

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHICAGO HEADLINE CLUB *et al.*,

Plaintiffs,

v.

KRISTI NOEM, Secretary of U.S. Department of
Homeland Security, in her official capacity, *et al.*,
Defendants.

Civil Action No. 25-cv-12173

Hon. Sara L. Ellis

**CITY OF CHICAGO'S AMICUS BRIEF
IN SUPPORT OF PRELIMINARY INJUNCTION**

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STATEMENT OF INTEREST OF THE *AMICUS CURIAE*¹

With growing intensity, masked agents sent by the Department of Homeland Security are disrupting peaceful neighborhoods across Chicago, including South Shore, Pilsen, East Side, Avondale, Albany Park, Brighton Park, Lakeview, Little Village, Logan Square, Old Irving Park, and more. Their tactics are often violent. They have fired weapons and deployed tear gas without warning and a chance to disperse, harming protesters and onlookers and striking fear in children. Their tactics have interfered with innocent activities, such as drop-off and pick-up of school children, trips to retail stores, and even a Halloween parade. Compounding the problem, the federal agents go about in masks, hiding their identities to avoid accountability.

The City has a direct interest in this case as a steward of the health and safety of its residents and of those who work in and visit Chicago. Injunctive measures will advance that goal. Measures as simple as requiring proper identification and use of body worn cameras will promote accountability, while serious restrictions on the use of firearms, as well as tear gas and other chemical agents, are necessary to keep all people in Chicago safe and enable them to freely exercise their First Amendment rights.

ARGUMENT

In recent weeks, abusive federal immigration enforcement activity has stretched from the Broadview facility and into communities across Chicago, terrorizing peaceful protesters and residents who live, work, attend school, and participate in community life. ICE agents have employed tear gas and other such chemical agents indiscriminately and without warning and have

¹ All parties have consented to the filing of this brief. No counsel for a party authored this brief in whole or in part, no counsel for a party made a monetary contribution intended to fund the preparation or submission of this brief, and no person other than *amicus curiae* and its counsel made a monetary contribution to its preparation or submission.

engaged in other violent tactics to silence dissenting voices. And the trend has continued upward. What began as a scattering of incidents in early October has risen to near-daily attacks. Absent a preliminary injunction that extends to federal enforcement activity across Chicago, federal agents will continue their assault on the safety and security of Chicagoans and on their fundamental right to assemble and peacefully protest government conduct, causing the City and public interest irreparable harm.

I. The City and the Public Interest Will Suffer Irreparable Harm Absent a Preliminary Injunction.

A key factor in the preliminary injunction analysis is the balance of equities, namely, whether injunctive relief “is in the public interest.” *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008). Injunctive relief is decidedly in the public interest here. The City has vital interests in protecting the health and safety of all live and work within its borders, *Navratil v. City of Racine*, 101 F.4th 511, 520 (7th Cir. 2024), and in vindicating their fundamental rights, *Joelner v. Village of Washington Park*, 378 F.3d 613, 620 (7th Cir. 2004). Here, the extreme measures taken by ICE agents against peaceful protesters have intensified and continue to spread across Chicago communities. Chicagoans – especially children who have been needlessly exposed to tear gas and other violent tactics – feel unsafe in their neighborhoods, and protesters cannot exercise their First Amendment rights to speak out against the brutal attacks on them and their neighbors. Making matters worse, ICE agents remain unaccountable, as they are often masked and lacking in any body-worn cameras. A preliminary injunction would greatly serve the public interest, and absent such relief, Chicagoans will suffer irreparable harm from ICE agents and their brutal tactics.

A. ICE agents are increasingly employing extreme measures to quell peaceful protests in communities across Chicago.

ICE agents have been increasingly employing tear gas and other extreme measures to

suppress peaceful protests in a growing number of communities across Chicago. While Broadview remains a hub of activity, the incidents in Chicago are particularly shocking and brazen, for they are unfolding in otherwise quiet residential neighborhoods, near schools and playgrounds, at community events, and in bustling business districts. And they show no signs of stopping. In fact, tear gas and other violent tactics have become a near daily occurrence as ICE agents expand their enforcement efforts across all areas of Chicago.

Press reports catalogue numerous instances in which federal immigration agents have undermined public safety in Chicago. For example, on October 3, ICE agents were attempting to enter the parking lot of a Mexican grocery store in Logan Square.² When drivers showed signs of protest, masked agents tossed a smoke grenade and multiple canisters of tear gas, without warning, into the crowded street in front of the store.³ During this time, workers and area residents were walking to the store for lunch and shopping with their young children; just down the street, toddlers were playing in a learning café; and across the street, children were on the playground outside an elementary school and inside classrooms with the windows open.⁴ The smoke and tear gas wafted toward the school.⁵ One woman, who was walking her two-year-old home from preschool at the time the chemical agents were deployed, said that “[s]moke suddenly filled the air” and “hit [her]

² Melody Mercado, *Family, Grocery Shoppers Run As Masked Agent Throws Smoke Bomb Onto Busy Chicago Street, Block Club Chi.*, Oct. 3, 2025, <https://blockclubchicago.org/2025/10/03/family-grocery-shoppers-run-as-masked-agent-throws-smoke-bomb-onto-busy-chicago-street/> (last accessed Oct. 31, 2025).

³ *Id.*

⁴ Claire Galofaro, *Chicago's Children Are Getting Caught in the Chaos of Immigration Crackdowns*, AP News, Oct. 28, 2025, <https://apnews.com/article/chicago-immigration-trump-crackdown-school-children-c9a19835cac13c0fbbebcc9f4bf4f0a2> (last accessed Oct. 31, 2025); David Struett, ‘Sanctuary’ Mission of Logan Square Grade School Tested by Fed’s Use of Tear Gas, Teacher Says, Chi. Sun-Times, Oct. 9, 2025, <https://chicago.suntimes.com/education/2025/10/09/funston-elementary-logan-square-school-tear-gas-johnson> (last accessed Oct. 31, 2025).

⁵ Struett, *supra*, note 4.

even before [she] realized it.”⁶

On October 12, ICE agents tear-gassed residents and rapid responders in Albany Park after neighbors protested ICE activity there.⁷ As neighbors emerged from their homes, shouted at agents, and locked arms, the agents not only deployed tear gas, but also ran an SUV into a woman and threw a bicycle at people standing on the sidewalk.⁸ Then, two days later, on October 14, in East Side, ICE agents intentionally crashed into a vehicle after a chase and tear-gassed protesters and onlookers three times over the next couple of hours.⁹

On October 22 and 23, ICE agents targeted Little Village.¹⁰ On the first day, agents detained multiple people, including two elected officials.¹¹ After a crash involving a vehicle driven by ICE agents, protesters gathered and began shouting at the agents “to leave the town and let detainees go.”¹² An ICE agent began pepper-spraying the protesters through the rear window of his vehicle.¹³ On the second day, agents “rolled into” Little Village “in a caravan of SUVs.”¹⁴

⁶ Mercado, *supra*, note 2.

⁷ Mina Bloom, *Federal Judge ‘Profoundly Concerned’ After ICE Tear-Gassed Neighborhoods Despite Her Order*, Block Club Chi., Oct. 16, 2025, <https://blockclubchicago.org/2025/10/16/federal-judge-profoundly-concerned-after-high-profile-tear-gassing-in-chicago-neighborhoods/> (last accessed Oct. 31, 2025).

⁸ *Id.*

⁹ *Id.*; Maxwell Evans et al., *Federal Agents Caused Crash, Tear Gas Protestors on Southeast Side Street*, Block Club Chi., Oct. 14, 2025, <https://blockclubchicago.org/2025/10/14/federal-agents-cause-crash-tear-gas-protesters-on-southeast-side-street/> (last accessed Oct. 31, 2025).

¹⁰ Cindy Hernandez & Adriana Cardona-Maguigadi, *Federal Agents Detain High School Student in Little Village, Deploy Tear Gas in Faceoff with Protestors*, Chi. Sun-Times, Oct. 23, 2025, <https://chicago.suntimes.com/immigration/2025/10/23/feds-make-arrests-deploy-tear-gas-during-face-off-with-protesters-near-little-village-discount-mall> (last accessed Oct. 31, 2025).

¹¹ Cindy Hernandez & Mary Norkol, *Feds Led by Top Border Patrol Boss Carry Out Arrests in Little Village and Cicero, Sparking Protest*, Chi. Sun-Times, Oct. 22, 2025, <https://chicago.suntimes.com/immigration/2025/10/22/border-patrol-boss-bovino-little-village-raids-arrests-protest> (last accessed Oct. 31, 2025).

¹² *Id.*

¹³ *Id.*

¹⁴ Hernandez & Cardona-Maguigad, *supra*, note 10.

When protesters began shouting and blowing whistles, agents deployed tear gas and pepper spray.¹⁵

On October 24, when ICE agents jumped a fence onto private property where several men were doing construction work and attempted to detain one of the men, neighbors rushed outside to see what was going on and to object to the detention.¹⁶ Protesters shouted at agents, demanded to see a warrant, and stood alongside the agents' vehicles; but according to witnesses, “[n]o one was being aggressive whatsoever.”¹⁷ Without warning, agents tossed four tear-gas canisters into the street from the window of their SUV.¹⁸ As one resident who stepped outside to see the commotion described it, “All of a sudden, you heard, ‘Pop, pop! And they just threw out some tear gas.’”¹⁹ This incident occurred in the middle of the day, when people were out walking their dogs and children were in school just two blocks down the street.²⁰

On October 25, 2025, ICE agents threw tear gas into a crowd in Avondale when neighbors objected to an arrest.²¹ They also deployed tear gas in a residential neighborhood in Irving Park

¹⁵ *Id.*

¹⁶ Patrick Filbin et al., *Lakeview Street Tear-Gassed by Agents Amid North Side Immigration Surge: 'It Hit Home'*, Block Club Chi., Oct. 24, 2025, <https://blockclubchicago.org/2025/10/24/lakeview-street-tear-gassed-by-agents-amid-north-side-immigration-surge-it-hit-home/> (last accessed Oct. 31, 2025); Sara Tenenbaum et al., *Federal Agents on North, Northwest Sides Prompt Soft Lockdowns at School; Tear Gas Fired in Lakeview*, CBS News, Oct. 24, 2025, <https://www.cbsnews.com/chicago/news/chicago-ice-lakeview-tear-gas-wicker-park-school-lockdown/> (last accessed Oct. 31, 2025); Nader Issa et al., *Feds Make Arrests Across North and Near West Sides, Deploy Tear Gas on Residential Street in Lakeview*, WBEZ Chi., Oct. 24, 2025, <https://www.wbez.org/immigration/2025/10/24/immigration-agents-arrest-lake-view-protest-tear-gas-west-town> (last accessed Oct. 31, 2025).

¹⁷ Filbin et al., *supra*, note 16; Tenenbaum et al., *supra*, note 16; Issa, et al., *supra*, note 16.

¹⁸ Filbin et al., *supra*, note 16; Tenenbaum et al., *supra*, note 16; Issa, et al., *supra*, note 16.

¹⁹ Issa, et al., *supra*, note 16.

²⁰ Tenenbaum et al., *supra*, note 16.

²¹ Charles Thrush, *Feds Tear Gas Northwest Side Street, Disrupting Halloween Parade for Kids*, Block Club Chi., Oct. 26, 2025, <https://blockclubchicago.org/2025/10/26/federal-agents-use-tear-gas-again-this-time-in-northwest-side-confrontations/> (last accessed Oct. 31, 2025).

and threw a woman to the ground.²² And in nearby Old Irving Park, agents deployed tear gas on a residential street just as neighbors were gathering with their young children for their annual Halloween parade.²³ Neighbors became outraged and began shouting and blowing whistles after ICE agents chased a man down the block and tackled him on a front lawn and then pulled a 70-year-old man from a car and slammed him to the ground.²⁴ As the ward alderman said, the Halloween parade should have been “joyful,” but instead the “day turned into chaos” as “[t]ear gas filled the streets.”²⁵

As these incidents demonstrate, preliminary injunctive relief is warranted. ICE agents are escalating their immigration enforcement efforts and their response to peaceful protests across Chicago. And they remain unaccountable for their actions. As we now explain, the extreme measures federal agents are using to suppress peaceful protests are harming the health and safety of Chicagoans and their communities and eroding their fundamental right to assemble and speak out against the government.

B. ICE agents are harming the health and safety of Chicagoans and their communities.

In the midst of this escalating activity, Chicagoans no longer feel safe in their own communities. ICE agents have transformed neighborhoods into war zones, deploying tear gas and other chemical agents on residents as they gather on streets and sidewalks outside their homes to voice opposition to agents’ detaining their neighbors, friends, and family members. While the use

²² Violet Miller, *Northwest Siders Confront ICE Agents Firing Tear Gas; Halloween Parade Canceled*, Chi. Sun-Times, Oct. 26, 2025, <https://chicago.suntimes.com/immigration/2025/10/26/northwest-side-ice-arrests-tear-gas> (last accessed Oct. 31, 2025).

²³ Alex V. Hernandez, *After Halloween Parade Ruined by Federal Agents, Old Irving Park Neighbors Furious*, Block Club Chi., Oct. 28, 2025, <https://blockclubchicago.org/2025/10/28/after-halloween-parade-ruined-by-federal-agents-old-irving-park-neighbors-furious/> (last accessed Oct. 31, 2025); Thrush, *supra*, note 23.

²⁴ Miller, *supra*, note 22.

²⁵ Hernandez, *supra*, note 23.

of weapons like tear gas against peaceful protesters is troubling enough, agents have been indiscriminately deploying tear gas without regard to onlookers, residents in nearby homes, people walking to the store or heading out to lunch, and young children attending school, playing outside in their yards, or gathering for a Halloween parade. And agents have taken these extreme measures without warning, leaving people no time to take cover before being exposed to painful, noxious chemicals.

The physical, emotional, and psychological effects of these incidents cannot be overstated. The very purpose of tear gas is to “cause pain,” and its effects on the human body are “devastating.”²⁶ “Before the tearing, the choking, and the pouring mucus, tear gas burns,” causing “searing pain in the eyes, skin, lungs and mouth” and anywhere else that “it touches.”²⁷ And after all that, the “coughing,” “nausea,” and “vomiting” begin.²⁸ Although tear gas is rarely lethal, “deaths have occurred in cases where [it has] been used improperly.”²⁹ Children, in particular, are at a “high risk” from serious injury.³⁰ They are more exposed to the chemicals, which are more highly concentrated “near the ground,” and their small bodies and lungs mean “the potential for injury is higher.”³¹ Beyond these direct impacts, tear gas can also cause “panic, disorder and chaos,” which can lead to “suffocation or trampling.”³²

Many Chicagoans have suffered the ill-effects of tear gas and other chemical agents in their communities over the past few weeks. They have described burning eyes, lungs, and skin; inability

²⁶ Angus Chen, *How Tear Gas Works: A Rundown of the Chemicals Used on Crowds*, Scientific American, Nov. 29, 2018, <https://www.scientificamerican.com/article/how-tear-gas-works-a-rundown-of-the-chemicals-used-on-crowds/> (last accessed Oct. 31, 2025).

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

to see; coughing fits; and gasping for air.³³ They also have described the ensuing “chaos” and “pandemonium” – people running, shouting, and pleading for water; sirens blaring; parents panicking to find their children; and cars running stop signs and driving over curbs.³⁴

As harmful as the physical impacts of tear gas can be, the psychological and “emotional trauma” can be even more devastating, having “long-term impacts” far beyond the immediate pain.³⁵ Chicagoans in communities across the City are feeling “terrorize[d].”³⁶ The escalating activity has put people “on edge” and left them “shaken.”³⁷ Everyone is “scared” – even those not targeted by ICE – and people are increasingly “staying inside.”³⁸ For weeks after a neighborhood has been tear-gassed, residents “remain terrified it will happen again.”³⁹ Due to the violent nature of the agents’ tactics, residents feel “anger, fear, and trauma,” and these emotions have crept into every aspect of their daily lives.⁴⁰

The injuries are even more acute for children. They have witnessed the violence first hand and been caught in the crosshairs of tear gas as it has drifted over their neighborhoods and into schools and playgrounds.⁴¹ Parents and teachers say that children are “traumatized” and “terrified,” even weeks after the incidents, and have difficulty processing what is happening in

³³ Thrush, *supra*, note 21; Issa et al., *supra*, note 16; Evans et al., *supra*, note 9; Mercado, *supra*, note 2.

³⁴ Galofaro, *supra*, note 4; Hernandez, *supra*, note 23.

³⁵ Chen, *supra*, note 26.

³⁶ Hernandez, *supra*, note 23.

³⁷ *Id.*; Mercado, *supra*, note 2.

³⁸ Galofaro, *supra*, note 4.

³⁹ Claire Galofaro, ‘We Have to Be Good or ICE Will Get Us’: Takeaways from Chicago Children Caught in Immigration Raids, AP News, Oct. 28, 2025, <https://apnews.com/article/chicago-immigration-trump-crackdown-school-children-takeaways-0fab3c1e8b4127e35a9672444f061649> (last accessed Oct. 31, 2025).

⁴⁰ Joe Ward, *Federal Agent Shoots Woman in Brighton Park, Causing Tense Scene with Protesters*, Block Club Chi., Oct. 5, 2025, <https://blockclubchicago.org/2025/10/05/federal-agents-shoot-woman-in-brighton-park-causing-tense-scene-with-protesters/> (last accessed Oct. 31, 2025); Galofaro, *supra*, note 39.

⁴¹ Struett, *supra*, note 4; Mercado, *supra*, note 2.

their communities.⁴² These children have never “seen that level of violence,” and “[i]t shatters their world view.”⁴³ It has also disrupted their lives. Schools across Chicago have been forced into soft lockdowns to keep students safe.⁴⁴ Parents and neighbors have organized walking school buses to escort children to and from school safely.⁴⁵ Lingering tear gas has prevented children from playing outside.⁴⁶ Holiday events have been canceled.⁴⁷

The widespread fear and trauma is severely eroding the fabric of community life in Chicago. Shared public spaces are essential to healthy cities, as they “promote citizenship, civility, and community,” “build civic-mindedness,” and form “trust.”⁴⁸ When those spaces no longer feel safe – when neighbors fear gathering for community events, children fear going to school, and residents fear walking down the street – those spaces no longer serve their purpose, and the health of the city suffers. An injunction barring agents from using tear gas and engaging in other forms of violence against peaceful protesters, onlookers, and other members of the public is critical to restoring the peace of mind and sense of safety that Chicagoans feel in their communities and ensuring Chicago remains a vibrant, active, socially engaged, and civic-minded urban center.

C. ICE agents are preventing peaceful protesters from exercising their First Amendment rights.

The tactics used by ICE agents are not only disrupting community life in harmful ways, but they are undermining the very foundation of democracy. Indeed, First Amendment rights are

⁴² Galofaro, *supra*, note 4; Struett, *supra*, note 4.

⁴³ Struett, *supra*, note 4; Miller, *supra*, note 22.

⁴⁴ Tenenbaum, *supra*, note 16.

⁴⁵ Alex V. Hernandez, *Chicago Neighbors Are Forming Watches Near Schools to Protect Students, Guardians from ICE*, Block Club Chi., Oct. 8, 2025, <https://blockclubchicago.org/2025/10/08/chicago-neighbors-are-forming-watches-near-schools-to-protect-students-guardians-from-ice/> (last accessed Oct. 31, 2025).

⁴⁶ Hernandez, *supra*, note 23.

⁴⁷ *Id.*

⁴⁸ Gillian Gaynair, *Civic Assets for More Equitable Cities*, Urban Inst., available at https://www.urban.org/sites/default/files/publication/102669/civic-assets-for-more-equitable-cities_0_0.pdf.

the cornerstone of any healthy democracy. *Knox v. Service Employees International Union, Local 1000*, 567 U.S. 298, 308-09 (2012). And a critical component of the First Amendment is the right to protest; this is “a fundamental right, a powerful tradition, and an indicator of a healthy democracy.”⁴⁹

But ICE agents are responding with violence to – and chilling – protests across the City. As the incidents we recount above demonstrate, the vast majority of protesters have remained peaceful. They shout at agents, telling them to get out of their neighborhoods, to show them search warrants, and to free their neighbors; they blow whistles and stand in front of vehicles; and they film agents violently detaining individuals or using violence against protesters and onlookers – but by and large they have not themselves been violent or aggressive.

The health of Chicago – and the greater public – hinges on the ability of its residents to speak out against government conduct they believe to be oppressive. Without preliminary injunctive relief, federal agents will continue to trample on Chicagoans’ First Amendment rights without any accountability.

CONCLUSION

For the foregoing reasons, this court should grant plaintiffs’ motion for preliminary injunction.

Dated: October 31, 2025

Respectfully submitted,

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⁴⁹ Vanessa Williamson & Kathryn Dunn Tenpas, *Can Democracy Exist Without Protest?*, Brookings, June 5, 2025, <https://www.brookings.edu/articles/can-democracy-exist-without-protest/> (last accessed Oct. 31, 2025).

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