



## OFFICE OF THE CITY COUNCIL

COUNCIL MEMBER JIMMY PELUSO  
DISTRICT 7  
OFFICE (904) 255-5207  
FAX (904) 255-5230

Suite 425, City Hall  
117 WEST DUVAL STREET  
JACKSONVILLE, FL 32202  
E-MAIL: JPELUSO@COJ.NET

### Hate Crimes in Jacksonville, Florida

In the wake of the racially motivated shootings on King's Road on August 26, 2023, Jacksonville has seen a troubling rise in racially and ethnically motivated incidents targeting various communities. This disturbing trend focuses the urgent need for vigilance and stronger legal deterrents against hate crimes. Hate of any type should not be tolerated in Jacksonville, and it is imperative that the community unites to combat these divisive actions. Local authorities and organizations are urged to implement more robust measures to prevent hate crimes and promote inclusivity, ensuring that Jacksonville remains a safe and welcoming city for all its residents.

Significant incidents include:

- January 2023: Antisemitic flyers distributed in the Mandarin area (Boylan - 6)
- December 2022: Threats by a hate group against a holiday drag show in the St. Nicholas neighborhood (Carlucci - 5)
- November 2022: Antisemitic language and a Nazi salute reported on I-10 at Chaffee Rd S (White - 12)
- October 2022: Antisemitic message projected during the Georgia-Florida game (Peluso - 7)
- August 2022: Antisemitic flyers distributed in the Lake Pointe neighborhood (Lahnen - 3)
- June 2022: Hate speech targeting a same-sex couple thrown onto driveways in the St. Nicholas neighborhood (Carlucci - 5)
- December 2017: JSO and FBI prevented a mass shooting at a Jacksonville Mosque (Carrico - 4)
- May 2010: Pipe bomb attack on The Islamic Center of Northeast Florida (Carrico - 4)

In response to various ordinance violations, Jacksonville will allow judges another tool, the ability to implement enhanced legal penalties to ensure community safety and prevention. These enhancements include:

Chapter 368 (Noise Control), Chapter 614.103 (Public Order and Safety), Chapter 656 (Zoning Code – Unlawful Signs), and 741.107 (Violation of Zero Tolerance for Litter Law): A person found guilty of a specified ordinance violation may face:

- A fine of up to five hundred dollars
- Up to ninety days in jail
- Both fines and jail time

These measures emphasize Jacksonville's commitment to maintaining a safe and inclusive community for all its residents and emphasize the seriousness with which the city addresses violations that threaten public order and safety.

## **2024-0334 Amendments**

### **Council Member Dr. Rahman Johnson Amendment:**

"WHEREAS, this action, to be known as Johnnie Mae's Law in honor of the life and untimely death of Mrs. Johnnie Mae Chappell, a house cleaner, wife and mother of 10 children who was the first person in modern recorded history to murdered by racists on the evening of March 23, 1964 in Jacksonville as she made her way home from work on US Highway 1 with groceries in hand during race riots in the city, her death initially went unsolved for months before her one of her assassins was eventually tried and convicted serving only three years in prison due to proven malfeasance of evidence and her family never received true redress for the loss of their loved one; and"

### **Council Member Michael Boylan Amendment:**

"If the violation was committed with the primary purpose of expressing ~~or attempting to promote~~, animosity, hostility or malice against a person or persons (delete: or against add: so as to endanger a person, persons) or the property of a person or persons because of race, color, religion, sex, sexual orientation, gender, identity, marital status, national origin, age or disability, the fine and jail penalties authorized herein may be enhanced up to triple the assessed fine and/or jail penalty."

Rational: Deleting "attempt" eliminates it from becoming a judgement issue for those who will rule on such violations. By adding "so as to endanger" raises the bar considerably, to emphasize the point that there's no excuse for threatening to harm someone's person or property or for inciting violence.

**Council Member Johnson - Proposed Amendment**

Introduced by Council Members Peluso, Carlucci, Gaffney, Jr.,  
Pittman, Clark-Murray and Johnson:

**ORDINANCE 2024-334**

AN ORDINANCE AMENDING SECTION 368.301  
(VIOLATIONS AND CRIMINAL PENALTIES), PART 3  
(ENFORCEMENT), CHAPTER 368 (NOISE CONTROL),  
ORDINANCE CODE, SECTION 614.103 (RESERVED),  
CHAPTER 614 (PUBLIC ORDER AND SAFETY), ORDINANCE  
CODE, SECTION 632.101 (CLASSES OF OFFENSES),  
CHAPTER 632 (PENALTIES), ORDINANCE CODE, SECTION  
656.1309 (UNLAWFUL SIGN MESSAGES), PART 13 (SIGN  
REGULATIONS), CHAPTER 656 (ZONING CODE),  
ORDINANCE CODE, AND SECTION 741.107 (VIOLATIONS  
AND CRIMINAL PENALTIES), PART 3 (ENFORCEMENT),  
CHAPTER 741 (ZERO TOLERANCE ON LITTER),  
ORDINANCE CODE, TO ENHANCE CIVIL AND CRIMINAL  
PENALTIES FOR VIOLATIONS OF CITY CODES WHEN SUCH  
VIOLATIONS WERE MOTIVATED BY HATE; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR CODIFICATION  
INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, in response to a dramatic increase in hate crimes across  
the country and state, in November 2023 the FBI and several Northeast  
Florida law enforcement agencies initiated the United Against Hate  
campaign to raise awareness and announce an aggressive response to  
crimes motivated by hatred toward an individual or entity because of  
their race, ethnicity, religion, sexual orientation, gender identity,  
disability or national origin; and

**WHEREAS**, between 2020 and 2022, there has been massive increase

1 in hate crimes investigated and prosecuted in Florida, several of  
2 which have been investigated by the FBI, the Jacksonville Sheriff's  
3 Office and the Jacksonville Aviation Authority; and

4 **WHEREAS**, between 2020 and 2022, the Jacksonville Sheriff's  
5 Office reported 24 hate crimes to the FBI's Uniform Crime Reporting  
6 Program; and

7 **WHEREAS**, use of Nazi symbols has been present in communities  
8 with large Jewish populations in Jacksonville over the past few years;  
9 and

10 **WHEREAS**, a Clay County resident wrote a detailed diary of his  
11 intention to murder Black men, women, and children, resulting in the  
12 horrific shooting and murders of Angela Michelle Carr; Jerrald  
13 De'Shaun Gallion; and Anolt Joseph "AJ" Laguerre Jr., on August 26,  
14 2023 at the Dollar General located in the historically black New Town  
15 neighborhood of Jacksonville; and

16 **WHEREAS**, the federal and Florida governments have previously  
17 responded to hate crimes by enhancing criminal penalties when those  
18 crimes were demonstrated to be motivated by hate; and

19 **WHEREAS**, this legislation shall be known as "Johnnie Mae's Law"  
20 in honor of the life and untimely death of Mrs. Johnnie Mae Chappell,  
21 a house cleaner, wife and mother of ten children who was the first  
22 person in modern recorded history to be murdered by racists on the  
23 evening of March 23, 1964 in Jacksonville as she made her way home  
24 from work on U.S. Highway 1 with groceries in hand during race riots  
25 in the city; her death initially went unsolved for months before one  
26 of her assassins was eventually tried and convicted, serving only  
27 three years in prison due to proven malfeasance of evidence and her  
28 family never received true redress for the loss of their loved one;  
29 and

30 **WHEREAS**, the City is enabled to prosecute various code  
31 infractions of its ordinance code through its various code enforcement

mechanisms; however unlike the federal and state criminal laws, the City's codes fail to include enhanced penalties which can be imposed as a deterrent against commission of an infraction based on hate; now therefore

**BE IT ORDAINED** by the Council of the City of Jacksonville:

**Section 1. Amending Section 368.301 (Violations and criminal penalties), Part 3 (Enforcement), Chapter 368 (Noise Control), Ordinance Code.** Section 368.301 (Violations and criminal penalties), Part 3 (Enforcement), Chapter 368 (Noise Control), *Ordinance Code*, is hereby amended to read as follows:

**CHAPTER 368. NOISE CONTROL**

**\* \* \***

**PART 3. ENFORCEMENT**

**\* \* \***

**Sec. 368.301. Violations and criminal penalties.**

(a) A person who knowingly and willfully or by culpable negligence commits a violation specified in section 368.301(c)(1), (2) (3), and/or (4), Ordinance Code, may, upon conviction by a court of appropriate jurisdiction thereof, be punished by:

(1) A fine of not more than five hundred dollars; or

(2) Not more than ninety days in jail; or both; and

(3) If the violation was committed with the primary purpose of expressing, or attempting to promote, animosity, hostility or malice against a person or persons or against the property of a person or persons because of race, color, religion, sex, sexual orientation, gender identity, marital status, national origin, age or disability, the fine and jail penalties authorized herein may be enhanced up to triple the assessed fine and/or jail penalty.

**\* \* \***

1           Section 2.           Amending Section 614.103 (Reserved), Chapter 614  
2 (Public Order and Safety), Ordinance Code.           Section           614.103  
3 (Reserved), Chapter 614 (Public Order and Safety), Ordinance Code,  
4 is hereby amended to read as follows:

5                           **CHAPTER 614 PUBLIC ORDER AND SAFETY**

6                                   \*   \*   \*

7           **Sec. 614.103. - ~~Reserved~~Enhanced Penalties for Hate Crimes.**

8           If any violation of this Chapter was committed with the primary  
9 purpose of expressing, or attempting to promote, animosity, hostility  
10 or malice against a person or persons or against the property of a  
11 person or persons because of race, color, religion, sex, sexual  
12 orientation, gender identity, marital status, national origin, age  
13 or disability, the fine and jail penalties authorized herein may be  
14 enhanced up to triple the assessed fine, fee and/or jail penalty.

15           Section 3.           Amending Section 632.101 (Classes of offenses),  
16 Chapter 632 (Penalties), Ordinance Code.           Section 632.101 (Classes  
17 of Offenses), Chapter 632 (Penalties), Ordinance Code, is hereby  
18 amended to read as follows:

19                           **CHAPTER 632.   PENALTIES**

20           **Sec. 632.101. - Classes of offenses.**

21           (a) The following classes of offenses are established, and  
22 any person violating a provision of the Ordinance Code or an  
23 ordinance of the City setting forth an established class of  
24 offense and prescribing no other specific penalty shall, upon  
25 conviction and adjudication of guilt, be punished as follows:

26                   (1) For a class A offense, by a fine of not more than  
27 \$25 or by imprisonment of not more than ten days, or by  
28 both a fine and imprisonment.

29                   (2) For a class B offense, by a fine of not more than  
30 \$50 or by imprisonment of not more than 30 days, or by both  
31 a fine and imprisonment.

1 (3) For a class C offense, by a fine of not more than  
2 \$100 or by imprisonment of not more than 60 days, or by  
3 both a fine and imprisonment.

4 (4) For a class D offense, by a fine of not more than  
5 \$500 or by imprisonment of not more than 60 days, or by  
6 both a fine and imprisonment.

7 (b) Whenever a provision of the Ordinance Code or any  
8 ordinance of the City makes or declares it to be unlawful or an  
9 offense to do or fail to do any act or thing, and no established  
10 class of offense or specific penalty is provided, the violation  
11 shall constitute a class C offense.

12 (c) If any violation addressed by this Chapter was  
13 committed with the primary purpose of expressing, or attempting  
14 to promote, animosity, hostility or malice against a person or  
15 persons or against the property of a person or persons because  
16 of race, color, religion, sex, sexual orientation, gender  
17 identity, marital status, national origin, age or disability,  
18 the fine and imprisonment penalties authorized herein may be  
19 enhanced up to triple the assessed fine, fee and/or jail penalty.

20 **Section 4. Amending Section 656.1309 (Unlawful sign**  
21 **messages), Subpart A (General Provisions), Part 13 (Sign**  
22 **Regulations), Chapter 656 (Zoning Code), Ordinance Code. Section**  
23 **656.1309 (Unlawful sign messages), Subpart A (General Provisions),**  
24 **Part 13 (Sign Regulations), Chapter 656 (Zoning Code), Ordinance**  
25 **Code, is hereby amended to read as follows:**

26 **CHAPTER 656 - ZONING CODE**

27 \* \* \*

28 **PART 13. - SIGN REGULATIONS**

29 **SUBPART A. - GENERAL PROVISIONS**

30 \* \* \*

31 **Sec. 656.1309. Unlawful signs.**

(a) Projections of light, laser beams or any other medium to form text, graphics, logos, or artwork upon streets, walkways, fences, sign structures, land or water surfaces, or exterior walls or other exterior portions of buildings or any other structure are prohibited, except that an owner may project a sign onto an exterior portion of his or her own property, building or structure if the area occupied by such sign does not otherwise violate applicable sign regulations included in this Part. The person or business who owns or is advertised or identified on the sign shall be presumed to have permitted the placement of the sign in the absence of credible evidence to the contrary and may be cited for violation of this subsection by either the City's Municipal Code Compliance Division or the Jacksonville Sheriff's Office, and the person or business installing or projecting the sign is also in violation of this subsection. Violations of this subsection shall constitute a class D offense; however, projections of text, graphics, logos, or artwork onto a building, structure or any other place (including public spaces) without the consent of the owner or person in control of the building, structure or space shall constitute blight and graffiti, and pursuant to Sections 806.13 and 125.69, *Florida Statutes*, these violations shall constitute a second degree misdemeanor punishable by a definite term of imprisonment of up to 60 days (discretionary) and a fine not less than \$2000 (non-discretionary), and any equipment or vehicles used in furtherance of this crime shall be seized by the Jacksonville Sheriff's Office and forfeited to the City.



1           Additionally, if any violation addressed by this Section  
2           was committed with the primary purpose of expressing,  
3           or attempting to promote, animosity, hostility or malice  
4           against a person or persons or against the property of  
5           a person or persons because of race, color, religion,  
6           sex, sexual orientation, gender identity, marital  
7           status, national origin, age or disability, the fines  
8           authorized herein may be enhanced up to triple the  
9           assessed fine amount.

10                           \* \* \*

11           **Section 5.           Amending Section 741.107 (Violation of Zero-**  
12 **Tolerance for Litter Law), Part 3 (Enforcement), Chapter 741 (Zero**  
13 **Tolerance on Litter), Ordinance Code.** Section 741.107 (Violation of  
14 Zero-Tolerance for Litter Law), Part 3 (Enforcement), Chapter 741  
15 (Zero Tolerance on Litter), *Ordinance Code*, is hereby amended to read  
16 as follows:

17                           **Chapter 741. Zero Tolerance on Litter**

18   \* \* \*

19   **Part 3. Enforcement.**

20                           **Sec. 741.107. Violation of Zero-Tolerance for Litter Law.**

21   \* \* \*

22           (c) Violations of this Section shall be unlawful and deemed a civil  
23           infraction, and shall be subject to the civil fines set forth  
24           in this subsection. Each piece of litter or separate snipe sign  
25           that a person illegally places on or affixes to public property  
26           in violation of this Section shall be deemed a separate  
27           violation. The schedule for civil fines for uncontested  
28           citations, which may be imposed under this Part III, together  
29           with such attorneys' fees and costs as may be authorized by law,  
30           shall be as follows:

Offense	Fine
1st	\$150*
2nd	\$300
3 <sup>rd</sup> and each thereafter	\$500
* Notwithstanding the \$150 fine noted above, any signs up to five signs posted on a single date in a twelve month period, shall incur a \$50 fine per sign. Any signs in excess of 5 signs on that date, or additional signs, shall incur the standard per sign fine of \$150.	

For contested citations, there may be imposed a civil fine of up to \$500 per citation, plus such attorneys' fees and costs as may be authorized by law. However, if a person affixes or otherwise places a snipe sign on a public utility pole and the bottom of which sign is at a height more than five feet above the prevailing ground level immediately adjacent to the utility pole then such act shall be punishable with an uncontested \$350\* civil fine per citation, plus such attorneys' fees and costs as may be authorized by law. For purposes of this section, the term "ground level" shall mean the finished grade of a parcel of land exclusive of any filling, berming or mounding. Additionally, if any violation addressed by this Section was committed with the primary purpose of expressing, or attempting to promote, animosity, hostility or malice against a person or persons or against the property of a person or persons because of race, color, religion, sex, sexual orientation, gender identity, marital status, national origin, age or disability, the fines authorized herein may be enhanced up to triple the assessed fine amount.

\* \* \*

**Section 6. Severability.** If any section, clause, sentence, or provision of this ordinance or the application of such section, clause, sentence, or provision to any person or bodies or under any

1 circumstances shall be held to be inoperative, invalid, or  
2 unconstitutional, the invalidity of such section, clause, sentence,  
3 or provision shall not be deemed, held, or taken to affect the  
4 validity or constitutionality of any of the remaining parts of this  
5 ordinance, or the application of any of the provisions of this  
6 ordinance to persons, bodies, or in circumstances other than those  
7 as to which it or any part thereof shall have been inoperative,  
8 invalid, or unconstitutional, and it is intended that this ordinance  
9 shall be construed and applied as if any section, clause, sentence,  
10 or provision held inoperative, invalid, or unconstitutional had not  
11 been included in this ordinance.

12 **Section 7. Codification Instructions.** The Codifier and the  
13 Office of General Counsel are authorized to make all chapter and  
14 division "tables of contents" consistent with the changes set forth  
15 herein. Such editorial changes and any others necessary to make the  
16 *Ordinance Code* consistent with the intent of this legislation are  
17 approved and directed herein, and changes to the *Ordinance Code* shall  
18 be made forthwith and when inconsistencies are discovered.

19 **Section 8. Effective Date.** This ordinance shall become  
20 effective upon signature by the Mayor or upon becoming effective  
21 without the Mayor's signature.

22  
23 Form Approved:

24  
25 \_\_\_\_\_  
26 Office of General Counsel

27 Legislation Prepared By: Jason R. Teal

28 2024-334 - CM Johnson Amd - Johnnie Mae's Law (Redline).docx