Resolution supporting California State Assembly Bill No. 1947, authored by Assembly Member Phil Ting, Freedom from Hate Crimes, which follows the recommendations of the State Auditor by requiring each law enforcement agency to adopt a hate crimes policy, including specific guidelines for recognizing, reporting, and responding to these crimes.

WHEREAS, Hate crimes, crimes motivated partly or wholly by hate or bias against the victim’s actual or perceived characteristics, such as disability (including disabilities caused by aging), gender (including gender identity), race or ethnicity, nationality (including immigration status), religion, sexual orientation, or association with persons of any of those characteristics, cause multifaceted harms. They injure the immediate victim or victims, like any crime. They cause greater and longer-lasting trauma to victims than similar crimes committed for other motivations. They terrify entire communities, making them co-victims. And they can lead to retaliatory hate crimes against other innocent victims, escalating the cycle of hate and violence; and

WHEREAS, San Francisco, the State of California, and the United States have experienced a wave of hate crimes with unfounded blame on China and backlash against Asian-Americans for the COVID-19 pandemic and a racist backlash against Black Lives Matter protests following the George Floyd lynching; and

WHEREAS, The hate crime wave swelled in 2021, as white supremacist and other hate groups, emboldened by violence such as the January 6, 2021 insurrection at the United States Capitol and political polarization, found more outlets for their bigotry. According to the Crime Victim Data Disclosure Ordinance annual report, legislated by Supervisor Gordon Mar,
anti-Asian hate crimes in San Francisco increased by over 567% from 2020 to 2021.

Nationally in 2021, according to these preliminary police department figures, anti-Semitic hate crime reports rose 65%, anti-Latino hate crime reports rose 77%, and anti-Asian hate crime reports rose 342%, while African Americans remained the most targeted community, as in every year since 1991, when the FBI began collecting these data from police agencies; and

WHEREAS, Hate crimes against women and girls, particularly in the form of sexual assaults, and against children and adults with disabilities have long been the most grossly unrecognized and unreported, and remain so now; and

WHEREAS, The California State Auditor found in 2018, that “Law Enforcement Has Not Adequately Identified, Reported, or Responded to Hate Crimes,” and recommended steps to correct these gaps; and

WHEREAS, Although better law enforcement response to hate crimes and better reporting of these crimes would not alone be sufficient to address the root causes of hate crimes and to provide victims and co-victimized communities with all the support they need, it is still necessary to (1) bring perpetrators to justice and deter further hate crimes, (2) begin connecting victims with the services they need, (3) produce valid data to guide communities and decision makers, and (4) begin to build trust and mutual respect between law enforcement and the communities most targeted by hate crimes; and

WHEREAS, California State Assembly Members Phil Ting and Richard Bloom, working with a broad, diverse network of community groups throughout the State, have introduced California State Assembly Bill No. (AB) 1947, the Freedom from Hate Crimes Act, based on the recommendations of the California State Auditor; and

WHEREAS, AB 1947 would mandate every law enforcement agency in California to adopt a hate crime policy with detailed, specific protocols, including use of supplemental hate crime report forms to investigate suspected hate crimes on the scene. These forms were
recommended by the California State Auditor and their use has proved successful in Los Angeles, where the police department uses forms that it developed based on community input; and

WHEREAS, AB 1947 would provide for more California Department of Justice leadership and guidance to law enforcement agencies, also as recommended by the audit, by requiring that all law enforcement agencies submit their hate crime policies, brochures, and training schedules to the California Department of Justice; and

WHEREAS, AB 1947 would not create or expand the definition of any crimes, would not increase the penalties for any crimes, and would not preclude restorative justice or other alternative sentencing for any crimes; now, therefore, be it

RESOLVED, That the Board of Supervisors calls on the Legislature to continue to work to develop community-based, non-law-enforcement approaches to addressing the root causes of hate crimes, meeting the needs of victims and co-victimized communities, and collecting valid data on non-criminal hate incidents; and be it

FURTHER RESOLVED, That the City and County of San Francisco supports and endorses California Assembly Bill No. 1947 (Ting); and be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit copies of this Resolution to Assembly Members Ting and Bloom, all California State legislators representing San Francisco, and the California State Assembly and State Senate.
Resolution supporting California State Assembly Bill No. 1947, authored by Assembly Member Phil Ting, Freedom from Hate Crimes, which follows the recommendations of the State Auditor by requiring each law enforcement agency to adopt a hate crimes policy, including specific guidelines for recognizing, reporting, and responding to these crimes.

May 24, 2022 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify the foregoing Resolution was ADOPTED on 5/24/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board