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LETTER FROM THE CHAIR



To the People of Illinois,

I am pleased to present the Illinois Commission on Discrimination and Hate Crimes' (CDHC or Commission) annual report for calendar year 2021.

In these pages you will find the heart's work of Illinois. You will see how, in the face of unprecedented moments in history,

that Illinois continues to work to ensure that this great state is a welcoming and safe place for all.

The global pandemic and civil unrest of the past two years has highlighted fractures in our systems and inequality in our laws, healthcare systems, communities, and schools, but these are not obstacles in our way; these are opportunities for everyday Illinoisians to reaffirm our commitment to "form a more perfect union" and to lead the way towards eliminating hate, discrimination and bias in our state.

Our present reality is that hate is on the rise. This trend is not one that is affecting a few, but is impacting all of our communities, interpersonally and structurally. However, we are assurred that hate is not immutable and we are not powerless against it. The work of preventing and responding to hate crimes, discrimination, and bias requires all of us to step forward and get to the root causes of hate, develop interventions to respond to hate incidents, and develop strategies that communities can use to combat the continuum of hate that begin with bullying, progress to discrimination, and culminate in hate incidents and crimes.

As the Chair of the Commission, I am proud of the significant work that we have accomplished in our first year. Each commissioner is invested and committed to the communities and constituents they represent and are anchored within a bigger picture – Illinois' opportunity and ability to connect communities and people, to see a larger world we share together.

This collective of subject matter experts, community advocates, civic leaders, and state officials bring diverse and extraordinary expertise to the work of presenting and responding to hate crimes, discrimination, and bias. Through active listening, learning, and exploring, we are now all better equipped in formulating and creating approaches and solutions that will make changes and move us forward in combatting hate.

In the face of great challenges, we, as Illinoisans, have stood together — a people of different nationalities, races, ethnicities, religions, sexual orientations, abilities, and ideas - and have found a path forward together.

Illinois is stronger than hate, and in our search for a "new normal," we can create a better, more unified future.

James (Jim) Bennett

Illinois Commission on Discrimination & Hate Crimes



WHO WE ARE

The Illinois Commission on Discrimination and Hate Crimes (Commission) was initially created by Executive Order 2005-08 in 2005, and was established by statute in 2007 with the Commission on Discrimination and Hate Crimes Act, 20 ILCS 4070. Under the leadership of Governor JB Pritzker and Lieutenant Governor Juliana Stratton, the Commission was revived after more than a decade of dormancy to help address the hard truth that hate crimes and incidents are on the rise.

The Commission's 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.

The Commission is comprised of 17 appointed commissioners who are community leaders, subject matter experts, constitutional specialists, law enforcement and other state agency professionals. They all serve on the frontlines of advocating, protecting, and educating communities across Illinois and reflect a diversity in expertise and thought leadership as well as a diversity in race, religion, gender, and cultures that mirrors the people of Illinois. The Commission is led by James (Jim) Bennett, the Director of the Illinois Department of Human Rights and a longtime civil rights activist.



The Illinois Commission on Discrimination and Hate Crimes is an integral group of public servants, both inside and outside of government, who will help to make sure that we're doing everything we can to be proactive and responsive to hate in Illinois and continue to protect and create a safe state for all.



-Governor JB Pritzker

COMMISSION CHAIR



JAMES (JIM) BENNETT ILLINOIS DEPT. OF **HUMAN RIGHTS**

James (Jim) Bennett, has served as the Director of the Illinois Department of Human Rights (IDHR) since 2019. He is responsible for overseeing the department's primary goal of enforcing the Illinois Human Rights Act, which prohibits discrimination throughout Illinois in the areas of employment, real estate transactions, financial credit and places of public accommodation on the bases of race, color, religion, sex, pregnancy, national origin, ancestry, military status, age, order of protection status, marital status, sexual orientation, gender-related identity, unfavorable military discharge, and physical and mental disability, as well as the bases of citizenship status, work authorization status, arrest record and conviction record in employment, familial status and arrest record in real estate transactions, and sexual harassment of students in education.

In April 2021, Governor Pritzker appointed Bennett as Chair of the Commission on Discrimination and Hate Crimes, to convene statewide subject matter experts, community leaders, law enforcement, State agencies and constitutional offices, to investigate the root causes of hate crimes, how Illinois responds to incidents, and what we, collectively, need to do differently in the future to ensure all communities have the tools needed to combat hate crimes and discrimination.

Prior to his role in IDHR, Bennett served at Howard Brown Health, the Sargent Shriver National Center on Poverty Law, and at the American Red Cross, nationally and regionally. He most recently served as the Midwest Regional Director at Lambda Legal, leading the way for Illinois to recognize the freedom to marry for same-sex couples. With integrity and commitment to justice, Bennett is a civil rights leader ideally charged with enforcing Illinois' laws ensuring fair treatment for all as the Director of IDHR.

COMMISSIONERS



MONA NORIEGA
ILLINOIS HUMAN RIGHTS
COMMISSION



HILDA BAHENA
CATHOLIC CHARITIES
LEGAL ASSISTANCE
DEPARTMENT



ANITA BANERJI

THE LEADERSHIP
CONFERENCE ON CIVIL &
HUMAN RIGHTS



CINDY BUYS
SOUTHERN ILLINOIS
UNIVERSITY SCHOOL OF
LAW



DAVID GOLDENBERG

ANTI-DEFAMATION
LEAGUE



JULIE JUSTICZ
CHICAGO LAWYERS'
COMMITTEE FOR CIVIL
RIGHTS



ANDY KANG
ASIAN AMERICAN
COMMUNITY LEADER



MELINEH KANO REFUGEEONE



BRENDAN KELLY ILLINOIS STATE POLICE



RABBI SETH M. LIMMER

CHICAGO SINAI

CONGREGATION



AMY MEEK
ILLINOIS ATTORNEY
GENERAL'S OFFICE



CHANNYN PARKER
HOWARD BROWN HEALTH



LADON REYNOLDS VILLAGE OF OAK PARK



JASON ROSENSWEIG
SHALOM HARTMAN
INSTITUTE



DR. DILARA SAYEED

ILLINOIS MUSLIM CIVIC

COALITION



KAREN TAMLEY
ACCESS LIVING



MOLLY UHE-EDMONDS

ILLINOIS STATE BOARD OF
EDUCATION

HOW WE WORK



The work of the Commission includes engaging communities throughout the state by holding public hearings, compiling research and recommendations, and proposing policy changes to ensure Illinois is providing the most robust response possible when a hate incident occurs.

In its first year, the Commission formed its initial organizational structure that consists of the three standing committees:

- Committee on Education and Outreach (CEO),
- Committee on Root Causes and Responses (CRCR), and
- Committee on Legal and Regulatory Environment (CLRE).

Each committee is charged with launching an investigation on the current reality of discrimination, bias, and hate acts in Illinois. By identifying causes that will aid in creating preventive measures, receiving and disseminating information about existing support systems, and reviewing existing legislative language, allow each committee to identify areas of improvement and to formulate an outline of key goals.

The committee goals for 2021 were:

Committee on Education and Outreach

- 1. Host two public town halls.
- 2. Curate and update a statewide community resource hub and Commission website.

Committee on Root Causes and Responses

- 1. Research factors that contribute to radicalization.
- 2. Research anti-radicalization and de-radicalization programs and policies.

Committee on Legal and Regulatory Environment

- 1. Investigate deficiencies in the existing reporting system.
- 2. Research existing law enforcement training standards and programs.

The working committee structure and collaborative working style of the Commission underline the leading principle -- this work takes all of us.



COMMITTEES

COMMITTEE ON EDUCATION & OUTREACH

Anita Banerji, Co-Chair

Dr. Dilara Sayeed, Co-Chair

Jim Bennett Karen Tamley Molly Uhe-Edmonds Andy Kang Melineh Kano Jason Rosensweig

COMMITTEE ON ROOT CAUSES & RESPONSES

Hilda Bahena, Co-Chair

Rabbi Seth Limmer, Co-Chair

Jim Bennett David Goldenberg Amy Meek LaDon Reynolds Cindy Buys Brendan Kelly Channyn Lynne Parker Jason Rosensweig

COMMITTEE ON LEGAL & REGULATORY ENVIRONMENT

Amy Meek, Co-Chair

Jason Rosensweig, Co-Chair

Jim Bennett David Goldenberg Andy Kang Mona Noriega Cindy Buys Julie Justicz Brendan Kelly LaDon Reynolds

WHAT IS A HATE CRIME

In the simplest terms, a hate crime must include both "hate" and a "crime." The term "hate" can be misleading. When used in a hate crime law, the word "hate" does not mean rage, anger, or dislike. In this context "hate" means bias against people or groups with specific characteristics that are defined by the law.

At the federal level, hate crime laws include crimes committed on the basis of the victim's perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

The hate crime law in Illinois, known as the Illinois Hate Crimes Act, establishes criminal and civil liability for a specific group of crimes that is committed due to a bias or prejudice against someone's perceived or actual race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, national origin, citizenship status or immigration status.

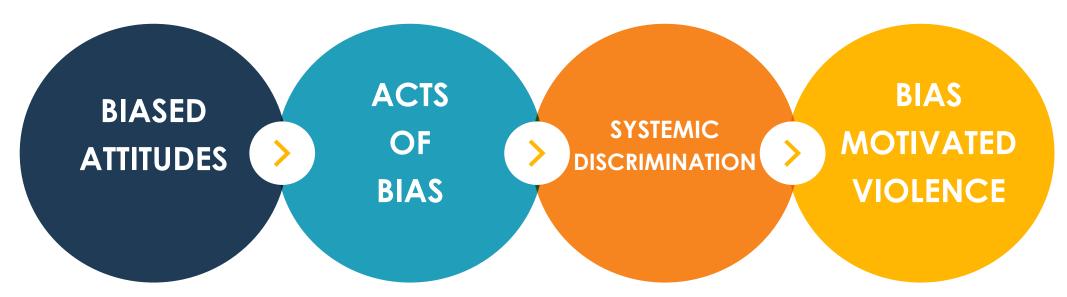
This specific group of crimes includes, but is not limited to, the following:

- Assault
- Battery
- Criminal Damage to Property
- Criminal Trespass
- Cyberstalking

- Misdemeanor Theft
- Disorderly Conduct
- Stalking
- Intimidation

UNDERSTANDING HATE

To better understand the rise in hate crimes and incidents, we must learn how hate is able to escalate from a feeling to an act of violence. This understanding will be used to help target education and outreach that will help prevent discrimination and hate crimes in Illinois.



Includes biased thinking, stereotyping, and fear of difference

- Social media echo chamber (i.e., following only likeminded or people from same identity groups)
- Bias thought patterns
 (e.g., Black=dangerous,
 Latinx=Illegal immigrant)

Includes non-inclusive language, insensitive remarks, use of slurs/ epithets, microaggressions, bullying, and dehumanization

- Dehumanizing names (e.g., "alien" or "illegal" instead of "undocumented")
- Biased jokes (e.g., "dumb blonde" jokes)
- School pranks that are racist and offensive
- Refusing to use a trans or non-binary person's accurate pronoun and name

Includes the denial of justice and fair treament in employment, education, housing, criminal justice, political rights, and media presentation.

- Racial disparaties at every level of the criminal justice system - from arrest to sentencing
- Wage gap for women (especially Black, Latina, and Native American women) compared to men
- Real estate "red-lining" in which lenders refuse to lend money/credit to families of color

Includes vandalism, assault, desecration, arson, threats, terrorism, murder, and rape

- Murder of Ahmaud Arbery
- Assault and attempted murder of gay man in Decatur, Illinois
- Descration of Jewish synagogues in Chicago, Illinois

^{*}Information provided by the Anti-Defamation League.

CONNECTING WITH THE COMMUNITY

Outreach is a central theme of the Commission. Led by the **Committee on Education and Outreach**, the Commission works to partner subject matter experts, stakeholders at the local, state, and federal levels, and law enforcement with everyday Illinoisians to collaborate on the best ways to report, prevent, and respond to hate crimes and incidents of bias. Through public townhall events, essential community conversations are had to help ground the Commission's work in the current experience of the diverse people of Illinois and the diverse types of communities, from rural, to suburban, to metropolitan. These moments of shared space create important opportunities for conversation that allow the commission to hear personal stories and detailed first person accounts that will help us all see beyond the numbers and data, to uncover the unseen core of why and how attitudes of hate are able to grow in frequency and intensity in Illinois and around the US.

2021 TOWNHALLS



Collective
Language,
Reporting Data,
Afghan Crisis &
New Americans

In partnership with the Office of the Illinois Attorney General, the Anti-Defamation League, and RefugeeOne, the inaugural townhall virtually brought together the community to identify the major challenges that victims, nonprofits, and government stakeholders face in their efforts to define, track, and report on hate crimes in America. The conversation focused on the difficulties of data collection and pitfalls in drawing inferences from incomplete data. This was exemplified by the stories of new Illinoisans in the form of displaced residents and asylum seekers from Afghanistan in the wake of the collapse of the Afghan government in the Summer of 2021.



School-Based Bullying & Harassment

As Illinois schools began to reopen for the 2021-2022 academic year following extensive closures due to the COVID-19 pandemic, community organizations, state agencies, and media outlets began to receive an increase in reports of bullying and harassment in and around educational settings. This townhall, with opening remarks from Governor JB Pritzker and State Superintendent of Education Dr. Carmen Ayala, provided a platform for direct testimony from Illinois students who have experienced bullying, amplified shared resources among multiple state agencies and community organizations, and provided guidance on bullying prevention and oversight in Illinois schools.

THE ROOT OF HATE

To stop hate crimes, we must understand hate. Through the creation of the **Committee on Root Causes & Responses**, the Commission began investigating and identifying the root causes of discrimination and hate crimes and examining the current policy responses. Through testimony from expert witnesses from various organizations, the committee identified opportunities for improvement while exploring specific and strategic action items that can help create evidence-based recommendations and change. Each testimony represented a point on the continuum of a hate-based crime and the role individual bias, collective bias, and discrimination play in contributing to the incident, and how we, as a community, react to each situation.

2021 EXPERT TESTIMONIES

1

POST-ORGANIZATIONAL RADICALIZATION & POLICY RESPONSES

Dr. Cynthia Miller-Idriss Professor, Department of Justice, Law & Criminology, American University; Director, Polarization & Extremism Research and Innovation Lab (PERIL)

KEY INSIGHTS: This testimony addressed the recent growth of hate groups which is often tied to demographic changes and immigration. Roughly half of the global incidents in the last 20 years occurred in the US. Online grooming provides hate groups amplified opportunities to radicalize and recruit new members and reach new audiences in record numbers. and is indicative of hate models used around the globe, including a model that deeply interrogates the inequalities in the education system to help students understand equity and social inclusion coupled with extremism prevention.

2

DIVERSITY, EQUITY & INCLUSION: COMMITTEE TRAINING

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

KEY INSIGHTS: A formal professional training on diversity, equity, and inclusion was presented to ensure a shared foundational training for all present and incoming Commissioners, and larger understanding of what training can and should involve for other groups.

3

CONFRONTING WHITE NATIONALISM IN SCHOOLS TOOLKIT

Nora Flanagan English Teacher, Chicago Public Schools (CPS); Commissioner, Illinois Holocaust & Genocide Commission

KEY INSIGHTS: Interrupting the spread of hate and the white nationalist movement led Nora Flanagan, a CPS teacher, to organize with others to create the toolkit for members of school communities to identify and confront white nationalism in the classroom. It addresses the white nationalist movement in schools and provides strategies to counter white nationalist organizing in schools. The toolkit provides actionable items to all school stakeholders, such as students, parents, teachers and school administrators.

4

FREE SPEECH, HATE SPEECH & THE FIRST AMENDMENT

Vikram D. Amar Dean and Iwan Foundation Professor of Law, University of Illinois College of Law

KEY INSIGHTS: The testimony addressed questions related to the intersection of hate speech and hate crime under the under the First Amendment of the U.S. Constitution. Generally, hate speech, in and of itself, is not a criminal act unless it rises to the level of a criminal acts. Criminal activities that are motivated by hate based on race, gender, sexual orientation, religion, or other protected class may result in enhanced penalties. This distinction highlights how the First Amendment interacts with hate speech and hate crime.



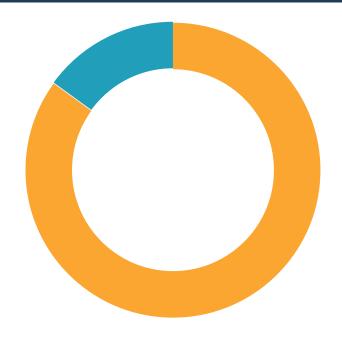
JOINT SUBJECT MATTER HEARING WITH THE ILLINOIS HOLOCAUST & GENOCIDE COMMISSION

Ambassador Michaela Küchler of Germany, Special Representative for Relations with Jewish Organisations, Issues Relating to Antisemitism, International Sinti and Roma Affairs

KEY INSIGHTS: Hate crimes are not just a problem in Illinois and United States, but are a shared global issue. The presentation offered a comparative study of Germany's journey in addressing hate crimes and movements and their present challenges. Open discussion on positive results and continuing challenges in addressing hate.

UNDERREPORTING

The U.S. Department of Justice estimates that the true number of hate crimes exceeds those counted in the national Federal Bureau of Investigation (FBI) statistics by a factor of 25-50. The under reporting highlights key challenges in the laws and regulations concerning hate crimes, including ill-trained law officials, poorly designed laws and regulations that don't address prevention through education, and ignorance of the pervasive nature of hate crimes, that is often perpetuated by an individual, but cultivated by a larger community of hate, prejudice, and bias.



HATE CRIME REPORTING AGENCIES

(Reporting to the FBI)

85% Agencies Reporting 0 Crimes/Incidents 15% Agencies Reporting 1 + Crimes/Incidents

HATE CRIME REPORTING IN 2020

- Hate crime reports came from 15,136 law enforcement agencies, a 3% decline relative to 2019; this is the third straight year of decline in police participation in the HCSA program
- Only 2,267 of the 15,136 agencies that participated in the FBI data collection effort – less than 15% percent – reported one or more hate crimes in 2020
- Every other agency, including at least 60 jurisdictions with populations over 100,000, affirmatively reported zero (0) hate crimes
- At least 10 cities with populations over 100,000 did not report any data to the FBI at all

LAWS & REGULATIONS

The Commission's Committee on Legal & Regulatory Environment worked to aid in the prevention and elimination of hate-based violence by meeting and collaborating with local and global officials to better understand current laws, reporting structures, and those who enforce and respond to hate crime victims, survivors, and the larger targeted communities who deserve redress and justice. The information and stories shared will become the foundation for formulating formal legistlative and regulatory recommendations for the Governor and General Assembly, and better educate policymakers to understand the state, shape, nature, scope, and trends of hate crimes. Key findings include:

TRAINING

A crucial aspect of the current deficiencies in hate crime reporting and response is the way potential cases are handled by law enforcement – from responding officers to detectives to prosecution and sentencing. Law enforcement must be properly trained to identify potential hate crimes, be properly receptive to victims who report them, and assist victims and survivors who may not understand hate crime laws through best-practice investigative techniques.

To that end, the CLRE has begun reviewing current law enforcement training requirements and options in Illinois and considering opportunities for improvement.

REPORTING

Currently, there are myriad ways to report a hate crime to different law enforcement agencies, often with

overlapping jurisdictions. These include: the Illinois Attorney General's office, Illinois State Police, local police departments, county sheriff's departments, and in certain jurisdictions, such as Chicago, other bodies like the Illinois Commission on Human Relations and the Illinois Department of Human Rights.

There is also an extensive system of nongovernmental organizations that receive hate crime incident reports directly from survivors, such as the Anti-Defamation League and Stop AAPI Hate. And there are an unlimited number of other local officials who may also receive reports, such as city alderpersons or state legislators when an incident occurs in their district.

Streamlining our reporting system so that all Illinoisans know when, how, why, and where to report potential hate crimes is a fundamental priority of the CLRE and the Commission, as a whole. Improving the reporting, data processing and analysis, and availability of information related to hate crimes will also be an important step in improving coordination and information-sharing between law enforcement actors.

STATUTES

The Illinois hate crimes statute (720 ILCS 5/12-7.1) offers important protections – both civil and criminal

– for victims of hate crimes in the state. The Illinois legislature has taken recent steps to improve the statute further, for example by adding "citizenship and immigration status" as a protected class to the state hate crime statute.

Nonetheless, speakers and contributors to the CLRE have identified some potential gaps in the statute that can create barriers to reporting and accountability for hate crimes. Issues with the statute that warrant further research, and could lead to possible recommendations, include:

- 1. Expanding the set of protected classes in Illinois to include those who are experiencing homelessness would provide additional protection for a particularly vulnerable population who are targeted for violence because of their status.
- 2. Amending the statute to offer courts greater flexibility in crafting an effective order for probation or conditional discharge when warranted for individuals who commit hate crimes. The current statute requires that when a court orders probation or conditional discharge for an individual who has committed a hate crime, this order must include a condition that the individual must perform at least 200 hours of community service.

GLOSSARY

- **Ableism:** The marginalization and/or oppression of people who have disabilities, including temporary, developmental, physical, psychiatric and/or intellectual disabilities.
- Anti-Bias: An active commitment to challenge bias within oneself, others and institutions.
- **Bias:** An inclination or preference, either for or against an individual or group, that interferes with impartial judgment.
- Bias or Hate Incident: Acts of prejudice that are not crimes and do not involve violence, threats, or property damage.
- **Bullying:** Repeated actions or threats of action directed toward a person by one or more people who have (or are perceived to have) more power or status than their target in order to cause fear, distress or harm.

 Bullying can be physical, verbal, psychological or any combination of these three.
- **Bystander:** Someone who sees bias or bullying happening and does not say or do anything.

- **Discrimination:** The denial of justice, resources and fair treatment of individuals and groups (often based on social identity), through employment, education, housing, banking, political rights, etc.
- **Explicit Bias:** The conscious attitudes, stereotypes and overt intentional actions (positive or negative) toward members of a group merely because of their membership in that group.
- Hate: An extreme dislike for something, someone or a group. Hate that is based on an aspect of someone's identity (e.g., race, religion, sex, gender expression or identity, ability, sexual orientation, etc.) can result in interpersonal bias, discrimination, hate incidents, hate crimes and/or involvement in an organized hate group.
- Hate Crime: At the federal level, a crime motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.
- Identity-Based Bullying: Refers to any form of bullying related to the characteristics considered unique to a person's identity, such as their race, religion, sexual orientation or physical appearance.

- **Prejudice:** A premature judgment or belief formed about a person, group or concept before gaining sufficient knowledge or by selectively disregarding facts.
- Racism: (interim definition): Racism occurs when individuals or institutions show more favorable evaluation or treatment of an individual or group based on race or ethnicity. (Prof. Robert Livingston, The Conversation).
- Segregation: The separation or isolation of a race, class or other group by enforced or voluntary restriction of their access to housing, schools, etc. or by other discriminatory means.
- Sexism: The marginalization and/or oppression of women, based on the belief in a natural order based on sex that privileges men.
- **Stereotype:** An oversimplified generalization about a person or group of people without regard for individual differences.
- **Social Justice:** A set of conditions and principles that ensure every person has equitable economic, political and social rights, access and opportunities.

^{*} Definitions provided by the Anti-Defamation League.

COMMUNITY PARTNERS

Thank you to all of the Illinois community leaders and organizations who have helped the Commission learn and engage with experts, community members, and, most importantly, those who have been affected by discrimination and hate crimes.

Vikram D. Amar University of Illinois

Phil Andrew PAX Group

Lieutenant Heather Apperson Illinois State Police

Dr. Carmen Ayala Illinois State Board of Education

H. Alex Bautista Illinois Department of Human Rights

Boyd Butler Illinois State Police

Nora Flanagan Western States Center Illinois Holocaust & Genocide Commission

Adam Flores
Illinois Department of Human Rights

David Goldenberg Anti-Defamation League Midwest

Kelly Griffith Illinois Law Enforcement Training & Standards Board Julie Justicz Chicago Lawyers' Committee for Civil Rights

Melineh Kano RefugeeOne

Ambassador Michaela Küchler Special Representative for Relations with Jewish Organisations Issues Relating to Antisemitism, International Sinti and Roma Affairs

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Amy Meek Office of the Illinois Attorney General Dr. Cynthia Miller-Idriss American University

Steven Monroy Illinois Department of Human Rights

Joyce Otuwa Office of the Illinois Attorney General

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Dr. Christina Smith
Illinois Department of Human Rights

Lieutenant John Thompson Illinois State Police

Molly Uhe-Edmonds
Illinois State Board of Education





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STAY IN TOUCH











The Commission has developed tools for resident engagement outside of public meetings, including a new comprehensive Commission website at www.illinois.gov/hatecrimes and new social media accounts. This website currently contains meeting agendas, minutes, and videos, including recordings of the 2021 townhalls. Like, follow, and share to learn about upcoming townhalls and how you can participate.