

Helpful Tips to Prevent Harassment and Discrimination

The below information was developed by the Equity and Human Relations Advisory Committee (EHRAC) of the City of Culver City to share important and helpful information with the community regarding Bystander Intervention. The purpose of this document is to provide suggestions on the actions that can be taken when witnessing harassment or discrimination against another person. It is important that a bystander does not place themselves in a position where they will do more harm than good. Good judgment is essential when witnessing harassment and discrimination against another individual.

Bystander Intervention is one of the most effective ways to **empower people to address and prevent harassment and discrimination** in their schools, workplace, and communities. Understanding the law on what constitutes a hate crime and having the right knowledge, resources, and motivation can empower individuals to intervene and stop inappropriate behavior before it rises to the level of unlawful harassment, a hate incident, or a hate crime.

Definition of a Hate Crime

California laws prohibit hate crimes and/or provide enhanced penalties for specified hate-related acts:

- Penal Code § 422.55 defines “hate crime” as 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;
- Penal Code § 422.6(a) makes it a stand-alone crime to willfully injure, intimidate, interfere with, oppress, or threaten, by force or threat of force, another person’s free exercise or enjoyment of their civil rights;
- Penal Code § 422.6(b) makes it a crime to knowingly deface, damage, or destroy the real or personal property of another person, because of that person’s actual or perceived protected characteristic(s) listed in § 422.55 .
- Penal Code § 422.7 and § 422.75 – provide for aggravating factors and enhanced penalties under certain circumstances when a person commits a hate crime.

How You Can Safely Intervene as a Bystander

Understand that if you witness someone saying or doing something racist, homophobic, derogatory and/or offensive to a member of a protected class, you could potentially safely intervene and help the victim. Listed below are some of the

most common ways to be an effective bystander and ally, depending on the circumstances.

It is important to understand your role intervening as a bystander. It is your job is to create a safe atmosphere for person targeted, not to necessarily confront the attacker. Creating a safe space for the potential target of a hate crime is about creating an environment for them to leave the situation.

- **Be A Distraction.** This is often the most helpful and effective thing you can do. If you see someone getting berated by an attacker, interject yourself. Start up a conversation with the target of the aggressor and divert their attention away from the harasser. “Do you know any good spots to eat?” “Does this bus head downtown?” The key is to make it appear they have a friend.
- **Find A Friend.** Find a person in a position of authority — the store manager, a transit employee — to let them know what’s going on and ask them to intervene. Or find someone in the immediate vicinity who may be better able to intervene than you.
- **Be A Good Witness.** If you don’t feel safe intervening, you can always help by documenting the incident. California gives you the legal right to take photos and video when you are in public. Try to do this in a discreet manner so that you do not agitate the attacker.
- **Take Direct Action.** Only take direct action if you feel safe and comfortable speaking up. With this being one of the riskiest responses, one must make sure they can deescalate a situation that has escalated. Some attackers could escalate their attack based on the person intervening. It is paramount that you observe the behavior of the attacker, so you can take the appropriate steps to protect their target and yourself.
- **Call the Police.** This response doesn’t have to be the first, but it doesn’t have to be the last. Though some people might be skeptical of the police, officers have the training to handle violent confrontations and could also be used as the figure of authority to deescalate potentially violent situations. If calling the police is the option you chose, remember to stay calm. Give clear and concise descriptions of the subject, where they are and what they are doing. Being a good witness means seeing the entire investigation through. This includes going to court as a witness, if necessary.

Additional things you can do:

- **Accountability.** If someone you know is engaging in derogatory speech or behavior, talk to them. Hold them accountable so they know that you will not tolerate anyone in your immediate circle engaging in hate behavior. Drawing the “line in the sand” will speak volumes to those in your circle.

- **Educate Yourself.** Understanding the history of racism in America that some individuals or organizations have been trying to bury is important. It is incumbent upon us all to bring these historical events and practices to the light, address them, and look for ways to change the culture and end hate. Read books and articles to become more knowledgeable about our country's history. Have conversations with others who have different viewpoints.
- **Get Engaged.** Speak up at City Council and School Board meetings. The more people we have standing against hate, the fewer hate crimes we'll have.

The following website resources were used to develop the information in this document:

1. Race Equality First:
<https://raceequalityfirst.org/hate-crime-advocacy-and-empowerment>
2. Safe Horizon:
<https://www.safehorizon.org/programs/help-hate-crime-victims>
3. Hollaback Bystander Resources:
<https://www.ihollaback.org/bystander-resources/>
4. California Legislative Information:
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=422.55.