



JOINT NEWS RELEASE

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What the Public Should Know: Illinois' New Law Limiting Federal Immigration Enforcement

ST. CHARLES, IL – The State of Illinois last week enacted a new law, [HB 1312](#), limiting federal immigration enforcement around courthouses and other sensitive locations. The following information outlines how this law affects Kane County law enforcement and residents.

- 1) Local law enforcement cannot enforce HB 1312. The new law can only be enforced through civil lawsuits filed by individuals who believe their arrest violated state law. Police cannot intervene to stop such arrests, and residents are asked not to call 9-1-1 in these situations so officers can focus on other public safety duties.
- 2) Local law enforcement cannot participate in civil immigration enforcement. Under the 2017 Illinois TRUST Act, state and local officers may not detain someone based solely on immigration status, a federal administrative warrant, or an ICE detainer request. Agencies also may not provide immigration agents access to people in custody, allow use of agency facilities or databases, help with or coordinate arrests, or render any other collateral assistance.
- 3) Local law enforcement may still investigate and enforce criminal laws within their jurisdiction. The Illinois TRUST Act does not limit officers from carrying out their normal duties to protect public safety, even when federal immigration actions are occurring nearby. While they cannot assist with civil immigration arrests, officers may always act when they have reasonable grounds to believe a person is committing or has committed a criminal offense.
- 4) Local law enforcement can execute federal **criminal** warrants. They may not detain individuals based only on federal *administrative* warrants, but they may arrest someone when a federal *criminal* warrant exists or when there is reasonable grounds to believe one has been issued. This means that local law enforcement may assist federal authorities when presented with a federal criminal warrant. Although some provisions of federal immigration statutes are criminal, deportation and removability are matters of civil law, not criminal law.

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