



The Ralph Civil Rights Act protects against hate crimes and can expose violators to criminal penalties.







Department of Fair Employment and Housing

complaint with DFEH or, if local law enforcement refuses to investigate the incident, contact the California Attorney General at (800) 952-5225 or TTY number at (800) 952-5548.

For more information, contact DFEH toll free at
(800) 884-1684

TTY number at (**800**) **700-2320**
or visit our web site at ***www.dfeh.ca.gov***

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State of California
Department of Fair Employment & Housing

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Hate Violence and Civil Rights

The *Ralph Civil Rights Act* forbids acts of violence or threats of violence because of a person's race, color, religion, ancestry, national origin, age, disability, sex, sexual orientation, political affiliation, or position in a labor dispute (California Civil Code section 51.7).

The acts forbidden by civil law may also be criminal acts and can expose violators to criminal penalties.

What DFEH Does

The Department of Fair Employment and Housing (DFEH) enforces the California **civil** laws that prohibit hate violence by

- Investigating complaints;
- Prosecuting violations of the law; and
- Educating Californians about the laws prohibiting hate violence, harassment, and discrimination by providing written materials and participating in seminars and conferences.



The mission of the Department of Fair Employment and Housing is to protect the people of California from unlawful discrimination in employment, housing and public accommodations, and from the perpetration of acts of hate violence.

Protections Under the Law

The following types of acts are prohibited by law:

- Threats, verbal or written
- Physical assault or attempted assault
- Vandalism or property damage

These laws provide civil remedies for persons who have been victims of acts of violence or threats of violence because of any of the characteristics or categories listed above.

Filing a Complaint

If you believe you are a victim of hate violence, you may take the following steps:

1. *Use this brochure.* Show it to an attorney, the police, or governmental agencies when you contact them about the problem.

2. *Report any violent threat or act to the police.* Be sure to explain the connection between the violent threat or act and the characteristic (race, sex, age, disability, sexual orientation, etc.). Remember that this connection can be based on your characteristic or that of a group or individual with whom you are associated.

3. *File a complaint.* A complaint may be filed with DFEH, in court, or with another governmental agency, such as the local police department, district attorney, or the California Attorney General.

a. You can contact DFEH by calling our toll free number at (800) 884-1684.

A DFEH complaint must be filed within **one year** from the date the victim becomes aware of the perpetrator's identity, but in no case more than **three years** from the date of harm. An attorney is not required and there is no fee for the Department's services.

Be prepared to present specific facts about the complaint and provide copies of documents that support the charges in the complaint.

b. Civil remedies available under the *Ralph Civil Rights Act* include the following:

- **Restraining orders:** After a restraining order is obtained from a court, violators of that court order can be fined or jailed.
- **Actual damages:** These damages include the cost of medical treatment, lost wages, property repair, or payment for emotional suffering and distress.
- **Punitive damages:** A court can order additional damages to punish violators.
- **Civil penalties:** A court or the Fair Employment and Housing Commission may order a fine of up to $25,000, which would be awarded to the person filing the complaint.
- **Attorney's fees:** A court may order payment of the complainant's attorney's fees resulting from the lawsuit.

c. A private lawsuit can be filed under California Civil Code section 52 to enforce the *Ralph* or *Bane Civil Rights Acts.* Remedies may include actual damages, attorney's fees, punitive damages, and civil penalties up to $25,000. The court may also issue a restraining order.

The *Bane Civil Rights Act,* which does not fall under the jurisdiction of DFEH, forbids anyone from interfering by force or by threat of violence with a person's federal or state constitutional or statutory rights (California Civil Code section 52.1).

d. Assistance can also be provided by a district attorney, a city attorney, or by the California Attorney General. Any of these officials can file a lawsuit or ask a court for a restraining order.

In situations in which the assailant is unknown, you should still contact DFEH about filing a