

**SUBSTITUTE**  
**ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 2-120-518 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and inserting the language underscored, as follows:

**2-120-518 Hate crimes and hate incidents.**

(a) ~~As used in this section, "hate~~ For purposes of this section, the definitions in Section 6-10-020 of this Code and the following definitions shall apply:

(1) "Graffiti" has the meaning ascribed to that term in Section 7-28-065 of this Code.

(2) "Hate crime" means any action in violation of Section 8-4-020 or 8-4-085 of this Code or of Section 12-7.1 of the Illinois Criminal Code of 2012, 720 ILCS 5/12-7.1.

(3) "Hate incident" means any action that: (A) targets an individual or group based on their actual or perceived race, color, sex, gender identity, age, religion, disability, national origin, ancestry, or sexual orientation; (B) consists of clear and intentional acts of bias, prejudice, or hostility, including but not limited to offensive language, symbols, or threats, that place the targeted individual or group in reasonable apprehension of a hate crime; and (C) is not classified as a criminal offense or as a violation of this Code.

(b) (1) Whenever any Chicago police officer has identified a victim of a possible hate crime or hate incident committed within the city City, the ~~Chicago Police~~ Department of Police shall, to the extent ~~known~~ possible and when consented to by the alleged victim, supply the name, ~~address and telephone number~~ and contact information of the alleged victim to the ~~chair~~ Chair of the ~~Chicago commission on human relations~~ Commission, together with other relevant information concerning the alleged hate crime or hate incident.

(2) The ~~police department~~ Department of Police shall, ~~also~~, on at least a monthly basis, prepare a statistical summary concerning: (A) all criminal acts and ordinance violations committed within the City of Chicago during the previous month that are believed alleged to be hate crimes; and (B) all other incidents reported to the Department of Police that are alleged to be hate incidents. The statistical summary shall include, but is not limited to, aggregate information regarding the total number of hate crimes and hate incidents by community area, bias motivation, type of incident, and disposition, to the extent known. The Department of Police shall make such information available to the public on an online dashboard that is updated on at least a monthly basis. A The Department of Police shall also forward a copy of this the statistical summary shall be forwarded to the Chicago commission on human relations Commission. This The statistical summary shall be in a form approved by the ~~police department~~ Department of Police and the ~~chair~~ Chair of the ~~Chicago commission on human relations~~ Commission.

(c) Whenever the ~~Chicago Police~~ Department of Police has provided information concerning a victim of a possible hate crime or hate incident to the ~~chair~~ Chair of the ~~Chicago commission on human relations~~ Commission, either the ~~chair~~ Chair or a person designated by ~~him~~ the Chair shall make reasonable efforts to contact the victim for the purpose of offering to

help the victim together with the ~~police department~~ Department of Police, prosecutors, and any other ~~interested agencies~~ relevant entities.

(d) The ~~Chicago Police~~ Department of Police shall train both full-time and part-time new recruits and veteran personnel on an ongoing basis on the subject of hate crimes and hate incidents. The Department of Police shall ensure that officers receive in-service training on methods, strategies, and techniques for recognizing and responding to hate crimes and hate incidents, including procedures for processing reports and complaints made to the Department of Police, the Commission, and the Office of Emergency Management and Communications.

(e) (1) The ~~chair of the Chicago commission on human relations~~ Department of Police shall keep and compile statistics on hate crimes and hate incidents. The Commission shall evaluate the statistics provided by the Department of Police to determine if such hate crimes and hate incidents are part of a pattern or if, are due to hate or hate-based tensions in the area where the hate crime or hate incident was committed, further hate crimes or escalations of tensions are likely to occur if remedial action is not taken. The chair shall present the findings of his report to the Chicago Police Department.

(2) Before July 1 of each year, the Commission shall make available to members of the public and present to the City Council Joint Committee on Public Safety and Health and Human Relations an annual report summarizing its work in addressing hate crimes and hate incidents. The annual report shall also include, but is not limited to:

(A) the total number of hate crimes and hate incidents organized by community area, bias motivation, type of incident, and disposition, to the extent known;

(B) an overview of hate crimes and hate incidents from local, regional, and national perspectives;

(C) an overview of the Commission's activities regarding hate crimes and hate incidents in the previous year; and

(D) any findings and recommendations to reduce or eliminate hate crimes and hate incidents, which may include an evaluation of the effectiveness of City policies and procedures in ensuring: (i) hate crimes and hate incidents are comprehensively investigated, tracked, and reported; and (ii) survivors of hate crimes and hate incidents receive the assistance of City agencies, as appropriate.

(f) Upon recommendation of the ~~chair~~ Chair, the ~~Chicago commission on human relations~~ Commission may call a hearing to address only perceived patterns of hate crimes, hate incidents, or hate-based tensions. The ~~commission~~ Commission may employ a hearing examiner and other employees necessary for such purpose. For the purpose of such hearing, the ~~commission on human relations~~ Commission may:

(1) Receive evidence and hear testimony related to patterns of hate crimes, hate incidents, and hate-based tensions; provided, however, that the ~~commission~~ Commission will not invite or suggest the attendance of a victim of or a witness to any matter in which there is an ongoing criminal investigation or prosecution, including any appeal or retrial;

(2) Issue and enforce subpoenas pursuant to Section 2-120-510 of this Code to compel the attendance of witnesses and the production of evidence relevant to the matter in question; provided, however, that no subpoena shall be issued to compel the attendance of a victim of or witness to any matter in which there is an ongoing criminal investigation or prosecution, including any appeal or retrial; and

(3) Issue findings and recommendations concerning ways in which hate crimes, hate incidents, and hate-based tensions can be reduced in the affected area.

The ~~commission on human relations~~ Commission shall conduct such a hearing, and issue and enforce any subpoena, in a manner that will avoid interference with any ongoing criminal investigation or prosecution.

(g) The ~~Chicago commission on human relations~~ Commission is hereby authorized to develop, ~~and~~ initiate, and partner with organizations to provide and connect residents with educational and other programs, and services, designed to reduce hate-based tensions and the incidence of hate crimes and hate incidents, either in particular areas or on a citywide basis.

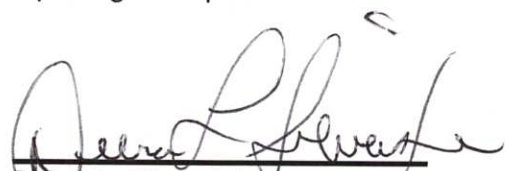
(h) (1) The Office of Emergency Management and Communications shall establish a standardized intake system for members of the public to report hate crimes and hate incidents through 311 City Services to facilitate the City's accounting, management, and reporting of hate incidents. The system shall collect information regarding alleged hate crimes and hate incidents and provide users with the option to request service from an appropriate entity, including law enforcement.

(2) The Office of Emergency Management and Communications shall make available to members of the public a graffiti removal request submission process through 311 City Services that allows users to identify whether they believe the graffiti constitutes a hate crime or hate incident with appropriate documentation.

(i) Nothing required to be made publicly available under this section shall be made publicly available in a manner that: (1) reveals personally identifiable information of a person involved in a hate crime or hate incident; (2) inhibits or interferes with the ability of the Department of Police to pursue criminal investigations; or (3) inhibits or interferes with an ongoing criminal prosecution.

(j) Nothing in this section shall be construed to prohibit, restrict, or authorize the imposition of a penalty against any act or expression that is protected under the Constitution of the United States or the Constitution of the State of Illinois.

**SECTION 2.** This ordinance shall take effect upon its passage and publication.

  
Debra L. Silverstein  
Alderman, 50th Ward