



C A L I F O R N I A

DEPARTMENT OF JUSTICE

Tackling the Rise of Hate: How California's New Racial Justice Bureau Aims to Protect Our Diverse Communities

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What is the purpose of the Racial Justice Bureau?

- To take a stand against racial injustice in all its forms against all communities that suffer from it and face it in California.
- To bring together major local elected leaders in common cause against hate.
- Strengthen DOJ's capacity to take on a wide range of significant civil rights and constitutional matters— including addressing hate crimes
- Focus on racial and social justice issues across DOJ's civil rights work



Attorney General Bonta's Commitment to Combat Hate

“Throughout California’s history, too many of us have felt the sting of hate and discrimination. Too many Asian, Latino, Black, Native American, people with disabilities, LGBTQ, Jewish, Muslim and Sikh Californians all across the state are hurting. It’s going to take all of us working together to take on bias and hate and their toxic effects on our society.”



Ralph Act (Civil Code section 51.7)

All persons within the jurisdiction of this state have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property ***because of*** actual or perceived*:

sex

color

ancestry

disability

marital status

political affiliation

citizenship

Immigration status

race

religion

national origin

medical condition

sexual orientation

position in a labor dispute

primary language

genetic information

*these are examples; other bases are possible



Ralph Act (Civil Code section 51.7)

What does “Because of” mean? – what is the threshold for a hate crime?

In Criminal, bias motivation must be “a substantial factor”

In Civil, there is no definitive answer

- One view is that it should be the same as the criminal standard
- The other, as has been held by one state agency, is that a lower standard applies and bias motivation need only be “a motivating factor.”



Private Lawsuits for Hate Crimes (Civil Code sections 52 and 52.1)

A person may sue anyone who interferes with a right secured by the federal or state constitution, or by statutes (this includes hate crimes), and recover:

- injunctive relief
- equitable relief to secure constitutional rights
- actual damages
- exemplary or punitive damages
- civil penalty of \$25,000
- attorney's fees



What is a hate crime event?

- Hate Crime “events” can include:
 - Hate crime under Penal Code section 422.55
 - Multiple-offense act that includes a bias motivation
 - One hate crime report may include up to 10 offenses, 999 victims, and/or 99 suspects. If there are more of each within a single event, the remaining aspects are not counted.
- ❖ Note: Demographic information is only collected on up to five victims and five suspects.
- There are, therefore, more offenses than events



Hate Crimes v. Hate Incidents

- A **hate crime** is a crime against a person, group, or property motivated by the victim's real or perceived protected social group. You may be the victim of a hate crime if you have been targeted because of your actual or perceived: (1) disability, (2) gender, (3) nationality, (4) race or ethnicity, (5) religion, (6) sexual orientation, and (7) association with a person or group with one or more of these actual or perceived characteristics. Hate crimes are serious crimes that may result in imprisonment or jail time.
- A **hate incident** is an action or behavior motivated by hate but which, for one or more reasons, is not a crime. Examples of hate incidents include:
 - Name-calling
 - Insults
 - Displaying hate material on your own property.
 - Posting hate material that does not result in property damage.
 - Distribution of materials with hate messages in public places.



What is included in the Annual Publication?

Hate Crime in California provides statistics on hate crimes that occurred in California for the given report year.

- Hate Crime “events,” offenses, victims, and suspects broken down by:
 - Bias motivation (i.e., Race/ethnicity, Religion, Sexual Orientation, Gender, Disability)
 - Type of crime (violent or property)
 - Location type (i.e., school, nightclub)
 - Reporting jurisdiction and county
- County-by-County prosecutorial data such as number of referrals, filings, and dispositions broken down by type.
- Analysis of crime data, prosecutorial data, and trends



Hate Crime in California

2020 Statistical Highlights

- The number of hate crime events has fluctuated over the last decade. In the last 10 years, hate crime events have increased by 25.5 percent with 1,060 reported in 2011 and 1,330 reported in 2020. The lowest year for reported hate crime events was 2014 with 758 events.
- Hate crime events increased 31.0 percent from 1,015 in 2019 to 1,330 in 2020.
- Hate crime offenses increased 23.9 percent from 1,261 in 2019 to 1,563 in 2020.



Hate Crime in California

2020 Statistical Highlights

- The number of victims of reported hate crimes increased 23.2 percent from 1,247 in 2019 to 1,536 in 2020.
- The number of suspects of reported hate crimes increased 21.1 percent from 967 in 2019 to 1,171 in 2020.



Hate Crime in California

2020 Statistical Highlights

- Hate crime events involving a racial bias overall increased 67.3 percent from 523 in 2019 to 875 in 2020.
- Anti-black or African American bias events rose from 243 in 2019 to 456 in 2020, an increase of 87.7 percent.
- Anti-Hispanic or Latino events rose from 110 in 2019 to 152 in 2020, an increase of 38.2 percent.
- Anti-Asian bias events rose from 43 in 2019 to 89 in 2020.
- Anti-white bias events rose from 39 in 2019 to 82 in 2020.



Hate Crime in California

2020 Statistical Highlights

- Hate crime events involving a religion bias decreased 13.5 percent from 208 in 2019 to 180 in 2020.
- Anti-Jewish bias events fell from 141 in 2019 to 115 in 2020, a decrease of 18.4 percent.
- Anti-Islamic (Muslim) bias events fell from 25 in 2019 to 15 in 2020.



Hate Crime in California

2020 Statistical Highlights

- Hate crime events involving a sexual orientation bias decreased 12.0 percent from 233 in 2019 to 205 in 2020.
- Anti-gay (male) bias events fell from 172 in 2019 to 162 in 2020, a decrease of 5.8 percent.
- Anti-homosexual bias events fell from 35 in 2019 to 21 in 2020.



Hate Crime in California

2020 Statistical Highlights

- Hate crime events involving a gender bias increased from 39 in 2019 to 62 in 2020.
- Anti-transgender bias events rose from 29 in 2019 to 54 in 2020.
- Hate crime offenses increased 23.9 percent from 1,261 in 2019 to 1,563 in 2020.
- Violent crime offenses increased 25.9 percent from 864 in 2019 to 1,088 in 2020.
- Property crime offenses increased 20.3 percent from 390 in 2019 to 469 in 2020.



Anti-Asian Hate Crime Special Report

2020 Highlights

- The number of reported anti-Asian hate crime events in California increased by 107% in 2020, from 43 in 2019 to 89 in 2020.
- The number of reported anti-Asian property hate crime events (arson, burglary, destruction, damage, vandalism) increased by 55% in 2020; from 11 in 2019 to 17 in 2020.
- The number of reported anti-Asian violent hate crime events increased by 125% from 32 in 2019 to 72 in 2020.



The Racial Justice Bureau will support the DOJ's broader mandate to advance the civil rights of all Californians and assist with new and ongoing efforts on:

- **Hate crimes and organizations**, taking on the insidious effects of white supremacy and hate organizations in our society and stepping up outreach with community organizations and law enforcement on hate crime prevention, information sharing, and reporting;
- **Implicit and explicit bias in policing**, launching and supporting investigations as appropriate and recognizing the urgent need to strengthen trust between law enforcement and the communities they serve;



- **Law enforcement best practices**, issuing guidance to local law enforcement, prosecutors, and other public entities regarding shared challenges in providing for public safety;
- **Campus climate issues**, including conducting and supporting investigations into overly punitive, discriminatory policies where they arise and working to find innovative ways to strengthen diverse, equitable and inclusive school environments; and
- **Task Force to Study and Develop Reparation Proposals for African Americans**, assisting with the implementation of the new task force as authorized under Assembly Bill 3121.



QUESTIONS???

