

if you have been a victim of a hate crime:

1. If you are seriously injured, call 911 or get to the hospital immediately.
2. Whether or not you are injured, report the crime.
3. To help yourself, it is important to do at least some of these things:
 - a) See a doctor to treat and document even minor physical injuries
 - b) Take pictures of any physical injuries or damages to property, even if police already did so
 - c) If the crime is vandalism, let the police see and photograph the damage before you clean and/or repair
 - d) If possible, get witnesses' names, addresses and telephone numbers
 - e) Write down as many facts about the incident as you can remember
 - f) Seek a therapist to assist with the emotional aspects of the attack
 - g) Learn the names of the police officers and prosecutors working on the case, and keep in touch with them
 - h) Get copies of police reports and check them for accuracy
 - i) Attend necessary court hearings, whether you're subpoenaed, including arraignment, bail review and sentencing
 - j) If possible, make a statement in court to the judge about threats, direct or indirect, and possible fears.

district attorney office locations

San Diego – Hall of Justice
330 W. Broadway, San Diego, CA 92101
(619) 531-4070

North County Branch – Vista Courthouse
325 S. Melrose Dr., Ste. 5000, Vista, CA 92083
(760) 806-4079

East County Branch – El Cajon Courthouse
250 Main St., 5th Floor, El Cajon, CA 92020
(619) 441-4538

South Bay Branch
333 H St., Ste. 4000, Chula Vista, CA 91910
(619) 498-5650

Juvenile Division – Juvenile Courthouse
2851 Meadowlark Dr., San Diego, CA 92123
(858) 694-4254

To report a hate crime,
call: Special Operations
(619) 531-4051



www.sandiegoda.com

HATE CRIMES



if you've been targeted because of who you are, that's a crime



Bonnie M. Dummanis
District Attorney

A Message from your District Attorney:

Bias motivated crimes are unique. They are aimed at intimidating entire communities, not just one victim. Hate crimes tend to be more violent than non-hate motivated offenses and everyone in the victim's community is meant to feel the terror.

Our office is committed to prosecuting bias motivated attacks. We have been a leader in this important area for 15 years. This was the first District Attorney's Office in California to assign a deputy district attorney to specialize in prosecuting hate crimes. We maintain an aggressive, highly trained team to prosecute these offenses.

Our efforts include educational outreach to the county. We teach about hate crimes to students, faculty and community groups so people can protect themselves from bias-motivated violence. We also train law enforcement personnel so they can better assist victims of hate crimes.

A hate crime against one person is an assault against all of us. The San Diego Office of the District Attorney will continue fighting hate crimes in our community.



Dennis W. Cummings



What is a hate crime?

A hate crime is any offense committed against you or your property *because* of your race, religion, ancestry, national origin, disability, gender or sexual orientation. Anybody can be a victim. White, heterosexual males can be victims, as can African-American women. The language of the law is very broad and protects everyone, not one particular group.

To qualify as a hate crime, bias against you need not be the only reason you were attacked, as long as it was a major factor in the criminal's selection of you as a target.

Also, it does not matter if you are a member of the group that your assailant thinks you are, only that your attacker *perceives* you to be a member of that group. If someone hits you because he thinks you're Hispanic, but you're White or Native American, you're still a victim of a hate crime. If an assailant beats up your friend thinking your friend is gay, but your friend is actually straight, your friend is a victim of a hate crime. Law enforcement can prosecute the criminal for the hate crime without waiting for him to strike again.

What is a hate incident?

A hate *incident* is an act, which is bias-motivated, but does not rise to the level of a hate *crime*. So, if someone uses a racial or other slur against another it is probably not a hate crime, rather it is a hate incident. These occurrences are frequently frightening and upsetting, but they are not criminal.

What if you witness a bias incident that does not amount to a crime?

It is important to record bias incidents for educational, informational and statistical purposes. Do not be frustrated if law enforcement personnel tell you that what you experienced was not a crime; we are interested in tracking hate incidents because hate-motivated attacks often occur in the same areas where these incidents happen. Studying trends, may in turn, assist in preventing and solving crimes.

If you hear a person yelling racial or other bias slurs in a public street, on campus, or shopping mall notify an authority. For example, you may contact a store or restaurant manager in close proximity. At a school or public building, notify security or the administration. Responding yourself to insults may provoke a physical attack against you.

If you find or receive racist flyers, notify your local law enforcement agency as soon as possible.

Are hate crimes laws constitutional, don't they interfere with free speech?

Hate crimes laws are Constitutional. Both the U.S. Supreme Court and the California Supreme Court have ruled many times that these statutes are legitimate, lawful efforts to protect our communities.

And, anti-bias laws aimed at criminal actions do not violate important free speech rights. The courts tell us that speech may not be protected when coupled with violent actions. For instance, yelling a slur at somebody and then hitting him, or threatening to hurt him, is a crime. However, dissemination of racist flyers, name-calling and other non-criminal conduct while offensive, is not criminal. As you can see, there is nothing about hate crimes laws that in any way hurts our first amendment rights.

