

CALIFORNIA LAWS AND EFFECTIVE RESPONSE

Penal Code section 422.6 outlines what constitute protected classes in California. These include: race, color, religion, ancestry, national origin, disability, gender, or sexual orientation.

“Disability” was later expanded to mean both physical and mental disability. “Gender” means a person’s actual or perceived sex, and includes a person’s identity, appearance or behavior, whether or not traditionally associated with the person’s birth sex.)

California has enacted two civil rights laws to protect its citizens. They are the Ralph Civil Rights Act (Civil Code section 51.7 and 52) and the Bane Civil Rights Act (Civil Code section 52.1). Consult with an attorney or with a qualified community agency for information on how these statutes protect you. If you are the victim of a hate crime, you may:

1. Seek criminal prosecution: Law enforcement, the US Attorney’s Office, the State Attorney General’s Office and the District Attorney’s Office can assist you in this area only if you file a formal report.
2. File a civil lawsuit against your attacker with:
The US Attorney, District Attorney, State Attorney General, or Department of Fair Employment and Housing. You can also contact your local Human Relations Commission.

COMMUNITY RESOURCES IN YOLO COUNTY

American-Arab Anti-Discrimination Committee	(916)	484-2860
Anti-Defamation League of B’nai B’rith	(916)	489-9141
	(800)	446-2684
Bob Smith Congregation Bet Haverim/Interfaith Liaison	(916)	875-0405
Blacks for Effective Community Action	(530)	756-7681
Californians for Disability Rights	(530)	758-7076
Yolo County Concilio	(530)	406-0551
Davis Asians for Racial Equality	(530)	758-2223
John Pamperin Community Liaison / Davis Human Relations Commission	(530)	753-4914
	(916)	849-2158
PFLAG Parents, Families & Friends of Lesbians and Gays	(530)	662-8970
Police Departments		
Yolo County Sheriff	(530)	666-8282
Davis Police Dept.	(530)	747-5400
U.C. Davis Police Dept.	(530)	752-1230
West Sac. Police Dept.	(916)	375-6474
Winters Police Dept.	(530)	795-4561
Woodland Police Dept.	(530)	666-2411
University of California, Davis Campus Violence Prevention Program	(530)	752-3759
LGBT Resource Center	(530)	752-2452
Student Judicial Affairs	(530)	752-1128



ADDRESSING HATE CRIMES AND INCIDENTS

A RESOURCE GUIDE FOR YOLO COUNTY

Provided by

THE HUMAN RELATIONS COMMISSION OF THE CITY OF DAVIS*

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*In Conjunction With Human Rights/Fair Housing Commission of the City and County of Sacramento

SOME DEFINITIONS

The Human Relations Commission of Davis recognizes that it takes tremendous courage to report a hate crime. The information in this brochure is designed to help victims of hate crime to seek the legal, medical and emotional assistance necessary not only to follow an investigation and possible trial to their end, but also to survive the entire process with as few scars as possible.

Hate crimes are among the most under-reported crimes all across America for many reasons: victims are afraid of further retaliation; some victims fear being outed as gay/lesbian/bisexual people; others fear discovery of their illegal immigrant status. The law can effectively protect its citizens only if victims report crimes and follow through with prosecution of offenders. The perpetrators of hate crimes violate the civil rights of their victims, among which is the right to live without threat of violence.

NOTE: Not all incidents of hatred are crimes. Verbal name calling, although offensive, is not a crime unless it is accompanied by a viable threat of violence and the ability to carry out that threat. Note the difference between hate crimes and hate incidents.

WHAT IS A HATE CRIME?

As applies to individuals, a hate crime is any criminal act or attempted criminal act directed against a person(s) based on the victim's actual or perceived RACE, COLOR, RELIGION, ANCESTRY, NATIONAL ORIGIN, DISABILITY, GENDER OR SEXUAL ORIENTATION. (This could also apply to anyone who is identified as associating with or advocating on behalf of members of a protected group and who is attacked as a result of that association.) A hate crime includes any act that results in injury, however slight; a verbal threat of violence that apparently can be carried out; an act that results in property damage. (Penal Code section 422.6)

WHAT IS A HATE INCIDENT?

This is any non-criminal act, including words directed against another person, based on the person's actual or perceived membership in a protected class (outlined in Penal Code section 422.6). They include, but are not limited to, epithets, distribution of hate material in a public place, posting of hate material that does not result in property damage, and the display of offensive material on one's own property.

WHAT TO DO IF YOU ARE A VICTIM OR KNOW A VICTIM OF A HATE CRIME OR INCIDENT

If you believe you have been the victim or know a victim of a hate crime or incident, you should:

1. For hate crimes emergencies or hate crimes in progress, dial **911**. For non-emergencies, phone numbers for Yolo County Law Enforcement Agencies are listed on the back of this leaflet. For verbal threats of violence that apparently can be carried out, write down exactly what was said by the offender, if possible, so that you can tell the law enforcement agency that responds to the crime. Save any evidence from the attack scene. This will later assist in prosecuting the person(s) responsible.
2. For hate incidents, you can contact any of the community resource organizations listed on the back of this leaflet. Realize that your community supports diversity and inclusiveness and is working to prevent the divisiveness that inevitably results from hate crimes and incidents.