

2022-2023

COMMISSION ON THE STATE OF HATE

ANNUAL REPORT • CIVIL RIGHTS DEPARTMENT



This report has been prepared pursuant to Government Code Section 8010(k), which requires the Commission on the State of Hate to issue an Annual State of Hate Commission Report.

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A MESSAGE FROM THE CHAIR

As many of us have witnessed in recent years, California is confronting a surge of hate targeting our families and friends because of who they are, how they look or express themselves, where they are from, who they love, or how they practice their faith. We are frequently confronted with disturbing news of attacks on people because they are transgender or non-binary, the scapegoating of AAPI communities blamed for the COVID-19 pandemic, the overwhelming number of hate crimes targeting Black Californians, and violence against Jews, Muslims, and other people of faith, among other forms of hate. Each of these events can harm not only the individuals specifically targeted, but entire families, neighborhoods, and communities. Moreover, we've observed that many people who live at the intersection of marginalized identities and communities are especially at risk. We've seen hate manifest throughout California, from our cities and rural communities; in schools, workplaces, businesses, and religious institutions; and on sidewalks and public transit. As a Latinx, non-binary, queer person born and raised in California, this issue is deeply personal. I've witnessed firsthand the devastating impacts of hate, especially the toll it takes on the many communities that make California the vibrant, thriving state that it is today.

However, I am inspired by the commitment of the State of California to protect California residents from hate through existing and new programs and partnerships. This includes the creation of the Commission on the State of Hate at the Civil Rights Department. Building on a long history of initiatives to combat hate and other forms of discrimination, the State of California tasked the Commission with an important mandate: to provide critical guidance and recommendations to communities and public officials on how to protect people and communities from hate. Given the inherent complexity of this mandate, we have prioritized building a solid foundation of knowledge and evidence. To build this foundation, we are reviewing cutting-edge research and proactively seeking input from communities throughout the state. Where we observe gaps in our knowledge, we are developing community partnerships and procuring original research studies from California's leading research institutions. I am proud of the progress the Commission has made to date. With the support of the staff at the Civil Rights Department, the Commission has developed the infrastructure and strategic focus necessary to develop evidence-based, community-informed recommendations.

This past year, the Commission supported the formal launch of the Civil Rights Department's California vs. Hate, the state's first resource line and network to provide a channel to report hate and assist survivors of hate. Designed with the input of community leaders and other experts, California vs. Hate provides information to callers about their options after experiencing hate and connects callers with a continuum of resources and support. We encourage you to share this resource and to learn more by visiting www.CAvsHATE.org.

In publishing this report, we hope to introduce Californians to the Commission's aspirations and strategic foci. At the same time, we recognize that California is home to numerous dedicated advocates and community-based organizations who have been working tirelessly to protect

their communities from hate. As we explain throughout the report, their work inspires us, and we are deeply committed to partnering with and learning from them. I invite you to share your thoughts with the Commission as we proceed with our work. We have set up several channels to receive public input, including designated periods for public comment during each of our public meetings and community forums. You may also send feedback to the Commission through our e-mail address: CSH@calcivilrights.ca.gov.

Thank you for being part of the work of the Commission. We look forward to hearing from you and partnering with you in the year ahead to create a more peaceful California where all communities can thrive.

A handwritten signature in black ink that reads "Russell Roybal". The signature is written in a cursive, slightly slanted style.

Russell Roybal
Chair, Commission on the State of Hate

EXECUTIVE SUMMARY

In recent years, Californians experienced a sharp increase in reported hate activity. Between 2020 and 2021, hate crimes reported to law enforcement in California increased by almost 33 percent. Data from community-based organizations portray similarly troubling patterns of elevated hate activity. As part of the State's efforts to combat this alarming trend, the Commission on the State of Hate was established at the Civil Rights Department to engage in fact-finding, advisement, and community outreach to assist the State in preventing and responding to hate.

This first Annual Report of the Commission summarizes the past activities of the Commission since its inaugural meeting on December 1, 2022 through June 30, 2023, and articulates the Commission's strategic plan. In the short time since its launch, the Commission established critical infrastructure for its operations, including hiring staff, establishing subcommittees, electing officers, developing a strategic plan, contracting with researchers and vendors, and developing a website and listserv accessible at calcivilrights.ca.gov/commission-on-the-state-of-hate/. The Commission also engaged in outreach events, held six public meetings, and hosted one community forum.

The Commission's strategic plan consists of three strategic goals, each paired with a selection of key activities the Commission plans to carry out to begin to accomplish its strategic goals. As described in detail in the plan, the three strategic goals are:

1. Provide a comprehensive accounting of hate activity in California.
2. Develop recommendations for reducing hate crimes.
3. Develop recommendations for enhancing the resources and support for people and communities affected by hate.

The Commission's initial approach for accomplishing each of its strategic goals is to understand the problems it is trying to solve and solutions that exist today. The Commission is relying on two sources of information in this regard: empirical research and community input. The Commission is investing in reviewing and procuring rigorous empirical research to create a fuller and more nuanced understanding of hate activity in California and how to prevent it. In parallel, the Commission is developing close community partnerships and proactively soliciting community input through public meetings, community forums, and partnerships with community leaders and community-based organizations.

CHAPTER 1: INTRODUCTION

BACKGROUND

In recent years, Californians experienced a surge of hate activity. According to the California Department of Justice, the number of reported hate crimes is at a 10-year high, with much of the increase occurring within the past few years. Between 2020 and 2021, reported hate crimes increased by almost 33 percent.¹ Other data sources portray similarly troubling patterns of hate activity. Nationwide, 53 percent of adults in the U.S. have reported that they experienced harassment online, and 32 percent of those adults reported that the harassment was due to their sexual orientation, religion, race or ethnicity, gender identity, or disability.² The Stop AAPI Hate coalition, which is the nation’s leading aggregator of reports of hate crimes and non-criminal hate incidents directed towards the Asian American and Pacific Islander (AAPI) community, documented 11,467 anti-AAPI hate crimes and non-criminal hate incidents nationwide from March 2020 to March 2022.³ The group also found that one in five Asian Americans and one in five Pacific Islanders experienced either a hate crime or non-criminal hate incident in 2020 or 2021.⁴ Transgender and nonbinary people have historically faced high rates of violence,⁵ but recently anti-trans violence and rhetoric appears to be increasing. Advocacy groups declared 2021 the deadliest year of anti-transgender violence in the United States, especially for transgender women of color.⁶ Concurrently, state legislators across the country have introduced hundreds of bills restricting the rights of transgender people, including in California.⁷ Hate continues to disproportionately target the Black community as well. Last year, a mass shooting in a Buffalo, New York grocery store took the lives of 10 people, all of whom were Black. In 2021 in California, though only six percent of California’s population was Black,

¹ California Department of Justice. (2022). Hate Crime in California for 2021. <https://data-openjustice.doj.ca.gov/sites/default/files/2022-08/Hate%20Crime%20in%20CA%202021.pdf>

² Anti-Defamation League. (2022). Online Hate and Harassment: The American Experience. <https://www.adl.org/resources/report/online-hate-and-harassment-american-experience>

³ Stop AAPI Hate. (2022). Two Years and Thousands of Voices: What Community-Generated Data Tells Us About Anti-AAPI Hate. <https://stopaapihate.org/year-2-report/>

⁴ Stop AAPI Hate. (2021). Stop AAPI Hate National Report. <https://stopaapihate.org/2021/11/18/national-report-through-september-2021/>

⁵ Flores, A. R., Meyer, I. H., Langton, L., & Herman, J. L. (2021). Gender Identity Disparities in Criminal Victimization: National Crime Victimization Survey, 2017–2018. *American Journal of Public Health*, 111(4), 726-729. <https://ajph.aphapublications.org/doi/abs/10.2105/AJPH.2020.306099>

⁶ Human Rights Watch. (2021). “I Just Try to Make It Home Safe” Violence and the Human Rights of Transgender People in the United States. <https://www.hrw.org/report/2021/11/18/i-just-try-make-it-home-safe/violence-and-human-rights-transgender-people-united>

⁷ See “Mapping Attacks on LGBTQ Rights in U.S. State Legislature.” *American Civil Liberties Union*. <https://www.aclu.org/legislative-attacks-on-lgbtq-rights> (last accessed May 11, 2023.)

anti-Black hate crimes comprised 29 percent of all hate crimes reported to law enforcement agencies.⁸

In response to the elevated levels of hate in California, in 2021, the Legislature passed, and Governor Newsom signed, Assembly Bill 1126 (Bloom, Ch. 712, Stat. 2021) to establish the Commission on the State of Hate (Commission). The establishment of the Commission is one of the more recent initiatives in a long history of governmental efforts to combat hate and other forms of discrimination in California.

From a legislative perspective, nearly 50 years ago, California enacted the Ralph Civil Rights Act of 1976 to provide civil remedies to individuals targeted for acts of violence or threats of violence because of their actual or perceived protected characteristics, such as race, gender, or religion.⁹ In 1984, California became one of the first states in the nation to enact hate crimes legislation.¹⁰ Three years later, California enacted the Tom Bane Civil Rights Act, which prohibits using violence or the threat of violence to interfere with another person’s state or federal constitutional or statutory rights.¹¹ These statutes are part of California’s rich history of creating, expanding, and strengthening laws that protect people from discrimination and harassment – in employment, education, housing, public accommodations, state-funded programs and activities, and professional relationships, among other contexts.

More recently, the State of California has advanced several major initiatives to combat the proliferation of hate activity, including initiatives to support survivors and communities affected by hate. At the California Civil Rights Department (CRD), this includes the 2022 launch of California vs. Hate (CA vs. Hate), the state’s first resource line and network to provide a channel to report hate and assist survivors of hate with accessing resources.¹² This also includes the launch of the department's Community Conflict Resolution Unit, which provides free dispute resolution services to communities across the state.¹³ The 2021-2022 California State Budget also established the Stop the Hate Program, which authorizes the California Department of Social Services (CDSS), in consultation with the Commission on Asian and Pacific Islander American Affairs (CAPIAA), to provide grants to community organizations for preventing hate and supporting survivors of hate. The California State Library (CSL) administers grants to media outlets that serve communities historically targeted for hate for the purposes of publicizing the Stop the Hate Program. Today, the Commission, CRD, CDSS, CAPIAA, and CSL collaborate regularly to share learnings and coordinate across these different initiatives.

⁸ California Department of Justice. (2022). Hate Crime in California for 2021. <https://data-openjustice.doj.ca.gov/sites/default/files/2022-08/Hate%20Crime%20In%20CA%202021.pdf>

⁹ Civ. Code § 51.7.

¹⁰ Jenness, V., & Grattet, R. (2001). Making Hate a Crime: From Social Movement to Law Enforcement. *Russell Sage Foundation*.

¹¹ Civ. Code § 52.1.

¹² For more information or to report a hate crime or incident, visit <https://www.cavshate.org/>.

¹³ For more information, visit <https://calcivilrights.ca.gov/disputeresolution/>.

In addition to the Commission, the State of California has recently established other, complementary public bodies committed to addressing hate and racial violence, particularly violence perpetrated by state institutions. For example, the Task Force to Study and Develop Reparation Proposals for African Americans was established in 2020 to study the lingering effects of slavery on African Americans and develop recommendations for compensation. In the same year, the Committee on Revision of the Penal Code was established to develop recommended statutory reforms for establishing alternatives to rehabilitation outside of incarceration and improve criminal law, criminal procedures, and the parole and probation system in California. In 2022, through Executive Order N-16-22, Governor Newsom established the Racial Equity Commission. Developed in partnership with Senator Dr. Pan and racial equity organizations, Governor Newsom established the Racial Equity Commission to recommend tools and methodologies to promote racial equity, address structural racism, and provide assistance to state agencies.

ESTABLISHMENT OF THE COMMISSION

Governor Newsom signed AB 1126 (Bloom) into law in October of 2021. AB 1126 established the Commission, providing that it is an appointed public body to engage in fact-finding, advisement, and community outreach to assist the State in preventing and responding to hate. Among other activities, the Commission is required to present an annual report. Unless further authorized, the Commission is scheduled to complete its efforts on January 1, 2027.

The Budget Act of 2022 funded the Commission as part of CRD and created two positions at CRD to staff the Commission. The Commission receives an annual appropriation of \$1.8M through fiscal year 2025-2026 and \$900,000 in fiscal year 2026-2027. CRD receives, investigates, conciliates, mediates, and prosecutes complaints of alleged violations of the Ralph Civil Rights Act, among other civil rights laws such as the Fair Employment and Housing Act,¹⁴ the Unruh Civil Rights Act,¹⁵ and Government Code section 11135. CRD also houses the Civil Rights Council, which promulgates regulations implementing various civil rights laws and holds hearings on important civil rights topics. The Commission's work builds on and complements other efforts of CRD designed to protect individuals and communities from hate, including the CA vs. Hate Resource Line and Network, the Community Conflict Resolution Unit, the Civil Rights Council, and a variety of outreach and education initiatives.

In September 2022, Governor Newsom signed executive order N-16-22 which, among a host of initiatives to advance equity in California, identified January 1, 2023 as the deadline for launching the Commission. In the Summer and Fall of 2022, the Governor appointed five commissioners, the Senate Committee on Rules appointed two commissioners, and the Assembly Speaker appointed two commissioners. In addition, the Attorney General and Director of the Office of Emergency Services designated staff from their offices to serve as ex-

¹⁴ Gov. Code § 12900 et seq.

¹⁵ Civ. Code § 51.

officio members, as provided for by Government Code section 8010. Once all the commissioners were in place, CRD launched the Commission through its inaugural meeting on December 1, 2022.

ANNUAL REPORT

The Commission is pleased to present its first annual report to the Governor, the Legislature, and the public. Given the resources and staff available to the Commission as well as the Commission's broad and complex mandate, the Commission has prioritized a set of strategic goals to accomplish its duties. This report summarizes these goals and the Commission's past and future activities. Chapter Two provides an overview of the Commission's structure and its activities since the inaugural meeting on December 1, 2022 through June 30, 2023. Chapter Three contains the Commission's strategic plan. It enumerates the strategic goals, the motivations for each goal, and a selection of early key activities the Commission plans to carry out to begin to accomplish its strategic goals. At the end of each calendar year, the Commission plans to identify action items to implement the strategic plan for the coming year. Chapter Four provides some concluding remarks as the Commission embarks on its efforts. The Appendix lists the Commissioners and relevant CRD staff.

Throughout the report, the Commission emphasizes that its initial approach for accomplishing each of its strategic goals is primarily focused on understanding the problems it is trying to solve and solutions that exist today. The Commission is relying on two sources of information in this regard. First, it is investing in reviewing and procuring rigorous empirical research to create a fuller and more nuanced understanding of hate activity in California and how to prevent it. This includes: understanding the types of data and information being collected across governmental entities and non-governmental organizations today; systematically reviewing and synthesizing existing research; partnering with subject-matter research experts, including academics, community organizations, law enforcement, and CRD staff; evaluating existing programs and policies in light of the evidence base that exists to identify effective or promising initiatives; and procuring original research studies to address high-priority knowledge gaps.

Second, the Commission is working to build close community partnerships and solicit community input, drawing on Commission members' and CRD's existing strong relationships with communities particularly impacted by hate violence. In its first few months of operation, the Commission has been humbled and inspired by the innumerable people and organizations working hard every day to protect individuals and communities from hate in California. The Commission plans to learn from these individuals, communities, and organizations to better understand each of its strategic areas and how the Commission can be most impactful. As described below, the Commission is implementing infrastructure to receive public input and is proactively soliciting input from the public and communities. In doing so, it plans to reach out and learn from voices representative of the diversity of California.

As the Commission proceeds with its strategic plan, its intent is not to duplicate or supplant the critical work of the people and organizations dedicated to addressing hate in California today.

Rather, it is the hope of the Commission to learn from, support, complement, and build on this critical work. Eradicating the effects of hate undoubtedly requires a coalition, and the Commission is looking forward to learning from, and forging close partnerships with, the many people and organizations dedicated to creating a California free of hate.

CHAPTER 2: ACTIVITIES OF THE COMMISSION: DECEMBER 1, 2022–JUNE 30, 2023

Since its inaugural meeting on December 1, 2022, the Commission on the State of Hate (Commission) established critical infrastructure for its operations, including hiring staff, establishing subcommittees, electing officers, developing a strategic plan, contracting with researchers and vendors, and developing a website and listserv accessible at civildrights.ca.gov/commission-on-the-state-of-hate/. The Commission also held six public meetings and one community forum. It engaged in a select number of outreach events and held important informational presentations. These activities are detailed below.

MEETINGS OF THE FULL COMMISSION

The Commission held its first meeting on December 1, 2022. During that meeting, which was virtual, the Commissioners introduced themselves, and staff from the Civil Rights Department (CRD) briefed Commission members on programs at CRD and the requirements of the Bagley-Keene Open Meeting Act. The full Commission subsequently met virtually on February 1, 2023; March 22, 2023; April 26, 2023; May 24, 2023; and June 28, 2023. Each meeting was noticed, agendaized, and publicly accessible according to the Bagley-Keene Open Meeting Act.

The Commission held several informational presentations during its meetings, including a presentation by Commissioner Brian Levin on trends in hate crimes (titled “Hate Crime Trends: A Changing Threat and Invisible Records”) and a presentation by CRD Deputy Director Becky Monroe on hate crime laws (titled “Overview of Existing Law Regarding Hate Activity”).

POLICY MANUAL

At its December 1, 2022, meeting, the Commission adopted a governing policy manual drafted by CRD staff. This manual establishes a communications policy, a conflict-of-interest policy, the Chair’s responsibilities and term, and other aspects of the Commission’s operations. At its February 1, 2023, meeting, the Commission approved an addendum to the manual that establishes the duties and term of the Vice Chair.

OFFICERS

In its inaugural meeting, the Commission voted to elect two officers: a Chair and Vice Chair. The Commission elected Russell Roybal to serve as Chair and Bamby Salcedo to serve as Vice Chair. Their terms will expire at the first meeting of the Commission in 2024.

SUBCOMMITTEES

Much of the day-to-day work of the Commission is being done through subcommittees of no more than two members with support from CRD staff. Today, the Commission has five subcommittees, each staffed by two Commissioners and CRD staff. Each of the subcommittees is tasked with a set of activities that, collectively, assist the Commission with achieving its key goals and duties as prescribed by its authorizing statute. The subcommittees are as follows:

1. Subcommittee on Data and Research: Commissioners Levin and Sinnar
2. Subcommittee on Policy Recommendations: Commissioners Choi and Cuellar
3. Subcommittee on Recommendations for Law Enforcement: Commissioners Damsky and Southers
4. Subcommittee on Community Forums: Commissioners Cuellar and Feiler
5. Subcommittee on Funding: Chair Roybal and Vice Chair Salcedo

Each of the subcommittee members and CRD staff meet, on average, every two weeks to discuss their duties, provide updates on key activities, align on their strategy, and consult with subject-matter experts. Subcommittee members and CRD staff work between meetings to advance the work of the subcommittee.

COMMUNITY OUTREACH: FORUMS, LISTENING SESSIONS, PRESENTATIONS, AND PRESS COVERAGE

Government Code section 8010 requires the Commission to host four community forums per year. The Commission held its first community forum on May 24, 2023. During the forum, subject-matter experts presented information about trends in hate activity, CRD staff provided an overview of resources available for people and communities targeted by hate, and the Commission solicited input from the public on their experiences with hate in California. Over 60 members of the public attended. The Commission received public input on various topics throughout the meeting, including hate crimes against people with disabilities, anti-Muslim racism, Islamophobia in schools, and online extremism. The Commission will host three additional community forums in 2023.

The Subcommittee on Community Forums has held one listening session. The listening sessions aim to proactively seek feedback from community leaders in a closed setting where it can be shared candidly and confidentially. The first listening session was held to pilot the structure of listening sessions and learn from faith leaders in Los Angeles about the experiences and needs of their communities with regard to hate. It was attended by 10 faith leaders, representing a range of communities and religions. Given the success of the pilot listening session, the Commission plans to host additional listening sessions in other regions of the state with additional community leaders to proactively understand the experiences and needs of Californians.

As discussed in Chapter One, the number of organizations and people working to protect Californians from hate inspires the work of the Commission. While the Commission has engaged in a select number of community events so far, it is aware that there are communities and organizations with whom it has yet to partner. As the Commission proceeds with its work, it plans to continue with its outreach efforts, partner with additional groups, and continually receive input to inform its work.

As of June 30, 2023, the Commission has participated in the following events hosted by other entities:

February 21, 2023, Virtual presentation – Informational presentation on the Commission to the California Civil Rights Council

March 10, 2023, Los Angeles – Convening of organizations who received grants from the Stop the Hate Program, administered by the California Department of Social Services in consultation with the Commission on Asian and Pacific Islander American Affairs

May 4, 2023, Sacramento – Official launch of the California vs. Hate (CA vs. Hate) Resource Line and Network with CRD

May 10, 2023, Sacramento – Jewish Public Affairs Council (JPAC) Capitol Summit

Throughout the year, Commission members have been at the forefront of conversations on hate. State and national news outlets have sought out Commission members regularly for their expertise. This past year, several news outlets have quoted Commission members in their coverage on hate, including PBS, CNN, ABC News, CBS News, The Los Angeles Times, and local affiliates throughout California.

ON THE DEFINITION OF HATE WITH RESPECT TO THE COMMISSION'S WORK

Shortly after the Commission's inaugural meeting, Commission members discussed the scope and definition of hate concerning its work. Government Code section 8010 charges the Commission with executing a set of goals with respect to hate crimes, such as crafting policy recommendations to reduce hate crimes and helping the State of California respond to hate crimes more effectively. The statute defines "hate crimes" according to the definition enumerated in California Penal Code section 422.55, which is described below. However, the statute also charges the Commission with advising policymakers on addressing hate more broadly, such as through policy recommendations to "promote intersocial education designed to foster mutual respect" among California's population and recommended trainings for state employees to recognize "dangerous acts of hate and intolerance." The Commission is also required to research and engage in fact-finding on "the state of hate and hate-related crimes."

In their discussions, Commission members recognized that hate activity is broad and systemic, which presents challenges to demarcating precise boundaries around the Commission's efforts. That is, hate crimes and hate incidents are often interrelated with other factors and driven by

deep ideologies that can result in other types of violence, such as attacks on public institutions and officials. In fact, the Southern Poverty Law Center, which monitors hate groups, has observed a general decline in the number of organized hate groups in recent years due to the adoption of hate-related reactionary and racist ideologies among mainstream political institutions.¹⁶ As the group explains in its annual report, “Rather than demonstrating a decline in the power of the far right, the dropping numbers of organized hate and antigovernment groups suggest that the extremist ideas that mobilize them now operate more openly in the political mainstream.”¹⁷

The Commission also recognizes the harm that can arise from acts that do not necessarily rise to the level of a hate crime, such as hate speech and hateful rhetoric from public officials. For example, in March of 2020, the week after President Trump’s first Tweet using the words “Chinese virus,” the number of Twitter anti-Asian hashtags increased by 174 times.¹⁸ Stop AAPI Hate reported thousands of hate incidents that echoed the hateful rhetoric from public officials, with many of these incidents accompanied by threats of violence.¹⁹ Similarly, hate crimes against Muslims spiked in the two weeks following then-candidate Trump’s call for a “total and complete shutdown” of the country’s borders to Muslim people.²⁰ Rhetoric from public officials targeting the LGBTQ community also has direct adverse impacts. In a nationwide survey of LGBTQ youth, 71 percent reported experiencing negative health impacts due to recent political debates about restricting the rights of LGBTQ young people.²¹ These debates also result in harassment and violence. Twenty-one percent of LGBTQ youth experienced cyberbullying or online harassment, 19 percent experienced bullying at school, and six percent reported physical assault, all as a direct result of anti-LGBTQ policies and debates.²²

In recognizing the harms of hate speech, the Commission notes that it is critical to protect and uphold civil liberties, including the freedom of speech and expression. On the one hand, people cannot be prosecuted simply for their beliefs or hate speech, and it is not a crime to express offensive beliefs. On the other hand, hate speech can cause significant harm. Therefore, the Commission will be looking to develop policy and program recommendations that ameliorate the harmful effects of hate, including developing trainings, media campaigns, and educational programming designed to foster respect for diversity and to support communities.

¹⁶ Miller, C. & Rivas, R.C. (2022). The Year in Hate and Extremism 2021. *The Southern Poverty Law Center*. <https://www.splcenter.org/20220309/year-hate-extremism-report-2021>

¹⁷ Ibid.

¹⁸ Stop AAPI Hate. (2022). The Blame Game: How Political Rhetoric Inflames Anti-Asian Scapegoating. <https://stopaapihate.org/wp-content/uploads/2022/10/Stop-AAPI-Hate-Scapegoating-Report.pdf>

¹⁹ Ibid.

²⁰ Levin, B., Nolan, J., & Perst, K. (2022). US Hate Crime Trends: What Disaggregation of Three Decades of Data Reveals About a Changing Threat and an Invisible Record. *The Journal of Criminal Law and Criminology*, 112(4), 749-800 <https://scholarlycommons.law.northwestern.edu/jclc/vol112/iss4/3/>

²¹ The Trevor Project. (2023). Issues Impacting LGBTQ Youth. https://www.thetrevorproject.org/wp-content/uploads/2023/01/Issues-Impacting-LGBTQ-Youth_Morning-Consult-Poll_Jan-2023_Public.pdf

²² Ibid.

The Commission also notes that the term “hate” as used within the context of hate crime laws, can be misleading. It does not necessarily refer to acts of anger or prejudice toward a protected group. An act committed against a person simply because they belong to, or are perceived to belong to, a protected group, can violate criminal and civil hate laws, regardless of whether the act was committed due to anger or prejudice.

Recognizing all of this, the Commission is approaching its work using an expansive definition of hate that includes hate crimes and hate incidents. The Commission will use the following definition from California Penal Code sections 422.55 and 422.56, as prescribed by Government Code section 8010:

“422.55. For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) “Hate crime” means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: disability, gender, nationality, race or ethnicity, religion, sexual orientation; or because of the person’s association with a person or group with one or more of these actual or perceived characteristics.

422.56. For purposes of this title, the following definitions shall apply:

(a) “Association with a person or group with one or more of these actual or perceived characteristics” includes advocacy for, identification with, or being on the premises owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person that has, or is identified with people who have, one or more of the characteristics listed in the definition of “hate crime” under paragraphs (1) to (6), inclusive, of subdivision (a) of Section 422.55.

(b) “Disability” includes mental disability and physical disability, as defined in Section 12926 of the Government Code, regardless of whether those disabilities are temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness. This definition is declaratory of existing law.

(c) “Gender” means sex, and includes a person’s gender identity and gender expression. “Gender expression” means a person’s gender-related appearance and behavior regardless of whether it is stereotypically associated with the person’s assigned sex at birth.

(d) “In whole or in part because of” means that the bias motivation must be a cause in fact of the offense, whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that the crime would not have been committed but for the actual or perceived characteristic.

This subdivision does not constitute a change in, but is declaratory of, existing law under *In re M.S.* (1995) 10 Cal.4th 698 and *People v. Superior Court (Aishman)* (1995) 10 Cal.4th 735.

(e) “Nationality” means country of origin, immigration status, including citizenship, and national origin. This definition is declaratory of existing law.

(f) “Race or ethnicity” includes ancestry, color, and ethnic background.

(g) “Religion” includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

(h) “Sexual orientation” means heterosexuality, homosexuality, or bisexuality.

(i) “Victim” includes, but is not limited to, a community center, educational facility, entity, family, group, individual, office, meeting hall, person, place of worship, private institution, public agency, library, or other victim or intended victim of the offense.

The Commission also considered how to define hate incidents, which, by definition, do not rise to the level of a criminal offense, but do cause harm and demand intervention. No statutory definition of hate incidents exists. Therefore, the Commission plans to use a working definition, developed with CA vs. Hate. CA vs. Hate developed this working definition in consultation with community-based organizations and government leaders across the state who wanted one definition to enable the consistent collection of hate incident reporting data across different reporting options:

- A hostile expression or action committed, in whole or in part, because of a person's actual or perceived identity(ies) or characteristic(s), including race, color, disability, religion, national origin, sexual orientation, or gender, including gender identity, and/or because that person is a part of a protected group.
- There are two main kinds of hate incidents – (1) acts of hate that are not crimes but violate civil rights laws, and (2) acts of hate that may not violate the law. Both types cause significant harm to communities.

The Commission agrees that the definition of hate incident should be considered a working definition. The definition covers both protected characteristics in existing law, as well as other identities and characteristics that could be the basis for bias-motivated hostile expressions or acts. The Commission chose to use this expansive definition to consider an array of cases that may not be covered by existing law.

Nevertheless, as the Commission considers hate incidents related to identities and characteristics not covered by existing law, the Commission will carefully consider the nature of the incidents, the fundamental purposes of hate-related criminal and civil laws, and the broader, community-level consequences of targeted hostile expressions, actions, or crimes.

Additionally, because the Commission is charged with developing policy recommendations, it will likely need to explore topics beyond the adopted definitions of hate crimes and hate

incidents that are described above. It will also need to explore topics that address the systemic nature of hate today. To the extent that the Commission expresses interest in thoroughly exploring a topic that does not fit either squarely or partly within the adopted definitions, the Commission will consider several factors, including the resources available to the Commission, extant organizations and resources already focused on the topic, and the importance of the topic in helping the Commission to meet its statutory obligations and achieve its vision and mission.

CHAPTER 3: STRATEGIC PLAN

On March 9, 2023, Chair Roybal, Vice Chair Salcedo, and the California Civil Rights Department (CRD) staff met to develop a strategic plan for the Commission on the State of Hate (Commission). During the session, the Commissioners and staff discussed key issues facing California and the challenges and opportunities ahead of the Commission. From that discussion, Chair Roybal, Vice Chair Salcedo, and CRD staff drafted an initial strategic plan. Commission members provided feedback on the initial plan during the April 26, 2023 meeting of the Commission. Chair Roybal, Vice Chair Salcedo, and CRD staff incorporated the feedback, and on May 24, 2023, the Commission adopted this strategic plan. This plan introduces the Commission's vision, mission, prioritized strategic goals, and the initial key activities of the Commission in its first year.

VISION AND MISSION OF THE COMMISSION

The Commission's vision is for California to be free of hate. To achieve this aspirational vision, the Commission has developed a mission statement that articulates its key goals and activities:

Strengthen California's efforts to monitor, prevent, and respond to hate activity, as well as support those targeted by hate, through community-informed research, education, and advisement.

The mission articulates the three classes of activities required in the Commission's authorizing statute: empirical research, community education and outreach, and advisement. (See Table 1 for examples of each class of activities.) With regard to research, the Commission is statutorily obligated to engage in fact-finding, data collection, and collaboration with subject-matter experts to, among other things, monitor trends in hate and develop recommendations for preventing and responding to hate. To meet this obligation, the Commission plans to collect, evaluate, and procure rigorous empirical research and data related to each of its strategic goals. Concurrently, the Commission recognizes that community input must guide its activities and recommendations. The Commission plans to gather community input through its second class of activities: community education and outreach. The authorizing statute requires the Commission to host four community forums each year. In addition to hosting community forums, the Commission has set up several channels to learn from communities, hear their stories, and receive input, including hosting listening sessions with community leaders and developing partnerships with community-based organizations (CBOs). The Commission also plans to host informational presentations to educate the public on California law and resources available to people and communities affected by hate. With respect to advisement, the Commission is statutorily obligated to provide policy recommendations to the Governor, Legislature, state agencies, and law enforcement agencies. The Commission's research, education, and outreach activities will inform the Commission's advisory activities and allow for the development of evidence-based, community-informed policy recommendations.

Research	Community Education and Outreach	Advisement
<p>Engage in fact-finding, data collection, and research with subject-matter experts.</p> <p>Identify best practices implemented elsewhere.</p>	<p>Host four community forums on the state of hate per year. Each forum shall focus on trends related to the state of hate and include presentations from subject-matter experts.</p>	<p>Advise the Legislature, the Governor, and state agencies on recommendations.</p> <p>Provide resources and assistance to the public, Department of Justice, the office of the Attorney General, the Office of Emergency Services, and law enforcement agencies.</p>

Table 1: Select activities of the Commission, as required by Government Code section 8010.

KEY GOALS AND ACTIVITIES OF THE COMMISSION

The Commission has identified three strategic goals that comprise the structure of the Commission’s initial strategic plan. The following sections articulate these goals, including the context and motivations for each of the goals. The plan also articulates the key early activities of the Commission for each of the goals. Please note that the strategic plan does not comprehensively describe all activities the Commission may engage in, and it is subject to change as the Commission gathers additional research and community input.

Goal 1: Provide a comprehensive accounting of hate activity in California

Background

The Commission plans to provide a comprehensive accounting of hate activity in California, which includes measuring the prevalence of hate crimes and non-criminal hate incidents. This goal is consistent with the Commission’s adoption of an expansive definition of hate and a recognition of the significant harm caused by non-criminal hate incidents.

Developing a comprehensive accounting of hate activity is a foundational goal. It will allow the Commission to fully understand the scope and nuances of the problems it needs to address and shape its recommendations and key activities. For example, a comprehensive accounting can help answer important questions about hate in California such as where, when, how, and to

whom hate activity is most likely to occur. Such a complete accounting can guide numerous decisions, including the Commission’s strategic focus and policy recommendations. It can also assist policymakers and CBOs with critical decisions, such as how to deploy resources to support communities at risk of experiencing hate.

The Commission notes that several governmental and non-governmental entities collect data on hate activity in California using varied approaches. Despite the different methodologies across the data sets, each data set tends to reveal the troubling prevalence of hate activity. However, many data sets contain limitations that inhibit a full understanding of the scale and nuances of the prevalence of hate activity today. These limitations include questions about the true prevalence of hate and the scale of the impacts of hate activity on Californians.

The Commission has encountered four primary sources of data about hate activity in California: data collected by law enforcement, representative data from surveys, non-representative data, and administrative data collected by non-law enforcement governmental entities.

The first class of data sets, law enforcement data, consists of data on hate crimes collected by law enforcement agencies. Pursuant to California Penal Code Section 13023, law enforcement agencies are required to report hate crimes to the California Department of Justice (DOJ). Using this data, the Office of the Attorney General publishes statewide statistics on hate crimes, available online at openjustice.doj.ca.gov/resources/publications. This data set does not, nor does it intend to, capture the full prevalence of hate activity in California. For example, it does not contain information about non-criminal hate incidents and hate activity that is not reported to law enforcement.

The second class of data sets, representative data, consists of surveys that ask a representative sample of people about their experiences with hate activity. The respondents to the surveys are selected in such a way as to allow researchers to develop generalizable conclusions about patterns and trends within specific populations. For example, the National Crime Victimization Survey (NCVS) asks a nationally representative sample of about 240,000 people nationwide about their experience with crime. This allows NCVS to make generalizable inferences about the frequency, characteristics, and consequences of criminal victimization in the United States. Other representative data sets include representative research surveys commissioned by Stop AAPI Hate²³ and, as described below, the California Health Interview Survey.

The third class of data sets consists of non-representative data sets collected about hate activity. These data sets may be based on non-representative surveys or data from reporting portals that allow anyone to report hate directly to an organization, such as Stop AAPI Hate or the Anti-Defamation League. Given that certain communities do not always feel comfortable reporting to law enforcement, in some respects, the data collected by non-governmental organizations (NGOs) and community-based organizations (CBOs) can provide a more

²³ For example, see Stop AAPI Hate. (2021). Stop AAPI Hate National Report. <https://stopaapihate.org/2021/11/18/national-report-through-september-2021/>

comprehensive, qualitative understanding of hate activity than crime data alone. However, these data sets can present limitations for understanding the extent of hate activity in California. These datasets may only measure the experiences of specific communities, and they do not allow researchers to make valid inferences about the prevalence of hate activity within specific populations.

The fourth class of data sets consists of administrative data collected by non-law enforcement governmental entities, including local governments and state and federal agencies. Analysis and consolidation of these data sets – which derive from representative and non-representative samples – could potentially assist the Commission with providing a comprehensive accounting of hate activity in California. For example, the data collected through reports to CRD’s California vs. Hate Resource Line and Network (CA vs. Hate), which encourages people from around California to report hate and connects them to resources, can provide insights into how Californians are experiencing hate in California and what their needs are.

Key Activities

1. *Understand the limitations of existing data sets.* The Commission plans to work toward addressing various limitations of the data sets described above. Regarding law enforcement data, for example, the Commission will invest in understanding the sources of underreporting. The Commission plans to investigate existing policies and procedures of law enforcement agencies for collecting such data, including training of law enforcement officers on how to recognize hate crimes. The Commission also recognizes that community trust in law enforcement is likely a significant barrier to the reporting of hate crimes. The Commission will invest in understanding this barrier and solutions for building bridges between law enforcement agencies and community members. Second, the Commission will invest in understanding the data and information being collected by local, state, and federal agencies and consolidating the learnings from these data sets where feasible. Third, the Commission will work to address limitations of select data sets from non-governmental entities. Where appropriate, the Commission will partner with NGOs, including CBOs, and CRD staff to address the limitations, such as assisting with standardizing the data collection method or working with organizations to adopt a consistent, uniform definition of a hate crime or incident.
2. *Collaborate with CA vs. Hate.* The Commission plans to collaborate closely with CA vs. Hate, CRD’s new non-emergency resource line that allows anyone in California to report hate activity and connect to resources.²⁴ The Commission believes that CA vs. Hate addresses many of the limitations in existing data sets in several respects. First, the resource line allows callers to report both hate crimes and hate incidents. Second, because CA vs. Hate is not a law enforcement reporting channel, people and communities who do not feel comfortable reporting to law enforcement may be more likely to report to CA vs. Hate and receive support. Third, it allows callers to report in

²⁴ For more information about CA vs. Hate, visit www.cavshate.org.

over 200 languages to reduce the barriers to reporting among people who primarily speak a language other than English. Finally, it reduces underreporting by incentivizing callers. People who contact CA vs. Hate will be offered information about their options and connections to resources.

3. *Proactively survey Californians.* The Commission recognizes that reporting hate requires a proactive approach on the part of survivors or witnesses. To report, survivors and witnesses must be aware of reporting channels and be appropriately incentivized to report. This is likely a significant contributor to the underreporting of hate activity. To that end, the Commission is supporting a more proactive approach to developing a comprehensive accounting of hate activity. Specifically, the Commission plans to support a research collaboration between CA vs. Hate, CRD, and the California Health Interview Survey (CHIS), a comprehensive state-wide survey of Californians. The CHIS, which is administered by the UCLA Center for Health Policy Research, is the nation's largest state health survey that provides critical data on Californians' health and well-being. The data is collected in such a way as to allow researchers to make generalizable conclusions about patterns and trends across the state and within nearly every county of California. CRD designed a set of questions to ask survey respondents whether they have witnessed a hate crime or hate incident, experienced a hate crime or incident, the specific bias motivation of the hate crime or incident, and where it took place. The Commission is partnering with CHIS to build on the collection of this data. The results from these questions will provide insights into understanding how many Californians are impacted by hate, who is impacted the most, and where hate is taking place.
4. *Understand hate online.* Though online platforms can be rich sources of knowledge, they are also sites of hate activity, including harassment, hate-related misinformation, and propaganda from hate groups and hate ideologies. Moreover, online activity has been linked to hate crimes occurring offline, such as the 2022 mass shooting in Buffalo, NY.²⁵ In many ways, online platforms' risks demand that the Commission invest in understanding hate online. To do so, the Commission plans to review existing research on the prevalence of hate online and explore the development of partnerships with researchers and outside organizations to develop an accounting of online hate activity in California.
5. *Enhance access to data.* The Commission believes that information about hate should be accessible broadly. As the Commission partners with the various organizations collecting data and supports the collection of additional data, the Commission hopes to make datasets publicly available and accessible to the extent that this protects the privacy and personally identifying information of people who report hate activity. The Commission is exploring opportunities that will allow the public to work with the data more easily, such as creating online dashboards that allow anyone to visualize patterns and trends

²⁵ Office of the New York State Attorney General Letitia James. (2022). Investigative Report on the role of online platforms in the tragic mass shooting in Buffalo on May 14, 2022. <https://ag.ny.gov/sites/default/files/buffaloshooting-onlineplatformsreport.pdf>

related to hate. The Commission will also publicize results in the annual report and through public meetings, outreach events, and community forums.

6. *Synthesize data to provide a comprehensive accounting.* The key activities described above will allow the Commission to develop a fuller understanding of the scale and dimensions of hate activity in California. The Commission plans to synthesize the findings from across the different data sets to develop a comprehensive accounting of hate activity, which it will provide in its annual report. As the Commission continues to understand and address the gaps in data sets each year, the accounting will become more detailed and nuanced, contributing to the foundation the Commission will need to develop effective recommendations.

Goal 2: Develop recommendations for reducing hate crimes

Background

Government Code section 8010 tasks the Commission with developing recommendations for the prevention of hate crimes. The Commission recognizes that such a task is profoundly complex and presents enormous challenges. For example, as discussed in a recent article by Commissioner Shirin Sinnar, a member of the Commission and the William W. and Gertrude H. Saunders Professor of Law at Stanford University, proposed solutions to preventing hate crimes are varied and may lack comprehensive empirical support.²⁶ Specifically, Commissioner Sinnar examines hate crime prevention strategies outside of the criminal legal system, categorizing the prevention approaches into three main categories: prejudice reduction measures, political and structural reforms, and socioeconomic investments in communities. Each of these approaches rests on a set of untested assumptions, raising questions about their efficacy. For example, prejudice reduction solutions are often designed based on the results of social psychological studies measuring the impact of interventions on reducing prejudice. However, such studies are often conducted in artificial settings and on a small scale. Few prejudice reduction strategies have been empirically tested outside of a laboratory setting with diverse populations to measure whether such strategies demonstrably prevent hate crimes.

The Commission acknowledges these gaps and the numerous challenges inherent in developing recommendations to prevent hate crimes given that the category of hate crimes includes a diverse, broad range of acts and circumstances with complex, often systemic, and unknown causes. Thus, the Commission is committed to deeply understanding the research on hate crime prevention and soliciting community input before developing recommendations. It also recognizes that any proposed recommendations will need to be multifaceted and holistic.

²⁶ Sinnar, S. (2022). The Conundrums of Hate Crime Prevention. *The Journal of Criminal Law and Criminology*, 112(4), 801-846. <https://scholarlycommons.law.northwestern.edu/jclc/vol112/iss4/4>

Key Activities

1. *Review research on prevention.* The Commission plans to survey extant research related to the prevention of hate crimes and related phenomena, such as prejudice. It will review literature broadly from various academic fields, including research on prejudice, discrimination, intergroup relations, and research on interventions, including research on public messaging, storytelling, and educational programming. The reviews will inform an evaluation of existing practices (see below), highlight significant knowledge gaps, and recommend additional steps for developing recommendations.
2. *Evaluating existing practices.* To understand the gaps in prevention today, the Commission plans to engage in a phased systematic evaluation of existing prevention solutions. The first phase will consist of compiling existing prevention solutions. Prevention solutions can take many forms and may include media campaigns and bystander intervention trainings. The Commission will then engage in the second phase, which consists of building an initial corpus of prevention solutions that it has reason to believe have been successful. These reasons could stem from community input, consultations with experts, and/or empirical evidence. The third phase will be an assessment of the evidence related to the preventive approaches. The Commission will closely examine the empirical bases of the prevention solutions and any empirical research measuring the impacts of the solutions. The Commission may also procure original research on best practices for prevention and explore partnerships with organizations to design and pilot prevention solutions.
3. *Identify solutions for preventing recidivism.* The Commission believes that the development of prevention recommendations must consider assessing programs and policies designed to prevent recidivism. Concurrently, the Commission is cognizant of the well-documented harms of incarceration and the criminal legal system, particularly for Black, Latin(x), and LGBTQ communities.^{27, 28} For example, according to the U.S. Department of Justice, over one-third of transgender inmates in a state or federal prison experienced sexual assault within a one year period, compared to four percent of cisgender inmates.²⁹ As a result, the Commission will explore innovative practices for reducing recidivism, particularly non-carceral solutions. The Commission will invest in a phased fact-finding approach and a review of academic literature, similar to the approach described above. The phased fact-finding will examine approaches to reducing recidivism, including understanding the efficacy, and the holistic effects of, carceral and

²⁷ For example, see Wildeman, C., & Wang, E. A. (2017). Mass Incarceration, Public Health, and Widening Inequality in the USA. *The Lancet*, 389(10077), 1464-1474.

<https://www.sciencedirect.com/science/article/abs/pii/S0140673617302593>

²⁸ Luhur, W., Meyer, I. H., & Wilson, B. D. (2021). Policing LGBTQ People. *UCLA School of Law Williams Institute*. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Policing-LGBQ-People-May-2021.pdf>

²⁹ Beck, A. J., Berzofsky M., Caspar, R., & Krebs C. (2014). Sexual Victimization in Prisons and Jails Reported by Inmates, 2011–12. *U.S. department of Justice, Office of Justice Programs*. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/sexual-victimization-prisons-and-jails-reported-inmates-2011-12>

non-carceral approaches to addressing recidivism. These approaches may include evidence-based diversion programs, trainings, rehabilitation programs, and restorative justice models. The Commission will also solicit community input, evaluate practices in light of empirical research, and may procure original research studies. The Commission will prioritize considering recidivism prevention programs with a strong empirical basis.

4. *Gather community input.* As described earlier, the foundation of the Commission’s work is community input. Throughout the key activities 1-3 described above, the Commission will solicit community input and public comment to inform the development of prevention recommendations. Specifically, the Commission will host additional listening sessions and community forums, receive public comment, and partner with CBOs to understand the needs of communities and their experiences to develop community-informed prevention recommendations.

Goal 3: Develop recommendations for enhancing the resources and support for people and communities affected by hate

Background

Government Code section 8010 requires the Commission to develop recommendations for responding to instances of hate crimes. Underscoring the need for such recommendations, the Commission notes that hate can have severe adverse impacts on survivors and communities, including physical and mental health impacts. For example, in one study in Sacramento, CA, researchers found that lesbian and gay survivors of hate crimes exhibited more severe psychological consequences than lesbian and gay respondents who were survivors of crimes that did not appear to be motivated by bias.³⁰ These consequences included greater depression, anger, anxiety, and posttraumatic stress.

In addition to healthcare and mental health services, survivors and affected communities need access to a continuum of resources. These resources include legal counsel, housing, and compensation. Moreover, resources and support must be culturally competent and available in the languages of individuals and communities targeted for hate. Nearly one-third (27 percent) of California’s population is foreign-born. Twenty percent of California’s immigrant population has limited proficiency in English, and 10 percent speak no English at all.³¹ Though this population is frequently targeted for hate, they may be less likely to report hate and access

³⁰ Herek, G. M., Gillis, J. R., & Cogan, J. C. (1999). Psychological Sequelae of Hate-Crime Victimization among Lesbian, Gay, and Bisexual Adults. *Journal of Consulting and Clinical Psychology*, 67(6), 945-951. <https://doi.org/10.1037//0022-006x.67.6.945>

³¹ Perez, C. A., Mejia, M. C., & Johnson, H. (2023). Immigrants in California. *Public Policy Institute of California*. <https://www.ppic.org/publication/immigrants-in-california/>

resources due to language barriers, lack of knowledge of their rights, and/or mistrust of government institutions, including law enforcement.³²

Key Activities

1. *Engage communities to understand the gaps.* The Commission plans to engage in fact-finding to understand the specific needs of the diverse communities in California, the gaps and barriers to addressing those needs, and potential solutions. The Commission will gather this information through several means. First, it will proactively engage communities through a number of channels, including listening sessions with community leaders and facilitated public comment at community forums. The Commission also recognizes that there is a broad network of actors and organizations who work closely with various communities in California today. The Commission plans to partner with these organizations to gain a deeper understanding of the needs, gaps, and potential solutions. Third, the Commission will review extant empirical research and data related to the needs of individuals and communities in the aftermath of experiencing hate crimes. It will procure additional research and data collection as needed.
2. *Support CA vs. Hate and community-based organizations.* The Commission will invest in understanding how to support, uplift, and bridge existing services offered in California today that effectively support individuals and communities affected by hate. For example, the Commission plans to partner closely with CA vs. Hate, which has been building a statewide holistic approach to responding to hate. The CA vs. Hate resource line is available in over 200 languages, provides information to callers about their options, and connects callers with a continuum of resources. The Commission also recognizes the critical work of CBOs in supporting survivors and communities affected by hate. As a trusted part of the community, CBOs are often the first responders after hate activity occurs. Moreover, the support needed often requires a level of cultural competence and local knowledge that only local CBOs can provide. To that end, the Commission plans to develop recommendations for supporting and bolstering the work of local CBOs responding to hate.
3. *Develop recommendations for enhancing resources and support.* Government Code section 8010 tasks the Commission with providing resources and recommendations to law enforcement, the Governor, the Legislature, and other public entities for responding to hate. With regard to law enforcement specifically, the Commission acknowledges that not all communities feel safe reporting hate crimes to law enforcement. As described above, the Commission plans to support and uplift the organizations and resources that may serve as an alternative to law enforcement. However, for instances in which law enforcement is contacted to respond to a hate crime, the Commission believes it is imperative that law enforcement have the appropriate procedures and policies in place to respond effectively.

³² Shively, M., Subramanian, R., Drucker, O., Edgerton, J., McDevitt, J., Farrell, A., & Iwama, J. (2013). Understanding Trends in Hate Crimes against Immigrants and Hispanic-Americans. *U.S. Department of Justice, Office of Justice Programs*. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/understanding-trends-hate-crimes-against-immigrants-and-hispanic>

Through community input, consultations with subject-matter experts, and reviews of research, the Commission will work to understand the gaps in responses and work toward identifying solutions. The Commission will focus specifically on developing best practices for improving responses holistically, including, but not limited to, enhancing language access, data collection, and awareness among law enforcement agencies and other responders about resources for survivors. The Commission will also develop policy recommendations to improve responses statewide.

CHAPTER 4: CONCLUSION

In publishing this report, the Commission hopes to introduce Californians to the Commission, its perspective, and its aspirations. The hope of the Commission is that this report also provides transparency into its operations and initial strategic goals and priorities. However, this report is an initial blueprint. With a focus on continuous foundational understanding and listening, the Commission may, and very likely will, modify its priorities and plans to work toward achieving its vision most effectively.

As described above, the Commission is committed to developing solutions through community input. The Commission plans to proactively reach out to community leaders and organizations to learn about the needs of their communities. However, it also urges the public and communities to share their stories and provide comments and feedback. The Commission has established numerous channels for public input. All full meetings of the Commission are open to the public. Ten days ahead of each meeting, the agenda and notification of the meeting is sent to subscribers of the Commission's listserv. To sign up, please visit civildrights.ca.gov/commission-on-the-state-of-hate/. The Commission offers numerous public comment periods throughout each of these meetings. Through its community forums, the Commission will solicit public comment throughout the year, which will also be noticed through the Commission's listserv. Finally, comments and feedback may be provided to the Commission at any time through its e-mail address: CSH@civildrights.ca.gov.

In closing, the Commission recognizes the enormity and complexity of its work and the ambition of its vision. However, the Commission is continuously inspired by the tremendous dedication and efforts of people and organizations in California working towards the same vision. The Commission looks forward to learning from and partnering with these people and organizations to create a California free from hate.

APPENDIX

PERSONNEL OF THE COMMISSION

Chair

Russell Roybal – Senate Rules Committee Appointee

Vice Chair

Bamby Salcedo – Gubernatorial Appointee

Commission members

Cynthia Choi – Gubernatorial Appointee

Regina Cuellar – Speaker of the Assembly Appointee

Andrea Beth Damsky – Senate Rules Committee Appointee

Cece Feiler – Speaker of the Assembly Appointee

Brian Levin – Gubernatorial Appointee

Shirin Sinnar – Gubernatorial Appointee

Erroll G. Southers – Gubernatorial Appointee

Ex-officio members of the Commission

Abby Browning – Governor’s Office of Emergency Services

Damon Brown – Office of the Attorney General

Commission staff

The following staff at the California Civil Rights Department provide substantial support for the Commission’s work:

- Kevin Kish, Director
- Adam P. Romero, Deputy Director of Executive Programs
- Becky Monroe, Deputy Director of Strategic Initiatives & External Affairs
- Alec Watts, Assistant Deputy Director of Research and Strategic Initiatives*
- Monica Chavez, Administrator and Research Assistant*
- Marquez Equilibria, Assistant Deputy Director of Community Conflict Resolution
- Gregory Mann, Senior Attorney Mediator
- Christina Teixeira, Attorney Mediator

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