

Declaration of Kent Whitney

I, Kent Whitney, declare as follows:

1. My name is Kent Whitney. I am above 18 years of age and am competent to make this declaration. I reside in the City of Chicago.
2. Around 11:30 a.m. on Friday, September 19, 2025, I was protesting outside the ICE processing facility in Broadview, Illinois. I wanted to protest because I am opposed to how ICE and DHS agents have been treating immigrants and protesters. I was especially concerned about incidents of law enforcement agents appearing to not give immigrants their due process rights. I was objecting to that as a former Air Force intelligence officer and as someone who has taken an oath to the Constitution.
3. There were about 20 agents on the ground and two on the roof. I assumed they were ICE or Border Patrol agents. They wore fatigues and carried firearms, and most of them wore a firearm on their hip. Some of them had paintball guns. Some of them had canisters that I assumed to be tear gas canisters. I only saw one agent who had his name on his chest.
4. I was expressing my views outside of the facility by shouting at the ICE agents. I said that they should be ashamed of themselves. I called them fascists. I asked them what their grandkids are going to think of them.
5. I was sitting on the public sidewalk facing away from the gate. I was not obstructing traffic. An agent wearing fatigues came up behind me and pushed me over. I stood up, turned around, and asked if he would please give me his name and badge number.
6. The agent put his hand on my chest and kept pushing me as I walked slowly backward. He was telling me to back up, and I was complying. He pepper sprayed me in the face, but I had on sunglasses and a respirator. When he saw that the pepper spray was not having much of an impact on me, he punched me in the face to remove my respirator. Then he sprayed me under the respirator.

7. Below is a photo of the agent pepper spraying me:



8. The agent did not warn me that he would be deploying chemicals.
9. I asked him two or three more times for his name and badge number, and then people behind me pulled me back to receive care. Medics helped rinse my eyes.
10. The pain was almost as bad as when I was exposed to CS gas during my Air Force training. It stung my eyes and my arms. The pain returned later when I took a shower.
11. It took about 30-45 minutes until I could stand up again and rejoin the protest. When I did resume protesting, I stood back in the crowd and was not as engaged as I had been before getting pepper sprayed.
12. About 25 or 30 other protesters were there. I remember some protesters shouting at the agents, telling them to release their neighbors. Some of them yelled statements like, "No person can be illegal on stolen land." Other protesters were shouting things in opposition to fascism. I witnessed federal agents pushing protesters. About three or four other people were pepper sprayed at the same time as me. The agents were also shooting into the crowd anytime someone crossed the line of concrete between the sidewalk and their parking lot with pepper balls. I was hit with a pepper ball in my pants as I stood at the edge of the sidewalk. I also saw about 10 members of the press there.

13. The agents regularly swore at the crowd and made vulgar comments to protesters. I remember an agent telling protesters, "Suck my dick."

14. The harm I endured has made me afraid to continue exercising my First Amendment rights. Because of this incident, I did not attend the "No Kings" protest on Saturday, October 18th, 2025. I feared being arrested or physically harmed. Now, I feel as if I have no way of knowing whether any protest activity is safe.

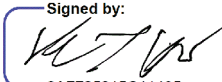
Pursuant to 28 U.S.C § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on:

10/27/2025

Date

Signed by:



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Kent Whitney