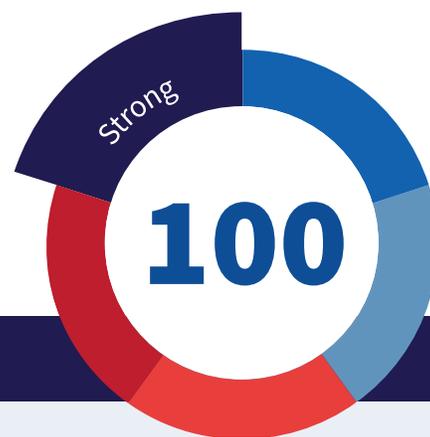


ILLINOIS

Total population: 12,801,539
Rank of Arab American population by state: 6



3 anti-Arab hate crime incidents were reported in IL in 2016.

Illinois is the 5th most populated state and has the 6th largest Arab American population.

The Illinois State Police is the state agency responsible for the collection and publication of hate crime data. According to the ISP, there were three anti-Arab hate crime incidents reported throughout Illinois in 2016.

HATE CRIME STATUTE

720 Ill. Comp. Stat. § 5/12-7.1 provides enhanced penalties for crimes motivated by an individual's or group of individual's "actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin."¹

In this context, sexual orientation is defined so as to include a person's actual or perceived "gender-related identity, whether or not traditionally associated with the person's designated sex at birth."²

Pursuant to 730 Ill. Comp. Stat. § 5/5-5-3.2, whether a defendant committed an offense against a person with a physical disability or their property, against a person over 60 years old or their property, or "by reason of another individual's actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin," may be considered an aggravating factor in sentencing.³

DATA COLLECTION STATUTE

50 Ill. Comp. Stat. § 709/5-12 requires law enforcement agencies to submit a monthly report of "incident-based information on hate crimes including information describing the offense, location of the offense, type of victim, offender, and bias motivation" to the Department of State Police.⁴ Pursuant to this section, the ISP is required to publish annual compilations of crime statistics, including hate crime.⁵

LAW ENFORCEMENT TRAINING STATUTE

20 Ill. Comp. Stat. § 2605-390 requires the Department of State Police to "provide training for State Police officers in identifying, responding to, and reporting all hate crimes."⁶ The Illinois Law Enforcement Training Standards Board is responsible for the development and certification of hate crime training.⁷

ILLINOIS	
Hate Crime Statute 	40/40
No statute; civil action or civil rights law	-
Hate crime statute, with protections for:	10
Race/ethnicity/ancestry	5
Religion	5
Sexual orientation	5
Disability	5
Gender	5
Gender identity	5
Data Collection Statute 	15/15
Data collection (voluntary reporting)	-
Mandatory reporting and data collection	15
Law Enforcement Training Statute 	15/15
No statute; comprehensive training	-
Mandatory training	15
Annual Hate Crime Report 	20/20
Annual hate crime report, including:	10
Anti-Arab hate crime statistics	5
Anti-Islamic (Muslim) hate crime statistics	5
FBI Hate Crime Statistics Participant 	10/10
TOTAL	100

¹ 720 Ill. Comp. Stat. § 5/12-7.1 (JUSTIA 2017), available at <https://law.justia.com/codes/illinois/2017/chapter-720/act-720-ilcs-5/title-iii>.

² 775 Ill. Comp. Stat. § 5/103(O-1) (JUSTIA 2017), available at <https://law.justia.com/codes/illinois/2017/chapter-775/act-775-ilcs-5/article-1>.

³ 730 Ill. Comp. Stat. § 5/5-5-3.2 (JUSTIA 2017), available at <https://law.justia.com/codes/illinois/2017/chapter-730/act-730-ilcs-5/chapter-v>.

⁴ 50 Ill. Comp. Stat. § 709/5-12 (JUSTIA 2017), available at <https://law.justia.com/codes/illinois/2017/chapter-50/act-50-ilcs-709/article-5>.

⁵ *Id.*

⁶ 20 Ill. Comp. Stat. § 2605-390 (JUSTIA 2017), available at <https://law.justia.com/codes/illinois/2017/chapter-20/act-20-ilcs-2605/article-2605>.

⁷ *Id.*

DATA COLLECTION & STATISTICS

In accordance with 20 Ill. Comp. Stat. § 2630/8, the ISP publishes an annual report on statewide hate crime statistics, including hate crime. Hate crime statistics were first provided in the 1996 edition of *Crime in Illinois*.⁸ The 1997-2015 editions of *Crime in Illinois* can be found on the ISP website.⁹ The ISP provided anti-Arab and anti-Islamic (Muslim) hate crime data for 2016.

ANNUAL STATEWIDE HATE CRIME REPORT



State-level hate crime statistics published by the ISP include data on anti-Arab and anti-Islamic (Muslim) hate crime. The ISP tabulates hate crime data according to the number of offenses per disaggregated bias motivation category.

- ### ANTI-ARAB HATE CRIME STATISTICS

Anti-Arab hate crime statistics are provided in the 1996-2011 and 2015-2016 editions of *Crime in Illinois*. From 2000 to 2001 there was a significant increase of reported anti-Arab hate crime offenses. According to the ISP, 3 anti-Arab hate crime offenses were reported in Illinois in 2016.

ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS

Anti-Islamic (Muslim) hate crime statistics are provided in the 1996-2016 editions of *Crime in Illinois*. From 2000 to 2001 there was a significant increase of reported anti-Islamic (Muslim) hate crime offenses. According to the ISP, 5 anti-Islamic (Muslim) hate crime offenses were reported in Illinois in 2016.

UNIFORM CRIME REPORTING (UCR)

By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.¹⁰ This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Illinois UCR program is one of 15 state programs that still rely exclusively on SRS data.¹¹ In 2016, the ISP received a grant of \$801,741 to “develop NIBRS-compliant software to enable it to serve as the NIBRS repository.”¹² A portion of the funds were allocated to individual police departments within the state. The grant was made through the National Crime Statistics Exchange (NCS-X) Initiative.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT

Illinois State Police
801 South Seventh Street, 300 South
Springfield, Illinois 62703-2487
(217) 557-6482
www.isp.state.il.us

CRIME IN ILLINOIS HATE CRIME OFFENSES (2000-2016)

Bias motivation	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	'16
Anti-Arab	9	49	7	21	9	2	6	1	0	1	0	0	-	-	-	4	3
Anti-Islamic (Muslim)	0	10	3	5	7	1	4	1	1	2	8	4	2	0	4	2	5
Anti-other race/ethnicity/ancestry	10	17	2	5	7	1	3	9	4	3	7	6	10	4	9	0	-

According to supplemental data from the FBI, 3 anti-Arab and 5 anti-Islamic (Muslim) hate crime incidents, each involving a single offense, were reported in Illinois in 2016. This total is consistent with ISP statistics, which are offense-based. Illinois law enforcement agencies submit hate crime data to the FBI UCR Program through the ISP.

FBI HATE CRIME STATISTICS (2015-2016)

Bias motivation	'15	'16
Anti-Arab	4	3
Anti-Islamic (Muslim)	2	5

⁸ Illinois State Police, *Crime in Illinois 1996* (Apr. 11, 1997), available at https://archive.org/stream/crimeinillinois1996illi/crimeinillinois1996illi_djvu.txt.

⁹ Illinois State Police, *Uniform Crime Reports* (last updated May 1, 2018), <http://www.isp.state.il.us/crime/ucrhome.cfm>.

¹⁰ CJIS Div., Fed. Bureau of Investigation, *SRS to NIBRS: The Path to Better UCR Data*, <https://www.fbi.gov/services/cjis/cjis-link/srs-to-nibrs-the-path-to-better-ucr-data>.

¹¹ Bureau of Justice Statistics, U.S. Dep't of Justice, *2017 NCS-X Estimation Project* (Jul. 27, 2017), available at <https://www.bjs.gov/content/pub/pdf/17ncsxp.pdf>.

¹² Bureau of Justice Statistics, U.S. Dep't of Justice, *Justice Statistics Improvement Program*, <https://www.bjs.gov/content/nibrs2.cfm>.

FBI HATE CRIME STATISTICS

Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."¹³

Since 1993, the FBI UCR Program has published the annual report, *Hate Crime Statistics*, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.¹⁴



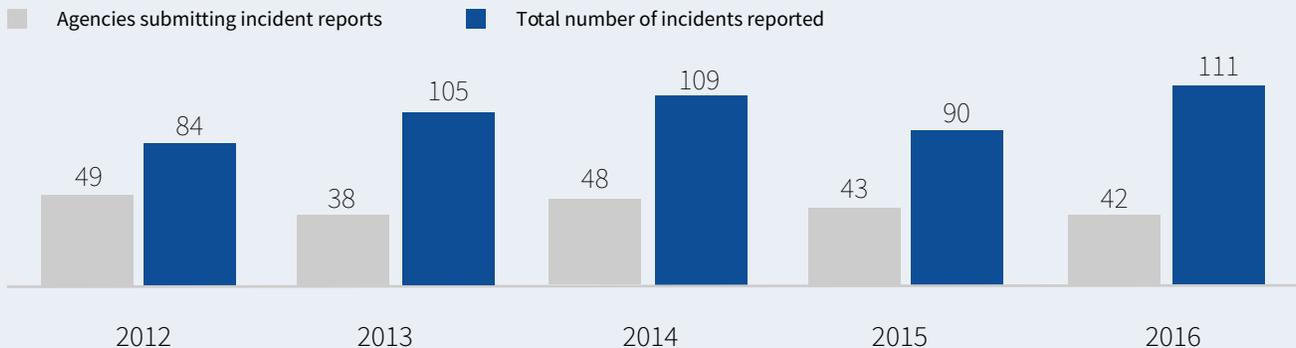
FBI HATE CRIME STATISTICS PARTICIPANT

Law enforcement agencies in Illinois submit hate crime data to the FBI UCR Program through the ISP. According to the FBI UCR Program's annual report, *Hate Crime Statistics*, 111 hate crime incidents were reported in Illinois in 2016.

In 2016, 42 of the 738 Illinois law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. A total of 2 agencies representing populations greater than 100,000 submitted only zero data.

The ISP has not released 2016 hate crime statistics. However, discrepancies occur between state and federal hate crime statistics for 2012-2015. According to annual hate crime statistics published by the ISP, 160 hate crime offenses were reported in Illinois in 2012. This total conflicts with the FBI UCR Program's annual report, *Hate Crime Statistics, 2012*, which recorded 101 offenses in total.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

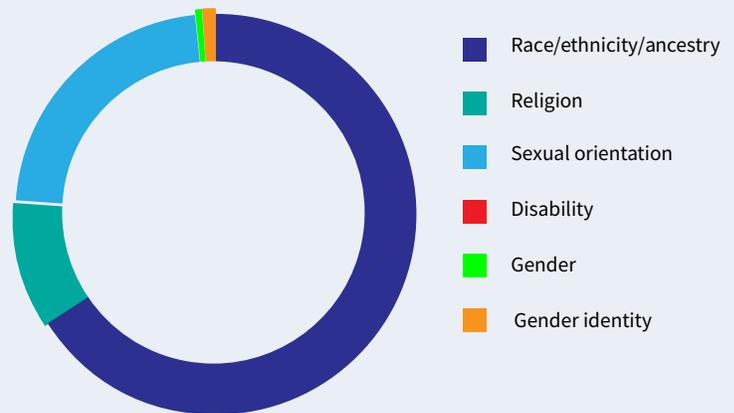


SUMMARY

Illinois has an inclusive hate crime statute. Furthermore, Illinois has statutes that require reporting, data collection, and specific law enforcement training on hate crime. The Illinois State Police maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of *Crime in Illinois* can be found on the ISP website and include both anti-Arab and anti-Islamic (Muslim) hate crime statistics. In 2016, 42 Illinois law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 696 participating agencies provided only zero data. A total of 28 participating agencies recorded blank data in at least one quarterly submission period. Illinois receives an overall score of 100 points, denoting a strong response to hate crime.

FBI HATE CRIME STATISTICS: ILLINOIS 2012-2016

Incidents per bias motivation	2012	2013	2014	2015	2016	Total
Race/ethnicity/ancestry	59	69	69	59	73	329
Religion	6	7	14	12	13	52
Sexual orientation	19	29	26	16	21	111
Disability	0	0	0	0	0	0
Gender	-	0	0	1	1	2
Gender identity	-	0	0	2	3	5
Total	84	105	109	90	111	499



¹³ 28 U.S.C. § 534 (JUSTIA 2016), available at <https://law.justia.com/codes/us/2016/title-28/part-ii/chapter-33/sec.-534>.

¹⁴ Uniform Crime Reporting Program, Fed. Bureau of Investigation, Data Quality Guidelines, https://ucr.fbi.gov/data_quality_guidelines.

ADVOCACY RESOURCES - Illinois

IMPROVING THE RESPONSE

Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.
2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI's annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS

According to our rating methodology, Illinois receives an overall score of 100, denoting a strong response to hate crime. Some room for improvement remains. Advocates for an improved response to hate crime in Illinois should promote the following:

1. The current Illinois hate crime statute offers protections for race, color, creed, religion, ancestry, gender or gender identity, sexual orientation, physical or mental disability, and national origin. **The Illinois hate crime statute should be amended** to include protections for citizenship status, ethnicity, homelessness, or association with a person or group with one of these actual or perceived characteristics.
2. Illinois must transition to the National Incident-Based Reporting System to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through the NIBRS.

STATE CONTACTS

Advocates for an improved response to hate crime in Illinois should contact current state legislators and members of Congress.

Illinois General Assembly

Senate: <http://www.ilga.gov/senate>

House: <http://www.ilga.gov/house>

United States Senate

Contact: Illinois

<https://www.senate.gov/senators/contact>

United States House of Representatives

Directory of Representatives: Illinois

<https://www.house.gov/representatives#state-illinois>