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ATTORNEY GENERAL MADIGAN: ILLINOIS STRENGTHENS HATE CRIMES LAW

New Law Initiated by Madigan Strengthens Hate Crimes Law to Include Use of Technology in Hate Crimes & Allows Victims to Pursue Civil Cause of Action

Chicago — Attorney General Lisa Madigan today announced Illinois is strengthening the state’s hate crimes law. House Bill 3711, initiated by Madigan, was passed by the General Assembly with bipartisan support and signed into law by the governor last week.

Sponsored by state Sen. Omar Aquino and Rep. Litesa Wallace, the law will better protect Illinois residents from escalating incidents of hatred and bias. Madigan initiated the legislation in response to a national increase of crimes motivated by hatred based on religion, race, national origin, gender identity and sexual orientation since the 2016 election. The law adds the crimes of cyberstalking, transmission of obscene messages and certain acts of intimidation to the list of crimes that can be prosecuted as hate crimes to address the increasing use of technology to attack victims. The law also ensures victims of hate crimes are afforded the ability to file a civil cause of action in response to these incidents and permits a judge to impose civil penalties.

“We must take a stand against hate crimes that have increased at alarming levels in our communities,” Madigan said. “Hate crimes against any person or group threaten our democracy, and I am pleased to see Illinois enact stronger laws against horrible acts of hate.”

“As a nation we watched how quickly hate speech can escalate into violence, which is why we must take definitive action to demonstrate that there is absolutely no place in our state for hatred based on race, gender identity, sexual orientation or religion,” Aquino said. “I am proud to represent one of the most diverse areas of our diverse state, and I am proud to see our state taking this step to recognize that our diversity is what makes us strong.”

“We saw the tragic consequences hate can have, and our hearts are still broken by the violence in Charlottesville,” Wallace said. “But in the absence of condemnation from the president’s administration, it is up to the states to send the message that hatred and bigotry absolutely will not be tolerated. I was proud to sponsor this measure that reflects the hearts of Illinois residents.”

Chicago Police Department data shows that hate crimes reached a five-year high in 2016 and are outpacing that level in 2017. The Anti-Defamation League (ADL) also recently released a study showing a dramatic 85 percent increase in anti-Semitic incidents, including assaults, vandalism and harassment, during the first quarter of 2017 compared to the same time period in 2016. The ADL also found that anti-Semitic incidents at non-Jewish elementary, middle and high schools increased 106 percent, and a new anti-Semitic message is posted on social media every 83 seconds.

HB 3711 strengthens the Illinois Hate Crimes Act by:

- **Expanding the reach of protection from hate crimes** to address perpetrators’ increased use of technology to attack victims. The measure adds the existing crimes of stalking, cyberstalking, transmission of obscene messages and portions of the crime of intimidation to the list of crimes that can be prosecuted as hate crimes.
- **Ensuring all victims of hate crimes are afforded a civil remedy.** Offenses such as telephone harassment, harassment through electronic communications or disorderly conduct do not give rise to a civil cause of action under Illinois’ current hate crimes law. HB 3711 closes that gap.
- **Allowing judges to impose a civil penalty** of up to \$25,000 for each violation.
- **Providing the Attorney General with civil enforcement authority.** Illinois would join at least six other states that have similar authority.

In February, Attorney General Madigan convened a summit with civil rights leaders to discuss the impact of federal Executive Orders on the nearly 2 million immigrants who live in Illinois. As part of that summit, Madigan and the civil rights leaders discussed the need to increase protections against hate crimes. Madigan has also called on Governor Rauner to protect Illinois immigrants and refugees from discrimination and hate crimes and to restore the Illinois Hate Crimes Commission.

Attorney General Madigan's [Civil Rights Bureau](#) protects the civil rights of all Illinois residents. The Bureau enforces civil rights laws that prohibit discrimination, works to strengthen the civil rights laws, and participates in community outreach programs. The Bureau also investigates complaints of patterns and practices of discrimination in housing, public accommodations, employment, and financial matters. Attorney General Madigan encourages individuals to contact her office to report instances of discrimination or harassment by calling her Civil Rights Hotline at 1-877-581-3692.

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