

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting

1/20/2026

SUBJECT:	SUBMITTED BY:
Federal immigration activities	Dave Fieldman Village Manager

SYNOPSIS

Discussion of proposed actions concerning Federal immigration activities.

STRATEGIC PLAN ALIGNMENT

The 2025-27 Strategic Goals include *A Safe and Welcoming Community*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the January 13, 2026 Village Council meeting. Based upon Village Council direction, a draft ordinance has been prepared for Village Council consideration.

BACKGROUND

At the December 9, 2025 meeting, the Village Council considered the following new business proposal:

At the request of Commissioners Sadowski-Fugitt and Roe, the following proposal has been placed on the New Business Agenda. Proposal to Monitor Federal Immigration Activities. More specifically to: 1) consider prohibiting U.S. Border Patrol and ICE staging on Village property; 2) consider directing the Police Department to respond to any call, including to the non-emergency DGPD line, from a Downers Grove community member that witnesses immigration enforcement and is concerned about his/her safety or the safety of others and to obtain records of federal agents conduct that may constitute any potential constitutional violations; and, 3) encourage federal and state legislatures to pass meaningful legislation requiring U.S. Border Patrol and ICE agents to be clearly identified and restricting the use of masks when conducting civil immigration enforcement.

The Council approved a motion placing this discussion on an upcoming First Reading agenda and directing staff to take appropriate actions in support of the discussion. Staff gathered information and documents on this topic from other municipalities in the Chicago area.

Illinois Public Act 104-040

[Public Act 104-040](#) (also known as the [Illinois Bivens Act](#)) was signed into law on December 9, 2025 and became effective that same day. The [United States Department of Justice filed suit against Illinois](#) challenging its constitutionality.

DMMC Survey

At the request of the Village of Downers Grove, DuPage Mayors and Managers Conference prepared and distributed a two question survey to its members. The questions are noted below. The responses are summarized in the following table.

Survey Questions

Has your Board/Council taken any actions related to Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) activities?

Has your municipality discussed taking actions and ultimately decided not to?

Summary of Responses

Municipality	Discussed	Action Taken
Addison	Yes	No
Bolingbrook	Yes	No
Burr Ridge	No	No
Carol Stream	Yes	No
Darien	No	No
Elmhurst	Yes	No
Glen Ellyn	No	No
Lisle	No	No
Lombard	No	No
Naperville	No	No
Roselle	No	No
Warrenville	No	No
Westmont	No	No
Wheaton	No	No
Winfield	No	No
Wood Dale	No	No
Woodridge	No	No

Chicago Area Municipality Actions/Statements Regarding Federal Immigration

The following information is posted on municipalities websites.

<u>Actions Taken</u>	<u>Municipalities</u>
1. Passed an ordinance or resolution prohibiting use of municipal property for federal immigration enforcement operations.*	<ul style="list-style-type: none"> • Aurora • Arlington Heights • Batavia** • Elgin • Evanston • Hanover Park • Skokie • Waukegan • West Chicago • Wheeling • Wilmette***
2. Posted statement or passed resolution with general information regarding municipal operations as they pertain to federal immigration enforcement operations.	<ul style="list-style-type: none"> • Barrington • Bartlett • Burr Ridge • Lombard • Mt. Prospect • Winnetka
3. Provided relevant resources to residents.	<ul style="list-style-type: none"> • Buffalo Grove • Bolingbrook • Glenview
4. Combination of 2 and 3	<ul style="list-style-type: none"> • Glencoe • Highland Park • Northbrook • Palatine • St. Charles

*These municipalities also have additional information and resources on their website but are called out separately because they took additional action beyond a statement or providing resources.

**Also prohibits data sharing.

***Wilmette's ordinance addresses additional items beyond the prohibition of use of property for immigration enforcement including gathering information regarding the conduct of federal agents during civil immigration enforcement for submittal to the Illinois Accountability Commission and prohibiting data sharing.

<u>Municipality</u>	<u>Link(s)</u>
Aurora	<u>Summary of Ordinance</u>
Arlington Heights	<u>Ordinance</u> <u>Immigration Resources</u>
Barrington	<u>Resolution</u>
Bartlett	<u>Statement</u>
Batavia	<u>Ordinance</u>
Buffalo Grove	<u>FAQ's</u>
Burr Ridge	<u>Statement</u> <u>Victim/Witness Assistance</u>
Bolingbrook	<u>Know Your Rights</u>
Elgin	<u>Summary of Resolution</u> <u>Statement</u>
Evanston	<u>Staff Report & Resolution</u>
Glencoe	<u>Statement and Resources</u>
Glenview	<u>FAQ's</u>
Hanover Park	<u>Know Your Rights and Resources</u> <u>Information and Resources</u> <u>Ordinance (see page 79)</u>
Highland Park	<u>Statement & Resources</u> <u>FAQ's</u>
Lombard	<u>Statement</u>
Mt. Prospect	<u>Statement</u>
Northbrook	<u>Resources</u> <u>Statement</u>
Palatine	<u>Resources & FAQ's</u> Resolution (attached)
Skokie	<u>Know Your Rights</u> <u>Ordinance (see page 29)</u>
St. Charles	<u>Statement and Resources</u>

<u>Municipality</u>	<u>Link(s)</u>
Waukegan	Summary of Resolution
West Chicago	Statement Resolution (see page 38)
Wheeling	Resolution
Wilmette	Rights & Resources Ordinance
Winnetka	Statement

ATTACHMENTS

Palatine Resolution
Draft Ordinance

RESOLUTION NO. R-~~26~~25**RESOLUTION REAFFIRMING A COMMITMENT OF SAFETY, RESPECT
AND TRUST TO ALL RESIDENTS OF PALATINE**

WHEREAS, the Mayor and Village Council of the Village of Palatine, Illinois believe that all residents of the community deserve to live with respect, dignity, and safety regardless of race, religion, immigration status or national origin; and

WHEREAS, the Village finds that the cooperation of all people is essential to achieving the Village's goals of protecting life and property, preventing crime and resolving problems; and

WHEREAS, the Village has long supported public safety through the establishment of trust and partnerships between the residents and local government; and

WHEREAS, the Village has a long history of working with all members of our community, building relationships based upon trust; and

WHEREAS, the Palatine Police Department offers numerous community events such as summer camps, Shop with a Cop, Cop on a Rooftop, Toys for Tots, and National Night Out to build strong relationships with the community; and

WHEREAS, the stress that recent federal actions have caused on our community is creating fear and eroding the trust that the Village and law enforcement have built through the past several decades; and

WHEREAS, the tactics of federal immigration enforcement agencies witnessed by the community are not something the Mayor, Village Council nor staff condone; and

WHEREAS, the Mayor and Village Council are committed to building relationships within our community and protecting our residents under the law.

RESOLUTION No. R-26-25
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NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALATINE AS FOLLOWS:

Section 1: The Mayor and Village Council reaffirm their commitment to ensuring the safety, dignity and human rights of all residents of Palatine.

Section 2: The Village remains committed to following all aspects of the Trust Act and other state and federal laws including, but not limited to, providing services and acting without discrimination based on immigrant status.

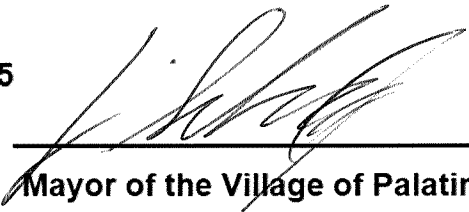
Section 3: The Village will continue to respond to all known incidents involving federal immigration enforcement in an effort to identify the enforcing organization and maintain a safe environment for all present on the scene.

Section 4: The Village encourages the Federal government to develop standards of conduct for immigration enforcement officers.

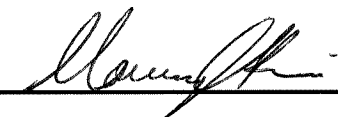
Section 5: The Village will continue to strive to build a strong relationship with all residents of the community through partnerships and outreach as well as education.

DATED: November 17, 2025

AYES: 6 **NAYS:** 0 **ABSENT:** 0 **PASS:** 0

APPROVED: November 17, 2025


Mayor of the Village of Palatine

ATTESTED and FILED in the office of the Village Clerk on November 17, 2025


Village Clerk

DRAFT

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE MONITORING OF IMMIGRATION ENFORCEMENT ACTIVITIES

WHEREAS, the Village of Downers Grove (the “Village”) is a home rule municipal corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and pursuant to said constitutional authority, may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Village has the constitutional and statutory authority to exercise any power and perform any function pertaining to its government and affairs, including adopting ordinances, resolutions and promulgating rules and regulations regarding the use of its property and providing direction to its employees.

WHEREAS, civil immigration enforcement operations are a federal function and states, and their political subdivisions, are generally prohibited from participating or assisting in such enforcement but also may not interfere or obstruct Federal Agents conducting civil immigration enforcement operations; and

WHEREAS, pursuant to the Illinois Trust Act (5 ILCS 805/1 *et. seq.*), local law enforcement officers do not have the authority to enforce federal civil immigration laws, and

WHEREAS, the unauthorized use of Village property, resources and personnel for civil immigration enforcement actions interferes with the Village’s authority and own use of its property, resources and personnel;

WHEREAS, the Village Council of the Village of Downers Grove (“Village Council”), finds that building and maintaining a community that treats all persons, regardless of their

citizenship status, with respect and dignity is in line with the public policy of the Village; and

WHEREAS, the Village is committed to ensuring the safety, dignity, and human rights of all residents, regardless of race, religion, gender, sexual orientation, immigration status, ethnicity, or national origin; and

WHEREAS, the Village Council calls upon and encourages the United States Congress and the Illinois General Assembly to pass laws or regulations requiring Federal Agents to be clearly identified to the public with official badges and restricting the use of masks for Federal Agents when conducting civil immigration enforcement operations, and

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL of the Village of Downers Grove, DuPage County, Illinois:

SECTION 1: The foregoing findings and recitals are hereby made a part of this Ordinance and are incorporated by reference as if set forth verbatim herein.

SECTION 2: Use of Village-Owned Property for Civil Immigration Enforcement

1. No Village-owned and controlled parking lot, vacant lot, parking deck or other applicable property shall be used as a staging area, processing location, or operations base for civil immigration enforcement.
2. For purposes of this Ordinance, the following terms shall have the meanings set forth herein:
 - a. *Staging Area.* An area that is used to assemble, mobilize, and deploy personnel, vehicles, equipment, or materials, for any purpose arising out of or related to civil immigration enforcement operations.
 - b. *Processing Location.* An area where individuals or materials are checked, identified, or documented in connection with civil immigration enforcement operations.
 - c. *Operations Base.* A location used to coordinate and manage civil immigration enforcement activities.
3. This restriction does not apply to property that is subject to existing leases or agreements to which the Village is a party. It is not intended to, and shall not be interpreted to interfere with any such lease or agreement.

4. Nothing in this Ordinance shall be construed as restricting or interfering with the execution of lawful judicial warrants or the enforcement of criminal law, nor as limiting the rights of any person under State or federal law.
5. This Ordinance does not prohibit the lawful use of Village-owned property and controlled property and nothing in this Ordinance shall restrict any person from using Village-owned Property and controlled property for its intended manner and as authorized by the Village.

SECTION 3: Use of Village Data or Data Systems

1. No Village employee shall enter into or renew any agreement providing direct access to any electronic database or other data-sharing platform maintained by any agency, or otherwise provide direct access to such database to:
 - a. Any agency or agent thereof, if the purpose of such access is for the enforcement of civil immigration law, or
 - b. Any third party or parties, unless all such parties certify that the information in such databases or other data-sharing platforms will not be used for civil immigration purposes or knowingly disseminated to any other party for any purpose related to civil immigration enforcement.
2. Nothing in this section shall restrict the Village or its employees from:
 - a. providing documentation responsive to a request pursuant to the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*),
 - b. inquiring from applicants for employment about their status to lawfully work in the United States,
 - c. conditioning or denying Village benefits or services, or
 - d. performing or refusing to perform any other act, when doing so is required by state statute, federal statute or regulation, or an order of a court of competent jurisdiction, or is otherwise authorized by the Downers Grove Municipal Code.

SECTION 4: Response to Call for Service

The Village Manager is authorized to direct the Village's Police Department to respond to any calls for service concerning potential constitutional rights violations.

SECTION 5: Implementation and Enforcement

1. The Village Manager shall develop procedures necessary to implement this Ordinance
2. The Police Chief shall have the authority to enforce this Ordinance. The Village

Attorney shall have the ability to enforce this Ordinance including enforcement of any citation issued for violation of this Ordinance or may also employ any other legal mechanism of enforcement if a violation persists.

SECTION 6: Severability

In the event any provision of this Ordinance is determined to be in conflict with any law or otherwise invalid, void or unenforceable, such determination shall not affect the remainder of this Agreement, which shall continue to be in full force and effect.

SECTION 7: Effect

This Ordinance shall be in full force and effect from its passage, approval, and publication as provided by law.

Mayor

Passed:

Published:

Attest: _____
Village Clerk