



Written by [R. Cort Kirkwood](#) on February 7, 2025

DOJ Sues Illinois, Chicago, Cook County Over Unlawful Sanctuary Statutes

Opening another front in the war to rid the nation of illegal aliens, the Trump administration has sued Illinois, Chicago, and Cook County for sanctuary laws that are impeding the enforcement of federal immigration law.

[Filed yesterday](#) in the United States District Court for the Northern District of Illinois, Eastern Division, the lawsuit alleges that four state and local laws trespass the Supremacy Clause of the U.S. Constitution.

The lawsuit should not surprise the bullheaded “progressives” who vowed to resist Immigration and Customs Enforcement (ICE) and President Donald Trump’s plans to carry out mass deportations of illegals. Just after Trump entered office, acting Deputy Attorney General Emil Bove warned that state and local officials would be prosecuted.



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The Lawsuit

Noting that [Trump declared](#) a national emergency at the Southwest border, the 23-page lawsuit seeks to stop the state and its jurisdictions from enforcing four laws: The Way Forward Act, the TRUST Act, the Welcoming City Ordinance, and Cook County Ordinance 11-O-73. Those “are designed to and in fact interfere with and discriminate against” the enforcement of federal immigration laws.

That trespasses the [Supremacy Clause](#), which says that the Constitution — and the laws made in pursuance thereof —

shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Though far-left Chicago Mayor Brandon Johnson and Illinois Governor J.B. Pritzker have said they want illegal-alien criminals deported, the [lawsuit argues](#), state and local officials are “oftentimes affirmatively thwarting” such enforcement, resulting in “countless criminals being released into Chicago who should have been held for immigration removal from the United States.”

The Way Forward and TRUST acts stop state law enforcement from helping enforce federal civil immigration laws. According to the suit:



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Under these laws, state officers are explicitly prohibited from complying with immigration detainers or civil immigration warrants; they are also prevented from entering into agreements to detain noncitizens for federal civil immigration violations.

Chicago's Welcoming City Ordinance stops law enforcement there from giving ICE "basic information about noncitizens who are in their custody and are subject to federal immigration custody, including custody status or release date, and to provide federal officers access to such individuals to effect their safe transfer to federal immigration custody when presented with a federal administrative warrant."

Cook County's Ordinance 11-O-73 does the same thing.

Those laws "intentionally obstruct the sharing of information envisioned by Congress, including basic information such as release dates and custodial status, thereby impairing federal detention of removable aliens, including dangerous criminals, as required by federal law," the [lawsuit avers](#):

[T]hey further purport to direct federal officials to procure criminal arrest warrants in order to take custody of removable aliens, even though Congress has made an explicit policy choice that such removals can be effectuated by civil arrest warrants for immigration enforcement; and they facilitate the release of dangerous criminals into the community by directing local employees to refuse to transfer such aliens to federal officials in a secure Environment — thereby resulting in their release onto the streets, where they all too often reoffend and commit serious crimes.

That in turn requires ICE to arrest an illegal-alien rapist or murderer on the street, which further endangers the community.

In any event, the Supremacy Clause forbids all those actions, the lawsuit argues.

They Were Warned

The day after Trump took the oath of office, Bove warned the rogue state and local officials that the Justice Department would not sit idly by and watch them continue to violate federal immigration laws.

While the DOJ lawsuit is a civil action, [Bove vowed](#) to investigate officials for crimes.

"Federal law prohibits state and local actors from resisting, obstructing, and otherwise failing to comply with lawful immigration-related commands and requests pursuant to, for example, the President's extensive Article II authority with respect to foreign affairs and national security, the Immigration and Nationality Act, and the Alien Enemies Act," Bove wrote in a memo to DOJ employees.

U.S. attorneys, he wrote, will investigate "for potential prosecution" mulish officials who defy the law. That would include harboring illegals, [conspiracy against](#) the United States, and violating the Immigration and Nationality Act, [which criminalizes](#) blocking the enforcement of federal immigration laws.

After a sheriff in New York unlawfully released an illegal-alien criminal despite having a federal warrant for his arrest, [he received](#) the same warning.

So also did Democratic New Jersey Governor Phil Murphy, who confessed that he's [harboring an illegal](#), a federal crime.



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Regarding Murphy's comment, Border czar Tom Homan told Fox talker Sean Hannity:

The governor's pretty foolish saying what he said, because I got note of it, won't let it go, we'll look into it.

If he's knowingly harboring and concealing an illegal alien, that's a violation of Title 8, United States Code 1324, I will seek prosecution or the secretary will seek prosecution. Maybe he's bluffing. If he's not, we'll deal with that.

He also told Hannity that New York City's sanctuary policy permitted Venezuelan illegal-alien goon Jose Ibarra [to murder](#) nursing student Laken Riley. "Sanctuary cities are sanctuaries for criminals."

Homan [has repeatedly warned](#) state and local officials they will be prosecuted for harboring illegals.

AOC Encourages Rebellion

Democratic U.S. Representative Alexandria Ocasio-Cortez of New York might find herself in hot water as well. She is encouraging rebellion and insurrection.

Libs of TikTok posted video of the congresswoman's advice to illegals and their open-borders supporters.

"Principle No. 1 in what you can do" she said, "is that, when one of these things comes to your backyard, you can resist." If millions of people resist, "they cannot go as fast as they want to go."

The far-left congresswoman said illegals must know their rights. She approvingly described the rebellion and insurrection incited in Chicago to stop ICE agents from enforcing the law.

"You are able to tell them no, and they do walk away," she said. "What you can do is protect people around you and also make sure that you are slowing down this system."

The import of Ocasio-Cortez's remarks: She is encouraging illegal aliens and their American supporters to break the law. Perhaps she doesn't understand the law, and thinks crossing the border illegally, then applying for asylum, is not a crime.

Homan famously educated the legendary mixologist about U.S. immigration law during a congressional hearing.

Ocasio-Cortez told Homan that "zero tolerance" was a policy that caused so-called family separation at the border, whereby children were taken from parents to keep the children safe.

Replied Homan:

If I get arrested for DUI and I have a young child in the car, I'm going to be separated. When I was a police officer in New York and I arrested a father for domestic violence, I separated that father from his family.

"With all due respect," Ocasio-Cortez replied, "legal asylees are not charged with any crime."

Homan: *When you enter the country illegally it's a violation of 8 United States Code 1325.*

Ocasio-Cortez: *Seeking asylum is legal.*



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Homan: *When you want to seek asylum, you go through a port of entry and do it the legal way. The attorney general of the United States has made that clear.*



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