

RAPID RESPONSE CHECKLIST (continued)

LEGAL

- ✓ Did the network or other organization coordinate legal assistance for the victim or refer the victim to an attorney?
- ✓ Were the attorneys or legal advocates aware of Fair Housing Act provisions regarding the offense? Were these provisions explained to the victim?
- ✓ Did the victim pursue a fair housing complaint through the U.S. Department of Housing and Urban Development or through the local fair housing center? HUD complaints must be filed within one year of the alleged violations, and state or federal court complaints must be filed within two years of the alleged violation.
- ✓ Did the victim receive satisfactory recourse through the legal or administrative system?
- ✓ Was the victim interviewed by attorneys, victim/witness advocates, and law enforcement officers about his or her treatment throughout the legal process?

COUNSELING AND MEDIATION

- ✓ Were mediators/counselors available to the community, the victim and, if appropriate, the perpetrator?
- ✓ If tension occurred, did leaders from both sides try to find a way to resolve the dispute and prevent further tensions from flaring?
- ✓ Did the schools and the media use the incident as a teachable moment through sensitized programming?
- ✓ Did the network coordinate with schools, elected officials, clergy, the housing industry, and community groups to work with their constituents and clients to sort through responses to the incident and implement long-term preventive programs?

MEDIA AND PUBLIC COMMUNICATION

- ✓ Did key public leaders (elected officials, clergy, school officials, housing industry) know about the incident?
- ✓ Did the representative work with officials to craft a proactive and assertive public response, as appropriate, to the incident?
- ✓ Did the professional media know about the incident? Was the coverage sensitive and accurate, and did it promote reconciliation?
- ✓ Was there a response on social media? What was the tone of the response?
- ✓ Did response network members use social media to promote thoughtful, positive, healing messages?
- ✓ Did community members use social media to promote or incite more housing-related hate activity?

For more information or to file a housing discrimination complaint, contact The Southwest Fair Housing Council (SWFHC) at:

1-888-624-4611

520-798-1568

602-218-6491

Relay Friendly

www.SWFHC.org



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RESPONDING TO CRIMINAL CIVIL RIGHTS VIOLATIONS



THE FAIR HOUSING ACT APPLIES TO CRIMINAL CIVIL RIGHTS VIOLATIONS

The federal Fair Housing Act prohibits discrimination in housing-related transactions because of race, color, religion, national origin, sex, disability or familial status. Many state and local laws also prohibit housing discrimination based on several additional protected classes.

One form of housing discrimination is housing-related threats, intimidation and injury. Examples of such housing-related activity include burning a cross outside the home of new residents because of their color, vandalizing a home because of the residents' race, or threatening a real estate agent who sold a home because of the buyers' national origin. The federal Fair Housing Act also provides strong protections and remedies for injuring, intimidating, or interfering with the fair housing rights of other persons. It contains criminal and civil penalties for such activity, including fines and prison time. State and local fair housing and criminal laws may provide additional protections.

This brochure provides an overview of steps individuals, organizations and local communities may take in order to respond effectively to housing-related hate crimes that violate the Fair Housing Act.

WHAT BEHAVIORS DOES THE FAIR HOUSING ACT PROHIBIT?

The Fair Housing Act prohibits criminal behavior that injures, intimidates, or interferes with persons because they are exercising their fair housing rights or assisting others with exercising such rights. Such behavior is motivated by the offender's hate or bias and is directed against a person or property based on someone's race, ethnicity, nationality, religion, gender, sexual orientation, or physical or mental disability. Such behavior constitutes a criminal civil rights violation and may be prosecuted under the Fair Housing Act or state and federal hate crimes laws. Criminal civil rights violations may involve offenses such as assault, homicide, arson, criminal threats, or vandalism. For purposes of this brochure, such behavior is called "hate activity."

Key indicators that hate activity may have occurred include:

- Use of bias-motivated language, epithets, or slurs by the perpetrator
- Victim and witness perceptions that the crime was targeted due to a protected class
- Pattern of similar incidents in the neighborhood
- Local activity by an organized hate group
- Timing of crime with a specific holiday or date of particular significance to a particular protected class
- Absence of any other motive

RESPONDING TO CRIMINAL CIVIL RIGHTS VIOLATIONS

In order to promote inclusion and foster affirmatively furthering fair housing, communities should evaluate the relationships between groups of residents and look for warning signs of tension and hate activity before hate activity occurs. Local leaders and advocates should develop and implement strategies for preventing tensions and responding to those that give rise to hate activity.

HOW TO BUILD A RESPONSE NETWORK

- Recruit community groups and leaders to be part of a rapid response team.

Networks should include local police and FBI contacts, civil rights advocates, local fair housing organizations, victim service providers, religious leaders and institutions, school representatives, community-based organizations, media representatives, and members of the local real estate board or association.
- Identify community needs.

Take an inventory of community relations, including past hate activity, complaints of discrimination in the community, bullying in local schools, racist, anti-immigrant, or anti-gay literature in the community, and influxes of new people moving to the area.
- Identify your community assets.

Familiarize yourself with existing hate-prevention resources, including organizations that prevent and respond to hate activity, fair housing organizations, youth, arts, and sports programs that bring young people together, opportunities for religious exchanges among people of difference faiths, and available workshops in diversity and conflict resolution.
- Define the role of the hate response network and each member's responsibilities.

Reflect on and define the specific responsibilities of the hate response network, including compiling and disseminating resources for hate activity response, assuming an advisory role for the police, serving as a hate activity "watchdog," training service providers and media, or providing direct services and other resources. Designate two or three coordinators as central points of contact for when housing-related activity occurs.
- Create a response checklist.

Identify a clear role for each network member to implement during a crisis response. Clarify roles and responsibilities of each network member, define a response protocol, and establish the initial point of communication within the network should hate activity occur. Anyone who learns of a hate crime should call the police.



IT IS CRITICAL TO RESPOND IMMEDIATELY

If you believe that hate activity is occurring or that someone is in imminent danger of physical harm, you should respond immediately.

- Call 911 or your local emergency number if medical care is required or if there is risk of imminent continuing violence.
- Call the police and report the details of the incident.
- Find a safe haven for the victim, such as a friend's house.
- Prepare a narrative account of the incident.
- Implement the response protocols.

RAPID RESPONSE CHECKLIST

POLICE

- ✓ Was law enforcement's arrival at the scene timely?
- ✓ Were the victims immediately protected and property damage mitigated?
- ✓ Did the police provide support to the victim while taking a report or initiating an investigation?
- ✓ Did law enforcement detain the perpetrator?
- ✓ Were and victim(s) and witnesses identified and interviewed?

VICTIM CARE

- ✓ Was the victim's immediate safety addressed?
- ✓ Was a victim services professional present?
- ✓ Was there a caring neighbor or advocate on site to comfort the victim immediately after the incident?
- ✓ If intergroup tensions occurred, were efforts made to mediate or resolve the conflict?
- ✓ Did community leaders respond swiftly in seeking a solution to the tensions or addressing the situation?
- ✓ Was a case worker assigned to follow up with the victim to ensure safety and help with logistics (e.g., making repairs, filing insurance claims)?
- ✓ If applicable, was a concerted effort made to convince the victim to stay in the community?
- ✓ If applicable, was alternative or interim housing secured for the victim?
- ✓ Did a network member, advocate, or neighbor visit the victim on the day and week after the incident?
- ✓ Did the network develop and implement a long-term plan for victim follow-up?