

ORDINANCE NO. 6178

**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.

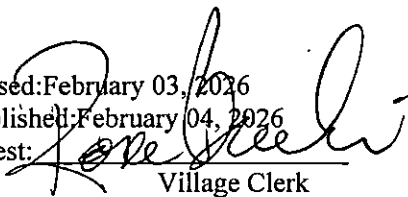
SECTION 7: Effect

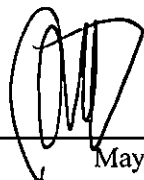
This Ordinance shall be in full force and effect from its passage, approval, and publication as provided by law.

Passed: February 03, 2026

Published: February 04, 2026

Attest:


Village Clerk



Mayor