



Ald. Matt O'Shea (19th) supports the tax, saying domestic violence is a serious problem in the city. | Sun-Times file photo

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Protecting violence victims collides with keeping businesses in check

By Fran Spielman | Sept 27, 2017, 8:39pm CDT

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An ordinance aimed at protecting domestic violence victims was derailed Wednesday amid concerns it would wipe out tools Chicago aldermen want to go after problem businesses.

The Committee on Public Safety took no vote on the measure demanded by domestic violence victims and the American Civil Liberties Union because aldermen fear the rule changes go too far.

The stalled ordinance introduced by Ald. Matt O'Shea (19th) was precipitated by a recent change in state law, which forbids municipalities from suspending or revoking the license of a business where incidents of domestic violence on the premises are reported.

The new ordinance eliminates all kinds of crimes — from gang and narcotics-related loitering to prostitution, illegal gambling and firearms violations — that could be used to declare a place a “chronic illegal activity premises.”

“We're all in agreement that we don't want to penalize the tenant or landlord for a call for domestic violence — or a business, a salon or something like that,” Far North Side Ald. Harry Osterman (48th) said.

“Our issue is that we don't want to throw the baby out with the bathwater. And we don't want to take away tools. If the ACLU or someone wants to sue us, let [them] sue us.”

South Side Ald. Pat Dowell (3rd) noted the ordinance being amended has been used to go after establishments where shootings and even homicides have taken place.

“I'm concerned that I'm losing tools that I might be able to use to close down a problem business in my ward,” she said.

Senior Assistant Corporation Counsel Steven McKenzie said the state law was a reaction to what's going on in some suburbs that have licenses for rental properties that can be suspended or revoked after “a call for service for anything.”

“Those owners would then be faced with, ‘Do I lose my ability to rent my property or do I have to go and forcibly evict the tenant who is the victim of domestic violence in order to satisfy a code compliance case?’” McKenzie said.

That wasn't a problem in Chicago, McKenzie said. “We don't do that. We don't condone that.”

O'Shea was concerned bar owners or hair stylists might be discouraged from reporting incidents of domestic abuse for fear of putting their licenses in jeopardy.

The American Civil Liberties Union also wanted the city's ordinance amended to coincide with state law.

"The ACLU and the Shriver Center have sort of been in polite contact, saying, 'When are you gonna make this change?' And we're saying 'Bear with us,'" Chief Assistant Corporation Counsel Jeff Levine said.

None of that mattered to members of the City Council's Committee on Public Safety. Their primary concern was to preserve ways to go after problem taverns, convenience and packaged-good stores that become a magnet for crime.

Before the next meeting, Levine and McKenzie hope to convince aldermen hypersensitive to headlines generated by the Bottled Blonde that the tools they need remain in place.

The maligned **River North restaurant and bar** at 504 N. Wells St. has caught flak over a lengthy dress code that is viewed by many as racist and classist. It also has faced a flood of complaints about noise, litter and drunken patrons.

Calls about illegal activity in and around licensed businesses aren't used as the basis to suspend or revoke a city license. They're merely used as the "smoke" to investigate and determine whether there is a "fire," Levine said.

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