

Governor Rod Blagojevich
James R. Thompson Center, Suite 16-100
100 West Randolph
Chicago, IL 60601

Re: Senate Bill 1467

Dear Governor Blagojevich:

The ACLU of Illinois urges your support of Senate Bill 1467. The bill amends the Civil Rights Act of 2003¹ by prohibiting discrimination by government on the basis of gender. Presently, only race, color and national origin are protected under the Act.

Senate Bill 1467 is necessary due to the increasing difficulty for victims in gaining relief in federal court due primarily to a series of restrictive doctrines that have limited the scope and enforcement of federal civil rights. Senate 1467 presents a solution to this problem via a system of parallel enforcement by allowing claims against government discrimination in either federal or state court.

Senate Bill 1467 prohibits not only governmental policies that intentionally discriminate, but also those that have a disparate impact based on gender. This doctrine of disparate impact is a well-settled feature of the employment component of the Illinois Human Rights Act² and a key provision of the Illinois Civil Rights Act of 2003.

Governmental programs that deny equal services based upon an individual's gender are clearly unacceptable. Senate Bill 1467, in keeping with the underlying Civil Rights Act of 2003, facilitates private enforcement of civil rights, allowing victims of discrimination with inadequate resources to redress violations of their basic civil rights by allowing an award of attorney fees to prevailing parties.

For these reasons we ask you to sign Senate Bill 1467 into law. Thank you in advance for your consideration of our views.

Very truly yours,

Mary E. Dixon

¹ 740 ILCS 23

² See 775 ILCS 5/2-102(a); Peyton v. Department of Human Rights, 298 Ill. App. 3d 1100 (4th Dist. 1998); Board of Trustees v. Knight, 163 Ill. App. 3d 289 (5th Dist. 1987).

