

October 27, 2025

Mayor Brandon Johnson
Office of the Mayor
121 N. LaSalle Street
Chicago, IL 60602
press@cityofchicago.org

Dear Mayor Johnson,

Enclosed is a letter that we have issued to Attorney General Kwame Raoul, State's 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 your recent Executive Order barring the use of city property for ICE operations.¹ We encourage you to offer whatever support you can to the appropriate officials to hold federal officials and federal agents accountable for their violations of Illinois law including by cooperating with the recently

¹ Office of the Mayor, *Mayor Brandon Johnson Signs "ICE Free Zone" Executive Order, Prohibiting Use Of City Property For Federal Immigration Operations*, (Oct. 6, 2025), https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2025/october/city-property-executive-order.html.

established Illinois Accountability Commission. However, local 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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