

The Sacramento County Sheriff's Department understands the serious nature of crimes and incidents motivated by hate or bias. These acts are unique in nature due to the impact on the victim and community. The Sheriff's Department provides services to a diverse community, that covers a mix of cultural backgrounds. We will continue to ensure that the rights of all people, as guaranteed by the Constitution of the United States and the State of California, are protected.

Notes

Event # _____

Have Your Civil Rights Been Violated Because of Your Race, Religion, or Sexual Orientation, and You Need Support or Legal Information Please Contact:

Sacramento County Sheriff's Impact Division

In case of emergency dial 911
Bias Crime Unit
Phone: (916) 875-8802
Bias Crime Hotline: (916) 876-8477
www.sacsheriff.com

Learn more about your rights and resources:
Sacramento County District Attorney's Office

Hate Crimes Unit
(916) 874-5316

California Attorney General's Office of Victims Services

(877) 433-9069
www.ag.ca.gov/publications/civilrights/reportingHC.pdf

Federal Bureau of Investigation (FBI)

Sacramento Office: (916) 746-7000
www.fbi.gov/investigate/civil-rights/hate-crimes

American Civil Liberties Union (ACLU)

www.aclusac.org

**Bias Crime
Resource Guide**



**Sacramento
County Sheriff's
Department**

LET'S WORK TOGETHER

Hate Crimes in California

In California, you are a victim of a hate crime if you have been targeted because of your real or "perceived" race, ethnicity, national origin, religion, gender, sexual orientation, or physical or mental disability. These groups are referred to as "protected classes." All people are members of a protected class.

It is important to differentiate between hate incidents and hate crimes.

A **hate incident** is an action or behavior that is motivated by hate, but is protected by the First Amendment Right. Examples of hate incidents can include name calling, epithets, distribution of hate material in public places, and the display of offensive hate motivated material on one's own property. The freedoms guaranteed by the U.S. Constitution, such as the freedom of speech, allow hateful rhetoric as long as it does not interfere with the civil rights of others. If this type of behavior escalates to threats being made or carried out against a person or property, then it would be classified as a *hate crime*.

A **hate crime** is a criminal act or attempted criminal act committed against a person, or his or her property, because the person is, or is perceived to be, a member of a protected class.

If these hate crimes are not reported to law enforcement, the perpetrators will continue to act in an unlawful manner and will continue to pose a threat to society.

What Kind of Acts are Prohibited by the Law?

- Verbal or written threats
- Physical assault or attempted assault
- Graffiti
- Vandalism or property damage

Penal Code sections are designed to protect the rights of others by punishing those who violate these rights.

Civil remedies provide protection for persons threatened with violence, and monetary compensation to persons who have been harmed by violence or threats. These civil remedies are available even if criminal violations cannot be proven.

BASIC CLUES

The following list indicates signs that a hate crime may have been committed:

- Perception of the victim that he/she was selected by the perpetrator because of his or her membership in a protected class.
- Written or oral comments of the perpetrator that may indicate a bias.
- Date of incident coincides with a day that is of significance to the victim's protected class.
- Differences between the race or religion of the victim and the perpetrator.
- Organized hate group activity in the area.

Steps to Take if You are a Victim of a Bias Crime

Victims of bias/hate crimes and certain family members who are injured or threatened with injury may be awarded monetary relief by the California Victim Compensation Board for expenses, including funerals or burials, mental health services, relocation, residential security, medical and dental treatment, income loss, crime scene clean-up and home or vehicle modifications for victims who became disabled. **In most cases, you must call within one year. For more information go to their website at www.vcgcb.ca.gov or call the CalVCB helpline at: (800)777-9229.**

Victims may file a complaint with the California Department of Fair Employment and Housing for possible relief, including payment for property repair or replacement, emotional suffering and distress, medical costs, attorney fees, lost wages, and monetary damages against the perpetrators. **The complaint must be filed within one year of the act or threat of violence. Call (800) 884-1684 or go to the website at www.dfeh.ca.gov/hate-violence**

Victims of a hateful incident involving verbal harassment or intimidation that does not meet the legal definition of a bias/hate crime, may want to report it to a community-based organization that tracks such activity.