

**DECLARATION OF ELLEN TOOBIN**

Ellen Toobin hereby declares:

1. My name is Ellen Toobin. I am an adult resident of Oak Park Illinois. I have personal knowledge of the facts set forth herein and could competently testify thereto.
2. On Friday, September 26, 2025, at about 8:30 a.m., I arrived at the Immigration and Customs Enforcement (ICE) Broadview facility for a protest. I saw only a few protesters and counter-protesters on Beach Street south of Lexington, where the federal government had erected a fence blocking off Beach Street just north of the facility's parking lot.
3. I walked down 25th Avenue to Harvard Street, where everyone was gathered. A group of 50-60 protesters were standing on Harvard about 30 yards away from the gate that blocks Harvard at Beach Street. I walked up to some people and asked why they were not closer to the gate. A man with a camera and a bag labeled "press" replied, "because they shoot at us when we go beyond this point."
4. It seemed as if the federal agents were enforcing an invisible perimeter 20 or 30 yards from the gate. There was also an armed masked person in military fatigues standing on top of the ICE processing facility with his attention directed at the crowd.
5. The protesters on Harvard were singing, chanting, and being nonviolent.
6. At some point, an unmasked man in plain clothes came out from behind the gate at the end of Harvard Street and said "We just need to get some cars through; we're not ICE." A line of about ten cars drove up Harvard Street. Several protestors yelled, "They're not ICE. Let them through." The protesters parted to let them through.
7. As the ninth or tenth car began to make its way up Harvard Street, the crowd got agitated and some shouted, "It's ICE!" One or two protestors moved across the "invisible

perimeter” line toward the car to speak to the driver. They were saying something loudly but were unarmed and nonviolent. I started to back away.

8. The federal agents immediately began shooting pepper balls and what I took to be rubber bullets indiscriminately into the crowd. There was no warning and no instructions to clear the street. Just shooting. The pepper spray hurt my eyes and caused me to cough and have a hard time breathing.

9. After the shooting had stopped, I witnessed others pouring bottled water into their visibly red and agitated eyes. I witnessed a protestor pass by who was shirtless and had visible red welts and wounds on his back from rubber bullets.

10. The photograph below shows one of the projectiles that federal agents shot at us.



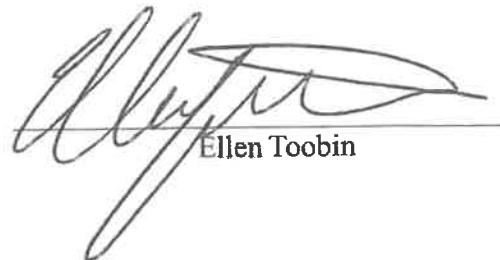
11. The photo below shows another projectile I found on the ground nearby.



12. Around 9:30, when it looked like the agents were preparing to open the gate again, I left.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: 10/8/25

  
Ellen Toobin