

SUBSTITUTE RESOLUTION

CONDEMNATION OF PRACTICES BY FEDERAL IMMIGRATION ENFORCEMENT AGENTS THAT ENDANGER CHILDREN; URGING RESIDENT REPORTING OF IMMIGRATION ENFORCEMENT MISCONDUCT; AND CALLS FOR FEDERAL AND STATE ACTION REGARDING ICE MISCONDUCT

WHEREAS, the City of Chicago is a historic home to vibrant and diverse immigrant communities whose contributions are vital to the city's social, cultural, political and economic fabrics; and

WHEREAS, the City of Chicago has a fundamental interest in the safety and well-being of **all** children, regardless of immigration status, race or national origin; and

WHEREAS, Executive Order No. 2025-6 affirms the commitment of the City of Chicago to public safety for all and consistent with the Welcoming City Ordinance; and

WHEREAS, Illinois law makes it a criminal offense to endanger the life or health of a child, defined as (1) causes or permits the life or health of a child under the age of 18 to be endangered; or (2) causes or permits a child to be placed in circumstances that endanger the child's life or health, including leaving a child under 14 years of age "unattended". 720 ILCS § 5/12C-5; <https://www.ilga.gov/documents/legislation/ilcs/documents/072000050K12C-5.htm> Child Abuse Prevention and Treatment Act (CAPTA), 42 U.S.C. § 5101 et seq.; 325 ILCS 5/1 Abused and Neglected Child Reporting Act; and

WHEREAS, U.S. Immigration and Customs Enforcement (ICE) practices—including traumatic home raids, arrests in sensitive locations, family separation, and family detention—have been shown by medical experts, including the American Academy of Pediatrics, to cause lasting psychological and physical harm to children, constituting child endangerment. (By its plain meaning, the term "endanger," as used in offense of endangering the life or health of a child, refers to a potential or possibility of injury.) *People v. Penning*, App. 3 Dist.2021, 454 Ill.Dec. 397, 189 N.E.3d 958; (Endangering life of child involves placing child's life into danger of probable physical or mental damage.) *People v. Wilkenson*, App. 1 Dist.1994, 200 Ill.Dec. 124, 262 Ill.App.3d 869, 635 N.E.2d 463; and

WHEREAS, reports from organizations such as the National Immigrant Justice Center, the American Civil Liberties Union, and Injustice Watch have documented repeated incidents of traumatic arrests, including a mother and seven-month child being detained for five days at a hotel near O'Hare Airport; and

WHEREAS, oversight of federal immigration agencies is inadequate, relying primarily on internal mechanisms that lack transparency and independence; and

WHEREAS, Illinois has demonstrated its commitment to protecting immigrant families including through the Illinois Trust Act and the Illinois Way Forward Act 5 ILCS 805/1; Public Act 102-0234; and

WHEREAS, municipalities across the United States have passed resolutions condemning harmful immigration practices and calling for reform City of Minneapolis Resolution No. 2025R-241; NYC Local Laws 97 and 101; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF CHICAGO:

SECTION 1. OFFICIAL POSITION. The City Council condemns, consistent with Illinois law, any actions endangering the life or health of a child, all practices by federal immigration enforcement agents that endanger children, including but not limited to home raids, civil enforcement actions or arrests in sensitive locations, family separations, and detention in substandard facilities. The Council further implores that under no circumstances should federal agents detain, arrest or disappear a parent if that results in leaving minor children alone; agents should explore alternative plans until a parent, guardian or another responsible relative can be contacted to ensure the child's safety.

SECTION 2. SUPPORT FOR RESIDENTS.

A. The Council recommends residents who witness or experience misconduct by federal immigration agents to report it to the Department of Homeland Security Office of Inspector General, the ICE Office of Professional Responsibility, and the Illinois Attorney General.

B. Residents who witness federal agents leaving children unattended should also consider notifying local police who may arrange to unite the child with their families and/or guardians immediately to ensure the children's safety.

C. The City Clerk should also disseminate information on safe reporting and provide resources for legal support, such as the National Immigrant Justice Center's hotline, on the City's website.

D. The Council encourages all incidents be reported to the Illinois Coalition for Immigrant & Refugee Rights' hotline at (855) 435-7693.

E. To fully protect the children and people of the City of Chicago, the following areas, and a three block area around them, are sensitive and protected, and the City Council urges that no immigration enforcement actions occur at the following locations:

- A school, such as a pre-school, primary or secondary school, vocational or trade school, or college or university.
- A medical or mental healthcare facility, such as a hospital, doctor's office, health clinic, vaccination or testing site, urgent care center, site that serves pregnant individuals, or community health center.
- A place of worship or religious study, whether in a structure dedicated to activities of faith (such as a church or religious school) or a temporary facility or location where such activities are taking place;
- A place where children gather, such as a playground, recreation center, childcare center, before-or after-school care center, foster care facility, group home for children, or school bus stop.
- A social services establishment, such as a crisis center, domestic violence shelter, victims services center, child advocacy center, supervised visitation center, family justice center, community-based organization, facility that serves disabled persons, homeless shelter,

drug or alcohol counseling and treatment facility, or food bank or pantry or other establishment distributing food or other essentials of life to people in need.

- A place where disaster or emergency response and relief is being provided, such as along evacuation routes, where shelter or emergency supplies, food, or water are being distributed, or registration for disaster-related assistance or family reunification is underway.
- A place where a funeral, graveside ceremony, rosary, wedding, or other religious or civil ceremonies or observances occur.
- A place where there is an ongoing parade, demonstration, or rally. In or near courthouses, including areas within courthouses that dedicated to non-criminal proceedings, including but not limited to family court, domestic violence and small claims.

SECTION 3. CALL FOR FEDERAL ACTION. The Council urges the United States Congress and the President to:

- a. Prohibit family separation and require community-based alternatives to detention.
- b. Establish an independent oversight commission for ICE and CBP with subpoena power.
- c. Reallocate funding from enforcement and detention to humane, community-based programs.
- d. Hold public hearings to investigate child endangerment and misconduct by immigration agents.

SECTION 4. CALL FOR STATE ACTION. The Council urges the Illinois Attorney General and the Governor to:

- a. Investigate all claims of civil rights violations and child endangerment by federal agents.
- b. Use all available legal and legislative tools to challenge harmful federal immigration practices.
- c. Enforce the endangering the life of health of a child statute.

BE IT FURTHER RESOLVED, that the City Clerk shall send a copy of this Resolution to the President of the United States, the Speaker of the U.S. House of Representatives, the Majority Leader of the U.S. Senate, the Illinois Congressional Delegation, the Governor of Illinois, and the Illinois Attorney General and all Illinois State representatives so that they are formally advised of the City Council's position.