

Resources for Survivors of Hate and Bias Incidents or Crimes



Created by

**Santa Cruz County United for
Safe and Inclusive Communities**

A Countywide Collaborative Anti-Hate Initiative

TABLE OF CONTENTS



About SCCUSIC2

Other Helpful Organizations3

Victims’ Bill of Rights.....7

Hate and Bias Definitions.....9



sccusic@gmail.com

About SCCUSIC



Who We Are:

Santa Cruz County United for Safe and Inclusive Communities (SCCUSIC) is an informal but robust countywide collaborative group that works to reduce hate and bias across Santa Cruz County and strengthen our response when incidents do occur. Those involved come from all walks of life, including representatives of diverse racial and ethnic groups, the homeless, elected officials, law enforcement, religious leaders, and many others. The group was started in honor of Taliesin Namchai Meche, who was killed in a hate crime in 2017. SCCUSIC receives invaluable advice and encouragement from Not In Our Town (www.niot.org), which spearheads the national movement to stop hate, address bullying, and build safe, inclusive communities for all.

We started out by organizing countywide activities to mark United Against Hate Week in fall 2021, which was very successful. We have been educating ourselves about how hate and bias incidents are currently handled across the County, where there is a need for improvement, and how SCCUSIC might help fill those needs.

What We Do:

1. **Education** – Organize activities and events that raise community awareness about hate and bias incidents;
2. **Referrals** – Point victims of hate and bias to existing community organizations, programs, and services that may be able to help them deal with hate and bias directed at them; and
3. **Advocacy** – Advocate for specific improvements in how hate and bias incidents are handled in Santa Cruz County and its incorporated cities (Watsonville, Scotts Valley, Capitola, and Santa Cruz)

What We Don't Do:

As a group of volunteers, we are not able to intervene in specific incidents. At this time, we are not in a position to mediate such incidents, to represent or speak for victims of hate and bias, nor to advocate on behalf of individual victims.

How You Can Get Involved in SCCUSIC:

If you would like to participate in our monthly calls or volunteer to assist with specific events or tasks, please email us at: sccusic@gmail.com

Other Helpful Organizations



If you have experienced hate or bias directed at you in Santa Cruz County, you may find hands-on assistance through one of the community organizations listed below.

Law Enforcement:

If you are facing a current active threat to your safety – or see such a situation involving others – please call 911. You may request an officer trained in crisis intervention or “CIT.” If it is during business hours (Monday – Friday, 8am to 5pm), it may be possible for a mental health liaison to accompany the officer in some but not all jurisdictions. Santa Cruz County and the cities of Santa Cruz and Watsonville have such liaisons; the cities of Capitola and Scotts Valley do not.

For non-emergency calls:

- ▶ California Highway Patrol..... 831-662-0511
- ▶ Santa Cruz County Sheriff’s Dept..... 831-471-1121
- ▶ Santa Cruz Police Dept. 831-471-1131
- ▶ Watsonville Police Dept. 831-768-3300
- ▶ Scotts Valley Police Dept..... 831-440-5670
- ▶ Capitola Police Dept. 831-475-4242

Victim Support Services:

1. **Santa Cruz County District Attorney's Victim Services Unit:** Informs, assists, and supports victims of violent crime in their interactions with the criminal justice system; protects victims' rights. *Services are intended for those who want to file a court case or who have an active case with the court.*

Services include:

- ▶ Coordination with criminal justice agencies;
 - ▶ Crisis intervention;
 - ▶ Assistance with claims reimbursement;
 - ▶ Counseling;
 - ▶ Court escort;
 - ▶ Explanation of court procedures and case status;
 - ▶ Liaison and referral to community resources;
 - ▶ Information regarding restraining orders, restitution, and victims' rights;
 - ▶ Follow-up support to victims and their families;
 - ▶ Employer notification and creditor intervention;
 - ▶ Bereavement and injury notification; and
 - ▶ Post sentencing services.
- ▶ 831-454-2010 or santacruzdistrictattorney.us/Home/DAsOffice/FAQs.aspx Address: 701 Ocean St., Rm. 200, Santa Cruz. Front counter hours: Mon-Fri, 8-12 and 1-4.
2. **Monarch Services:** confidential domestic violence, sexual assault services in Watsonville;. 24-hour hot-line: 1-888-900-4232 or monarchsc.org. Servicios en español.
 3. **Walnut Avenue Family & Women's Center:** a nonprofit family center in Santa Cruz; 24-hour hot-line: 1-866-2MY-ALLY (866-269-2559) or wafwc.org
 4. **UC Santa Cruz Hate and Bias Response Team:** Provides referrals to various campus services that may help in situations involving hate and bias. reporhate.ucsc.edu/how-to-report

May take up to 48 hours for a response. Call 911 for immediate assistance.

Please see: reporhate.ucsc.edu/response-team/hbvt-members to find names and contact information for Response Team members.

5. **The Diversity Center of Santa Cruz:** Advocates, supports, and celebrates the LGBTQ+ community. 831-425-5422 or diversitycenter.org/
6. **Conflict Resolution Center of Santa Cruz County:** Has a community mediation section that can help with neighbor disputes, work issues, and small claims. 831-475-6117 or crsantacruz.org
7. **211 of Santa Cruz County:** A 24-hour informational and referral services for community members seeking help (e.g., housing, food, transportation, health care).
8. **988 Suicide & Crisis Lifeline:** 988 or 988lifeline.org. Offers 24/7 call, text and chat access to trained crisis counselors who can help people experiencing suicidal, substance abuse, or mental health crises, or any other kind of emotional distress. People can also call 988 if they are worried about a loved one who may need crisis support.
9. **California State Attorney General, CA vs Hate Resouce Line and Network:** 833-8-NO-HATE or oag.ca.gov/hatecrimes. Provides hate survivors with culturally competent resources, including options and advice on steps to take after an incident, including mental health services, safety net services, and assistance through the California Victim Compensation Board for related crime expenses. Services available in over 200 languages.
10. **California Department of Corrections and Rehabilitation Office of Victim & Survivor Rights & Services:** 877-256-6877 or cdcr.ca.gov/victim_services. Provides information, notification, restitution, outreach, training, referral and support services to crime victims and their next of kin.
11. **Victims of Crime Resource Center:** 800-842-8467 or 1800victims.org. Helps victims across the State of California find necessary resources and learn about their rights in the criminal justice system.
12. **National Center for Victims of Crime:** 855-4-VICTIM or victimsofcrime.org. A national organization committed to helping victims of crime rebuild their lives.
13. **Rape, Abuse, Incest, National Network:** 800-656-HOPE (4673) or rainn.org. National anti-sexual violence organization, 24-hour hot-line, servicios en español.
14. **National Domestic Violence Hot-line:** 800-799-SAFE (7233) or thehotline.org. Free, confidential, 24/7 hot-line with services in 140 different languages, just ask.

15. **Not in our Town (NIOT):** National organization spearheading movement to stop hate, address bullying, and build safe, inclusive communities for all. Inspires and empowers communities through film, social media, and organizing tools. Email: info@niot.org | www.niot.org.

Mobile Response Teams That Provide Mental Health Response Without Law Enforcement

(noting that a subset of hate and bias incidents involve a mental illness component)

1. **Mobile Emergency Response Team (MERT): 1-800-952-2335.** Run by Santa Cruz County; includes licensed clinicians. **Staff answer calls 8 a.m. to 5 p.m.** weekdays; answering service answers calls outside those hours. Calls that require crisis response are routed to staff **if the person in need is a county behavioral health client.** Call screeners also provide information on law enforcement response, medical response and the county's crisis stabilization unit.
2. **South County Mobile Emergency Response Team for Youth (MERTY): 1-800-952- 2335.** Same as MERT (above), but focused on South County residents age **21 or younger** with mental health needs. Aim is to remove barriers and provide accessible high-quality care in crises. A bilingual licensed clinician and a bilingual family support partner will respond in a van (to provide privacy to the young person).
3. **Homeless Persons' Health Project (HHP): Not a crisis response service.** Teams of county mental health client specialists and public health nurses visit large homeless camps twice a week and provide toiletries, food, water, medical supplies, mental health services and links to other county services. Staff often connect unsheltered people with county mental health services before crises happen.

HHP also has a health clinic for unhoused and low-income community members at **Rebele Family Shelter building (115-A Coral Street, Santa Cruz)**; walk-ins welcome, with or without insurance.

Weekdays: Call 831-454-2080 or 800-731-HPHP (4747)

After hours: Established patients only can call 831-454-5146.

Hours of operation vary by day (Mon/Wed, 8-5; Tues/Thurs, 1-5; Fri, 8-3).

Victims' Bill of Rights



Marsy's Law significantly expands the rights of victims in California. Under Marsy's Law, the California Constitution article I, § 28, section (b) now provides victims with the following enumerated rights:

1. **To be treated** with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. **To be reasonably** protected from the defendant and persons acting on behalf of the defendant.
3. **To have** the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. **To prevent** the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. **To refuse** an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. **To reasonable** notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
7. **To reasonable** notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. **To be heard**, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

9. **To a speedy** trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. **To provide** information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. **To receive**, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. **To be informed**, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. **To restitution.**
 - a. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - b. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
 - c. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. **To the prompt** return of property when no longer needed as evidence
15. **To be informed** of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
16. **To have** the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. To be informed of the rights enumerated in paragraphs 1–16.

Hate and Bias Definitions



What is a Hate or Bias-Motivated Incident?

A “hate or bias-motivated act” is any incident in which an action taken by a person or group is perceived to be malicious (hate) or discriminatory (bias) toward another person or group based on such characteristics as race, color, socioeconomic class, religion, national origin, ancestry, age, mental or physical disability, sexual orientation, gender, or gender identity or any situation in which inter-group tensions exist based on such group characteristics. Hate and bias acts may be violations of criminal law, such as “hate crimes,” or violations of civil law, such as unlawful discrimination in employment, housing, education or public accommodations. All hate crimes are considered hate and bias incidents, but not all bias incidents are considered hate crimes.

What is Hate Speech?

Hate speech is a controversial term for speech intended to degrade, intimidate, or incite violence or prejudicial action against a group of people based on their race, ethnicity, national origin, religion, sexual orientation, or disability; hate speech includes written as well as oral communication. An important difference to recognize is that hate crime doesn’t always involve hate speech and hate speech in and of itself is not always a hate crime.

What is a Hate Crime?

Federal definition:

A hate crime is a traditional offense like murder, arson, or vandalism with an added element of bias. For the purposes of collecting statistics, Congress has defined a hate crime as a “criminal offense against a person or property motivated in whole or in part by an offender’s bias against a race, religion, disability, ethnic origin or sexual orientation.” Hate itself is not a crime—and the FBI is mindful of protecting freedom of speech and other civil liberties.

California definition:

Section 13023 of the Penal Code states that “...any criminal acts or attempted criminal acts to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe that the crime was motivated, in whole or in part, by the victim’s race, ethnicity, religion, sexual orientation, or physical or mental disability...” shall be reported to the Department of Justice.

The following activities are examples of crimes that qualify as hate crimes if motivated by the victim's actual or perceived group identity:

- ▶ The hate crime must involve a specific target, such as a person or individual residence, house of worship, religious, ethnic, or gender-based organization, or business.
- ▶ Graffiti must be racial, ethnic, gender-based, religious, or homophobic in nature, using swastikas or other symbols and slogans of the KKK, Nazi party, or other hate groups, or involving the use of epithets.
- ▶ Bigotry must be the central motive for the attack, rather than economics, revenge, etc., as in other kinds of crime.
- ▶ Any assault against a person, in the absence of other apparent motivation, when initiated with racial, ethnic, religious, gendered or homophobic epithets, will be considered to be a hate crime.
- ▶ Vandalism to a house of worship, or to an ethnic, religious, or gay or lesbian organization will be considered a hate crime in the absence of evidence of other motives.
- ▶ Obscene or threatening phone calls, when containing racial, ethnic, religious, gender-based, or homophobic slurs, are considered hate crimes when it is determined that hate is the primary motivation for the call.

