



OFFICE OF THE MAYOR
CITY OF CHICAGO

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CONTACT:

Mayor's Press Office

312.744.3334

press@cityofchicago.org

**MAYOR EMANUEL INTRODUCES NEW AMENDMENTS TO FIGHT DISCRIMINATION AND
STRENGTHEN THE CHICAGO HUMAN RIGHTS ORDINANCE**

Changes would include specific addition of punitive damages, fines for frivolous complaints, and increased fines for violations

Mayor Rahm Emanuel introduced new amendments to the city's Human Rights and Fair Housing Ordinances. One of the added provisions will provide statutory authority for the Chicago Commission on Human Relations to award punitive damages in cases of discrimination where the individual or entity was found to have acted maliciously or in reckless disregard of a person's rights.

"This amendment will make it clear to all parties in cases filed with the Commission that the city does have the authority to award punitive damages," stated Mayor Emanuel. He added, "Punitive damages are an important tool to address blatant discrimination where the offender has acted in reckless disregard of the law. They serve as strong deterrent to discrimination."

The ordinances prohibit discrimination in housing, employment, public accommodation, and credit based on 15 protected classes: race, sex, color, sexual orientation, ancestry, gender identity, national origin, marital status, religion, parental status, disability, military discharge status, age (over 40), source of income, and credit history (employment only).

A recent court decision by the Illinois Supreme Court involving the Cook County Commission on Human Rights, whose ordinance mirrors the Chicago Human Rights Ordinance, found that the county had no authority to award punitive damages since statutory authority to do so was not specifically granted in the Cook County Human Rights Ordinance. The decision specifically mentioned that such statutory authority was also lacking in the Chicago Human Rights Ordinance as well, bringing into question the Chicago Commission on Human Relations authority to award punitive damages in future decisions.

In addition to the punitive damages provision, another change would allow the Commission to issue fines for the filing of frivolous discrimination complaints. Complaints will be deemed frivolous if the Commission concludes, based on objective facts, that a complaint is clearly frivolous, vexatious, or



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brought primarily for the purposes of harassment. The fines for filing frivolous complaints will range from \$250 - \$1,000 per occurrence.

“Frivolous complaints are an abuse of the civil rights laws of our city which were carefully and thoughtfully created to prevent and punish acts of discrimination which impact the public’s opportunities to obtain housing, jobs, credit, and access public places and services,” said Commissioner Mona Noriega. “These complaints serve to harass others and waste valuable city resources expended to investigate them.”

To further enhance the enforcement powers of the Commission, the Mayor also proposed an increase in the level of fines payable to the city from a maximum of \$500 per occurrence to \$1,000. In addition to fines, the Commission may also award compensatory damages, injunctive relief, and attorney’s fees for acts of discrimination. This would be the first increase in these fines in more than 20 years.

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