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Castañon Nava Et Al. V. DHS, Et Al.

February 8, 2022

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The U.S. District Court for the Northern District of Illinois approved a settlement (</press-releases/ices-ability-detain-immigrants-through-mass-raids-and-traffic-stops-significantly>) on February 8, 2022, in the class action lawsuit, *Castañon Nava et al. v. Dep't of Homeland Security et al.*, No. 18-cv-3757-RRP (N.D. Ill.).

**Read The Castañon Nava Settlement Agreement
(/NavaSettlement)**

**Report Potential Violations Of The Settlement
(<https://immigrantjustice.org/NavaSettlement/Referralform>)**

Castañon-Nava represents a class of individuals unlawfully stopped and arrested by U.S. Immigration and Customs Enforcement (ICE) exemplified by operations which took place in southwest Chicago neighborhoods and suburbs across northern Illinois between May 19 and 24, 2018. During the arrests, ICE officers violated the Immigration and Nationality Act and Fourth Amendment of the U.S. Constitution by failing to comply with its limited warrantless arrest authority before making many of the arrests, and conducting pretextual traffic stops in order to forcibly fingerprint and arrest dozens of Hispanic residents. About 120 individuals swept up in the operation were detained in ICE custody at McHenry County Jail without seeing an immigration judge for weeks.

The Plaintiffs

The lawsuit's named plaintiff, Margarito Castañon Nava, has lived in Chicago for 17 years, the past six of which he has lived with his partner and her two children. Mr. Castañon was driving his work truck when officers in an unmarked car and vests labeled "Police" pulled him over at the corner of West 31st Street and Cicero Avenue in Chicago on May 20.

The officers barricaded his car on the side of the road, asked Mr. Castañon and his passenger for their identification, and then forcibly fingerprinted and photographed them. Without any further questioning, the officers ordered the men out of the car, handcuffed them, and placed them in the back of their vehicle. Only when Mr. Castañon arrived at a building in downtown Chicago did he learn that the officers who had arrested him were not Chicago police officers but were in fact ICE agents.

A second plaintiff, identified as John Doe, spent the night with his co-workers at West 48th Street and South Wood Street in Chicago so that they could depart early the next morning for a construction job. As they departed together that morning in a work van, they were surrounded by four unmarked cars and seven officers wearing vests labeled "Police." An officer asked the van's driver for his license and registration and stated that the car was being stopped because of low tire pressure. Because the driver produced an Illinois Temporary Visitor Driver's License, the officer concluded that the entire van was filled with undocumented migrants. The ICE officers asked all the occupants to produce identification and fingerprinted them. The officers then ordered the men out of the vehicle, handcuffed them, and later shackled them. After holding the men for approximately two hours, the officials took them into immigration custody in downtown Chicago.

Relevant Documents

Motion to Enforce the Settlement (/sites/default/files/uploaded-files/no-content-type/2025-03/164-Nava-v-DHS_Motion-to-Enforce-the-Settlement_03-13-25.pdf?eType=EmailBlastContent&eld=c43640f5-51ba-4e85-ba4d-ab6f4307cbc9) (Filed March 13, 2025)

Settlement:

Notice of settlement (/NavaSettlement)

ICE Warrantless Arrest & Vehicle Stop Policy under Nava Settlement (/sites/default/files/uploaded-files/no-content-type/2025-01/Nava_Settlement_ICE_Warrantless_Arrest-Vehicle_Stop_Policy_2021.pdf)

Case Filings:

Complaint (/sites/default/files/content-type/press-release/documents/2019-04/CastanonNava-SecondAmendedComplaint.pdf)

District court order denying government's motion to dismiss (/sites/default/files/content-type/press-release/documents/2020-02/Castanon%20Nava%20Order%20denying%20MTD.PDF)

In The Media

Press release: ICE's Ability To Detain Immigrants Through Mass Raids And Traffic Stops Significantly Limited by New Court Settlement (/press-releases/ices-ability-detain-immigrants-through-mass-raids-and-traffic-stops-significantly) (2/8/2022)

Press release: Lawsuit challenging ICE racial profiling tactics may proceed, Illinois federal court rules (/press-releases/lawsuit-challenging-ice-racial-profiling-tactics-may-proceed-illinois-federal-court) (1/24/2020)

Press release: Two Chicago Men Sue ICE for Unlawful Arrests during Recent Immigration Sweeps Fueled by Racial Profiling (/press-releases/two-chicago-men-sue-ice-unlawful-arrests-during-recent-immigration-sweeps-fueled) (5/30/2018)

Yahoo News: As immigration sweeps spread fear, activists and sheriffs unite to protect neighbors
(<https://news.yahoo.com/immigration-sweeps-spread-fear-activists-sheriffs-unite-protect-neighbors-090016540.html>)

(4/10/19)
NBC News: Under Trump arrests of undocumented immigrants with no criminal record have tripled
(<https://www.nbcnews.com/politics/immigration/under-trump-arrests-undocumented-immigrants-no-criminal-record-have-tripled-n899406>) (8/13/18)

Telemundo Chicago: Demandan a ICE por redadas en la zona de Chicago
(https://www.telemundochicago.com/noticias/local/Demandan-a-ICE-por-redadas-en-la-zona-de-Chicago_TLMD---Chicago-485188211.html) (6/11/18)

WGN: Anti-ICE operation protest held as Durbin criticizes new immigration policy (<http://wgntv.com/2018/06/11/anti-ice-operation-protest-held-as-durbin-criticizes-new-immigration-policy/>) (6/11/18)

WTTW: Chicago Tonight: Chicago Groups Challenge Trump Administration on Immigration
(<https://chicagotonight.wttw.com/2018/06/11/chicago-groups-challenge-trump-administration-immigration>) (6/11/18)

Univision: Presentan argumentos en demanda colectiva contra ICE por arrestos en Illinois
(<https://www.univision.com/chicago/wgbo/noticias/demandas/presentan-argumentos-en-demanda-colectiva-contra-ice-por-arrestos-en-illinois-video>) (6/11/2018)

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