



Civil Rights  
Department  
STATE OF CALIFORNIA

■ California's Civil Rights Agency

# CA vs. Hate Resource Line and Network

Reversing the Rise in Hate Violence: Models for  
Government/Community Partnership in Building an Anti-Hate  
System

IAOHRA Conference

August 17, 2022

## CRD Disclaimer

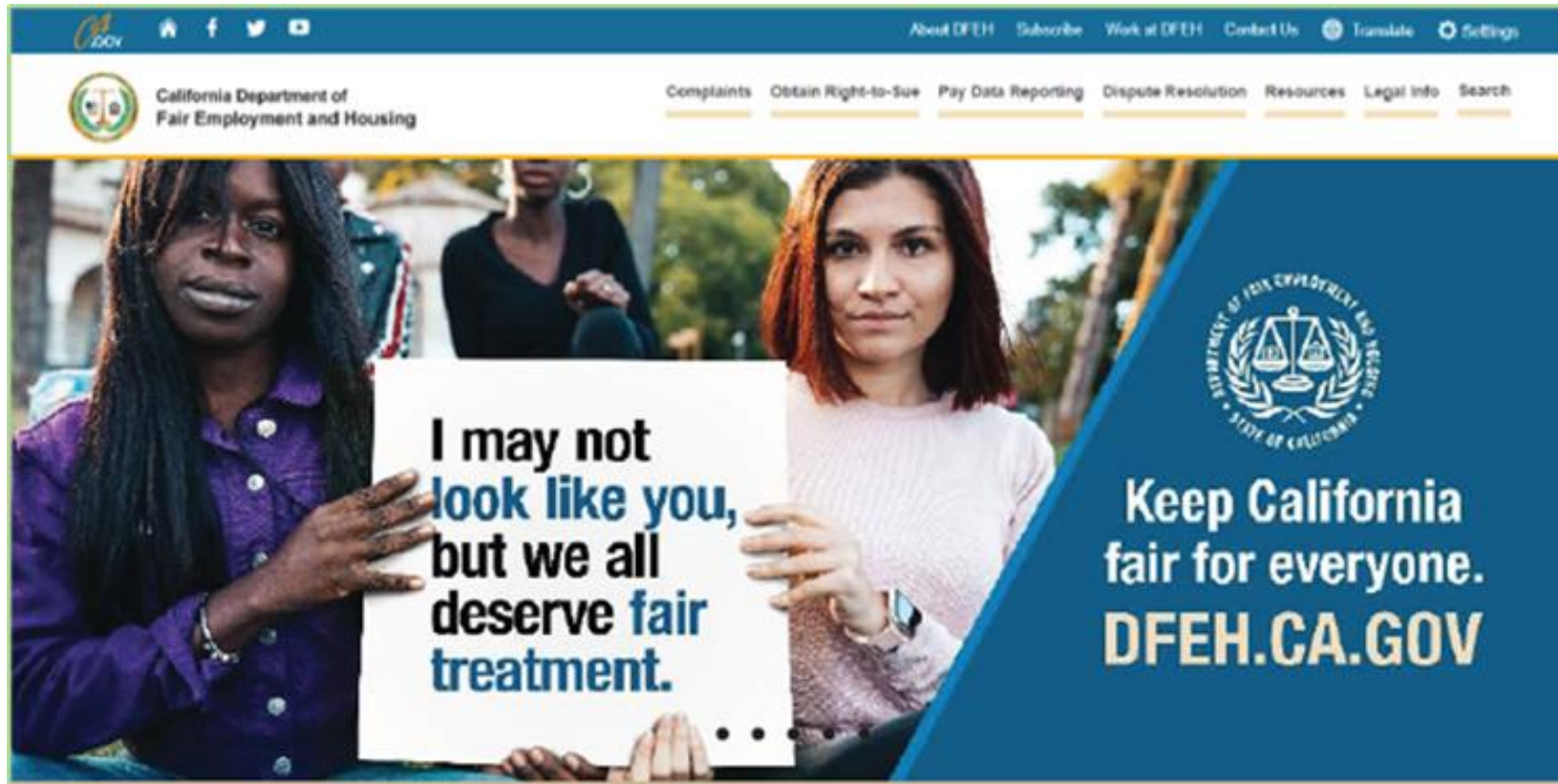
*This guidance is for informational purposes only, does not establish substantive policy or rights, and does not constitute legal advice. The opinions expressed by the presenters do not necessarily reflect the opinions of CRD.*

# Mission

The Civil Rights Department (CRD) is California's civil rights agency. The mission of CRD is to protect the people of California from unlawful discrimination in employment, housing, and public accommodations, and from hate violence and human trafficking.

*Effective July 1, 2022, we are now known as the Civil Rights Department, formerly known as the Department of Fair Employment and Housing. This name change better encompasses our full scope of responsibilities.*

# Civil Rights Laws Enforced by CRD



The image shows a screenshot of the California Department of Fair Employment and Housing (DFEH) website banner. The banner features a photograph of two women, one Black and one white, holding a sign that reads: "I may not look like you, but we all deserve fair treatment." To the right of the photograph is a blue diagonal graphic containing the DFEH logo and the text: "Keep California fair for everyone. DFEH.CA.GOV". The website header includes navigation links such as "About DFEH", "Subscribe", "Work at DFEH", "Contact Us", "Translate", and "Settings". Below the header, there are links for "Complaints", "Obtain Right-to-Sue", "Pay Data Reporting", "Dispute Resolution", "Resources", "Legal Info", and "Search".

## Civil Rights Laws Enforced by CRD

- Unruh Civil Rights Act – Public Accommodations
- Fair Employment and Housing Act
- Equal Pay Act and Pay Data Reporting
- Disabled Person's Act
- Human Trafficking – Civil Claims for Damages and Injunctive Relief
- Recipients of State Funding / Section 11135– protects individuals from discrimination by recipients of state funding or state financial assistance
- **Ralph Act – Civil Claims for Hate Violence and Threats**

# Community Conflict Resolution Services at CRD

## *Mediation Services for Communities Directly Affected by a Civil Rights Dispute or Difficulty*

- Modeled in part on the US DOJ's Community Relations Service,
  - Responsive to the specific needs and dynamics of California's very diverse communities.
  - Provide conciliation services to communities facing hate incidents or other conflict over discriminatory practices.
- Centering communities in hate crimes prevention, restorative practices, and healing outside the context of the criminal legal system.
  - Offering facilitated dialogue, mediation, training, and consultation to assist these communities to come together, address immediate conflict and tension, and begin to address longer standing and systemic issues.

# California's Comprehensive Approach to Combat Hate

- Combating Hate Requires Vigorous Enforcement of Anti-Discrimination Laws in Addition to Hate Crimes Laws
- Investment in Health Care, Social Services, and Education to Combat Hate
- Accountability through Courts and Restorative Practices
- Recognition of Need to Improve Reporting and Data on Hate Incidents and Crimes
- Creating a Reporting and Resource Network in a Civil Rights Agency Without Criminal Legal Authority

# California vs. Hate Resource Line and Network

*Community-Centered Approach to Combating Hate & Earning Trust*

1. Identify Options and Next Steps for Individuals and Communities Targeted for Hate
2. Connect with Culturally Competent Resources
3. Improve Hate Incident and Crime Reporting and Data to Enhance Hate Crimes Prevention and Response

# Elements of Effective Community-Centered Hate Incident and Hate Crime Reporting and Data Collection (1 of 3)

- Meaningful Community Engagement and Partnerships (Likely through Contracts or Subgrants)
- Respect for Existing Resources and Incorporation of Community-Based Efforts and Organizations that Have Earned Trust of People Targeted For Hate
- Direct Engagement with CBOs across State to Connect with Culturally Competent Resources and Support
- Confidentiality and Choice for Targeted Persons Reporting

# Elements of Effective Community-Centered Hate Incident and Hate Crime Reporting and Data Collection (2 of 3)

- Mechanisms for Ongoing Review, Input, and Feedback by all Stakeholders (CBOs, Advocates, Law Enforcement, Critics)
- Target Audience Includes Individuals *and* Organizations Working with Communities Targeted for Hate
- Care Coordination Services and Follow Up – Not Simply Referrals
- Data Disaggregation in AANHPI and all Communities
- Capturing Hate Incidents and Crimes, Offering Restorative Practice Options

# Elements of Effective Community-Centered Hate Incident and Hate Crime Reporting and Data Collection (3 of 3)

- Investments in Earning Trust Across Government
  - Provide Law Enforcement and Other First Responders Materials with Resources for Targeted Persons of Incidents *and* Crimes
  - Commit to Regular Reporting and Analysis of Data Collected
  - Utilize Survey Based Methods for Data Collection to Supplement Direct Data Collection Efforts
  - Emphasize Language Access and Cultural Competence
  - Coordinate Across Government Agencies – Education, Outreach, Social Services, Law Enforcement, Relevant Commissions (E.g., State of Hate, Reparations, and APIA Affairs)
  - Connect with Legal, Health Care, Mental Health or other Resources as well as Law Enforcement if Requested

# CA vs. Hate Resource Line and Network Development and Launch

- Network development includes ongoing consultation with social service providers, civil rights organizations, advocates, and law enforcement officials across the state.
- Network will include comprehensive care coordination services and connections with culturally competent service providers, including organizations with people with lived experiences of discrimination and hate.
- DFEH anticipates an increase in civil complaint filings for hate violence and threats and growing interest in community conflict resolution services.
- Contracts will help establish regular mechanisms for stakeholder input and accountability.
- Soft launch to begin in the Fall.

# Federal Support for Community-Centered Hate Crimes Response

## *COVID-19 Hate Crimes Act and the Khalid Jabara and Heather Heyer NO HATE Act*

- The COVID-19 Hate Crimes Act (U.S. Rep. Grace Meng (D-N.Y.) and Sen. Mazie Hirono (D-HI)) was passed in response to a dramatic increase in hate crimes and violence against Asian American and Pacific Islander (AAPI) communities.
- The Khalid Jabara and Heather Heyer Act was included as an amendment to the COVID-19 Hate Crimes Act.
  - Aims to improve hate crime reporting through a series of grants for states and units of local government.
  - Included grant solicitations for programs to create state-run reporting hotlines and to support community-based approaches to prevent and address hate crimes.
- USDOJ also released \$5 million in grant solicitations under the Community-Based Approaches to Prevent and Address Hate Crimes Program.

# Thank you!

*For more information, please contact CRD:*

[www.dfeh.ca.gov](http://www.dfeh.ca.gov)

[contact.center@dfec.ca.gov](mailto:contact.center@dfec.ca.gov)

[accommodations@dfec.ca.gov](mailto:accommodations@dfec.ca.gov)

Toll Free: (800) 884-1684

TTY: (800) 700-2320

California Relay Service 711

## CRD Responsibilities

- Engage in public outreach and provide training and technical assistance to employers, business establishments, and housing providers regarding their responsibilities under the law.
- Investigate discrimination complaints and cases of systemic discrimination.
- Facilitate mediation and resolution of disputes involving civil rights. Includes community conflict resolution.
- Enforce the laws by prosecuting violations in civil court.

# Who is Protected under the Ralph Civil Rights Act?

*All persons have the right to be free from violence or threat of violence committed against their person or property because of:*

- Race/color
- Ancestry, national origin
- Religion
- Primary language
- Citizenship, immigration status
- Disability, mental and physical
- Sex, gender (including pregnancy)
- Sexual orientation
- Gender identity, gender expression
- Medical condition
- Genetic information
- Marital status
- Political affiliation
- Position in a labor dispute

## CA vs. Hate Intake Process

- Phone Calls
  - Short in-language processing for phone calls
  - Longer in-language follow up calls
- On-line (mobile friendly) Intake Portal
  - Short in-language portal
  - Longer in-language follow up calls
- Wherever possible → connect with culturally competent CBOs for follow-up calls and service provision

## CA vs. Hate Data Transparency

- Share numbers of hate crimes and hate incidents AND information about the impact of hate.
- Data will reflect number of hate incidents and crimes reported to CRD as well as partners.
  - This data may be different from law enforcement data.
- Mechanisms for Sharing Data
  - Annual Report
  - Longer Term: Real-time incident and crime data (will not be immediate)

# Hate Incidents and Hate Crimes in California

**Hate Crime:** Under California law, a hate crime is a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: **disability, gender, nationality, race or ethnicity, religion, sexual orientation**; or because of the person's association with a person or group with one or more of these actual or perceived characteristics.

**Hate Incidents:** A hate incident is a hostile expression or action that may be motivated by another person's actual or perceived **race, color, disability, religion, national origin, sexual orientation, or gender, including gender identity**.

(1) Incidents that are acts of hate that violate civil rights laws, and

(2) Incidents that are acts of hate that may not violate the law but still cause significant harm in a community.