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Trump's immigration arrests in Chicago raise questions about 4th Amendment violations

President Donald Trump has said his administration is targeting dangerous criminals for immigration arrests, but attorneys working with those detained in Chicago say many do not have criminal records.

By [Adriana Cardona-Maguigad](#) and [Elvia Malagón](#) | Feb 5, 2025, 1:31pm PST

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Eduardo Orozco, 26, peeks through the living room window of his suburban home in Lyons. He says he lives in fear ever since armed federal agents went to his home without a warrant on January 26. He believes agents were looking for a younger family member, but his father was arrested instead just as he was arriving home. | [Adriana Cardona-Maguigad/WBEZ](#)

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Eduardo Orozco peeks through his Lyons front door, showing only his eyes.

The 26-year-old said his family has kept the door locked and avoids using it since federal agents tried to break into their home searching for a relative.

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“There were about six to eight agents that just ran up to us, they had guns and everything,” Orozco said, recalling the scene outside his southwest suburban home Jan. 26. “They wanted to intimidate us. They were shouting out in an aggressive manner.”

Federal agents never found the relative, Orozco said. But his father was detained outside the home just as he was arriving from buying tamales.

“I see my dad’s truck parked down the block, and in front of it was a vehicle with tinted windows,” Orozco recalls, adding that he tried to see who was inside. “I heard the screams of, ‘I can’t breathe. I got asthma. Call a lawyer.’”

Orozco recorded the interaction with the agents on his phone and made it public on social media. In the video, he is heard questioning federal agents. Orozco said agents never showed him a warrant and they weren’t able to get inside the home.

Orozco says after the arrest, the agents took his father to MacNeal Hospital in Berwyn.

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immigrants living in the country without legal status. Trump has claimed they are targeting dangerous criminals, but attorneys working with detainees, and a review of known cases, show many of those arrested did not have criminal records.

For example, Orozco's father's record appears to only include municipal and traffic tickets.

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Meanwhile, attorneys say many arrests appear to be in flagrant violation of the 4th Amendment, which protects people from unreasonable search and seizure.

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Eduardo Orozco, 26, points to where armed federal agents Jan. 26, 2025, tried to get into his suburban home from different entry points. Orozco was outside with a friend and started recording on his phone when he realized the agents were surrounding his home looking for a family member. | Adriana Cardona-Maguigad/WBEZ

Chicago officials say there have been more than 100 arrests in the city since Trump took office. And some of those detained have already been deported to Mexico before being able to speak to legal counsel, said Diana Rashid, a managing attorney with the National Immigrant Justice Center's detention project.

The arrests happen quickly, and some are widely public. Trump has made a display of recent operations in Chicago by inviting TV personality Dr. Phil McGraw to broadcast at least one encounter on his channel, MeritTV.

In the case of Orozco's family, two [Bloomberg News](#) journalists were seen in the video. Other arrests have been captured by door cameras and people's cellphones, and some have gone viral on social media.

The exclusive coverage, particularly Dr. Phil's appearance, has been criticized by [Sen. Dick Durbin and local immigrant advocates](#), who call the setup "hurtful" and "despicable."

arrests.

Immigration and Customs Enforcement officials did not respond to requests for comment.

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Civil rights attorneys and immigrant advocates said they are investigating what appears to be “rampant violations” of the 4th Amendment of the Constitution in these raids. The 4th amendment protects people from unreasonable searches and seizures by the government.

“We are actively exploring the legality of deputizing all these other federal agents without the proper training that is required under the law,” said Mark Fleming, associate director of the National Immigrant Justice Center’s federal litigation project.

Fleming, who represents a class of individuals arrested during raids, including Orozco’s father, said residents have the right to refuse to open their door to federal authorities without a judicial warrant. Fleming argued that without the document, federal agents don’t have the authority to enter a porch or a gated private area to make arrests.

Regarding Orozco’s father, Fleming said his organization is exploring whether it was a violation of the [Nava settlement](#) — a class-action lawsuit filed in 2018 in response to unlawful arrests by ICE agents who used traffic stops and other tactics to arrest individuals without a warrant.

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officials can conduct warrantless arrests if they believe the subject is in violation of immigration law and is likely to escape.

Arrests raise legal questions

The arrest of Raul Lopez, 44, of Elgin, is another case that has sparked attention. Video footage recorded by a family member and obtained by [Univision Chicago](#) shows federal agents using a metal bar to gain entry into Lopez's home, despite several demands by one of the residents to see a warrant. The agents identified themselves as members of the U.S. Marshal Services.

Belkis Sandoval, a senior inspector with the Great Lakes Regional Fugitive Task Force, said officials used their authority to enter the home to search for Jose Ramos, 26, who is considered a fugitive and is wanted on state criminal charges of attempted murder and a parole violation. Sandoval said they had an arrest warrant from Kane County.

But Ramos was not at the home, Sandoval said. She referred questions about Lopez's arrest to other agencies.



Experts looking into this case say it's unclear if agents had a search warrant to break into the home, and a judicial warrant to detain Lopez. They said it's hard to speculate in a case like this, but if Lopez was arrested without a judicial warrant, it could be a violation of the Nava settlement.

There are different kinds of arrest warrants, including a knock-and-announce warrant, and a no-knock warrant.

"If officers want to get permission from a judge to come into the house without knocking and announcing themselves, they have to prove to the judge why they need that ability," said Alexandra Block, director of the criminal legal system and policing project at the ACLU of Illinois. "It's dangerous, it's something that's really frightening to the people in the house, and it's not the usual kind of warrant that requires officers to knock and wait for people to open the door."

Both of those scenarios would involve signed judicial warrants, Rashid said. But the National Immigrant Justice Center has not come across a case so far that had this type of warrant.

Block said in the Elgin case, the officers should have shown the family a copy of the warrant.

"If the officers had shown a copy of the warrant, shown copies of their badges, identified themselves properly, that whole situation probably never would have happened," Block said.

If agents don't have a warrant, anyone in the U.S. has constitutional protections against search and seizures, said Stephen Yale-Loehr, a retired immigration law professor at Cornell Law School.

"A cop or an ICE agent can't just call you down on the street and say, well, you look like a foreign national so I'm going to arrest you," Yale-Loehr said.

Questions remain about arrest targets

After an immigrant is detained by ICE, the person is typically taken to southwest suburban Broadview, where they undergo fingerprinting, are photographed and are interviewed by

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In the cases the National Immigrant Justice Center has been able to review, less than half appear to have a criminal record, Rashid said.

Some of the arrests the National Immigrant Justice Center has verified include people who were told to go into the ICE office because of an issue with an ankle monitor or who already had check-in appointments with ICE, Rashid said.

“What we’re seeing is that they’re detaining what I would call the low-hanging fruit,” she said, “the individuals who are already on ICE’s radar because they already had outstanding removal orders, and they were on alternatives to detention, like ankle monitors.”



A woman who was placed on an ankle monitor after she entered the U.S. from Venezuela wears an ankle monitor in her suburban home on Oct. 9, 2024. | Pat Nabong/Sun-Times

Even before Trump took office, ICE’s Chicago field office was [monitoring more immigrants than ever](#). In September 2019, there were 2,921 immigrants on some form of electronic monitoring, and that number increased by last September to 19,160, according to a data

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Orozco, whose father was detained last week, said his family is hopeful a bond will be posted in the case. The arrest has put his father's landscaping business on hold, upending their household finances.

"They think that they're hurting that person who they're looking for by taking my father — they're not," Orozco said. "The only person that they hurt was my mother, my sister, the people who are in this building who depend on him. We're not the only family being affected by this, there's about eight other families being affected by this as well because, as I mentioned, he owns his company and so now the other workers, they aren't working right now."



THE LATEST



IMMIGRATION

Immigration advocates rally in Little Village in response to Trump administration sweeps

Some residents were afraid to go outside last week. Now, the community "needs to stand up for each other," one protester said.

By [Jessica Ma](#) | Feb 9, 2025, 3:00am PST



President Trump's administration is suing Chicago, Cook County and Illinois officials over so-called sanctuary policies

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By [Chip Mitchell](#) | Feb 7, 2025, 1:45pm PST

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County over sanctuary status

The federal lawsuit, filed Thursday in U.S. District Court in Chicago, claims sanctuary policies in Illinois that keep local authorities from cooperating with the deportation effort are “exacerbating” a crisis at the U.S. Southern border.

By [Mitchell Armentrout](#) , [Fran Spielman](#) , and 1 more | Feb 6, 2025, 9:23am PST



EDUCATION

Under Trump administration, some Chicago students think twice about FAFSA

If they submit the financial aid application, students risk outing their undocumented parents. But if they don't, they could lose out on the chance at college.

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By [Lisa Kurian Philip](#) | Feb 6, 2025, 3:00am PST



CITY HALL

Mayor Johnson to testify before Congress about Chicago's sanctuary city policies

Johnson and three other big-city mayors, all Democrats, will attend the March 5 hearing of the House Oversight and Government Reform Committee, which is investigating how local policies affect enforcement of President Donald Trump's promise of mass deportations.

By [Fran Spielman](#) | Feb 5, 2025, 2:39pm PST

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