

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

CHICAGO HEADLINE CLUB, et al.,

*Plaintiffs,*

v.

Kristi NOEM, et al.

*Defendants.*

Case No. 1:25-cv-12173

**DECLARATION OF RUSSELL HOTT**

**DECLARATION OF RUSSELL HOTT**

I, Russell Hott, hereby declare as follows:

1. I am employed by the United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) as the Field Office Director (FOD) of the ERO Washington Field Office. Previously, I served as the FOD of the ERO Chicago Field Office from August 10, 2025, to October 17, 2025. As FOD of the ERO Chicago Field Office, I directed and oversaw ICE's enforcement of federal immigration laws in the states of Illinois, Indiana, Wisconsin, Kansas, Kentucky, and Missouri. This included oversight of ICE's Broadview Processing Center (BSSA), in Broadview, Illinois.

2. I have been employed by ICE since March 1, 2003. Beginning in the fall of 2024, I served as the Acting Executive Associate Director (EAD) for ERO. In that role, I oversaw the operations of more than 7,800 ERO employees in field offices, at headquarters, and overseas. ERO manages and oversees all aspects of the removal process within ICE, including domestic transportation, detention, alternatives to detention programs, bond management, supervised release, and removal

to more than 170 countries around the world. I previously served as Deputy EAD from January 2024. I began my service with the U.S. Government as a detention enforcement officer with the former Immigration and Naturalization Service in New York, New York. In my nearly 25 years of service, I have held the following positions with ICE: Assistant Director for Custody Management, Field Operations, and Enforcement Divisions; FOD for the Washington Field Office; Deputy FOD for the Boston and Washington Field Offices; Chief of Staff for the ICE Deputy Director; acting Deputy Assistant Director for Domestic Operations –Western Operations; and Unit Chief in the Removal Division.

3. When I was FOD of the ERO Chicago Field Office, the ERO Chicago Field Office had approximately 180 officers covering six states across two time zones. In the City of Chicago and its immediate environs, ERO had approximately 65 officers, including 31 at BSSA.

4. This declaration is submitted in support of Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction. I have reviewed Plaintiffs’ Motion and supporting exhibits.

5. The statements contained in this declaration are based upon my personal knowledge, reasonable inquiry, and information made available to me in the course of my official duties from information obtained from records, systems, databases, other DHS employees, and/or information portals maintained and relied upon by DHS.

### **Background**

6. ICE is the largest investigative branch of DHS and is charged with enforcement of more than 400 federal statutes. The agency was created after the September 11, 2001, terrorist attacks, by combining components of the former Immigration and Naturalization Service and the former U.S. Customs Service, among other agencies, to more effectively enforce federal immigration and customs laws and to protect the United States against terrorist attacks. The mission of ICE is to

protect the United States from the cross-border crime and illegal immigration that threaten national security and public safety. To carry out that mission, ICE focuses on enforcing immigration laws, preventing terrorism, and combating transnational criminal threats. ICE consists of three core operational directorates: (1) ERO, which includes 25 field offices led by FODs; (2) Homeland Security Investigations (HSI), which includes 30 field offices led by Special Agents-in-Charge; and (3) the Office of the Principal Legal Advisor, which includes 25 field locations led by Chief Counsel.

7. ERO deportation officers are immigration officers under 8 U.S.C. § 1357 and customs officers under 19 U.S.C. § 1589a. It is the mission of ERO to identify, arrest, and remove aliens who present a danger to national security or are a risk to public safety, as well as those who enter the United States illegally—including those who cross the border illegally, which is a federal misdemeanor, 8 U.S.C. § 1325, and those who illegally reenter after having been removed, which is a federal felony, 8 U.S.C. § 1326—or otherwise undermine the integrity of our immigration laws and our border control efforts.

8. The majority of ERO's immigration enforcement operations take place in the interior of the country. ERO manages all logistical aspects of the removal process by identifying, apprehending, and, when appropriate, detaining removable aliens during the course of immigration proceedings and pending physical removal from the United States. This includes locating and taking into custody fugitive aliens and at large criminal aliens, as well as identifying aliens in federal, state, and local prisons and jails and working with those authorities to transfer them to ICE custody without releasing them into the community. When aliens are ordered removed, ERO is responsible for safely repatriating them, or otherwise overseeing their departure from the United States.

**Chicago’s Restrictions on State and Local Cooperation with Federal Officials (Chicago Code ch. 2-173)**

9. In 2012, the Chicago City Council passed the “Welcoming City Ordinance,” Chicago Code ch. 2-173, which sought to “clarify the communications and enforcement relationship between the City and the federal government,” in addition to “establish[ing] the City’s procedures concerning immigration status and enforcement of federal civil immigration laws.” Chicago Code § 2-173-005.<sup>1</sup>

10. This Ordinance explicitly limits local cooperation with federal immigration enforcement in numerous ways. It provides that no agent or agency shall “detain, or continue to detain a person based upon an immigration detainer” or “an administrative warrant, including, but not limited to, those entered into the Federal Bureau of Investigation’s National Crime Information Center database, or successor or similar database maintained by the United States.” Sections 2-173-020(a)(1). Moreover, no agent shall permit ICE agents “access, including by telephone, to a person being detained by, or in the custody of, the agency or agent,” or “use of agency facilities for investigative interviews or other investigative purpose.” *Id.* § 2-173-020(a)(2). Nor shall agents “expend their time responding to ICE inquiries or communicating with ICE regarding a person’s custody status, release date, or contact information.” *Id.* § 2-173-020(a)(3).

11. It is my understanding Chicago Mayor Brandon Johnson signed an executive order on October 6, 2025, prohibiting federal agents from using certain city-owned spaces for immigration enforcement activities.<sup>2</sup>

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<sup>1</sup> Available at: <https://www.chicago.gov/content/dam/city/depts/mayor/Office%20of%20New%20Americans/PDFs/WelcomeCityOrdinance.pdf> (last visited on Oct. 23, 2025).

<sup>2</sup> Available at: [https://www.chicago.gov/city/en/depts/mayor/press\\_room/press\\_releases/2025/october/city-property-executive-order.html](https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2025/october/city-property-executive-order.html) (last visited Oct. 23, 2025) and <https://www.nbcchicago.com/news/local/chicago-politics/chicago-mayor-signing-order-to-stop-federal-agents-from-using-certain-city-owned-spaces/3834094/> (last visited on Oct. 23, 2025).

### **ICE Broadview Processing Center**

12. Only a few miles outside of Chicago, the ICE Broadview Processing Center (BSSA) is located at 1930 Beach Street, in Broadview, Illinois. BSSA is an ICE-owned property used for intake and processing of individuals arrested by ICE and Customs and Border Protection (CBP) for appropriate administrative or criminal action.

13. Since the first week of September 2025, BSSA has been beset by increasingly aggressive, obstructive, and violent protesters. Because this facility is the only one in the area that serves as an intake and initial processing facility for ICE, crowds of people at this location interfere with immigration operations throughout the region, including ICE's targeted operations against criminal aliens.

### **Increased Violence Against Federal Officers**

14. Issues at BSSA began in early September when crowds of protesters, among other things, blocked all means of ingress and egress at BSSA and physically assaulted personnel – law enforcement and non-law enforcement alike – who were attempting to go to and leave work.<sup>3</sup>

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<sup>3</sup> Photos below available at: <https://blockclubchicago.org/2025/09/19/ice-tear-gasses-detains-protesters-outside-broadview-facility/> (last visited October 23, 2025) and <https://southsideweekly.com/we-want-them-back-protest-and-state-violence-at-broadview-ice-facility/> (last visited October 23, 2025).



15. For instance, on September 6, 2025, crowds of protesters arrived at BSSA and interfered with ICE operations by blocking vehicles and impeding access to the facility. ICE officers advised the protesters on numerous occasions that they could not block traffic, needed to remain on the sidewalk, and not come on to federal property towards the gate. On one occasion, a female individual refused to comply with multiple requests to move from the driveway to make way for an oncoming vehicle. Instead, she yelled obscenities at the officers and was seen clinching her hand in the form of a fist as if to punch or push the officers. The officers removed her from

government property, along with another male protestor who puffed his chest and acted aggressively towards an officer. Once the vehicle's pathway was secured, the officers returned to the facility without further incident.

16. Due to these situations, ICE employees, who parked in an open lot, had to call the office when they arrived, so four officers could come out and escort them into the building. These "security details" retraced their steps when the employees departed. Vandalism of cars in the lots became common. Both government and personally owned vehicles were targeted. As a result, ICE employees would park further from BSSA, and ERO would have to send a van to retrieve them, which would be blocked by protestors. Moving cars were also vandalized. In an attack that was repeated more than a dozen times, one protestor would jump on the hood of a car, and another would stand immediately behind the car. While the driver stopped the car in the face of these obstacles, others would run up to the car and slash the tires. My own tires were slashed in this fashion on September 13, 2025.



17. Not only ICE personnel were impacted. These individuals accosted employees of nearby businesses, mistaking them for ICE employees. At least one of these employees also had their personally owned vehicle vandalized.

18. Property damage to BSSA and the surrounding area was significant, with graffiti (largely

spray paint and permanent marker) on the building, concrete surfaces, signs, and the flagpole. The vandalism has included, in multiple locations: “F\*CK ICE.” BSSA’s external plumbing systems were destroyed by individuals when they broke off plumbing and downspouts. It has not yet been repaired, exposing the building to damage during inclement weather.



19. As threats, violence, and obstruction of operations increased, ERO Chicago was required to respond to increased threats and attacks on its officers and offices at BSSA by shifting its limited personnel and resources from the enforcement of federal immigration law to protecting its own employees and facilities. Because the facility is ICE-owned, it is not protected by the Federal Protective Service (FPS). ERO has been forced to shift resources from within its own organization. For example, five ERO Special Response Teams (SRTs) were flown into Chicago from various cities, including El Paso, New York, and Phoenix, to assist with 24-hour security at BSSA. These ERO SRT teams are typically comprised of 16 officers. In addition, ERO has solicited help from

Bureau of Prisons (BOP), Federal Bureau of Investigations (FBI), Bureau of Alcohol, Tobacco, and Firearms (ATF), Drug Enforcement Administration (DEA), and CBP. The only time that FPS appeared at BSSA was after a fence was installed around the property, to deter violence and protect employees and property, and the crowd moved to the other side of the building near a GSA parking lot.

20. On the morning of Friday, September 19, 2025, a large crowd of protesters gathered at BSSA and laid down in front of its entry and exit points, obstructing all vehicular traffic and ICE operations for several hours. A Long Range Acoustic Device (LRAD) warning was played multiple times cautioning protesters of possible arrest and use of chemical agents. Despite ICE officers giving multiple verbal warnings to back away from the property and to protest peacefully to the side, the protesters refused to comply and began to grow in both size and aggression towards the ICE and CBP officers. Several protesters were arrested for assault, obstruction, and trespassing that day, including for pepper spraying a federal officer; kicking an officer; deliberately tripping an officer; swinging a backpack at an officer; pulling the face mask and partially and forcefully ripping off an officer's beard ; and throwing bottles, rocks, potatoes, and other objects at federal officers and vehicles. Some of the arrestees forcibly resisted and fought the officers during their arrests. Protesters also shot fireworks toward officers stationed outside BSSA.<sup>4</sup> Fireworks have the potential to cause burns, blindness, and more significant injury, depending on the distance at which the firework explodes. ICE deployed a tactical medic to treat superficial injuries for the arrestees.

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<sup>4</sup> Photos available at: <https://blockclubchicago.org/2025/09/19/ice-tear-gasses-detains-protesters-outside-broadview-facility/> (last visited October 23, 2025) and <https://news2share.com/anti-ice-protesters-arrested-tents-dismantled/> (last visited October 23, 2025).





21. On Saturday, September 20, 2025, protesters again gathered at BSSA. The protests began peacefully and without incident in the morning. However, as the day went on, the aggression escalated as the crowd grew. Protesters again blocked vehicles from entering or exiting the facility, trespassed onto federal property, threw rocks, shook the gates, banged on windows, verbally threatened to kill the officers, and even physically elbowed an officer in the jaw after the officer directed the protester to move aside. At least three vehicles' tires were slashed on the federally leased parking lot. ICE officers continually warned protesters to back away from the property and

to protest peacefully without disrupting ICE operations. That same night, one protester approached a government vehicle entering BSSA's parking lot and attempted to slash the vehicle's tires with what appeared to be a knife. As ICE officers approached to effectuate his arrest, the protester sprayed an unknown chemical irritant at the ICE officers.

22. On Sunday, September 21, 2025, protesters gathered at BSSA. Protesters continued to trespass beyond public property, shook the gates, and banged on the facility's windows despite ICE officers continually warning protesters to peacefully protest away from federal property. In total, ten separate government-owned and personal vehicles had their tires slashed that day in the federally leased parking lot.

23. The weekends of September 12-14 and 19-21 were particularly violent. Protesters would throw bottles, rocks, and other objects at officers, and even canisters of 2-chlorobenzylidene malononitrile (also known as CS gas), which they brought to throw at federal officers at BSSA. CS is a form of tear gas generally used for crowd control.<sup>5</sup> Under Illinois Criminal Code of 2012, no person shall knowingly manufacture, possess, deliver, sell, purchase, carry, use, or employ in any manner any tear gas weapon or chemical weapon or device, unless issued a permit for commercial use from the Illinois Department of Professional Regulation.

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<sup>5</sup> Photo available at: <https://www.usatoday.com/picture-gallery/news/nation/2025/10/03/chicago-protests-federal-ice-immigration-raids-photos/86503237007/> (last visited October 24, 2025).



24. At the same time, protesters would attempt to pull off officers' masks. When ERO fired its own CS canisters into the violent crowd, protesters would throw them back. When in scuffles, protesters would attempt (and sometimes succeed) to pull gear, such as gas masks or CS canisters, off officers' uniforms.

25. Because the larger and more aggressive crowds of protesters have made safe access to BSSA increasingly difficult, ERO Chicago used \$100,000 worth of less lethal munitions and chemicals for crowd control in two weeks spanning from September 6, 2025, to September 20, 2025. ICE has never needed to use such munitions at this location previously.

26. On Monday, September 22, 2025, ICE became aware of protesters' efforts on social media to gather a crowd of 800 by the next day to create a human wall around BSSA. Although the organizers instructed potential participants to remain nonviolent and not impede ICE operations, ERO Chicago's previous experience reasonably led us to conclude that, given the sheer size of the crowd, some among them would, in fact, act to significantly further disrupt ICE operations and vehicular traffic in and out of the facility. Thus, a fence was erected at BSSA the night of September 22-23 to help reduce the possibility of clashes given the expected larger crowds.

REPORTER DE RE...

**Michael Ford**  
2m · 🌐

Stand Together: Build the Unbreakable Shield Wall at Broadview ICE Detention Center

Date: Tuesday, September 23, 2025

Friends, neighbors, and all who believe in justice

Our communities are under siege. In the past two weeks, nearly 550 people across the Chicago area were arrested in "Operation Midway Blitz," a federal crackdown that has torn families apart and instilled fear in our neighborhoods. Peaceful demonstrations outside facilities like Broadview ICE have been met with tear gas and pepper balls—even against elected officials and local leaders standing in solidarity with affected families.

This is not just an attack on individuals—it is an assault on our values, our humanity, and the very fabric of our communities.

But we will not be intimidated. We will not be silenced. We will stand together—peaceful, disciplined, and unyielding.

**Our Mission:**

We are forming a Shield Wall outside the Broadview ICE detention center: a disciplined, nonviolent demonstration of unity, strength, and moral resolve. This is not a protest. It is a statement: our communities reject detention centers in our neighborhoods and will not remain silent in the face of injustice.

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REPORTER DE RE...

**Our Mission:**

We are forming a Shield Wall outside the Broadview ICE detention center: a disciplined, nonviolent demonstration of unity, strength, and moral resolve. This is not a protest. It is a statement: our communities reject detention centers in our neighborhoods and will not remain silent in the face of injustice.

**Why a Shield Wall Matters:**

- Unity is strength: Thousands standing shoulder to shoulder cannot be ignored.
- Peaceful discipline: Every participant will act lawfully, safely, and nonviolently.
- Symbolic power: Shields, banners, and signs communicate courage, conscience, and commitment without confrontation.
- Visible solidarity: Our collective presence demonstrates the moral and human strength of our communities.

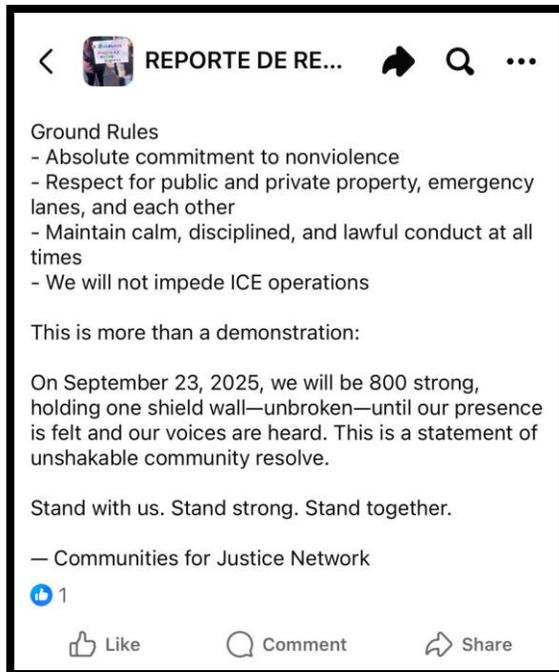
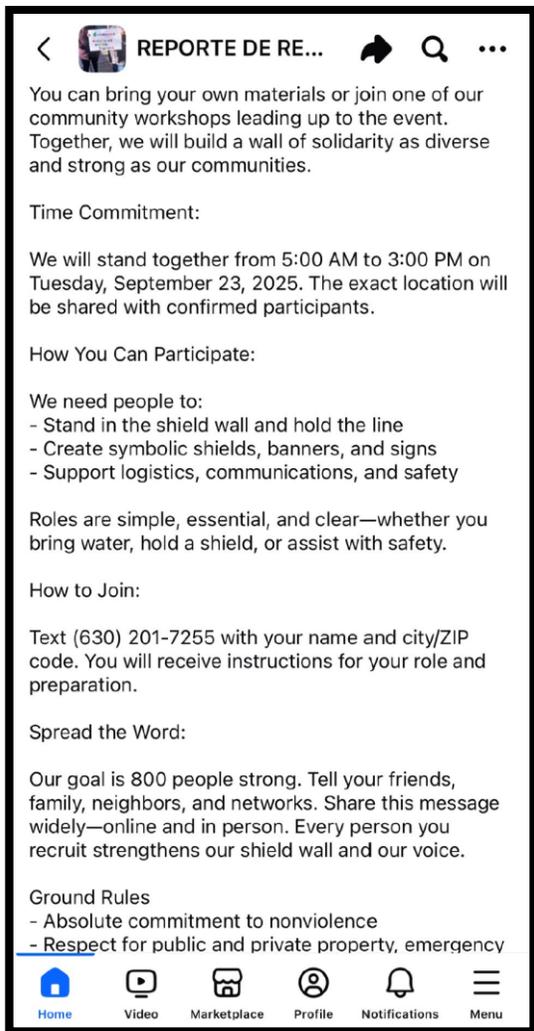
**Crafting Your Shield:**

Each shield must be ready before the event and carry a symbolic message—a word, a name, or a phrase that represents our shared commitment to justice and humanity. Examples:

- "Families Belong Together,"
- "Justice for Silverio,"
- "No Human Is Illegal."

You can bring your own materials or join one of our community workshops leading up to the event. Together, we will build a wall of solidarity as diverse as we are.

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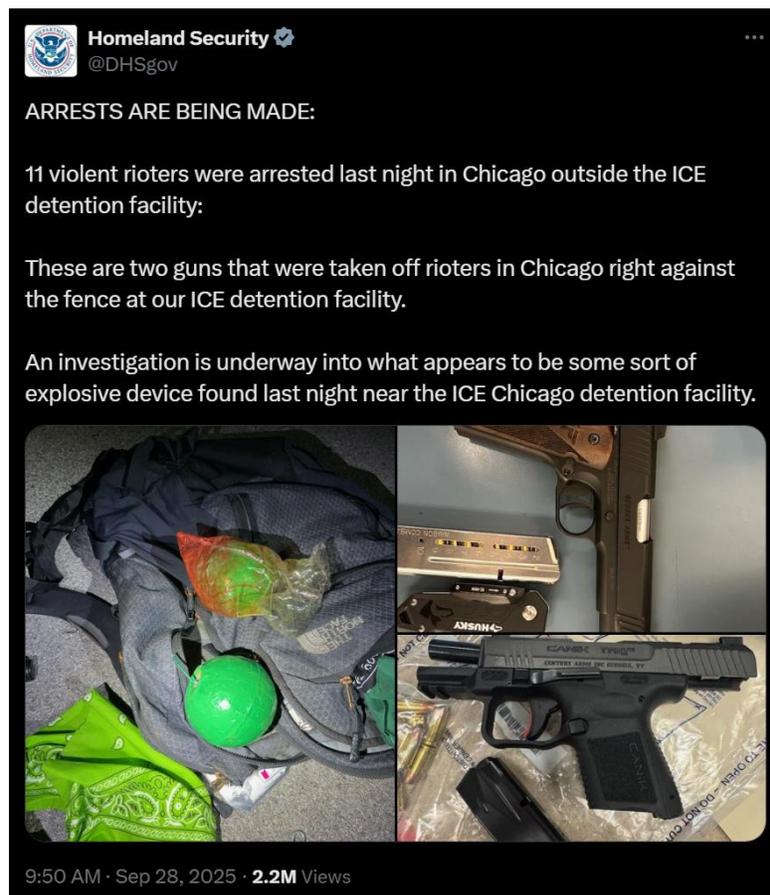
27. On Friday, September 26, 2025, hundreds of protesters gathered at BSSA. The protesters were seen arriving with boxes of fireworks, face masks, gas masks, goggles, knee and elbow protection, and large supplies of food and water. CBP and FPS were also on scene to provide additional support. Protesters positioned themselves in the ingress and egress of both of BSSA's entryways, blocking government vehicles from entering or exiting the facility. An LRAD warning was played multiple times cautioning protesters of possible arrest and use of chemical agents. Federal officers repeatedly gave verbal warnings (up to 10 or 12 times) when a gate was opened to make way for vehicular traffic. With protesters continuing to block traffic and ignore dispersal orders, less than lethal munitions were deployed to create passage for vehicles. At approximately

11:00 am CST, federal officers attempted to push protesters back in order to execute a large removal mission. During the push, federal officers were obligated to deploy non-lethal munitions to regain control over the crowd. At least two violent protesters were arrested for assault. One of the arrestees was found carrying a concealed handgun and was handed over to local authorities for further criminal processing.

28. On Saturday, September 27, 2025, another large crowd of disruptive protesters gathered at BSSA. CBP and ATF were also on scene to provide additional support. Protesters continued to block vehicular traffic to and from BSSA this day. When one government vehicle approached with emergency lights activated, federal officers gave multiple commands for protesters to clear the roadway. One male protester, in particular, refused to comply. When federal officers physically attempted to move him to the side of the road, he fell to the ground and struck a federal agent's wrist. The protester was arrested for assault of a federal agent. The crowd of protesters also deployed fireworks toward federal law enforcement personnel. One protester approached within striking distance and threatened to kill multiple federal agents. After threatening the federal agents, he attempted to flee by jumping on a civilian vehicle and breaking the windshield. While forcibly resisting his arrest, the protester grabbed a federal agent's helmet, exposing the federal agent to pepper spray and restricting the agent's vision. The protester was ultimately restrained and arrested for assault of a federal officer. In another instance, a female protester pushed a federal agent, resulting in a struggle on the ground when federal officers attempted to extend a safety perimeter around the BSSA facility. Upon her arrest, a pistol and pocketknife were found on the protester. Protesters' signs that had been affixed to government property without authorization were taken down for safety and order concerns. Due to the level of aggression and violence experienced, a bearcat armored vehicle was deployed to the scene for additional support. Approximately 12

individuals were arrested on this date for assault, resisting, or impeding certain officers or employees.<sup>6</sup>

29. Over the weekend of September 27-28, 2025, ERO discovered a round, green ball with a wick. Its purpose was unclear, but in an abundance of caution, ERO contacted the Bureau of Alcohol, Tobacco, Firearms, and Explosives, which labeled it an Improvised Explosive Device and removed it from the scene.<sup>7</sup>



30. Protesters have sought to permanently maim ERO personnel. When standing close to officers, protesters have used “Aztec Death Whistles,” which sound like a human screaming and

<sup>6</sup> Available at: <https://www.justice.gov/usao-ndil/pr/five-individuals-charged-federal-court-chicago-assaulting-or-resisting-federal-agents> (last visited Oct. 25, 2025).

<sup>7</sup> Available at: <https://x.com/DHSgov/status/1972297960319832252> (posted Sep. 28, 2025) (last visited Oct. 24, 2025).

are generally 100-110 decibels in volume. They also used bullhorns. At close quarters, either could cause long-term or even permanent hearing loss. Protesters have also shone strobe lights and lasers in officers' faces, risking their sight.

31. On Friday, October 3, 2025, protesters once again gathered at BSSA and blocked the facility's vehicular traffic. Personnel from CBP, FBI, ATF, BOP, DEA, as well as local authorities were also on scene conducting crowd control operations in anticipation of DHS Secretary Kristi Noem's visit that day. At one point, a line of federal agents moved forward to push the crowd out of the roadway. Multiple verbal commands were issued by the federal agents to move back in order to facilitate a safe distance away from vehicles and federal agents securing the area to allow operations to proceed. For the protesters who refused to comply, federal agents followed up with physical nudges or pushes. Upon being pushed, one disruptive male protester pushed and assaulted Border Patrol Chief Gregory Bovino, who then fell forward. The male protester was charged for assaulting, resisting, or impeding certain officers or employees. Multiple other arrests of disruptive protesters were made that same day. This was the last day that chemical munitions were deployed at BSSA. Beginning on or around October 3, 2025, local authorities constructed designated protest zones and provided additional perimeter security for the BSSA facility.

32. It is clear that these protesters are organized. At times, they appear to gather offsite and then are brought onsite in vans. After several hours, the vans return with new protesters and take the people who have been outside for several hours away with them. When they arrive, protesters are armed with shields, gas masks, protective padding, and other tools that indicate that protesters are prepared or expecting to physically engage with federal personnel.

33. Some protesters have been successful in their attempts to harm officers. More than thirty ERO officers have been injured during the assaults on federal law enforcement, including a torn

ACL, a beard being ripped from an officer's face, multiple lacerations, cuts, and bruises, multiple hospitalizations, and a hyper-extended knee from an officer being tackled by a protester at the legs.

34. Personnel have not been harmed or threatened only at BSSA. More than twenty officers have been doxed with their home addresses posted on social media, their families threatened, and their personal property damaged. Cartels and the Latin Kings gang have placed \$10,000-\$50,000 bounties on the murder of immigration officers.<sup>8</sup>

35. Protesters have followed vehicles leaving BSSA, often up to 50 miles, to photograph license plates and occupants of the vehicles. Such photographs are then posted online to crowdsource the identification of the vehicles and to dox ICE employees. In addition to ERO officers, the doxing websites display names, photographs, and other personal information of non-DHS employees, such as Department of Justice personnel, and DHS employees who are not in public-facing positions, such as support staff and attorneys.<sup>9</sup>

36. As indicated multiple times above, there has been significant property damage to government property and government-owned vehicles. Below are some photographs of damage caused by violent protesters.

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<sup>8</sup> See, e.g., "Latin Kings Gang Member Arrested in Illinois After Placing Hit on Commander at Large Border Patrol Chief Bovino," DHS Press Release, Oct. 6, 2025, <https://www.dhs.gov/news/2025/10/06/latin-kings-gang-member-arrested-illinois-after-placing-hit-commander-large-border> (last visited Oct. 25, 2025).

<sup>9</sup> See *ICE List – Put ICE on ice*, <https://icelist.is/> (last visited Oct. 24, 2025); *Stop ICE Plate Tracker*, <https://www.stopice.net/platetracker/> (last visited Oct. 24, 2025).













37. As BSSA's staff became overwhelmed by this concentrated attack, ERO Chicago took additional steps to directly respond to the above-referenced violence. On or about September 8, 2025, ERO Chicago mandated 6-day, 12-hour duty shifts for its SRT operators. SRT operators are uniquely trained to serve in high-risk situations, such as serving warrants under hazardous conditions, arresting dangerous criminals, and assisting other law enforcement agencies during critical incidents. The addition of SRT operators to control the security risks at BSSA aimed to ensure that the most highly trained officers were safeguarding BSSA, officers, agents, and bystanders from unnecessary and unlawful violence. Among other things, SRT members created paths for ERO vehicles to enter and exit and pushed the crowds away from the building as the protesters threatened violence. The addition of SRT members to secure BSSA and the ongoing 12-hour shifts has diverted important limited resources away from federal law enforcement operations outside of BSSA. And despite the presence of SRT members and ICE's significant expenditure of resources, some protesters continue to exhibit violent and obstructive behavior.

38. On at least twenty-five occasions, ERO Chicago solicited assistance from Homeland Security Investigations, another component within ICE, as well as ATF, DEA, and FBI, to add

agents from its SRTs and SWAT teams, to address the escalating violence.

39. Of ERO's 31 BSSA officers, approximately 21 were diverted to secure the outside perimeter of the facility. This diversion of resources has caused the processing of aliens to slow down at BSSA, created a strain on BSSA employee work hours, and has caused another ICE facility to facilitate in the processing of aliens. Beginning on or around September 7, 2025, BSSA officers were mandated to increase their workload from an eight-hour five-day per week schedule to a twelve-hour six-day per week schedule. Because of this diversion away from officers' regular duties of transporting and booking, on or around September 14, 2025, the BSSA facility sent an entire plane of approximately 131 unprocessed aliens to the El Paso facility for processing, which then had the domino effect of straining El Paso's resources.

#### **DHS Use of Force Policy**

40. In responding to public safety threats, ICE officers and special agents are bound by the DHS use of force policy titled, *Update to the Department Policy on the Use of Force* (Feb. 6, 2023) (Use of Force Policy), available at [https://www.dhs.gov/sites/default/files/2023-04/23\\_0206\\_s1\\_use-of-force-policy-update.pdf](https://www.dhs.gov/sites/default/files/2023-04/23_0206_s1_use-of-force-policy-update.pdf). The general principle undergirding the Use of Force Policy is the respect for human life and the communities served. To that end, the Use of Force Policy requires that law enforcement officers only use force when no reasonably effective, safe, and feasible alternative appears to exist and may use only the level of force that is objectively reasonable in light of the facts and circumstances confronting the law enforcement officer at the time force is applied. Further, physical force must be discontinued when resistance ceases or when the incident is under control.

41. ICE law enforcement officers are trained in a variety of techniques to aid in appropriately resolving encounters, to include de-escalation where possible. ICE law enforcement officers are

encouraged to employ tactics and techniques that effectively bring an incident under control while promoting public safety and minimizing the risk of unintended injury or serious property damage. However, recognizing the seriousness of public safety threats that ICE law enforcement officers may encounter, the Use of Force Policy does not impose a duty to retreat to avoid the reasonable use of force, nor does it require ICE law enforcement officers to wait for an attack before using reasonable force to stop a threat.

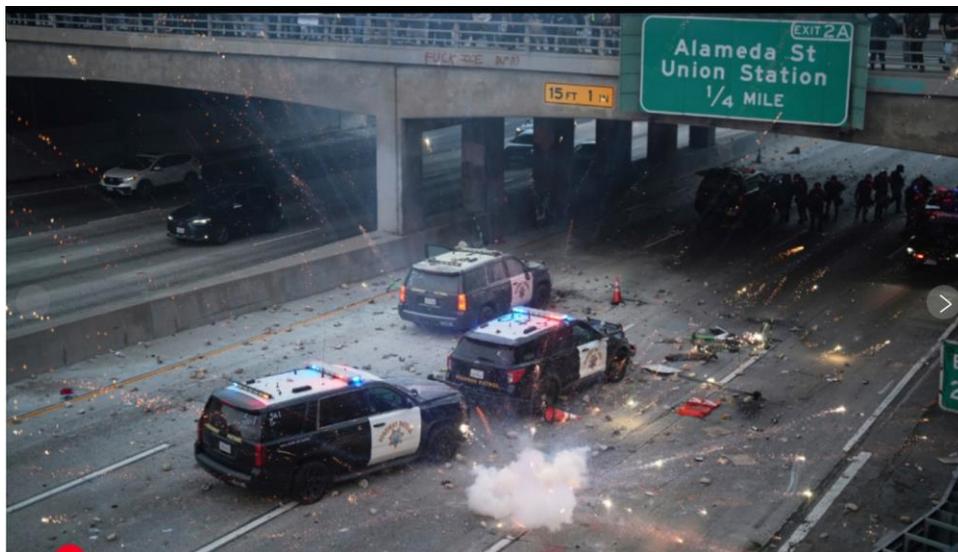
42. The Use of Force Policy requires ICE law enforcement officers, when feasible, prior to the application of force, to attempt to identify themselves and issue a verbal warning to comply with instructions. However, whether a warning is feasible under the circumstances requires the ICE law enforcement officer to be guided by several considerations, including, but not limited to, whether the resulting delay is likely to increase danger to the ICE law enforcement officer or others, result in the destruction of evidence, allow for a subject's escape, or result in the commission of a crime. However, when circumstances allow for a warning to be issued, ICE law enforcement officers are trained to afford subjects a reasonable opportunity to voluntarily comply before applying force. In an exigent circumstance, for self-defense or defense of another, ICE law enforcement officers are authorized to use any available object or technique in a manner that is objectively reasonable in light of the circumstances. In short, every circumstance is unique and requires a review of all information on the ground. However, the Use of Force Policy strictly prohibits the use of excessive force and warns its officers that DHS does not tolerate excessive force and constitutes it as misconduct. Under the policy, engaging in excessive force or failing to report the use of excessive force will subject the officer to administrative and criminal penalties.

#### **Impediment to ICE Operations Nationwide**

43. Over the past few months, there has been a marked increase in aggressive and hostile actors

obstructing the lawful execution of ICE's federal law enforcement mission nationwide. ICE officers have been harassed, attacked, and brutalized; their family members have been doxed and threatened; and Government property has been vandalized and destroyed.

44. This summer, ICE came under attack in Los Angeles, California, where local law enforcement was unable to adequately provide security to officers and the public.<sup>10</sup> See Associated Press Report, "Protests Intensify in Los Angeles After Trump Deploys Hundreds of National Guard Troops," (June 8, 2025).



<sup>10</sup> Available at: <https://apnews.com/article/immigration-protests-raids-los-angeles-78eaba714dbdd322715bf7650fb543d7> (last visited on Oct. 24, 2025).



45. On June 6, 2025, protesters turned to violence and began throwing objects at ICE vehicles. Protesters began throwing concrete chunks, bottles of liquid, and other objects at FPS officers as well as attempting to use large rolling commercial dumpsters as a battering ram to breach the parking garage gate and damage the federal building. On June 9, 2025, the federal building had to be shut down due to ongoing violence. On June 14, 2025, the Los Angeles Police Department declared an unlawful assembly outside 300 North Los Angeles Federal Building and Edward R. Roybal Federal Building and U.S. Courthouse after violent opportunists in the crowd of over 1,000 people began assaulting law enforcement officers with rocks, bricks, bottles, fireworks, and other objects. *See* “Officers Deploy Tear Gas, Rubber Bullets to Clear Protestors in Downtown Los Angeles.”<sup>11</sup> Protestors blocked the parking garage exits on Alameda Street, preventing ICE transport vehicles from exiting with approximately 130 immigration detainees. As the protests grew, ICE was forced to abandon its use of the U.S. Marshals’ transport bus. Only through the

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<sup>11</sup> Available at: <https://ktla.com/news/local-news/no-kings-protestors-ordered-to-disperse-tear-gassed-in-downtown-los-angeles/> (last visited on Oct. 24, 2025).

actions of the National Guard was ICE able to move the detainees.

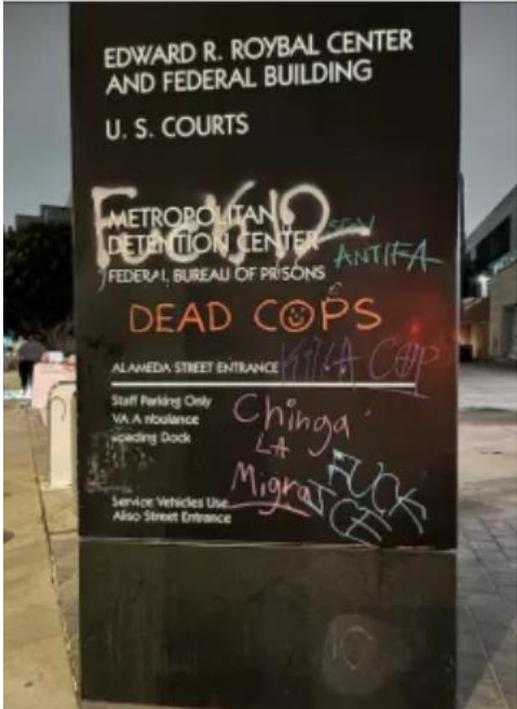
46. Moreover, in June 2025, two men were federally charged after throwing Molotov cocktails during immigration enforcement protests in downtown Los Angeles. One of the men was accused of throwing a flaming Molotov cocktail at Los Angeles County Sherriff's deputies who were conducting crowd control. Police arrested the other man who allegedly threw a Molotov cocktail at law enforcement officers when officers approached him.<sup>12</sup> See NBC4 Los Angeles News Report, "2 LA County Men Charged in Molotov Cocktail Attacks in Downtown LA and Paramount," (June 11, 2025).

47. In fact, the 300 North Los Angeles Street Federal Building in downtown Los Angeles, California, was closed for over a week due to protesters assaulting federal, state, and local law enforcement officers with rocks, fireworks, and other objects. Protesters also damaged federal property by spray painting death threats to federal law enforcement officers.<sup>13</sup>

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<sup>12</sup> Available at: <https://www.nbclosangeles.com/news/local/molotov-cocktail-attacks-la-paramount-protests/3721306/> (last visited on Oct. 24, 2025).

<sup>13</sup> Additional photos and videos for those assaults and threatening graffiti can be found here: <https://www.dhs.gov/news/2025/06/10/dhs-sets-record-straight-la-riots-condemns-violence-against-law-enforcement> (last visited Oct. 24, 2025).



48. Similar violent and hostile activity targeting ICE operations is spreading across the Nation. Protesters at the ERO Portland Office have assaulted federal law enforcement officers with rocks, bricks, pepper spray, and incendiary devices; some attacks have been serious enough for FPS to refer for prosecution. In just one example, on July 4, 2025, ICE officers observed several individuals defacing ICE property with graffiti. As an officer pursued one individual, that individual ran towards the officer and kicked him in the leg, causing the officer to trip. Another individual threw an incendiary device towards the officers, which then detonated near the officers. These actions were severe enough for the U.S. Attorney’s Office for the District of Oregon to seek the prosecution of four involved individuals. See e.g., U.S. Attorney’s Office District of Oregon Press Release, “Four Defendants Charged with Assaulting Federal Law Enforcement Officers, Other Offenses During Protests Near Local ICE Office (July 8, 2025) (reporting that the U.S. Attorney’s Office charged 22 defendants between June 13, 2025, and July 8, 2025, with offenses committed at the Portland ERO building including assaulting federal officers, arson, possession of a destructive device, and depredation of government property.<sup>14</sup>

49. For more than 100 nights, the ICE facility in Portland, Oregon has effectively been under siege by violent protesters who not only clash with federal law enforcement but create an unsafe environment for Portland residents who live near the facility. These “protests” involve bottle rockets being fired at the ICE building, rocks thrown through windows, lasers targeting ICE officers’ eyes, and barricades blocking ICE vehicles in and out of the facility. See Greg Wehner, Portland Police Chief Touts ‘Crowd Support’ Approach as ICE Facility Faces Ongoing Violence,

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<sup>14</sup> Available at: <https://www.justice.gov/usao-or/pr/four-defendants-charged-assaulting-federal-law-enforcement-officers-other-offenses#:~:text=Since%20June%2013%2C%202025%2C%20the.and%20depredation%20of%20government%20property> (last visited on Oct. 24, 2025).

Fox News (Oct. 5, 2025, 8:28 p.m. EDT).<sup>15</sup>

50. Upon information and belief, there are reports from nearby residents who have barely slept because the encampment of protesters “blast loud music, engage in anti-government chants over loudspeakers and megaphones, and .... Violently clash with law enforcement officers.” Joseph Treviño, Inside the Antifa Siege on ‘War Zone’ Portland — and the Resistance to the National Guard Cleaning It Up, New York Post (Oct. 1, 2025, 6:02 p.m. ET).<sup>16</sup> In the same vein, protesters have repeatedly tried to burn down the Portland ERO Office, risking the safety of the public at large and lives of both ICE personnel and any detainees who might have been held in the facility, in addition to property damage. For example, on June 11, 2025, federal officers observed a man ignite a flare and set fire to a range of materials that protesters compiled to barricade against a vehicle gate. Other individuals then added items to the pile of materials, growing the flames further. The Federal Bureau of Investigations, FPS, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives investigated this incident, and the U.S. Attorney’s Office for the District of Oregon is prosecuting these acts of violent destruction. *See* U.S. Attorney’s Office, District of Oregon Press Release, “Four Defendants Charged with Various Offenses Including Arson, Assaulting a Federal Officer, and Depredation of Federal Property During Protests Near Local ICE Office.”<sup>17</sup>

51. Protesters have even gone to such extreme lengths to display their violent proclivities towards ICE officers by assembling and displaying a guillotine outside of the ERO Portland Office.

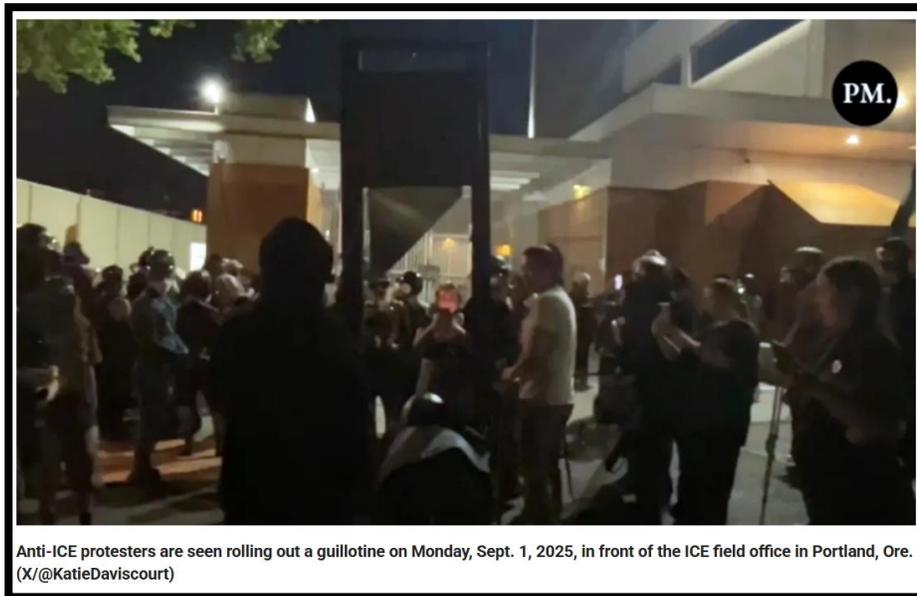
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<sup>15</sup> Available at: <https://www.foxnews.com/us/portland-police-chief-touts-crowd-support-approach-ice-facility-faces-ongoing-violence> (last visited on Oct. 24, 2025).

<sup>16</sup> Available at: <https://nypost.com/2025/10/01/us-news/inside-the-antifa-siege-on-war-zone-portland-and-the-resistance-to-the-national-guard-cleaning-it-up/> (last visited Oct. 24, 2025).

<sup>17</sup> Available at: <https://www.justice.gov/usao-or/pr/four-defendants-charged-various-offenses-including-arson-assaulting-federal-officer-and> (last visited Oct. 24, 2025). *See also* Protesters Place Flammable Material, Lit Flare Against ICE Building, Officers Arrest 3, *Portland Police Bureau* (June 12, 2025, 12:45 a.m. PDT), available at: <https://www.portland.gov/police/news/2025/6/12/protesters-place-flammable-material-lit-flare-against-ice-building-officers> (last visited on Oct. 24, 2025) and *FOX 12 Oregon* (July 1, 2025, 6:33 p.m. EDT), available at: <https://www.kptv.com/2025/07/01/man-facing-federal-charges-starting-fire-portland-ice-facility> (last visited Oct. 24, 2025).

See Greg Norman, Anti-ICE Portland Rioters Bring Guillotine, Clash with Police, Burn Flag in ‘War-Like’ Scenes, Fox News (Sept. 2, 2025, 10:53 a.m. EDT).<sup>18</sup>



52. These threats have gone even further. Upon information and belief, over the past several months, ICE officers in the Seattle Field Office Area of Responsibility (AOR), particularly those

<sup>18</sup> Available at: <https://www.foxnews.com/us/anti-ice-portland-rioters-guillotine-clash-police-burn-flag-war-like-scenes> (last visited Oct. 24, 2025).

employed in the Portland ERO Office, have been under surveillance and subjected to written, verbal, and physical threats due to their employment with ICE. Several Portland ICE officers have had their names, photographs and even home addresses posted publicly in multiple locations throughout their residential neighborhoods and the Portland metro area, along with threatening messages. Multiple Portland ICE officers have had unknown individuals appear at their residences in vehicles and on foot, peering into their private homes and recording the officers entering and leaving. A sample of one recent flyer containing violent threats and a Portland ICE officer's personal information, including residential address (redacted for safety reasons), can be seen in the DHS Press Release referenced below. ICE has seen a dramatic increase in assault against ICE personnel as these doxxing websites have revealed their identity and their families' identity to the public, exposing personnel and their families to known and suspected violent individuals. *See* DHS Press Release "Anarchists and Rioters in Portland Illegally Dox ICE Officers and Federal Law Enforcement" (July 11, 2025).<sup>19</sup>

53. These threats against the lives of ICE officers, when considered in the shadow of the recent shooting upon the ICE facility in Dallas, killing two people, cannot be discounted. They are real.

54. On September 24, 2025, Joshua Jahn carried out a shooting at an ICE facility near Interstate 35E in Dallas, Texas, firing from a rooftop into the sally port.<sup>20</sup> Three detainees in a van were shot; one died at the scene, and another succumbed to injuries six days later.<sup>21</sup> Investigators found anti-ICE notes and a marked round of ammunition, concluding the attack was a premeditated terrorist

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<sup>19</sup> Available at: <https://www.dhs.gov/news/2025/07/11/anarchists-and-rioters-portland-illegally-dox-ice-officers-and-federal-law> (last visited Oct. 24, 2025).

<sup>20</sup> Available at: <https://www.nbcnews.com/news/us-news/live-blog/dallas-ice-facility-shooting-rcna233385> (last visited Oct. 24, 2025); <https://www.dhs.gov/news/2025/09/24/dhs-issues-statement-targeted-attack-dallas-ice-facility> (last visited Oct. 24, 2025).

<sup>21</sup> Available at <https://www.nbcnews.com/news/us-news/live-blog/dallas-ice-facility-shooting-rcna233385> (last visited Oct. 24, 2025); *see also* <https://www.kxii.com/2025/09/30/family-says-mexican-man-shot-dallas-ice-facility-has-died-becoming-attacks-second-victim/> (last visited Oct. 24, 2025).

act targeting ICE agents.<sup>22</sup>

55. On July 4, 2025, a group attacked an ICE facility in Alvarado, Texas, vandalizing property and setting off fireworks.<sup>23</sup> During the incident, a gunman fired on responding police, injuring an officer, who was struck in the neck.<sup>24</sup> Additionally, a month earlier, a man was arrested at a Dallas ICE facility for making a bomb threat.<sup>25</sup>

### **Establishment of Broadview Unified Command**

56. On October 2, 2025, Broadview Police, the Illinois State Police, and other state and local agencies announced a Unified Command “to coordinate public safety measures” around BSSA and “to help protect First Amendment rights.” *See* <https://isp.illinois.gov/Media/PressReleaseFile/2269>. The Unified Command established designated protest areas near BSSA, but not on federal property. *See id.* At the time of my departure as FOD of the ERO Chicago Field Office on October 17, 2025, officers from the Unified Command were on site 24 hours per day to maintain security around the facility. Additionally, the Mayor of Broadview issued a curfew order on October 6, 2025, designating that protests may occur at BSSA only between the hours of 9 AM and 6 PM. *See* <https://broadview-il.gov/media/33thwv3u/vob-executive-order-no2025-01.pdf>. The Mayor also issued a subsequent order limiting protest activity to Beach Street, and restricting protest activity near the areas of 25th Avenue and Harvard Street.

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<sup>22</sup> Available at: <https://www.azfamily.com/2025/09/24/fbi-says-ammunition-found-dallas-detention-center-contained-anti-ice-messaging/> (last visited Oct. 24, 2025); *see also* <https://www.npr.org/2025/09/25/nx-s1-5553470/latest-updates-dallas-ice-shooting> (last visited Oct. 24, 2025); <https://abcnews.go.com/US/dallas-ice-sniper-suspect/story?id=125909069> (last visited Oct. 24, 2025).

<sup>23</sup> Available at: <https://www.keranews.org/news/2025-07-11/prairieland-detention-center-alvarado-u-s-immigration-and-customs-enforcement-shooting-alvarado-police-officer-questions> (last visited Oct. 24, 2025).

<sup>24</sup> Available at: <https://www.fox4news.com/news/benjamin-song-suspect-immigration-center-attack-previously-sued-over-drag-show-counter-protest> (last visited Oct. 24, 2025).

<sup>25</sup> Available at: <https://www.aljazeera.com/news/2025/9/25/who-is-joshua-jahn-what-we-know-about-the-dallas-ice-facility-shooting> (last visited Oct. 24, 2025).

57. The introduction of the Unified Command has reduced the need for federal officers to engage with protestors at Broadview. Crowds have continued to gather near BSSA after establishment of the Unified Command, but state and local officials have taken primary responsibility to crowd control and arrests. From October 3, 2025, until the time of my departure as FOD of the ERO Chicago Field Office on October 17, 2025, federal officers did not deploy any chemical munitions or any less-lethal munitions at BSSA.

### **Temporary Restraining Order**

58. On October 9, 2025, this Court issued a temporary restraining order, which was disseminated to all ICE employees the same day.

59. On October 17, 2025, this Court issued a modified temporary restraining order, which was disseminated to all ICE law enforcement personnel operating in or deployed to the Chicago Areas of Responsibility.

### **Impact of Plaintiffs' Requested Relief**

60. If the Court grants Plaintiffs' preliminary injunction, such an injunction would be unworkable, unnecessary, and further endanger the safety of law enforcement personnel and the public.

61. ICE law enforcement officers are responsible for securing impacted areas and may be unable to differentiate between members of the press and other participants. Press markings are publicly available and while law enforcement officers may have no reason to limit press access, their ability to differentiate between actual press and those who have come by press markings through fraudulent means cannot be determined in real-time. Religious observers are even less easily identifiable. When ICE law enforcement officers give a dispersal command for safety reasons, all parties are expected to comply. Any delay in compliance, or the ability to respond to a

lack of compliance, poses a risk to officer safety, public safety, and the safety of any press who may be present.

62. Crowd control devices are used after crowds have been ordered to disperse, fail to do so, and engage in criminal and assaultive behavior towards law enforcement officers and the public. Due to the nature of some crowd control devices, such as CS gas and flash-bangs, persons who fail to disperse pursuant to lawful orders, but are not posing an immediate threat to law enforcement officers may be impacted due to their proximity to persons who are engaged in violent and/or criminal behavior. These crowd control devices are designed and used not to cause physical injury but to protect law enforcement officers and the public from violent attacks.

63. Moreover, consistent with the DHS Use of Force Policy, ICE law enforcement officers only use force that is necessary and reasonable based on the totality of the circumstances. ICE law enforcement officers are trained to engage those individuals who pose the greatest threat based on the reasonableness standard. ICE law enforcement officers are trained to give verbal commands and individuals who do not comply with these commands may be perceived as a potential threat. ICE law enforcement officers' responsibility is to ensure the scene is safe for law enforcement personnel and the community, and anyone who does not comply with lawful dispersal commands may be considered a potential threat to law enforcement depending on subsequent actions and continued refusal to leave a restricted area. Also consistent with the DHS Use of Force Policy, ICE law enforcement officers are trained to utilize direct impact munitions only on those individuals who pose a direct threat to law enforcement. If a dispersal order is given and subjects do not comply with this directive, they may be subject to necessary and reasonable uses of force to include the utilization of kinetic impact or chemical munitions and/or diversionary devices. ICE law enforcement officers are trained to give dispersal orders prior to the utilization of any of the

aforementioned law enforcement tools when feasible, and those individuals who do not heed these orders may be exposed to any or all of these. In short, those individuals who do not disperse when receiving the command to do so, identify themselves as a potential threat to law enforcement.

64. Consistent with the DHS Use of Force Policy, ICE law enforcement officers are trained to give warnings when operationally feasible. A blanket requirement for two separate warnings would prevent officers from responding to exigent circumstances where the utilization of these tools could prevent harm to the public or officers. It is the subject's behavior that dictates the timeline of the utilization of these tools and if the subject or crowd behavior requires a more immediate response, officers cannot and should not compromise safety to meet an arbitrary two-warning standard. In short, ICE law enforcement officers will give commands and warnings to avoid unnecessary exposure; however, ICE law enforcement officers are permitted to use necessary force as appropriate based on the totality of circumstances.

65. The on-scene supervisor approves all operational contingency plans and the utilization of any impact projectiles and chemical munitions as required. The dynamic nature of operations does not always allow the supervisor to be on scene or personally witness rapidly evolving situations which may require the use of such munitions. ICE law enforcement officers are trained to use discretion and follow all policies when deploying chemical munitions and specialty impact munitions. Regardless of circumstance, all law enforcement officers are held to the necessary and reasonable standard. The deployment of these tools is dictated by the totality of circumstances facing the officer in real-time. The delay required by supervisory notification or presence would unnecessarily place law enforcement officers and community members in harm's way.

66. ICE officers are required to carry their ICE metal badge and credentials when carrying an ICE-issued firearm, except for officers involved in an undercover operation. ICE metal badges

display a unique badge number allowing easy identification of officers. ICE SRT uniforms are affixed with large, discernible identifier patches unique to each agent or officer that allow for identification, as needed. These SRT identifiers balance between the need to protect the officers' safety while also ensuring that officers can be individually identified while on duty.

67. During my tenure as FOD for ERO Chicago, I did not witness, nor am I aware of, any ICE employee knowingly targeting journalists, peaceful protecters, or religious practitioners with less lethal munitions and/or crowd control devices for exercising their First Amendment rights.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my information, knowledge, and belief.

Executed on this 28th day of October 2025.



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Russell Hott  
Field Office Director  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security