

What is a Hate Crime?

A Hate Crime is 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
- (7) Association with a person or group with one or more of these actual or perceived characteristics
- (4) Race or ethnicity
- (5) Religion
- (6) Sexual orientation

How to Report A Hate Crime?

Report the crime to your local law enforcement agency. If hate crimes are not reported, suspects are **NOT** held accountable. When suspects are **NOT** held accountable incidents of hate and hate crimes may continue to occur.

**TO REPORT A HATE CRIME IN PROGRESS
OR AN EMERGENCY**

CALL 9-1-1

FOR NON-EMERGENCIES CALL

760-435-4900



Additional Resources

LECC Suspicious Activity Report (SAR)
www.SDLECC.org
(858) 495-7200

California Attorney General,
Victims' Services Unit
www.oag.ca.gov
(877) 433-9069
VictimServices@doj.ca.gov

San Diego County
District Attorney's Office
www.SDCDA.org
Victim Services: (619) 531-4041
Hate Crime Reporting: (619) 515-8805
Or email: hatecrimes@sdcca.org

Full List of Resources:
opdsafeplace.com



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Identifying & Reporting Hate Crimes and Incidents

CITY OF OCEANSIDE

POLICE

What is a Hate Incident?

Hate incidents are acts directed against a person(s) based on the victim's actual or perceived race, nationality, religion, sexual orientation, disability or gender. Hate incidents also include hate crimes, which violate criminal laws and lead to a police investigation. **ALL** hate incidents should be reported.

What is a Hate Speech?

The First Amendment to the U.S. Constitution protects most speech, even when it is disagreeable, offensive, or hurtful. The following types of speech are generally **Not Protected**:

- Fighting words (P.C. 415)
- True threats (P.C. 422)
- Perjury (P.C. 118)
- Blackmail (P.C. 518)
- Incitement to lawless action (P.C. 404.6)
- Conspiracy (P.C. 182)
- Solicitation to commit any crime (P.C. 653f)

Legally Protected Speech

Actions, speech, or behavior that, while motivated by hate, is **legally protected** by the First Amendment.

Examples:

- **Insults**
- **Derogatory Comments**
- **Displaying hateful material on your own property**
- **Distributing hateful material in public places**

Various types of legally protected speech may constitute a hate incident. **ALL HATE INCIDENTS** should be documented by law enforcement.



Victims of Hate Crimes Should:

- In an emergency, call 9-1-1. Otherwise, call your local law enforcement agency.
- Obtain medical attention, if needed. Be sure to keep all medical documentation.
- Document any hate language that was said, particularly any words that indicate bias motivation, and other information that may be valuable.
- Document any facts so you don't forget them.
- Leave all evidence in place. Do not touch, remove, or clean up anything.
- Take photos of the evidence.
- Document what happened and get a description of the suspect(s) and/or their vehicle.
- Get the names, addresses, and phone numbers of other victims or witnesses.



WHAT ARE MY RIGHTS?

The Ralph Act - Civil Remedies

The Ralph Act protects individuals from violence or intimidation by threat of violence because of a victim's protected characteristics. These include association with one of the characteristics defined in a Hate Crime. Remedies for Ralph Act violations include restraining orders, money to compensate the victim and punish the perpetrator, and attorneys' fees.

Hate Crime Victims' Rights

Victims of hate crimes may be eligible for compensation to help pay for expenses related to a crime, such as medical treatment, mental health services, home security, or income loss: California Victim Compensation Board

website: vcgcb.ca.gov/victims/

What if I am an immigrant?

Protection from hate attacks extend to everyone, regardless of immigration status. Government agencies like the San Diego County Sheriff's Department will not check your immigration status if you report a hate crime.

An undocumented immigrant may be eligible for a U-Visa if they are a victim of certain crimes and willing to help with the investigation or prosecution.