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IDHR and Illinois Office to Prevent and End Homelessness Issue Letter Safeguarding Civil Rights for Persons Experiencing Homelessness

The letter reminds Illinois public officials that ordinances cannot unduly restrict access to public spaces in a discriminatory manner, and offers resources and guidance

CHICAGO – Today, the Illinois Department of Human Rights (IDHR) Director Jim Bennett and the Illinois Office to Prevent and End Homelessness (OPEH) issued a [letter](#) to remind public officials and local units of government of their obligations under the Illinois Human Rights Act (IHRA), the Illinois Civil Rights Act of 2003, and the Bill of Rights for the Homeless Act (BRHA).

The letter was issued following the recent U.S. Supreme Court opinion addressing laws that regulate camping and other sleeping activities on public property. It reinforces that Illinois law requires the administration of access to public spaces in a non-discriminatory manner, including to persons who may be seeking shelter. While most localities have not changed their approach of providing care and compassion to people experiencing homelessness, several units of local government have enacted or are considering enacting ordinances that may restrict access to public spaces by creating penalties, fines and, in some instances, providing for the incarceration of persons experiencing homelessness.

“No one should be denied access to Illinois public spaces because they lack housing,” said **IDHR Director Jim Bennett**. “We encourage local public officials to take proactive steps to eliminate discriminatory barriers and create inclusive environments that reflect our state’s commitment to protect the right to live free from discrimination, in every aspect of life.”

“In the last 15 months, at least 25 Illinois communities have passed ordinances criminalizing unsheltered homelessness. These approaches lead to increased isolation, additional barriers to housing and unnecessary cycles of incarceration,” said **Chief Homelessness Officer Christine Haley**. “It is more important than ever that local and state policy recognizes the civil rights of all Illinois residents. The Illinois Office to Prevent and End Homelessness looks forward to partnering with local communities in pursuit of an Illinois where all people have a safe place to call home.”

Restrictive ordinances may discriminate against people on the basis of their housing state, which violates the BRHA. These ordinances may also disproportionately impact

people who are protected by civil rights law based on their race, color, sex, national origin, sexual orientation, gender identity, and disabilities, among other categories.

IDHR's and OPEH's letter explains the following obligations that govern the execution of local public officials' responsibilities and duties:

- Under the BRHA, persons experiencing homelessness have the right to equal treatment by all State and municipal agencies, without discrimination on the basis of housing status.
- Under the IHRA, no person may deprive another of the full and equal enjoyment of a place of public accommodation based on actual or perceived protected characteristics. Public officials are specifically prohibited from denying or refusing the full and equal enjoyment of facilities and services under their care.
- Public officials may not infringe on the constitutional rights of those who seek to use public spaces by, for example, denying equal protection, due process, or First Amendment rights to indigent persons or persons experiencing homelessness.

Public officials are encouraged to review the broad protections for persons experiencing homelessness and be mindful of enacting and enforcing ordinances that may give rise to legal action.

For questions regarding the Illinois Human Rights Act or IDHR's rules and regulations, call (312) 814-6262 or complete the [Contact IDHR online form](#).

For questions regarding the Bill of Rights for the Homeless Act (BRHA), call (312) 793-1533 or email homeless.office@illinois.gov.

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About the Illinois Department of Human Rights (IDHR)

The Illinois Department of Human Rights (IDHR) enforces the [Illinois Human Rights Act](#), which prohibits discrimination in connection with employment opportunities, housing and real estate transactions, access to financial credit, and the availability of public services and public accommodations, including educational institutions. Any Illinoisan who believes they have been a victim of discrimination can file a complaint with IDHR within 2 years of the date of the incident or within one year of a housing violation. To file a complaint with IDHR, call (877) 236-7703 or 7-1-1 for *TTY users or [visit dhr.illinois.gov/filing-a-charge](#).

To learn more, download our [media kit](#) and follow IDHR on [Facebook](#), [X/Twitter](#), [Instagram](#), [Bluesky](#), and [LinkedIn](#).

About Illinois Office to Prevent and End Homelessness (OPEH)

The Illinois Office to Prevent and End Homelessness (OPEH) is a Statewide Office led by Illinois' Chief Homelessness Officer. OPEH works to lead and coordinate State of

Illinois agency strategies and investments and partner with the community to build a strong safety net and permanent housing for Illinoisans facing homelessness and housing insecurity. To learn more about OPEH, visit endhomelessness.illinois.gov. Contact OPEH by email at homeless.office@illinois.gov, or by calling (312) 793-2922 for general questions and technical assistance.