

KNOW YOUR RIGHTS

The California Penal Code Section 422.6 (a) states the following:

“No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States because of the other person’s race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she perceives that the other person has one or more of those characteristics”

The California Civil Code Section 51.7 states the following:

“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 their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute. Anyone who violates the right provided by Section 51.7 is liable for each and every offense for the actual damages suffered by any person determined by a court of law. Damages shall be paid by the offender to the victim as follows:

1. Up to a maximum of three times the amount of the actual damages.
2. A civil penalty of ten thousand dollars.
3. The attorney’s fee, as may be determined by the court.

WHAT REMEDIES ARE AVAILABLE?

Victims of hate crime may be eligible for reimbursement for the following:

- Medical treatment.
- Property repair or replacement.
- Psychological counseling.
- Civil remedies for punitive damages such as lost wages.

For information call: Sacramento County District Attorney’s Office at **916-874-5701**

IF YOU ARE A VICTIM OF A HATE CRIME

- Call **(916)714-5115** to make a report or **9-1-1** for an emergency situation.
- Contact any of the organizations listed below.

IF YOU HAVE KNOWLEDGE ABOUT THE PERPETRATOR OF A HATE CRIME

You are encouraged to contact the hotline or the We Tip Hotline. Public cooperation is often essential in solving hate crimes.

- Elk Grove Police Department Tip Line: **916-691-0411**

PROSECUTION AGENCIES

- Sacramento County District Attorney **916-874-5701**
- U. S. Attorney’s Office **916-554-2910**

ADDITIONAL ORGANIZATIONS THAT MAY BE ABLE TO HELP YOU

- Anti-Defamation League **800-446-2684** or **310-446-8000**
- Asian Resources **916-454-1892**
- Japanese American Citizens League (JACL) **916-447-0231**
- Lamba Community Center **916-442-0185**
- National Association for the Advancement of Colored People (NAACP) **916-733-0430**
- Southern Poverty Law Center **334-956-8200**

GOVERNMENT AGENCIES

- Human Rights and Fair Housing Commission **916-444-6903**

HATE CRIMES



The City of Elk Grove has a unique and culturally diverse population. Its residents represent nearly every culture, nationality, race and religion on earth. This diversity has significantly contributed to making Elk Grove the vibrant and dynamic City it is today. Unfortunately, there are people and groups who would attack this heritage by committing crimes and acts, targeting members of specific groups that help make our City diverse. These crimes and acts that target members of a specific group are called hate crimes and hate incidents. It is important to know the facts about hate crimes and hate incidents, because knowing the facts places the community in a much better position to recognize these incidents as a very serious community problem. Hate crimes and hate incidents should never be written off as pranks or bad behavior.



**ELK GROVE
POLICE DEPARTMENT**
Proud to serve, Sworn to Protect

Elk Grove Police Department
8400 Laguna Palms Way
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Phone: (916) 627-3344

elkgrovepd.org

HATE CRIME DEFINED PC 422.55

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability.
- (2) Gender.
- (3) Nationality.
- (4) Race or ethnicity.
- (5) Religion.
- (6) Sexual orientation.
- (7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

HATE INCIDENTS

Hate incidents are similar to hate crimes in that the act is directed against a person or persons based on the victim's actual or perceived race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, or position in a labor dispute. The difference between a hate incident and a hate crime is that a hate incident is not a criminal act. Examples of hate incidents include:

1. Offensive materials such as hate flyers placed in mailboxes or thrown on lawns.
2. Hate materials, not resulting in property damage, such as demeaning caricatures depicting a racial, ethnic or a religious group.
3. Hate graffiti in public places not directed against a specific target such as an epithet on a vacant building.

WHO ARE THE PEOPLE BEHIND HATE CRIMES?

All kinds of people, from all segments of our society commit hate crimes and participate in hate incidents. They include:

- Individuals acting on their own.
- Certain young people who may be out seeking thrills or to shock other community members.
- Members of organized groups that promote hatred and racism.

- Both majority and minority group members commit and are victims of hate crimes.

WHY DO PEOPLE COMMIT HATE CRIMES?

People who commit hate crimes or are involved in hate incidents have many objectives, all of which are destructive. These objectives include the following:

- They wish to establish separate states based on race or ethnic origin.
- They wrongly blame other groups for social problems, including crime, high taxes and unemployment.
- They believe racial bloodlines should not mix. Some wish to create a pure race through genetic engineering.
- They believe their own group should have the advantage in areas such as employment, housing and religious practices.
- Hate crimes and involvement in hate incidents serve as an outlet for their personal rage and anger.

HATE CRIME VICTIMS

The victims of hate crime and hate incidents may be singled out because of the following:

- Hate crimes and hate incidents are frequently directed at nonwhites, however, whites are victims too. Targets most often include African Americans, Hispanics, Asians and people from the Middle East.
- Some people are victimized because of their country of origin.
- Other victims are singled out because of their religious or political beliefs.
- Gays and lesbians are also victimized because of their sexual orientation.
- Violence and discrimination against women is often a result of the mistaken view that women are inferior to men.
- People who have AIDS, or who are physically or mentally disabled are harassed or discriminated against because of their condition.

HATRED HURTS EVERYONE!

The victims, their families and friends can suffer serious personal, financial, and emotional losses, as a result of a hate crime or a hate incident. Hate crime and hate incidents can divide neighborhoods and communities by raising levels of fear and suspicion, and lowering openness and cooperation. Hate crimes, hate incidents and racist behaviors are direct threats to the principles of democracy and equality. People

who are involved in hate crimes and hate incidents are often unhappy, easily swayed and mixed-up emotionally. Many have had few, if any, successes in life. Bias, bigotry, intolerance and participation in hate crime and hate incidents serve as an outlet for their frustrations. They are easily taken in by the persuasive talk of hate groups. Their involvement in hate prevents them from meeting new challenges and taking positive steps toward leading more productive and fulfilling lives.

WHAT CAN BE DONE?

Hate crimes can be prosecuted either as misdemeanors (lesser offenses) or felonies (more serious offenses), depending on the severity of the acts committed. Hate crimes can be prosecuted, and hate incidents are tracked by the Elk Grove Police Department. Hate crimes and hate incidents not only affect the victim they affect all of society. Hate crimes and hate incidents strike at the very heart of our society. Our country, constitution, and national character are based on tolerance and respect for the rights and needs of the individual. Hate crimes and hate incidents directly attack those founding principles, breeding fear, distrust and uncertainty in the community. Historically, hate crimes have been underreported; thus, many are not prosecuted. The Elk Grove Police Department, Sacramento County District Attorney's Office and the U.S. Attorney's Office are committed to apprehending and prosecuting perpetrators of hate crimes and preventing hate incidents.

RESPECT DIVERSITY!

Respect diversity at work and in your community. The more you learn and know about different cultures and traditions the richer your life will be. It is also important to work with children to dispel racist myths. Seize opportunities to counter bigoted views, for example, when they arise in news stories or television programs or when someone tells an ethnic joke. Additionally, support the efforts of the community to fight hate crimes and hate incidents through programs and projects on cultural diversity, human relations and conflict resolution. Promote the sharing of cultural events and holidays.

PERSONAL SECURITY

For information on personal security, please visit our Web site and go to Crime Prevention Tips, and go to the circular entitled personal security.