



Fair Housing & Communities Against Hate

July 25, 2017

2:00 PM EST

Panelists

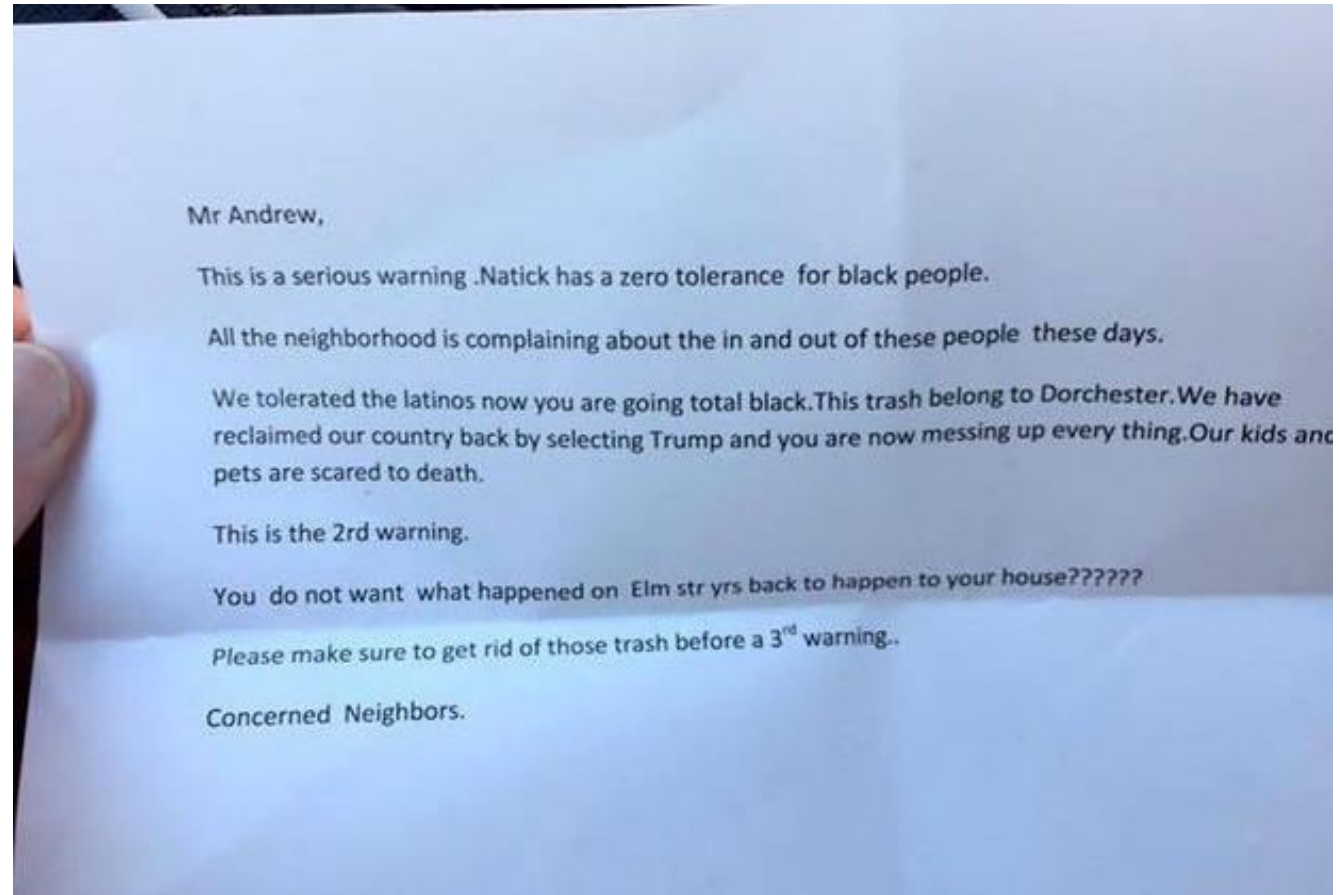


- **Lisa Rice**, Executive Vice President, National Fair Housing Alliance
- **Morgan Williams**, General Counsel, National Fair Housing Alliance
- **Anjali Thakur-Mittal**, Director, Communities Against Hate Initiative, The Leadership Conference on Civil and Human Rights/The Leadership Conference Education Fund
- **Becky Monroe**, Director, Stop Hate Project, Lawyers' Committee for Civil Rights Under Law

Hate Crime Location



- 32% of reported hate crimes occurred at homes. (Source: FBI Hate Crime Statistics.)
- #1 location for reported hate crimes for the last ten years has occurred at homes (Source: FBI Hate Crime Statistics.)
- 1,863 reported hate incidents between November 9 and March 31. (Source: New York Times)



Poll #1



**What type of organization
do you work for?**

Poll #2



**Have you received any recent
complaints related to hate?**

NFHA's Communities Against Hate Work




(202) 898 1661 | nfha@nationalfairhousing.org | Notice: FAIR HOUSING LAWSUIT ALLEGING

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Report Hate



With hate-related incidents and discrimination on the rise, NFHA has joined **Communities Against Hate**, a national initiative to document stories and respond to incidents of violence, threats and property damage motivated by hate in the United States. By reporting hate, you can help us document hate incidents as well as receive legal resources and services through this network if needed. Use the link below to report hate online or call **1-844-9-NO-HATE**.

Report Hate

The following resources are available to help protect civil rights, fight hate, and support inclusive communities for everyone, including immigrants, refugees, and people of all religious faiths:

- Fact sheet — Fair Housing Laws Protect Immigrants, Refugees and People of All Religious Faiths
- Guide — Fight Hate: A Prevention and Response Guide for America's Neighborhoods
- Companion guide — Fight Hate: A Rapid Response Strategy
- PowerPoint presentation — Housing-Related Hate Activity
- Brochure — Responding to Criminal Civil Rights Violations | Folleto — Respuesta a las Infracciones Penales de Derechos Civiles

Fair Housing Videos

Watch the documentary: Seven Days

Nationwide NFHA Seven Da...

What is Fair Housing Testing?

Fight discrimination - Suppo...

Find Your Elected Official!

Find the contact information you need to hold your federal, state, and local elected officials accountable!

You may search by ZIP code, full address, or official's name.

- Report hate incidents here
- <http://nationalfairhousing.org/report-hate/>

Morgan Williams



- What is housing-related hate activity?
- Criminal and civil charges
- HUD's harassment rule, 3rd party liability

Fighting Hate with Fair Housing Laws



- What is a hate crime?
- What constitutes housing-related hate activity?

- “It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by section.”

Prima Facie Case



- (1) Member of a protected class;
- (2) Engaged in the exercise or enjoyment of her fair housing rights;
- (3) Defendants were motivated in part by an intent to discriminate, or their conduct produced a disparate impact; and,
- (4) Defendants coerced, threatened, intimidated, or interfered with Plaintiff on account of her protected activity under the FHA.

Examples – § 3617 Enforcement



- Cross-burning in someone's front yard.
- Throwing water and yard clippings on the cars of the plaintiffs' guests and calling plaintiffs "dirty Indians" and telling them to go back where they came from.
- Blocking driveway, taking photographs of license plates and visitors and complaining to government officials.

General Principles



- Does not always require showing of violence
- Intent can be established by direct or circumstantial evidence or can be inferred from the actions of the defendant
- State laws may provide enhanced damages or penalties
- Note 3604(c) discriminatory statement, apply to oral and written statements and without exemptions regarding single family house or Mrs. Murphy-related matters

1st Amendment Concerns



- Expression designed to intimidate is not protected by the First Amendment.
- Hate speech directed at individuals in their homes less worthy of First Amendment protection.

- “Whoever ... **by force or threat of force** willfully injuries [sic], intimidates or interferes with, or attempts to injure, intimidate or interfere with--any person because of his race, color, religion, sex, handicap ... familial status ... or national origin and because he is [engaged in] the **sale, purchase, rental financing of occupation of any dwelling...**”[shall be guilty of an offense against the United States].

- Used force or threat of force.
- Injured, intimidated or interfered with, or attempted to injure, intimidate or interfere with the victims' right to transact for and occupy a dwelling.
- Acted as he did on account of the [race] of one or more of the victims and because one or more of the victims were transacting for or occupying a dwelling.

Criminal Punishment – 3631(c)



Penalties under 3631(c):

- “[S]hall be fined not more than \$1,000, or imprisoned not more than one year, or both; and
- “[I]f bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and
- “[I]f death results shall be subject to imprisonment for any term of years or for life.”

Getting to Federal Court



- Victim reports incident to local police / F.B.I. investigation
- Local police refer matter or request assistance from federal authorities
- F.B.I. refers the case to United States Attorney's Office for prosecution
- United States Attorney decides whether to
 - Defer to State Prosecutor,
 - Decline the matter based on insufficiency of the evidence, or
 - Seek indictment by a federal grand jury

Examples – § 3631 Enforcement



- Firing gun into black family's home.
- Ku Klux Klan members beat residents in their home because of recent interracial dating.
- Interference with adoption agency placement of African-American children in homes.

3rd party Fair Housing Liability



- HUD Harassment Rule – confirms two theories of liability:
 - Vicarious liability → goes up the chain
 - Direct liability →
Includes failure to respond to
neighbor-on-neighbor harassment

Why is this important?



- Housing discrimination acts go undetected and unreported
- Fair housing laws are a powerful alternative to seek justice
- Monetary and injunctive relief, and even prison time

Poll #3



- Are you part of any local initiatives to address hate activity?

Communities Against Hate initiative: overview, partners, and the web site/database

Anjali Thakur-Mittal | Deputy Director for Field Operations &
Director of Communities Against Hate Initiative |
The Leadership Conference Education Fund





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Language: [English](#) ▾

Report your stories here or call **1-844-9-NO-HATE**

Communities Against Hate is a diverse coalition coming together for the first time across communities to document hate and demand action.

I experienced hate, or saw it happen

Need help?

[Tell your story here](#)

[Access resources here](#)

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Language: English ▼

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Partners

Communities Against Hate is a diverse coalition coming together for the first time across communities to document hate and demand action.



Communities Against Hate: Statement of Principles

Through the *Communities Against Hate Initiative*, we will be documenting hate incidents, providing a powerful tool to combat the commission of hate crimes and hate violence in America. We aim to:

- ✓ Protect the rights of communities that are most vulnerable;
- ✓ Connect victims of hate incidents to services while also protecting their privacy;
- ✓ Using data collection of hate incidents as a tool to drive services and policy change, raise awareness, and educate the public on the many manifestations of hate as well as the importance of the interwoven fabric of American society;
- ✓ Lift the stories of survivors (as appropriate and with their approval) in order to change the current narrative that is normalizing hate; and
- ✓ Support and promote a restorative justice approach to addressing incidents of hate.



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Report your stories here or call **1-844-9-NO-HATE**

Language: English ▼

Tell us what happened

Every year, the FBI releases a report on hate crimes in America. It grossly underrepresents incidents of violence, threats, and bullying across America. By sharing what you experienced or witnessed, you can educate the public, empower others, show service providers where help is needed, and strengthen our advocacy.

Your story is yours—and we will not share any of your personal information outside our coalition. Thank you for your courage in coming forward.

Describe in detail what happened*

Date of the incident

Month Day Year

Where did it occur? (check all that apply)*

- ☐ Public Transportation
☐ On the street
☐ School

0% complete

Previous Question

Next Question

Report Form – Communi

Secure | https://communitiesagainsthate.org/report

For quick access, place your bookmarks here on the bookmarks bar. [Import bookmarks now...](#)

Date of the incident

MonthDayYear

Where did it occur? (check all that apply)*

☐ Public Transportation

☐ On the street

☐ School

☐ University

☐ Business

☐ Online

☐ Place of worship

☐ Private Residence

☐ Other

What city did it happen in?

City

State

Were the police called?*











☐ Yes


☐ No

0% complete

Previous Question

Next Question





3:23 PM
7/13/2017

How would you describe the motivation behind the incident? (check all that apply)*

- ☐ Anti-Black/African-American
- ☐ Anti-Latino/Hispanic
- ☐ Anti-South Asian
- ☐ Anti-Asian
- ☐ Anti-Arab/Middle Eastern
- ☐ Anti-Native American
- ☐ Anti-Lesbian, Gay, or Bisexual
- ☐ Anti-Transgender, Gender-Nonconforming (TGNC), Non-Binary, Gender Queer
- ☐ Anti-Woman
- ☐ Anti-Semitic
- ☐ Anti-Sikh
- ☐ Anti-Muslim
- ☐ Anti-Immigrant
- ☐ Anti-Disability
- ☐ Other

May we contact you with resources to combat hate?*

- ☐ Yes
- ☐ No

0% complete

Previous Question

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What is your name?

What is your email address?

What is your phone number?

Would you like to make this report public?*

☐ Yes

☐ No

The city of the incident and your personal information will never be made public.

By clicking "Submit Report" below, you agree to be bound by the terms and conditions of the [Terms and Conditions](#) and [Privacy Policy](#).

Submit Report

0% complete

Previous Question

Next Question

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Language: English ▾

Stories

Undisclosed

Occurred on July 28, 2017

Anti-Immigrant

Location of Incident:

Business

Undisclosed

Occurred on July 10, 2017

Anti-Woman

Location of Incident:

On the street, Business

Description:

Propositioned with a ten dollar bill

Undisclosed

Occurred on July 9, 2017

Anti-Woman

Location of Incident:

On the street, Business

Description:

Up-skirt Photo

Undisclosed

Occurred on July 6, 2017

Anti-Woman

Displaying 624 results

Filter by

All Types of Incidents ▾

All Locations of Incidents ▾

All States ▾



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[Unselect All](#)

☒ All Types

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- ☐ Anti-Woman
- ☐ Anti-Semitic
- ☐ Anti-Sikh
- ☐ Anti-Muslim
- ☐ Anti-Immigrant
- ☐ Anti-Disability
- ☐ Other

All Locations of Incidents v

All States v



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☐ Private Residence

☐ Other

All States



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Resources

The Communities Against Hate initiative is helping to connect people and organizations affected by hate incidents with legal resources and social services, through the Lawyers' Committee for Civil Rights Under Law. Those seeking help can call our hotline (1-844-9-NO-HATE) to speak with someone who will connect you with the resources and services that meet your needs. Below are examples of the kinds of resources and services available. Additional information and resources are available on the [Lawyers' Committee's website](#).

[Legal Services](#)

[Survivor Assistance](#)

[Medical Services/Mental Health Counseling](#)

[Community Organizations](#)

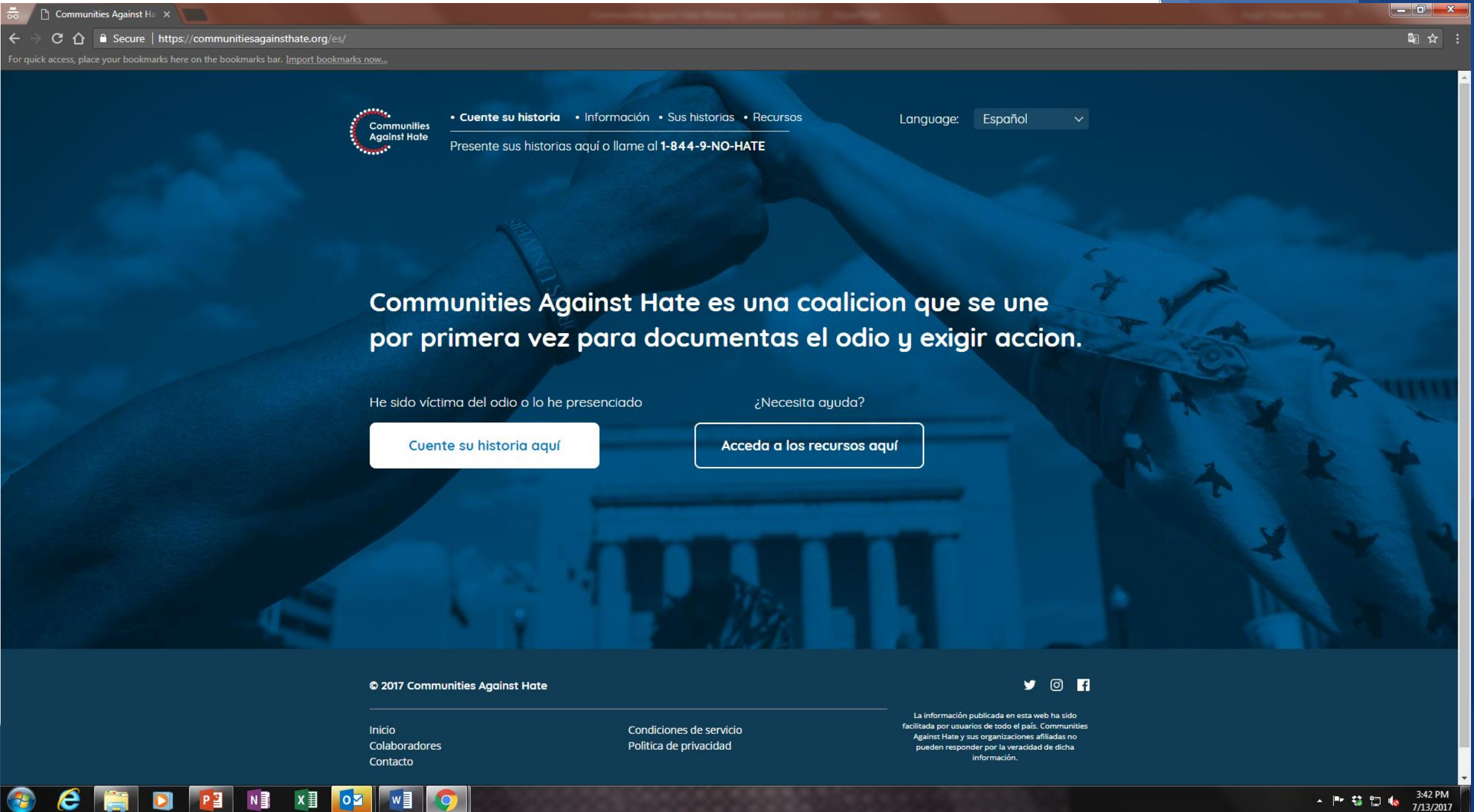
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- **Cuenta su historia**
- Información
- Sus historias
- Recursos

Language: Español ▼

Presente sus historias aquí o llame al **1-844-9-NO-HATE**

Communities Against Hate es una coalicion que se une por primera vez para documentas el odio y exigir accion.

He sido víctima del odio o lo he presenciado

¿Necesita ayuda?

[Cuenta su historia aquí](#)

[Acceda a los recursos aquí](#)

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www.CommunitiesAgainstHate.Org

Stop Hate Project

**Listening and responding to the needs identified by
people in communities across the country.**



The Lawyers' Committee for Civil Rights Under Law

Communities Against Hate, Stop Hate Project:

- Community organizations, who work tirelessly to serve individuals in need, are at the core of this program.
- **The Lawyers' Committee for Civil Rights Under Law** aims to serve as a resource to you, to create resources you request, to amplify your important work and provide support based on your expressed needs, as well as the needs of the communities that you serve.
- We also serve the needs of individuals who confront hate or witness hate, and need support or want to take action.



National Stop Hate Hotline:

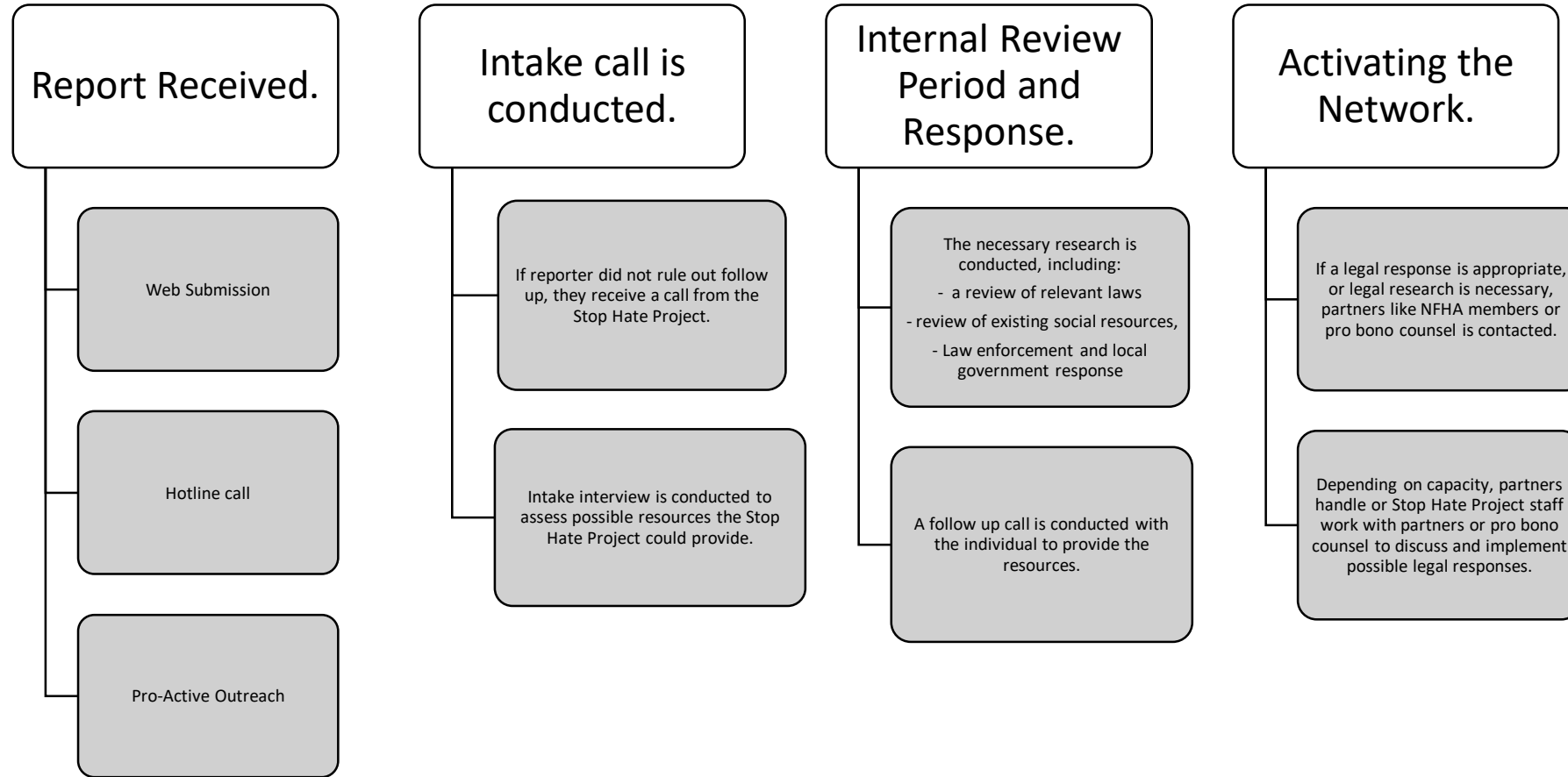
1-844-9-NO HATE (1-844-966-2483) is a national hotline that serves individuals and organizations that experience hate.

- We support individuals who have suffered hate incidents and community organizations combating hate by connecting them with legal resources, local service organizations, and, in appropriate cases, access to counsel.
- Individuals and organizations can reach by either calling the hotline number or by submitting their experiences on the online platform at <https://communitiesagainsthate.org/report>
- Resources are also available on www.8449nohate.org



National Stop Hate Hotline:

PROCESS:



National Stop Hate Hotline:

Examples of Resources Provided

- Template letters to ensure undocumented students are being admitted to school
- Support for callers interested in reaching out to and working with law enforcement to increase awareness and response to hate
- Connecting callers with local legal and social service organizations
- Trauma informed resources and best practices
- Connecting callers to bystander intervention trainings with our national partners, such as Hollaback!
- Resource toolkits on how to address the presence of hate groups in communities
- Legal research for advocates in advance of protests and actions

National Stop Hate Hotline:

Examples of Resources Provided

- Legal and community trainings—for example the Lawyers' Committee will have upcoming CLE trainings in Houston and North Carolina
- TA for organizations setting up hate crimes task forces
- State specific hate crime statute summaries
- Resources for students and administrators combatting hate on college campuses
- Targeted information and resources for students who have experienced hate on their campuses, including door hangers and palm cards with steps and best practices for reaching out in the direct aftermath of hate
- Template letters for community members to use to contact their local officials about hate in their community, specifically if there has been hate group activity in the area such as KKK rallies or leafletting

Examples from the National Stop Hate Hotline:

Richard Spencer Leads Torch-Bearing Protesters in Rally to Save Confederate Statue

By Margaret Hartmann





[REDACTED]

No you and your whole family are terrorist and I'm gonna kill every single one of you sand n [REDACTED] #Merica

[REDACTED]

Not a terrorist but still the bomb tho



Retweets
295

Likes
599

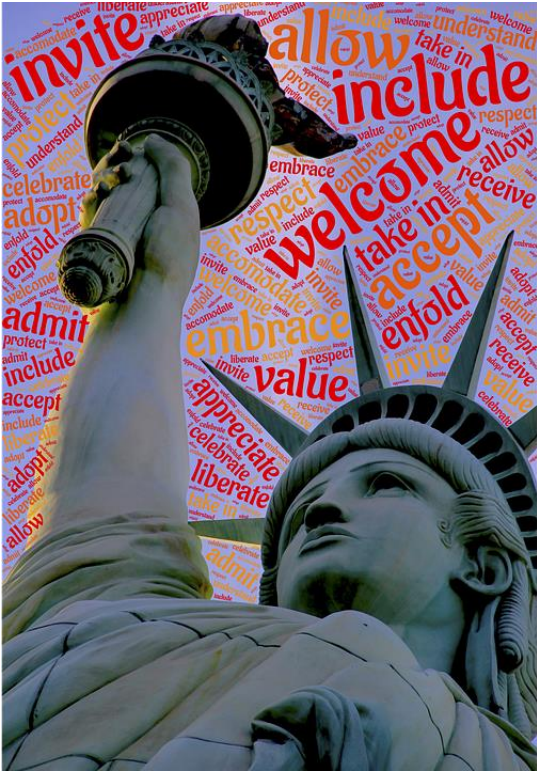


11:52 AM - 23 May 2017

8

295

599



Contact Information

General Inquiries: NoHate@Lawyerscommittee.org

Becky Monroe: Bmonroe@lawyerscommittee.org

Nadia Aziz: Naziz@lawyerscommittee.org

Follow us on Social Media:

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