



Civil Rights Department Commission on the State of Hate

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COMMISSION ON THE STATE OF HATE

Notice and Agenda

May 24, 2023, 11:30 a.m.

Commissioners Present

Vice Chair Bamby Salcedo
Commissioner Regina Cuellar
Commissioner Andrea Beth Damsky
Commissioner Cece Feiler
Commissioner Brian Levin
Commissioner Shirin Sinnar
Commissioner Erroll G. Southers

Civil Rights Department Staff Present

Adam Romero, CRD Deputy Director
Becky Monroe, CRD Deputy Director
Alec Watts, CRD Deputy Director
Marquez Equalibria, CRD CCRU
Gregory Mann, CRD CCRU
Christina Teixeira, CRD CCRU

Others Present

An estimated 75 members of the public participated virtually.

I. Welcome a. Call to Order

Commissioner Cuellar welcomed everyone at 11:31 a.m.

She reviewed the process for translated closed captioning. Commissioner Cuellar introduced herself and had the following Commissioners introduce themselves: Commissioner Feiler, Commissioner Damsky, Commissioner Sinnar, Commissioner Southers, and Commissioner Levin.

Commissioner Cuellar explained the public comment process. She then discussed the goal of the Commission and the forum.

Commissioner Cuellar reviewed the agenda.

b. Establishment of a Quorum

II. Informational Presentations on the State of Hate

Commissioner Cuellar introduced the first speakers Candice Cho and Annie Lee.

b. Righting Wrongs: How Civil Rights Can Protect Asian Americans and Pacific Islanders

Candice Cho started the presentation with:

An introduction as to who and what Stop AAPI Hate is and how they define hate. They based their definition of hate on what the community and data are telling them.

She shared three stories on what anti-AAPI racism looks like. These were just three of 11,000 reports they have received since March 2020. Some of the trends they found are: 1 in 5 Asian Americans and Pacific Islanders experienced hate since the start of the pandemic, a large amount of hate is non-criminal (e.g., harassment, bullying, etc.), and most of these incidents were occurring in public. A survey was conducted in November and December to collect more data.

Annie Lee continued the presentation and discussed the following:

The results from the survey showed that a significant number of Asian Americans and Pacific Islanders experienced discrimination. Data regarding where the discrimination occurred, the impacts of it, the victim's experience reporting, and if people wanted to know more about their civil rights were discussed. Most Asian Americans and Pacific Islanders reported trusting community groups the most for reporting and receiving civil rights information.

Two-thirds of Asian Americans and Pacific Islanders in California said they want new civil rights laws to reduce discrimination.

Candice Cho talked about the next steps:

Focusing on solutions outside of the criminal legal system because relying on the police for all the solutions comes at a cost to other communities who are disproportionately and unjustly targeted by law enforcement. Most AAPI community members want comprehensive solutions.

Two recommendations for states and local governments: (1) invest directly in AAPI Community infrastructure and (2) direct public agencies to address bias-motivated harassment in public spaces. She then explained the API Equity Budget, the No Place for Hate California campaign, and CA v. Hate.

Commissioner Cuellar thanked presenters and introduced the next presenter, Commissioner Levin.

a. Hate Crime Trends: A Changing Threat and Invisible Records

Commissioner Levin presented the following:

Reviewed frequently asked questions and areas with limited data availability. The data reveals a low number of prosecutions under current hate crime laws.

Major cities across the country are experiencing increases in levels of hate crime or incidents, dependent on city size. FBI data indicates an increase in violent hate crimes, particularly against the black and LGBTQ communities. Such crimes tend to occur more frequently during the second half a year, often correlating with catalytic events. In California, reported hate crimes have reached a multi-year high.

Demographic data illustrates that the targets for hate crimes differ based on local demographics. However, some groups face significant underreporting. Densely populated cities generally provide more accurate data. It is crucial to enforce existing protections for vulnerable groups against militia groups seeking to harm them.

Commissioner Levin emphasized the significance of the Commission's work and the importance of researchers sharing the current hate crime data, particularly when the data reflects some of the highest numbers of hate crimes in the last 30 years. Therefore, the Commission be an ally to these communities.

Commissioner Cuellar thanked Commissioner Levin for his presentation.

Public Comment

Commissioner Feiler reminded everyone of the public comment process.

The first public commenter disagreed with the notion that the AAPI community mostly support a non-carceral approach, instead advocating for stronger hate crime laws and increased local law enforcement presence. They also raised concerns about unhelpful language as it relates to inner group violence. In conclusion, they urged the Commissioners to not shy away from the tough questions.

The second commenter brought up the issue of discrimination against students with disabilities, highlighting the fear of retaliation that prevents many students from reporting incidents. They mentioned the concept of "invisible hate crimes" and asked how we incorporate protections for people with disabilities into the Commissions work.

- Commissioner Levin acknowledged the lack of representation for the disabled community and emphasized the importance of considering their voices. He further highlighted the difficulties in obtaining data for this community, particularly when intersecting identities are involved.

Another community member wanted to respond to Commissioner Levin's presentation

specifically concerning Muslim Americans. They discussed that hate crimes among this group often go unreported arguing the FBI's numbers are inaccurate. The commenter then shared statistics on discrimination against Muslim Americans and stressed the importance of combating it through education and engagement.

The fourth participant highlighted the ongoing issue of underreporting among individuals with disabilities. They emphasized the need for improved law enforcement training to address the lack of reporting by officers and called for a better classification system for hate crimes against people with disabilities, as many incidents are not recognized as such.

The last person to share a comment discussed the lack of online moderation over hate.

Commissioner Cuellar encouraged anyone interested to submit comments via email. Additionally, she announced a five-minute break.

c. Informational Presentations on Options and Resources for People Targeted for Hate

Commissioner Cuellar introduced the next presenters Christina Teixeira and Gregory Mann.

a. Know your Rights and Options if Targeted for Hate

Gregory Mann began the presentation with the following:

CRD Disclaimer that the information in the presentation does not constitute legal advice.

The first informational slide outlined the options and rights available to victims and witnesses of hate incidents. Definitions of hate crimes, hate incidents, and the distinction between criminal and civil law were provided.

Christina Teixeira continued the presentation by addressing:

Options for victims and witnesses of hate crimes and how to report it. This included options such as calling 911, seeking assistance from trusted organizations, offering support to victims, practicing self-regulation, finding emotional support, being an ally, and contacting CA v. Hate.

Documenting expressions of hate and collecting evidence were emphasized. If there is no evidence, the safety of the victim and witness is the most important. When reporting, provide as many details and characteristics as possible. Be sure to state the incident was a hate crime so it documented. Reporting the incident to the FBI, other organizations, CA v. Hate are other options for those who do not wish to report with law enforcement.

Gregory Mann continued the presentation:

He shared information on filing a civil action based on the hate crime or incident through the CRD. such incidents must violate the Ralph Civil Rights Act, which requires violence or threat of violence. The process of filing an administrative complaint with the CRD was provided, along with additional information regarding the provisions of the Ralph Civil Rights Act.

Christina Teixeira concluded by summarizing the key points covered.

Commissioner Cuellar thank Christina Teixeira and Gregory Mann, announcing that public comment will be heard after the next presentation. She introduced Deputy Director Becky Monroe, California Civil Rights Department and Assistant Deputy Director Marquez Equalibria, California Civil Rights Department.

b. Resources Available to People Targeted for Hate

Becky Monroe shared information about the following:

CA v. Hate is a new resource line and network. This a community-centered approach to combating hate by identifying options and next steps for individuals targeted for hate, connecting with culturally competent resources, and improving hate incident and data reporting to enhance preventions and responses. CA vs. Hate is accessible in over 200 languages. The intake process was explained.

Emphasized that this resource is to support, it is private and confidential, and that there is ongoing input and accountability. The resource networks that CA vs. Hate partners with were shared.

Marquez Equalibria concluded the presentation with the following:

The history of the Community Conflict Resolution Unit (CCRU). Went over CCRU's jurisdiction and who CCRU works with. The standard practices are that it is a neutral, impartial, and confidential resource that does not have law enforcement powers.

The free services that CCRU provides include designing conflict resolution processes, facilitating community engagement processes, education and training, technical consultations, and mediating community disputes. Examples of these services were provided to give context.

Commissioner Cuellar thanked Becky Monroe and Marquez Equalibria and announced Commissioner Feiler will moderate public comment.

Commissioner Feiler thanked everyone for their presentations and reminded people that the comment must pertain to the presentations.

Public Comment

No public comment.

IV. Facilitated Public Comment and Discussion

Commissioner Cuellar described the goals of the facilitated public comment and emphasized that the foundation of the Commission's work is community input. She encouraged people to participate. If they didn't feel comfortable speaking up in the forum, they could also email the Commission at CSH@CalCivilRights.ca.gov.

Assistant Deputy Director Marquez Equilibria asked the following questions of the public:

- (1) What are the barriers to reporting hate that you have experienced?
- (2) What are the barriers to accessing resources and support?
- (3) Are you able to access culturally competent resources and support?
- (4) If you or someone you know has targeted for hate, what was an example of a response – from the government or a community-based organization, or a religious institution – that you thought was helpful and effective? Or, what was an example that was not helpful nor effective?
- (5) What are the issues you would like to see addressed in future public forums?

Public Comment

The first commenter recommended doing future presentations on Islamophobia and its impact on Muslims.

Another member of the public shared that there are multiple barriers for people with disabilities and reporting to law enforcement which include people with disabilities being ignored and in many cases the perpetrators being the caregiver.

- Marquez Equilibria asked if there are next steps for the Commission to address some of the barriers mentioned.
- The speaker responded that there is pending legislation that would require law enforcement agencies to receive training on how to interact with these groups as well as require them to reach out to these community groups.

V. Public Comment on Items Not on the Agenda

Commissioner Cuellar reminded everyone to keep in mind that the Commission may not discuss or act on any matter raised during the public comment section that is not included on this agenda, except whether to decide to place the matter on the agenda of a future meeting.

Public Comment

One member of the public wanted to bring awareness to SB 403 and drew awareness to attacks against Muslims.

VI. Adjournment

Commissioner Feiler thank everyone for attending and reminded everyone that their feedback is critical for the Commission's work.

Commissioner Cuellar adjourned at 2:34 p.m.