

Combating Hate Crimes During the Coronavirus Pandemic

DFEH



Californians are coming together to fight the COVID-19 crisis. Unfortunately, during this pandemic, we are also aware of reports of violence and harassment against various communities, including the Asian-American community.

Under the Ralph Civil Rights Act, it is against the law to threaten or commit acts of violence because of a person's actual or perceived race, color, national origin, ancestry, immigration status, citizenship, primary language, sexual orientation, gender identity, and disability, among other protected characteristics (California Civil Code section 51.7). California law forbids verbal or written threats, physical assault or attempted assault, graffiti, and vandalism or property damage. The acts forbidden by civil law may also be criminal acts.

While the COVID-19 pandemic can be scary, hate violence, harassment, intimidation, and discrimination committed against any person because of who they are – a protected characteristic – is illegal.

In this time of uncertainty, there is no justification for bias-motivated violence. DFEH will pursue enforcement actions for violations of the Ralph Civil Rights Act.

AVAILABLE CIVIL REMEDIES

- 1. Restraining orders** to protect victims
- 2. Actual (Money) Damages** such as medical expenses, lost wages, property repair, and emotional suffering
- 3. Punitive (Money) Damages** to punish violators
- 4. Civil penalties** of \$25,000
- 5. Attorney's fees**

EXAMPLES OF HATE VIOLENCE

Under the Ralph Civil Rights Act, unlawful behavior includes:

- 1. Hitting, spitting on, or forcibly interfering with a person because of how they look in terms of their race, ancestry, or national origin.**
- 2. Attempting to push, kick, or violently intimidate a person because of the language they speak.**
- 3. Vandalizing a business, home, or other property because it belongs to someone who is, or is perceived to be, an immigrant or from another country.**
- 4. Advocating unlawful violence against a person because of their sexual orientation, gender identity, or other protected characteristic.**

In addition, California law prohibits employers, housing providers, and business establishments from discriminating against or harassing people based on a protected characteristic (California Government Code sections 12900 through 12996, and the Unruh Civil Rights Act).

If you think you have been a victim of hate violence, file a complaint. A DFEH complaint must be filed within one year from the date the victim becomes aware of the perpetrator's identity, but no more than three years from the date of harm. An attorney is not required and there is no fee for DFEH's services.

If you have a disability that requires a reasonable accommodation, DFEH can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or you can contact us below.

TO FILE A COMPLAINT

Department of Fair Employment and Housing

dfeh.ca.gov

Toll Free: 800.884.1684

TTY: 800.700.2320