

The background of the slide is a scenic view of Palo Alto, California, showing a residential area with red-roofed houses and green trees, with a person walking on a path in the foreground. A large green triangle is overlaid on the right side of the image.

# HATE CRIMES AND HATE INCIDENTS

## May 9, 2022

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[www.cityofpaloalto.org](http://www.cityofpaloalto.org)

# Background: Previous Actions at P&S and HRC

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During the Sept. 14, 2021 Race and Equity Update at the Policy and Services Committee, the Committee surfaced an idea not yet explored and approved the following motion:

*To recommend the City Council: Enable the HRC to further develop the idea of a misdemeanor ordinance and other method to deter hateful speech while complying with the constitution.*

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*HRC Action:*

The Human Relations Commission (HRC) voted at the March 10, 2022 meeting to support a recommendation to bring the FBI and community resources to Palo Alto to do community education on hate crimes and to make a recommendation to the City Council to increase public awareness and marketing on how to report hate crimes and hate incidents.



# Hate Crimes, Hate Speech, and the 1st Amendment

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## After further review, staff has confirmed that:

- California state law addresses criminal acts motivated by hate and hate speech that constitutes a criminal threat.
- Beyond that, speech is generally protected by the First Amendment. This is true even when the words uttered are hateful, heinous, harmful and morally repugnant.
- Local and state government may not punish First Amendment-protected speech, though they may take other actions such as encouraging tolerance and civility, ensuring the community is aware of rights and resources, and supporting those harmed by hateful speech.



## Existing Efforts Regarding Hate Crimes

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**The City of Palo Alto has employed several strategies to address hate crimes and hate incidents, including (but not limited to):**

- Police Department takes reports and records all hate incidents as well as hate crimes
- Police Department does public releases on all hate crimes and specifically tracks data (most recent data release on May 2)
- HRC discussions, community engagement, and events
- City released a blog post about how the community can report these types of incidents to the Police Department.
- City continues to build community partnerships related to community support.



## Recommended City Council Action

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- Receive this report with information about existing constitutional legal support for addressing hate crimes.
- Support the Human Relations Commission (HRC) to bring the FBI and community resources to Palo Alto to further community education on hate crimes.
- Consider supporting hate crimes legislation (Assembly Bill 1947) in the State legislature.