HATE CRIMES: *What You Need to Know to Protect Yourself and Others*

The California Department of Justice has tools and resources available to aid and assist local, state, and federal law enforcement authorities in the investigation of possible hate crimes, including the identification, arrest, prosecution, and conviction of the perpetrators of those crimes.

The California Attorney General Rob Bonta offers the following information on how to identify and report hate crimes and the services available to victims of hate crimes.

How to spot a hate crime:

Signs that a crime was motivated by hate may include:

- The offender chose the victim or property because they belonged to a protected group, like a certain religion or gender.
- The offender made written or verbal comments showing a prejudice.
- The crime happened on a date that is important for the victim's or offender's protected group.
- There is organized hate activity in the area.

If you are a hate crime victim, you should:

- Contact your local law enforcement agency right away.
- Get medical attention (if you need it).
- Write down the exact words that were said.
- Make notes about any other facts.
- Save all evidence (e.g., graffiti, egg shells, writing on victim's vehicle). If safe, wait until law enforcement arrives and takes photos.
- Get the names, addresses, phone numbers, and emails of other victims and witnesses.
- Try to get a description from any eyewitnesses of the criminal or the vehicle.
- Contact community organizations in your area that respond to hate crimes.

What you and your community can do:

- Speak out against hate and intolerance.
- Have community rallies to support victims.
- Offer support and help to victims.
- Ask public officials to speak out against hate crimes.
- Establish a human relations commission or hate crime network that includes law enforcement, local government, schools, religious organizations and community organizations. Ask them to respond to hate crimes immediately when they happen and to promote prevention and awareness.

Hate crime or hate incident?

It is important to know the difference between a hate crime and a hate incident.

A hate crime is a crime against a person, group, or property motivated by the victim's real or perceived protected social group. Hate crimes can be prosecuted either as misdemeanors or felonies depending on the acts committed.

In California, you can be a victim of a hate crime if you have been targeted because of your actual or perceived:

- Race or ethnicity
- Nationality
- Religion
- Gender
- Sexual orientation
- Physical or mental disability, or
- Association with a person or group with one or more of these "actual" or "perceived" characteristics.

Please note, the above listed characteristics are examples, and other bases for actual or perceived protected social group characteristics exist.

If you witness a hate crime, you should report the crime to your local law enforcement agency.

A hate incident is an action or behavior motivated by hate but legally protected by the First Amendment right to freedom of expression. If a hate incident starts to threaten a person or property, it may become a hate crime.

Examples of hate incidents include:

- Name-calling
- Insults
- Displaying hate materials on your own property.
- Posting hate material that does not result in property damage.
- Distribution of materials with hate messages in public places.

Where to find help:

Contact 911 or go to a local hospital if you need immediate attention. To file a report, contact your local law enforcement agency.

California Attorney General's Office Victims' Services Unit

Offers crime victims and their families support and information at every stage of the criminal process. For additional information, call (877) 433-9069 or visit oag.ca.gov/hatecrimes.

California Department of Fair Employment and Housing (DFEH)

State agency charged with enforcing California's civil rights laws and protecting the people from unlawful discrimination in employment, housing, and public accommodations and from hate violence and human trafficking. DFEH accepts claims from victims of hate violence or threats of violence on account of a victim's real or perceived protected social group. For information on how to file a claim, visit dfeh.ca.gov.

Local District Attorney's Office Victim Witness Assistance Center

Works directly with the California Victim Compensation Board (CalVCB) to assist victims in every county. For information on a local office and resources, visit victims.ca.gov/victims/localhelp.aspx.

U.S. Department of Justice, Community Relations Services

Works with community groups to resolve community conflicts and prevent and respond to alleged hate crimes. For information, visit justice.gov/crs.

OAG.CA.GOV/HATECRIMES

Information for victims:

The California Victims' Bill of Rights, known as Marsy's Law, give you these important rights:

- **Get money for your losses.** Apply for money to cover your property losses, medical expenses, lost wages, and other losses.

- **Say how the crime impacted you.** Tell the court how the crime impacted your life before the defendant is sentenced.

- **Get information about the criminal case.** Ask the prosecutor for certain information about the case.

- **Get orders from the court.** The court can make orders that could help you, such as a protective order to keep the defendant away from you or an order to pay attorney fees if you hired a lawyer to help with your case. The court may also order the defendant to pay you $25,000 or more for violating your civil rights. (Talk to a lawyer about your rights under the Ralph Act and the Bane Act.)

- California law prohibits law enforcement authorities from asking individuals, including those who are reporting or are victims of potential crimes, about their immigration status, unless the information is necessary to certify the victim for a U visa (victim of crime visa) or T visa (victim of human trafficking visa).