

1 [Supporting AB 378 (Chu).]
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3 **Resolution urging California Governor Arnold Schwarzenegger to sign AB 378 (Chu),**
4 **the Hate Crime Civil Remedies Act into law.**
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6 WHEREAS, AB 378 (Chu) is inspired by the case of five Asian youth who were
7 attacked and beaten by up to twenty white male teens in June of 2003; and,

8 WHEREAS, initially the five boys were accosted by three white males shouting “chink”,
9 “gook”, and other racial epithets; and,

10 WHEREAS, soon the rest of the group joined, beating and kicking the five boys
11 repeatedly; and,

12 WHEREAS, when the boys attempted to escape across the street, they were followed
13 and beaten again; and

14 WHEREAS, the incident ended only when law enforcement officials arrived on the
15 scene; and,

16 WHEREAS, of the twenty attackers, only one was arrested and charged immediately;
17 and,

18 WHEREAS, the other perpetrators were identified at trial over one year after the
19 underlying incident; and,

20 WHEREAS, as a result, the five boys lost the opportunity to bring a meaningful civil
21 action against the vast majority of their attackers; and,

22 WHEREAS, the Bane Act allows hate crime victims to seek a \$25,000 penalty against
23 their attackers but hate crime victims must bring the civil action within one year of the
24 underlying incident to seek this penalty; and,
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1 WHEREAS, for many hate crime victims, bringing a civil action within one year is not
2 advisable or even possible; and,

3 WHEREAS, criminal proceedings involving hate crimes can often take well over one
4 year, and a civil proceeding may seriously hinder the criminal prosecution; and,

5 WHEREAS, just as significant, the attackers may not be identified until after the one
6 year period has expired; and,

7 WHEREAS, AB 378 (Chu), which would allow hate crime victims a fair opportunity to
8 seek justice and meaningful redress from their attackers; and,

9 WHEREAS, AB 378 (Chu) would extend the statute of limitations to three years for
10 hate crime victims to recover monetary penalties under the Bane Act; now, therefore, be it

11 RESOLVED, that the Board of Supervisors hereby urges California Governor Arnold
12 Schwarzenegger to sign AB 378 (Chu), the Hate Crime Civil Remedies Act into law.

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