

CALIFORNIA LAW PROTECTS YOU FROM HATE VIOLENCE

FACT SHEET



Civil Rights
Department
STATE OF CALIFORNIA

California law protects you from violence against you or your property because of your race, ethnicity, sexual orientation, gender identity, religion, and other protected characteristics. This type of violence is commonly called hate violence.

If you experience hate violence, you may be able to file a complaint with the Civil Rights Department (CRD) or a lawsuit against the person who harmed you. This fact sheet discusses your rights under the Ralph Civil Rights Act (Civil Code section 51.7) and available services.

WHAT IS HATE VIOLENCE?

The law prohibits any violent act or threat of violence against you or your property because of your protected characteristic. To violate the Ralph Act, hate violence typically involves physical contact or a threat of physical contact with you or your property. Hate violence can also include making or threatening to make a false police report against you, or distributing materials, such as flyers, on private property without your permission in order to make you fear for your personal safety. Hate violence is forbidden everywhere, including in the workplace, at home, at a store or other business, at a place of worship, or on the street.

For example, the Ralph Act makes it illegal to:

- Stop or attempt to stop religious activities by threats of violence
- Damage a person's property because of their actual or perceived race, color, or national origin

- Place a flyer with anti-immigrant messages on the doorstep of the home of immigrants, without the owner or occupants' permission, in order to terrorize them or make them fear for their safety
- Vandalize or graffiti a building with slurs because the owners provide services to people who are LGBTQ
- Threaten to make a false police report against someone because of their political affiliation
- Assault or try to assault a person because of their actual or perceived disability

Generally, speech alone does not violate the Ralph Act. But if speech threatens violence against you, it may violate the Ralph Act in particular circumstances.

You cannot be required to waive – or give up – the protections against hate violence in exchange for a job, housing, goods, or services.

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WHICH CHARACTERISTICS ARE PROTECTED?

The Ralph Act protects you from hate violence based on your actual or perceived:

- Sex/gender (including pregnancy, childbirth, and related health conditions)
- Gender identity and gender expression
- Race
- Color
- Religion
- Ancestry
- National origin
- Disability
- Medical condition
- Genetic information
- Marital status
- Sexual orientation
- Citizenship
- Primary language
- Immigration status
- Political affiliation
- Position in a labor dispute

You are protected when a person targets you for hate violence based on their belief about your protected characteristic, even if they are mistaken.

The law may protect against hate violence based on other characteristics as well.

REMEDIES AVAILABLE

When you or your property is targeted for hate violence, the Ralph Act may provide a civil remedy.

If a court rules in your favor, available remedies may include:

- **Restraining orders:** Court orders that can protect you from being physically or sexually abused, threatened, stalked, or harassed. Examples of restraining orders include prohibiting a person from taking specific acts against you or requiring a person to stay a certain distance away from you. Sometimes restraining orders can protect your family or household members as well. After a court grants a restraining order, anyone who violates that order can be fined or jailed.
- **Actual damages:** Money to cover the harm you experienced, such as the cost of medical treatment, lost wages, or property repair, as well as payment for emotional suffering and distress
- **Punitive damages:** Money ordered by a court to punish people who violate the Ralph Act
- **Civil penalties:** A \$25,000 fine, paid to you after filing a complaint or participating in any legal action brought by CRD, the Attorney General, a district attorney, or a city attorney and/or
- **Attorney's fees:** Money to cover the cost of attorney's fees related to the lawsuit. You will never be responsible for the attorney's fees of the person who committed the violent act or threatened violence.

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WHAT CAN I DO IF SOMEONE COMMITS AN ACT OF HATE VIOLENCE AGAINST ME?

1. Get to a place where you feel safe. Get medical help if needed.
2. Try to document as many facts as you can remember about the act of hate, including information about the perpetrator(s); the exact words they said or gestures they made; proof of what happened (for example, photos or video footage of graffiti, eggshells, or flyers on your vehicle or house); and the names, addresses, phone numbers, and emails of witnesses or other people targeted for hate. You may ask other people to help you gather this information after the act or threat.
3. Contact the California vs Hate Resource Line and Network (CA vs Hate) at 1-833-8-NO-HATE (1-833-866-4283) or <https://www.cavshate.org/>. CA vs Hate is not a law enforcement reporting line. If you report a hate act to CA vs Hate, we will help you understand your options for next steps. This may include getting you connected to legal, mental health, or other services and support. CA vs Hate can also provide information about filing a complaint with CRD, contacting law enforcement, and how a criminal investigation would work. CA vs Hate offers support in whatever language you speak.
4. If you feel comfortable, you may report any violent threat or act to your local police department. Try to explain the connection between the hate violence or threat of violence and your actual or perceived protected characteristic. After investigating, a prosecutor may bring a civil or criminal case.
5. You may file a complaint with CRD. CRD will investigate claims and may try to facilitate a settlement. In some cases, CRD may prosecute

the complaint in court at no cost to you. You do not need a lawyer to file a complaint with CRD, but you may get one if you choose. CRD complaints must be filed within one year of the alleged hate act or threat, but a longer timeline for filing may apply if you do not know who did the hate act or made the threat. Other government agencies may also accept complaints.

6. You may talk to an attorney and file a private lawsuit under California Civil Code section 52 to enforce the Ralph Act. You may also pursue a claim under the Bane Civil Rights Act, California Civil Code section 52.1. This act forbids anyone from interfering by violence or threat of violence with your state or federal constitutional or statutory rights. If you believe your rights under the Bane Act were violated, you may seek civil remedies or a public prosecutor may seek both civil and criminal penalties.
7. You may apply to the California Victim Compensation Board (CalVCB) to get compensation for your losses. This includes reimbursement to cover your health care costs, income loss, and other losses. Your local district attorney's office Victim Witness Assistance Center works directly with CalVCB. They can help you fill out an application. To find Victim Witness Assistance Centers near you, visit www.victims.ca.gov/for-victims/get-help/.

TO FILE A COMPLAINT

calcivilrights.ca.gov/complaintprocess

Toll Free: 800.884.1684

TTY: 800.700.2320

Have a disability that requires a reasonable accommodation? CRD can help you with your complaint.