issued yet another executive order seeking to circumvent the preliminary injunction.<sup>17</sup> This executive order and an ensuing DHS list of “sanctuary” jurisdictions prompted rebuke from the judicial branch and law enforcement leaders.<sup>18</sup> Even surviving family members have rejected the administration’s attacks on Illinois laws and exploitation of tragic deaths. Last month, Department of Homeland Security (DHS) Secretary Kristi Noem held a press conference in Illinois’ capital Springfield to use the death of a young woman to condemn the TRUST Act—over the objections and protest of this woman’s grieving parents.<sup>19</sup>

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<sup>11</sup> Acting Deputy Attorney General, *Interim Policy Changes Regarding Charging, Sentencing, and Immigration Enforcement* (Jan. 21, 2025), available at <https://www.sfcityattorney.org/wp-content/uploads/2025/02/Jan-21-memo.pdf>.

<sup>12</sup> U.S. Attorney General, *Sanctuary Jurisdiction Directives*, Office of the Attorney General (Feb. 5, 2025), available at <https://www.sfcityattorney.org/wp-content/uploads/2025/02/February-5-memo.pdf>.

<sup>13</sup> *City and County of San Francisco v. Barr*, 965 F.3d 753 (9th Cir. 2020).

<sup>14</sup> *City and County of San Francisco v. Donald J. Trump*, 3:25-cv-01350 (N.D. Cal., April 24, 2025), ECF No. 111.

<sup>15</sup> President Donald J. Trump, Executive Order 14,159: Protecting the American People Against Invasion, 90 Fed. Reg. 8443 (Jan. 20, 2025); Pres. Trump, Executive Order 14,218: Ending Taxpayer Subsidization of Open Borders, 90 Fed. Reg. 10581 (Feb. 19, 2025).

<sup>16</sup> *City and County of San Francisco v. Donald J. Trump*, 3:25-cv-01350 (N.D. Cal., April 24, 2025), ECF No. 111.

<sup>17</sup> President Trump, *Executive Order 14287: Protecting American Communities From Criminal Aliens*, 90 Fed. Reg. 18761 (Apr. 28, 2025).

<sup>18</sup> See *San Francisco v. Trump*, 3:25-cv-01350, ECF No. 111; 136 (clarifying that that the injunction applies to any Executive Order or agency directive that aims to cut funding away from welcoming jurisdictions based on the “wholesale, overly broad and unconstitutional manner threatened by [President Trump’s Executive Orders 14,159 and 14,218].”); Nat’l Sheriffs Ass’n, *NSA President Issues Statement Calling For DHS Accountability and Transparency* (May 31, 2025), <https://www.sheriffs.org/nsa-president-issues-statement-calling-for-dhs-accountability-and-transparency>.

<sup>19</sup> Rose Schmidt, *Kristi Noem blasts JB Pritzker in Springfield, Illinois governor responds*, NBC News (May 7, 2025), <https://www.nbcchicago.com/news/local/kristi-noem-blasts-pritzker-in-springfield-illinois-governor->

Members of this Committee should denounce these baseless attacks on states like Illinois—rather than align with this blatant federal overreach under the guise of Congressional oversight.

## **2. Welcoming policies are lawful.**

As federal courts ruled in under Trump’s first term,<sup>20</sup> sanctuary jurisdictions are plainly within their constitutional right to set their local policies. Federal courts have repeatedly and uniformly found that sanctuary laws like the Welcoming City Ordinance comply with federal law, specifically Section 8 U.S.C. § 1373.<sup>21</sup> The Tenth Amendment to the U.S. Constitution leaves to states and localities how to devote local law enforcement resources. The federal government cannot require or commandeer states or localities to help enforce federal immigration laws.

Put plainly, the TRUST Act prioritizes local resources for the enforcement of state and local laws rather than taking part in ICE’s enforcement of civil immigration infractions. Federalist principles, as well as the U.S. Constitution, proscribe the federal government from coercing Chicago or other local jurisdictions from performing duties Congress delegated to federal immigration authorities.<sup>22</sup>

Moreover, the executive branch has engaged in a series of unlawful actions that have already been blocked and challenged in dozens of cases in federal courts.<sup>23</sup> This committee would best use its resources by conducting oversight into the growing record of breaches of power by the executive branch and its impact on the public.

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[responds/3740018/](#) (“Shafer’s parents did not attend Noem’s news conference and instead were blocks away protesting her visit. They later released a statement, saying, in part, “To see (Emma) used by Secretary Noem and others to advance a cruel and heartless political agenda is not just deeply painful to -- it is an insult to her memory. Noem’s words are in direct conflict with who Emma was as a person.” “Secretary Noem, as parents still grieving the loss of a child, we beg you to stop. This is not who she was. This is not helping us. Her memory should live in all the people she touched and the causes that she fought for,” said Cathy Schwartz and John Shafer, the parents of Emma Shafer, in a statement.”).

<sup>20</sup> See National Immigration Project, *Setting the Record Straight About Sanctuary Policies: A Response to Threats Against Sanctuary Cities* (January 22, 2025), <https://nippnl.org/sites/default/files/2025-01/DOJ-AFL-response.pdf>.

<sup>21</sup> See e.g. *City of Chicago v. Sessions*, 888 F.3d 272, 282 (7th Cir. 2018), vacated in part on other grounds, No. 17-2991, 2018 WL 4268817 (7th Cir. June 4, 2018) (“[T]he Attorney General repeatedly characterizes the issue as whether localities can be allowed to thwart federal law enforcement. That is a red herring [N]othing in this case involves any affirmative interference with federal law enforcement at all, nor is there any interference whatsoever with federal immigration authorities.”); *McHenry Cnty. v. Kwame Raoul*, 44 F.4th 581, 592 (7th Cir. 2022); *United States v. California*, 921 F.3d 865 (9th Cir. 2019); *United States v. New Jersey*, 2021 WL 252270, at \*8 (D.N.J. Jan. 26, 2021).

<sup>22</sup> See *Brief of Amici Curiae ACLU of Illinois, Illinois Coalition for Immigrant and Refugee Rights, Mujeres Latinas en Acción and National Immigrant Justice Center in Support of Defendants’ Motion to Dismiss*, 1:25-cv-1285, ECF No. 44-1 (N.D.Ill. Mar. 25, 2025), [https://www.aclu-il.org/sites/default/files/44-1\\_brief\\_of\\_amici\\_curiae\\_in\\_support\\_of\\_defendants\\_motion\\_to\\_dismiss.pdf](https://www.aclu-il.org/sites/default/files/44-1_brief_of_amici_curiae_in_support_of_defendants_motion_to_dismiss.pdf).

<sup>23</sup> See Just Security, *Litigation Tracker: Legal Challenges to Trump Administration Actions* (last updated June 11, 2025), <https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/>.

### 3. ICE detainers and unlawful collateral arrests, not sanctuary policies, merit congressional oversight.

This Committee should scrutinize DHS and ICE, not the state of Illinois, for systematically violating constitutional law. Federal courts have held that local authorities are under no mandate to comply with ICE's demands.<sup>24</sup> Most recently, a federal court issued a ruling to set guardrails around how ICE routinely prolongs the detention of individuals held by local authorities without a judicial finding of probable cause, which is required under the Fourth Amendment.<sup>25</sup> In *Gonzalez v. ICE*, the court blocks ICE from issuing "detainers" to local authorities requesting that they keep an individual extra time, so an ICE officer can take the individual into custody.<sup>26</sup> Applying to the vast majority of U.S. states and territories, this settlement sets key guardrails to curtail ICE's violations of people's Fourth Amendment rights. At bottom, federal courts are seeking to hold ICE to the same standard as any other law enforcement agency in the United States.—i.e., not to infringe on individuals' constitutional right to liberty without meeting the standard of probable cause to keep any person, including noncitizens, in jail.

ICE has a long history of violating Fourth amendment rights—costing local jurisdictions enormous liability. New York City recently agreed to pay \$92.5 million for holding people unlawfully under the Fourth Amendment on ICE detainers.<sup>27</sup> In 2022, the Los Angeles County Sheriff had to pay \$14 million because of Fourth Amendment violations for holding people unlawfully on immigration detainers.<sup>28</sup> By violating constitutional rights, ICE is not only harming individuals, but local taxpayers who have to pay for their municipalities' complicity with ICE's unlawful conduct. With the TRUST Act, Illinois wisely adopted its own policy— protecting residents from the egregious harm and exorbitant cost of routine constitutional violations.

Finally, Illinois is among multiple states and localities currently subject to the *Castañon Nava* settlement agreement.<sup>29</sup> This case illustrates the rampant use of racial profiling in ICE's enforcement actions in broad daylight—as a class of about 120 Latinx individuals were unlawfully detained during pretextual traffic stops where ICE posed as local police. Plaintiffs were suddenly arrested and detained for weeks without seeing a judge. Rather than bury this practice, the executive branch used it as part of its playbook of attacks on welcoming jurisdictions like Chicago.

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<sup>24</sup> See, e.g., *Moreno v. Napolitano*, 2014 WL 4911938, at \*5 (N.D.Ill, Sept. 30, 2014); *Galarza v. Szalczyk*, 745 F.3d 634, 640 (3d Cir. 2014); *Morales v. Chadbourne*, 793 F.3d 208, 214-15 (1st Cir. 2015).

<sup>25</sup> See *Gonzalez v. ICE*, 13-cv-4416, ECF No. 195-1 (C.D. Cal.).

<sup>26</sup> NIJC, ACLU Southern California, *Explainer: Understanding the Gonzalez v. ICE Detainer Settlement Agreement and How to Identify Violations* (Apr. 16, 2025), <https://immigrantjustice.org/for-attorneys/resources/explainer-understanding-the-gonzalez-v-ice-detainer-settlement-agreement-and-how-to-identify-violations-2/>.

<sup>27</sup> Luis Ferré-Sadurní, *New York City to Pay \$92.5 Million to Improperly Detained Immigrants*, N.Y. Times (Dec. 18, 2024), <https://www.nytimes.com/2024/12/18/nyregion/migrants-detention-settlement-deportation.html>.

<sup>28</sup> Maria Sacchetti, *Los Angeles County votes to pay \$14 million to former immigrant detainees*, Wash. Post (Oct. 13, 2020), [https://www.washingtonpost.com/immigration/los-angeles-county-votes-to-pay-14-million-to-former-immigrant-detainees/2020/10/13/c458edc8-0d9b-11eb-b1e8-16b59b92b36d\\_story.html](https://www.washingtonpost.com/immigration/los-angeles-county-votes-to-pay-14-million-to-former-immigrant-detainees/2020/10/13/c458edc8-0d9b-11eb-b1e8-16b59b92b36d_story.html).

<sup>29</sup> See *Castañon Nava et al. v. Department of Homeland Security et al.*, No. 18-cv-3757-RRP (N.D. Ill.); Adriana Cardona-Maguigad, *Trump's immigration arrests in Chicago raise questions about 4th Amendment violations*, Chicago SunTimes (Feb. 5, 2025), <https://chicago.suntimes.com/immigration/2025/02/05/chicago-immigration-lyons-elgin-trump-ice-raids-border-wall-immigration-know-your-rights>.

During the Trump administration's inaugural raids on Chicago and its surroundings, NIJC documented 25 examples of *Castañon Nava* violations—impacting noncitizens and U.S. citizens alike.<sup>30</sup>

As we prepare for this hearing, NIJC is also preparing for a new set of attacks on Illinois residents following reports that DHS will be sending Special Response Teams to Chicago. Once more, we expect warrantless collateral arrests and Fourth Amendment violations that will endanger citizens and noncitizens alike. This conduct is both egregiously costly<sup>31</sup> and serves no justifiable purpose, other than to meet an arbitrary quota for arrests<sup>32</sup> and punishing jurisdictions that oppose the administration's brazen attacks on our collective rights.

There is merit to focusing committee resources on the State of Illinois—reversing the target for the Committee's oversight. Governor Pritzker and the Illinois TRUST Act are not violating federal and constitutional law. Years of judicial precedent and binding settlement agreements show that ICE's enforcement practices merit congressional scrutiny.

#### **4. Welcoming policies foster safety and prosperity.**

The Illinois TRUST Act became law with strong bipartisan support from elected legislators because it makes our communities safer. For years, it has provided peace of mind to our diverse immigrant communities that if they need help in an emergency or are a victim of a crime, they can call for help without fear of local authorities who assume that non-English speakers are not entitled to the same protections as U.S. citizens. Welcoming laws like the TRUST Act have also provided peace of mind to vulnerable individuals that if they need help in an emergency or are a victim of a crime, they can call for help without fear of deportation.

Safer communities also allow states like Illinois to thrive economically. Research shows that sanctuary jurisdictions champion higher median household income, less poverty, and less reliance on public assistance to higher labor force participation, higher employment-to-population ratios,

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<sup>30</sup> See NIJC, *22 People Arrested in ICE Raids Announce Federal Action Challenging Unlawful Warrantless ICE Arrests under New Trump Administration* (Mar. 27, 2025), <https://immigrantjustice.org/press-release/22-people-arrested-in-ice-raids-announce-federal-court-action-challenging-unlawful-warrantless-ice-arrests-under-new-trump-administration/>; *Castañon Nava v. DHS*, No.: 18-cv-03757, ECF No. 187, *Notice to Include Additional Violations To Plaintiffs' Motion to Enforce Court's Order Regarding Settlement Agreement* (N.D.Ill. May 21, 2025) (identifying three additional plaintiffs).

<sup>31</sup> See Report to Accompany the FY2026 House Appropriations Homeland Security Bill (June 2025), at 34, <https://docs.house.gov/meetings/AP/AP00/20250612/118389/HMKP-119-AP00-20250612-SD003.pdf> (The report raises concern about ICE's budgetary mismanagement, noting that ICE has been spending more than its appropriated levels while taking from other DHS operational priorities in an "especially egregious" manner). See also David Bier, *Deportations to Add Almost \$1 Trillion in Costs to the "Big Beautiful Bill"*, CATO Institute (June 6, 2025) <https://www.cato.org/blog/deportations-add-almost-1-trillion-costs-gops-big-beautiful-bill> (noting that immigration and border enforcement account for "two-thirds of federal law enforcement spending").

<sup>32</sup> Sara Dorn, *Stephen Miller Pushes For Even More Surprise ICE Raids—His Deportation Quotas, Explained*, Forbes (Jun 09, 2025), <https://www.forbes.com/sites/saradorn/2025/06/09/trumps-immigration-crackdown-guru-stephen-miller-wants-even-more-arrests/>.



and lower unemployment.<sup>33</sup>

Since President Trump returned to office, NIJC has witnessed business owners, essential workers, and domestic violence survivors swept up in ICE's unlawful enforcement actions. Illinois is doing its part to try to keep its residents safe and thriving; the federal government, including Congress, should do theirs.

## Conclusion

NIJC respectfully submits this statement for the record to underscore several errors with this committee's focus. This hearing is part of a larger effort to target and punish Illinois for protecting community members from unlawful and unconstitutional federal actions. Contrary to states like Illinois, the executive branch is entrenched in unlawful attacks on longstanding community members, using tools that violate the Fourth Amendment and proliferate racial profiling. This committee should conduct oversight into the executive branch's conduct, rather than waste its resources targeting local policies that prioritize the safety and prosperity of all.

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<sup>33</sup> Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Center for American Progress (Jan. 26, 2017), <https://www.americanprogress.org/article/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>. See also *Brief of Amici Curiae ACLU of Illinois, Illinois Coalition for Immigrant and Refugee Rights, Mujeres Latinas en Acción and National Immigrant Justice Center in Support of Defendants' Motion to Dismiss*, 1:25-cv-1285, ECF No. 44-1 (N.D.Ill. Mar. 25, 2025), [https://www.aclu-il.org/sites/default/files/44-1\\_brief\\_of\\_amici\\_curiae\\_in\\_support\\_of\\_defendants\\_motion\\_to\\_dismiss.pdf](https://www.aclu-il.org/sites/default/files/44-1_brief_of_amici_curiae_in_support_of_defendants_motion_to_dismiss.pdf).