

# **Report of Recommendations of the Illinois Commission on Discrimination and Hate Crimes**

**2022**



**Illinois Commission on  
Discrimination and Hate Crimes**

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# Executive Summary

## Illinois Commission on Discrimination and Hate Crimes

The Illinois Commission on Discrimination and Hate Crimes recommends the following legislative and agency actions to eliminate discrimination, bias incidents, and hate-based violence in Illinois.

- 1) Establish a hate crimes and bias incident helpline, separate from law enforcement, to serve victims of hate crimes and bias incidents.
- 2) Establish a grant program for community-based social service agencies to develop and deploy resources and programs to serve victims of hate crimes and bias incidents within their respective service areas.
- 3) Mandate comprehensive hate crimes basic and in-service training module for local law enforcement agencies through the Illinois Law Enforcement Training Standards Board (“ILETSB”) in consultation with the Commission. In collaboration with bar associations and related organizations, develop and offer a hate crimes continuing legal education course for State’s Attorneys, Assistant State’s Attorneys, public defenders, other lawyers, and judges.
  - a) Appropriate necessary State funds to ensure compliance with the mandate.
  - b) Appropriate necessary State funds to develop and deliver hate crimes continuing legal education course.
- 4) Establish a statewide data collection and analysis hub for hate crimes and bias incidents.
- 5) Through the Illinois Department of Human Rights (“IDHR”), assess the capacity to investigate best practices and develop educational programs discouraging hate crimes for each protected class that may satisfy requirements for order of probation or conditional discharge for offenders.
- 6) Explore and engage in partnership opportunities with an academic and research institution to develop and deploy evidenced-based radicalization inoculation interventions to reduce the number of hate and bias incidents in Illinois.
- 7) In consultation with State and local units of government, develop and implement a comprehensive strategic community and organizational partner outreach plan to be reviewed annually.



# Illinois Commission on Discrimination and Hate Crimes

# Commission Members

Illinois Commission on Discrimination and Hate Crimes

**Jim Bennett** - Director, Illinois Department of Human Rights (Chair)

**Hilda Bahena** - Legal Assistance Department Director, Catholic Charities

**Anita Banerji** - Senior Program Director for Media and Tech, The Leadership Conference on Civil and Human Rights

**Cindy Buys** - Professor of Law, Southern Illinois University

**Mitchell Davis** - Chief, Hazel Crest Police Department

**David Goldenberg** - Midwest Regional Director, Anti-Defamation League

**Julie Justicz** - Chief Strategy Officer, Chicago Lawyers' Committee for Civil Rights Under Law

**Melineh Kano** - Executive Director, RefugeeOne

**Brendan Kelly** - Director, Illinois State Police

**Rabbi Seth Limmer**

**Amy Meek** - Civil Rights Bureau Chief, Illinois Office of the Attorney General

**Mona Noriega** - Chair, Human Rights Commission

**Channyn Lynne Parker** - Director of Community and Strategic Partnerships, Howard Brown Health

**Dr. Jason Rosensweig** - Chicago Director, Shalom Hartman Institute

**Dr. Dilara Sayeed** - President, Illinois Muslim Civic Coalition

**Karen Tamley** - President and CEO, Access Living

**Marvet Sweis** - Attorney, MSD Injury Lawyers, LLC

**Molly Uhe-Edmonds** - Principal, North Mac High School

## **Commission Staff**

Illinois Commission on Discrimination and Hate Crimes

**Alex Bautista**, Deputy Director and Chief of Staff, Illinois Department of Human Rights

**Betsy Buttell**, Executive Assistant, Illinois Department of Human Rights

**Bryant Dunbar**, Director of Operations and CIO, Illinois Department of Human Rights

**Jayden Epps**, Executive Assistant, Illinois Department of Human Rights

**Adam Flores**, Director of Legislative Affairs, Illinois Department of Human Rights

**Betsey Madden**, Chief Legal Counsel and Ethics Officer, Illinois Department of Human Rights

**Dr. Chris Smith**, Director of the Training Institute, Illinois Department of Human Rights

## **Overview and Background**

### Illinois Commission on Discrimination and Hate Crimes

The Illinois Commission on Discrimination and Hate Crimes (“Commission”) mission is to identify and uproot sources of discrimination and bias at the source, while assisting with the development of resources, training, and information that allow for a swift and efficient response to hate-motivated crimes and incidents. Working with educators throughout Illinois on issues concerning discrimination and hate, the Commission helps ensure that this State’s laws addressing discrimination and hate-related violence are widely known and applied correctly to help eradicate and prevent crimes based on discrimination and intolerance.

As part of its statutory mandate (20 ILCS 4070/15), the Commission considers and recommends statutory and programmatic changes necessary to eliminate discrimination and hate-based violence in Illinois.

Between April 2021 and May 2022, the Commission hosted virtual town halls and solicited the testimony of subject matter experts and the public to evaluate the needs and desires of communities as they relate to hate crimes and bias incidents. Testimony received by the Commission revealed deficiencies in existing structures and services to prevent and respond to hate crimes and bias incidents around Illinois, which helped shape the Commission’s recommendations.

# Recommendations

Committee on Legal and Regulatory Environment and Committee on Root Causes and Responses

## **1. Establish a hate crimes and bias incident helpline, separate from law enforcement, to serve victims of hate crimes and bias incidents.**

Under the Federal Jabara-Heyer NO HATE Act from 2021, the U.S. Department of Justice was provided the authority to award grants to states to establish state-run hate crimes hotlines that would connect individuals to local support services and, if applicable, to law enforcement.

Currently, the Illinois Department of Human Rights (“IDHR”) oversees the Illinois Sexual Harassment and Discrimination Helpline under a contract with The Chicago Lighthouse Call Center. Through this helpline, a caller receives information on reporting options and assistance securing legal or counseling services, among other resources. A similar model can be applied to a statewide Hate Crimes and Bias Incident Helpline to collect anonymous or self-identified reports of hate crimes or bias incidents, connect callers with support services, and to direct callers to additional reporting options, such as a law enforcement agency. The helpline may have phone and website form reporting options.

In Illinois, individuals have multiple paths for reporting a hate crime or bias incident, including to law enforcement agencies and nonprofit organizations, such as the Anti-Defamation League and CASL. However, many individuals do not report an incident they experience or witness because they do not trust the potential response from law enforcement, or they may not know what resources are available to them, among many other reasons.

A well-promoted victim-centered statewide helpline would increase the available reporting options for Illinoisans and provide them with additional options for a follow-up response by helpline staff or other resources. Additionally, the State would have access to more data to better understand current community needs and to deploy resources to address hate crimes and bias incidents.

This recommendation requires agency action.

## **2. Establish a grant program for community-based social service agencies to develop and deploy resources and programs to serve victims of hate crimes and bias incidents within their respective service areas.**

To ensure helpline success in supporting victims, the State may establish a new competitive grant program with an accompanying appropriation to fund organizations to develop and maintain hate crime and bias incident victim support services. Several organizations in Illinois currently provide victim support services in various capacities but may not cover the entire state or all protected classes. A statewide grant program will allow for more organizations in more regions of the state to serve a wider population.

This recommendation requires legislative and agency action.

## Recommendations

Committee on Legal and Regulatory Environment

**3. Mandate comprehensive hate crimes basic and in-service training module for local law enforcement agencies through the Illinois Law Enforcement Training Standards Board (“ILETSB”) in consultation with the Commission. In collaboration with bar associations and related organizations, develop and offer hate crimes continuing legal education course for State’s Attorneys, Assistant State’s Attorneys, other lawyers, and judges.**

**a) Appropriate necessary State funds to ensure compliance with the mandate.**

**b) Appropriate necessary State funds to develop and deliver hate crimes continuing legal education course.**

Under the Illinois State Police Law (20 ILCS 2605/), the Illinois State Police (“ISP”) Division of the Academy and Training is required to provide State police officers with training “in identifying, responding to, and reporting all hate crimes.” No such mandate exists under state statute or rules and regulations for training for local law enforcement agencies, which are subject to the Illinois Police Training Act (50 ILCS 705/). Currently, pieces of hate crimes-related lessons are contained in several different ILETSB-certified training modules, but there is no standalone hate crimes module. ILETSB has indicated that it would mandate a hate crimes training module for law enforcement using agency action.

Often, a possible hate crime or bias incident is not investigated as such by a law enforcement agency when an incident is reported by a victim or witness. This may be due to a law enforcement officer not recognizing elements of a hate crime, not asking certain questions of a victim during an interview, or not investigating an underlying motive to an incident, among other possible reasons. A mandate of comprehensive basic and in-service hate crimes training similar to that which is provided by ISP and the Chicago Police Department (“CPD”) will help victims of hate crimes and incidents receive appropriate responses, bridge data and investigatory gaps, and develop trust between communities and law enforcement agencies.

Prosecuting attorneys encounter many of the same and additional barriers to the pursuit of and prosecution of hate crimes charges against offenders. Through partnerships with bar associations, associations representing State’s Attorneys and their staffs, and other legal professional groups, the State should develop and deliver trainings for lawyers and judges on the best practices for identifying hate crimes, interviewing victims and witnesses, and prosecuting hate crimes.

To ensure compliance by local law enforcement agencies and lawyers, the State should appropriate funds to compensate agencies and organizations for the respective courses.

This recommendation requires legislative action and agency action.



# Recommendations

## Committee on Legal and Regulatory Environment

### **4. Establish a statewide data collection and analysis hub for hate crimes and bias incidents.**

Official statistics reported to ISP by local law enforcement agencies under the Uniform Crime Reporting Act and in turn by ISP to the Federal Bureau of Investigation (FBI) do not reflect the actual number of incidents. The Oregon Criminal Justice Commission data collection and reporting structure provides a model for Illinois to follow.

Through a centralized State-managed hub separate from law enforcement agencies, Illinois should regularly collect and publicly report anonymized hate crimes and bias incident data from the following sources:

- a) Hate Crime and Bias Incident Helpline
- b) ISP
- c) County State's Attorneys' Offices
- d) Office of the Illinois Attorney General
- e) Administrative Office of the Illinois Courts
- f) Organizations receiving State grant funds under Recommendation 2

Improved data collection and analysis would further highlight additional community support needs and gaps in enforcement.

This recommendation requires agency action.

### **5. Through IDHR, assess the capacity to research best practices and develop educational programs discouraging hate crimes for each protected class that may satisfy requirements for order of probation or conditional discharge for offenders.**

Under the current hate crime statute (720 ILCS 5/12-7.1 (b-10)), a trial court shall require that an offender enroll in an in-person "educational program discouraging hate crimes involving the protected class" that was a victim of the crime in question. However, in-person programs are not available statewide in every region of the state for every protected class. The statute allows for "any other organization that provides educational programs discouraging hate crimes" to administer an educational program. IDHR should assess its capacity to develop and administer such programs using best practices.

This recommendation requires agency action.

# Recommendations

Committee on Root Causes and Responses

## **6. Explore and engage in partnership opportunities with an academic and research institution, to develop and deploy evidenced-based radicalization inoculation interventions to reduce the number of hate and bias incidents in Illinois.**

In recent months, Illinois has experienced numerous incidents in all regions of the state that have highlighted the pervasiveness of bias and hate, including antisemitic graffiti and flyering, homophobic attacks on residents, and anti-Asian incidents in school settings, among others. Although the State must bolster its services and responses to when incidents occur, it must also work to prevent them from taking place at all.

To prevent against radicalization and extremism among Illinoisans and ultimately reduce the number of hate crimes and bias incidents in Illinois, the State may partner with academic and research institutions that have developed evidence-based tools that address the underlying causes of radicalization and extremist activities. Prevention, especially among young people, reduces the possibility of hate crimes and bias incidents in the future.

This recommendation requires agency action.

# Recommendations

Committee on Education and Outreach

## **7. In consultation with State and local units of government, develop and implement a comprehensive strategic community and organizational partner outreach plan to be reviewed annually to:**

- a) Further promote existing resources to support communities and victims of hate crimes and bias incidents,
- b) Promote the full set of implemented recommendations from the Commission,
- c) Incorporate the assessments of implemented recommendations from the public and community leaders into future recommendations,
- d) Develop a formalized partnership network with community organizations statewide,
- e) Continue to receive the testimony of Illinoisans affected by hate crimes and bias incidents,
- f) Implement training, tools, and programs to specifically prevent and address bias and hate incidents in educational settings.

See Appendix 1 for outreach methods under consideration.

This recommendation requires agency action.

## **Appendix**

### Illinois Commission on Discrimination and Hate Crimes

As part of its comprehensive strategic community and organizational partner outreach plan, the Commission is considering the following:

- 1) Collaboration with various bar associations, such as the Chicago Bar Association, the Arab American Bar Association, LAGBAC, and others;
- 2) Statewide community-based listening sessions;
- 3) Updates to the Commission's website to include additional resources for residents;
- 4) Consistent and unified messaging across State agencies; and
- 5) Ongoing solicitation of testimony of subject matter experts.



# **Illinois Commission on Discrimination and Hate Crimes**