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*“Hate Crimes are among the most dehumanizing of crimes because the perpetrator views his or her victim as lacking full human worth due to his or her skin color, language, religion, sexual orientation, or disability. In addition, a hate crime impacts the entire group to which the victim belongs, spreading concern throughout the community.”*

Bill Lockyer  
Attorney General

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## **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, for example, of the victim and the perpetrator.
- Organized hate group activity in the area.

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**HAVE YOUR CIVIL RIGHTS BEEN VIOLATED BECAUSE OF YOUR RACE, RELIGION, OR SEXUAL ORIENTATION, AND YOU NEED SUPPORT OR LEGAL INFORMATION?**

**CSU, Chico Police Department**  
(530) 898-5555

**Butte County Victim Witness**  
(530) 538-7340 or (530) 891-2812

**Butte County District Attorney's Office  
Victim Counselor**  
(530) 538-6857

**Community Legal Information Center  
(CLIC)**  
(530) 898-4354

**CSU, Chico Wellness Center**  
(530) 898-4697

**California Attorney General's Office of  
Victims' Services**  
(877) 433-9069

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California State University, Chico Police Department  
Chico, CA 95929-0133  
(530) 898-5555  
[www.csuchico.edu/up](http://www.csuchico.edu/up)

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# **Preventing Hate Crime**

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**California State University,  
CHICO POLICE DEPARTMENT**



*“providing a safe environment for our campus community through proactive, progressive, and professional law enforcement services.”*

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## Hate Crimes in California

In California, you can be 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 be able 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 to freedom of expression. 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.

Hate crimes should be reported to the CSU, Chico Police Department.

**If these hate crimes are not reported to law enforcement, the perpetrators will continue to act on their beliefs and will continue to pose a threat to society.**

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## Services Available to Hate Crime Victims

- You have certain rights under the California Constitution’s Victim’s Bill of Rights. For example, you may be entitled to information about the prosecution of the perpetrator, and have the right to present a victim impact statement at the time of sentencing.
- You may be entitled to restitution for any loss, damage, or injury that you incurred.
- You are also protected under the Ralph Act and the Bane Act. Under these laws, a court may award money to you. The court may require the person who has violated your rights to pay a civil penalty (\$25,000) to you, money to compensate you for the actual harm you have suffered, and/or an additional amount of money designed to punish.

## What Kinds of Acts are Forbidden by the Law?

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

Penal Code sections punish persons who have violated the rights of others.

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.

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## What Criminal Laws are Broken by Hate-Based Violence?

The following is a list of laws in the California Penal Code. A local District Attorney or the California Attorney General can prosecute people who break these laws:

- Penal Code Section 190.2(a)(16): Provides the death penalty for murder because of the victim’s race, color, religion, nationality, or national origin.
- Penal Code Section 302: Establishes it is a misdemeanor to willfully disturb a group of people meeting to worship.
- Penal Code Section 422.6(a): Provides it is a misdemeanor to interfere by force or threat of force with a person’s statutory or constitutional rights because of a person’s race, color, religion, ancestry, national origin, sex, disability, or sexual orientation.
- Penal Code Section 422.6(b): Provides it is a misdemeanor to damage a person’s property because of his or her race, color, religion, ancestry, national origin, sex, disability, or sexual orientation.
- Penal Code Section 422.7: Provides that actions which are normally misdemeanors can become felonies if committed because of bigotry.
- Penal Code Section 594.3: Provides it is a felony or misdemeanor to knowingly vandalize a place of worship.
- Penal Code Section 1170.75: Provides additional punishment for felonies committed because of a victim’s race, color, religion, etc.
- Penal Code Section 1170.8: Provides additional punishment for robbery or assault of persons within a place of worship.
- Penal Code Section 1170.85: Provides additional punishment for felonies committed against the aged or disabled.