



Fearful of Hate Crimes?

An informational guide

Anxiety about hate crimes is high in many communities across our country. At The Arc of California, we want to make sure you are aware and knowledgeable about the specifics of hate crimes, and what you can do about them.

The good news is:

- Hate crimes, while up, are still relatively rare.
- California has the national model hate crime law, according to one university study. And that study was done before 2023, when the Legislature passed a law requiring every state and local law enforcement agency to adopt a detailed hate crime policy guiding officers.
- There are positive steps you can take. Read on.

WHAT IS A HATE CRIME?

A hate crime is a criminal act, no matter how major or minor, committed *in whole or in part because of* any of the seven actual or perceived **protected characteristics** of the victim:

1. Disability, whether mental or physical, including a disability caused by aging.
2. Gender, including gender identity and expression.
3. Nationality, including immigration status.
4. Race or ethnicity.
5. Religion, including all aspects of religious belief, observance and practice.
6. Sexual orientation.
7. Association with a person or group with one or more of these actual or perceived characteristics.

*Note that **everyone** has most -- or all -- of the protected characteristics.

Despite the term “hate” crime, it doesn’t always take hate to turn a crime into a hate crime. All it takes is a preconceived bias against a victim’s protected characteristic.

Conviction for a hate crime can increase the criminal’s jail or prison time or can result in **restorative justice** sentencing.

HOW CAN YOU HELP PREVENT, AND PREPARE FOR, HATE CRIMES?

If you have responsibility for a business, community center, school, place of worship, or other facility that you think might become a target, be an advocate to your local law enforcement agency. Call and ask if they have a hate crime coordinator; many agencies do. Talk to the coordinator, or whoever you can talk with, about what you can do to protect your facility -- and what they can do to help protect you, such as by having their regular patrols be on alert around your facility. Ask if the agency has a hate crime policy that includes a *supplemental hate crime report* form (as the 2023 state law requires). The supplemental report is the key step in any hate crime investigation. If they don't know about the supplemental report requirement, refer them to the Commission on Peace Officer Standards and Training (POST) model hate crime policy.

If you have responsibility for a nonprofit facility you think may become a target, check next year with the Governor's Office of Emergency Services, www.CalOES.ca.gov, 916-845-8510, about a possible 2025 funding round for the California State Nonprofit Security Grant Program.

HOW CAN YOU DEAL WITH YOUR ANXIETY?

If your fear of hate crime is part of a bigger anxiety about the state of our country, don't try to deal with it alone. Be active in one or two organizations, political or not, that express your own view of life. If your group serves your community, or advocates for it, all the better.

WHAT SHOULD YOU DO IF YOU BECOME A HATE CRIME VICTIM?

If you receive a threat, report it to law enforcement immediately.

If the crime is in progress, has just happened, or if you are in danger, call 911. If it happened earlier, call your local law enforcement agency to report it. ***If you or a person in your household has a disability that may make it hard to communicate with officers, ask the person on the line to tell that to the responding officer to protect that person's safety.*** An officer probably will respond. If so, ask how to get a copy of their report and supplemental hate crime report.

If whoever you get on the phone is unresponsive, call the agency's hate crime coordinator or the officer you talked with before. If you still don't get a response, call your area's FBI office; federal hate crimes law is almost as broad as ours.

Note that state law declares, "Whenever an individual who is a victim of or witness to a hate crime, or who otherwise can give evidence in a hate crime investigation, is not charged with or convicted of committing any crime under **state** law, **a peace officer may not detain the individual exclusively for any actual or suspected immigration violation or report or turn the individual over to federal immigration authorities.**"

For support and assistance, ***whether or not you have called law enforcement***, call California vs. Hate (844-866-4283, (833-8-NO-HATE), 9-6 M-F) or go online to www.CAvsHate.org. You can currently submit reports online in 15 languages and, when calling the hotline, you can access support in over 200 languages. You will be connected with a professional trained in culturally competent communication and trauma-informed practices and by a care coordinator who will follow up with you to ensure you can access resources and support, including legal, financial, mental health, and mediation services. California vs. Hate will also identify civil legal options that don't involve the criminal legal system. ***Your report will not be shared with law enforcement without your consent, unless required by law.***