

# CALIFORNIA LAW PROTECTS YOU FROM HATE VIOLENCE

## FACT SHEET



Civil Rights  
Department  
STATE OF CALIFORNIA

California law forbids acts of violence or threats of violence against a person or their property based on personal characteristics, such as race, ethnicity, sexual orientation, gender identity, or religion. The California Civil Rights Department (CRD) enforces one of the civil laws that prohibits such “hate violence” – the Ralph Civil Rights Act (Civil Code section 51.7). If you have been a victim of hate violence, you can file a complaint with CRD against the person who harmed you.

## WHICH PERSONAL CHARACTERISTICS ARE PROTECTED UNDER THE RALPH ACT?

*A person’s actual or perceived:*

- sex/gender (including pregnancy, childbirth, and related medical 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

These listed characteristics are examples of protected characteristics; the law protects people against discrimination based on other characteristics as well.

## WHAT IS PROHIBITED UNDER THE RALPH ACT?

Hate violence is forbidden everywhere, including the workplace, at home, a place of worship, or on the street. Under the Ralph Act, California civil law prohibits hate violence and intimidation by threats of violence. Hate violence is any violent act motivated by bias against a person’s actual or perceived protected characteristic – that is, what someone knows about you or thinks they know about you that is protected under the act. It typically requires physical contact or threat of physical contact with a person or their property. No one can require a person to waive – or give up – the act’s protections. For example, a person cannot be required to give up protections under the act before they can receive goods or services.

*For example, the Ralph Act makes it illegal to:*

- Attempt to discourage – or stop – religious activities by threats of violence;
- Damage a person’s property because of that person’s actual or perceived race, color, or national origin;
- Vandalize or graffiti a building because of the actual or perceived sexual orientation of people who use or own the building;
- Use or brandish (show) a weapon to threaten or hurt someone because of that person’s actual or perceived gender or gender identity;
- Assault or try to assault a person because of actual or perceived disability; or
- Advocate violence against a person due to their actual or perceived protected characteristic, including political affiliation or ancestry, in order to incite imminent lawless action – that is, encourage someone to act in a way that breaks the law.

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## REMEDIES AVAILABLE

The Ralph Act provides civil remedies for persons who have been targeted for acts of violence or threats of violence because of their actual or perceived protected characteristic. If a court rules in favor of someone targeted for hate, available remedies include:

- **Restraining orders:** Restraining orders are court orders that can protect someone from being physically or sexually abused, threatened, stalked, or harassed. Examples of restraining orders include prohibiting a person from taking specific acts against another person or requiring a person to stay a certain distance away from another. Sometimes restraining orders can protect family or household members in addition to an individual. After a restraining order is obtained from a court, violators of that order can be fined or jailed;
- **Actual damages:** Money to cover the harms you have suffered, such as the cost of medical treatment, lost wages, property repair, or payment for emotional suffering and distress;
- **Punitive damages:** Additional money damages ordered by a court to punish people who violate the act;
- **Civil penalties:** In any legal action brought by the person who experienced the act of hate - or by the Attorney General, a district attorney, or a city attorney, a court may order a fine of \$25,000, which would go to the person filing the complaint; and/or
- **Attorney's fees:** A court may order payment of the attorney's fees resulting from the lawsuit - a person targeted for hate will never be responsible for the attorney's fees of the person who committed the violent act.

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

1. First, get to a place where you feel safe. Get medical help if necessary.
2. Contact the California vs. Hate Resource Line and Network (CA vs. Hate) at 1-833-8-NO-HATE (1-833-866-4283) or report on-line at <https://stophate.calcivilrights.ca.gov/s/> to get access to culturally competent resources and support. CA vs. Hate is not a law enforcement reporting line; people who call can learn about their different options for next steps. This may include connecting with resources that culturally competent community-based organizations can offer, including mental health or other social services support. Individuals and communities can choose to receive follow-up from our staff on options for next steps. If requested, CA vs. Hate can provide additional information about contacting law enforcement and the general ways in which a criminal investigation proceeds in these cases. CA vs. Hate offers in-language support for all communities via a phone number and an online portal.
3. If you feel comfortable, you can report any violent threat or act to your local police department. Try to explain the connection between the violence or threat of violence and your actual or perceived characteristic as protected under the law (race, color, national origin, gender identity, gender, age, disability, sexual orientation, religion, etc.). Upon investigation of the alleged act, a prosecutor may bring a civil or criminal case.
4. Try to write down as many facts as you can about the incident, including information about the perpetrator(s); the exact words or gestures that were said/made (if any); save or document all evidence (for example, graffiti, eggshells, writing on your vehicle or house,

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video footage from a nearby business or house); and get the names, addresses, phone numbers, and emails of other people targeted for hate and witnesses. You can ask other people to help you gather this information after the incident.

5. You may file a complaint with CRD. CRD will investigate claims and facilitate mediation and settlements – and in some cases may prosecute the complaint in court – at no cost to you. You do not need a lawyer to report the claim to CRD, but you may involve one if you so choose. 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, which forbids anyone from interfering by violence or threat of violence with your state or federal constitutional or statutory rights. If you believe your rights have been violated under the Bane Act, you may pursue civil remedies or a public prosecutor may pursue both civil and criminal penalties.
7. You may apply to the California Victim Compensation Board (CalVCB) to receive compensation for your losses, including reimbursement to cover your medical expenses, income loss, and other losses. You can obtain assistance with applications to CalVCB at your local district attorney's Office Victim Witness Assistance Center, which works directly with CalVCB. To find Victim Witness Assistance Centers near you, visit: [www.victims.ca.gov/for-victims/get-help/](http://www.victims.ca.gov/for-victims/get-help/)

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**If you think you have been targeted for hate violence based on a protected characteristic, file a complaint. The complaint usually needs to be filed within a year of the unlawful act of hate, but there may be a longer timeline for filing if the person who committed the act is unknown at the time of the incident. Please call CRD if you have questions about the filing timeline or any other questions about filing a Ralph Act complaint.**

If you have a disability that requires a reasonable accommodation, the CRD 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

### Civil Rights Department

[calcivilrights.ca.gov/complaintprocess](http://calcivilrights.ca.gov/complaintprocess)

Toll Free: 800.884.1684

TTY: 800.700.2320

*For additional translations of this guidance, visit:*

[www.calcivilrights.ca.gov/posters/HateViolence](http://www.calcivilrights.ca.gov/posters/HateViolence)