

October 27, 2025

Governor JB Pritzker
Office of the Governor
207 State House
Springfield, IL 62706
gov.press@illinois.gov

Dear Governor Pritzker,

Enclosed is a letter that we have issued to Attorney General Kwame Raoul, States' Attorney Eileen Burke O'Neill, and Chicago Police Department Superintendent Larry Snelling, urging them to investigate several instances where federal officials and federal agents appear to have violated Illinois law in a way that is not immunized by the Supremacy Clause of the United States Constitution. These actions occurred as part of a campaign of political retribution by President Trump to stifle dissent, including your own, by encouraging and sometimes ordering unlawful actions against the residents of the greater Chicago area.

Acts of federal officers and federal agents that violate state law are *only* immunized by the Supremacy Clause of the Constitution when they were "authorized to [act] by the law of the United States," and that "in doing that act, [they] did no more than what was necessary and proper for [them] to do." *Cunningham v. Neagle*, 135 U.S. 1, 75 (1890). That immunity does not, "gran[t] a license to federal officials to flout state laws with impunity." *Whitehead v. Senkowski*, 943 F.2d 230, 234 (2d Cir. 1991). When the federal government takes the extraordinary step of encouraging and in some cases ordering its agents to commit crimes, states have a responsibility under our federal system to begin criminal investigations of those actions.

We applaud you for establishing the Illinois Accountability Commission and empowering it to "[r]efer, as appropriate, information or reports of potential violations of law to the agencies or entities responsible for investigating or enforcing such violations." Although the executive order establishing the Commission requires it to create an initial status report by January 26, 2026, we encourage the Commission to immediately refer serious incidents for further investigation by relevant law enforcement officers. As the Executive Order establishing the Commission notes, there have already been several well-documented instances of unlawful behavior and the intent of the federal government is to terrorize Trump's perceived political enemies, not to engage in legitimate law enforcement. Executive

Order 2025-06. Furthermore, we encourage the Commission to clarify that law enforcement and prosecutors are not required to wait for a referral from the Commission before enforcing Illinois law and, in fact, have a duty to enforce criminal law promptly to protect the rights and safety of Illinois' residents.

Sincerely,

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