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THIRD READING

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Bill No: AB 449  
Author: Jackson (D)  
Amended: 6/19/25 in Senate  
Vote: 21

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SENATE JUDICIARY COMMITTEE: 11-0, 7/1/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,  
Weber Pierson, Wiener

NO VOTE RECORDED: Niello, Valladares

SENATE APPROPRIATIONS COMMITTEE: 4-0, 8/29/25

AYES: Caballero, Grayson, Richardson, Wahab

NO VOTE RECORDED: Seyarto, Cabaldon, Dahle

ASSEMBLY FLOOR: 66-1, 6/2/25 - See last page for vote

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**SUBJECT:** Civil Rights Department: antidiscrimination campaigns

**SOURCE:** California Legislative LGBTQ Caucus

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**DIGEST:** This bill, upon appropriation by the Legislature and commencing on or before the later of either July 1, 2026, or one year after the date of the appropriation, requires the Civil Rights Department (CRD) to create and distribute statewide and regional radio, social media, and television campaigns for the purposes of discouraging discrimination. This bill requires CRD to convene a working group to develop a plan to implement the campaigns above, as provided. This bill exempts the working group from the Bagley-Keene Open Meeting Act.

**ANALYSIS:**

Existing law:

- 1) Establishes the Commission on the State of Hate under CRD to provide resources and assistance to the Department of Justice, the state Attorney

General, the Office of Emergency Services, and federal, state, and local law enforcement agencies relating to hate-related crimes. Authorizes the Commission, in collaboration with other subject-matter experts, to engage in fact finding, data collection, and the publication of annual reports on the state of hate-related crimes. Requires the Commission to advise the Legislature, the Governor, and state agencies on policy recommendations and to undertake educational efforts to foster mutual respect and understanding among California's diverse population, and to hold at least four public forums on hate crimes. (Government (Gov.) Code § 8010.)

- 2) Requires local law enforcement agencies to report hate crimes to the California Department of Justice (DOJ). (Penal (Pen.) Code § 13023.)
- 3) Defines a 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 association with a person or group with one or more of these actual or perceived characteristics. (Pen. Code § 422.55.)
- 4) Mandates that the DOJ submit an annual Hate Crime in California report to the Legislature and on the DOJ website. (Pen. Code § 13023.)
- 5) Provides, pursuant to the California Constitution, that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies are required to be open to public scrutiny. (California Constitution, art. I, § 3(b)(1).)
- 6) Establishes the Bagley-Keene Act, which requires state bodies to conduct their business in open public meetings, except as provided by the Act, and establishes requirements and procedures for such meetings. (Gov. Code § 11120 et seq.)<sup>1</sup>
  - a) "State bodies" covered by the Bagley-Keene Act include every state board, commission, or body created by statute or required by law to conduct official meetings, every commission created by executive order, any board or body exercising the authority of a state body by delegation, any advisory body created by formal action of a state body, any state body that is supported by

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<sup>1</sup> All further references are to the Government Code unless specified otherwise.

public funds and which a member of a state body serves in their official capacity, and the State Bar of California. (§ 11121.)

This bill:

- 1) Requires CRD, no later than July 1, 2026, or one year after appropriation by the Legislature, to create and distribute statewide and regional radio, social media, and television campaigns for the purposes of discouraging discrimination based upon, but not limited to, disability, gender, nationality, race or ethnicity, religion, or sexual orientation.
- 2) Specifies that the campaigns are to be implemented through a working group, which is to be comprised of eleven members; two of whom are from each house of the Legislature, and nine of whom are to be appointed by the Director of CRD and are to have expertise in the field of marketing and messaging, specifically on topics germane to the program.
- 3) Requires that the percentage of ads focused on combating hate violence against a specific community with common characteristics are to be created and distributed based on the rate of hate crimes committed against each protected group, as determined by the most recent Hate Crime in California report released by the Attorney General or other reliable and more accurate data on hate violence.
- 4) Provides that these provisions are not to become operative until funding and positions are appropriated by the Legislature in the Budget Act or any other measure for these purposes.

## Comments

Hate crime is a major issue for many California communities. While the state has taken steps to address the issue, no program has yet addressed the issue through media campaigns to prevent hate crime. This bill requires CRD to create and implement statewide and regional radio, social media, and television campaigns to discourage discrimination. The media campaigns are to be implemented by a working group comprised of a member of each house of the Legislature and nine experts in the field, and will focus on hate crime directed towards specific communities based on the rate of hate crimes committed against each community, as determined by California Department of Justice data or other reliable data. This bill would exempt the working group from the Bagley-Keene Open Meeting Act. This bill is a reintroduction of a part of AB 1079 (Jackson, 2024), which was

vetoed by the Governor. This bill is sponsored by the California Legislative LGBTQ Caucus, and supported by the Association of California State Employees With Disabilities, Equality California, and Stop AAPI Hate.

Hate crime is a major problem for California, and the state has seen significant increases in hate crimes in recent years. Hate crime is a crime that is committed by a perpetrator entirely or partly because of the victim's actual or perceived personal characteristics like disability, gender, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of such characteristics. (Pen. Code § 422.55.) In recent years, there have been numerous reports of sharp increases in such crimes against racial and ethnic minorities, against transgender individuals and other members of the LGBTQ community, and against members of the Islamic and Jewish faiths. The COVID-19 pandemic fueled a dramatic surge in racially-motivated attacks on Asian-Americans, with some reports suggesting hate crime toward Asian Americans increased 339 percent between 2020 and 2021.<sup>2</sup> Hate crimes and murders of transgender individuals have also increased considerably in recent years.<sup>3</sup> Such increases have corresponded with increases in white supremacist extremist groups and events.<sup>4</sup>

A 2021 report by Attorney General Rob Bonta provides even more insight into this dire reality. The report found a nearly 90 percent increase in hate crimes in California over the last ten years, and an increase of 32.6 percent from 2020 to 2021 at 1,763 total recorded incidents.<sup>5</sup> The report found that the sharpest increases were for anti-Asian bias, which saw a 177.5 percent increase, and anti-LGBTQ bias, which saw a 47.8 percent increase. Anti-Latino bias hate crime incidents increased by 29.6 percent. The most prevalent hate crime incidents in total were against African-Americans, at 513. Of the criminal offenses committed during such hate crimes, the report found that 72.2 percent were violent crimes, while the remaining offenses were property crimes like vandalism and arson.

The 2023 report on hate crime in California by Attorney General Rob Bonta notes that, while there have been year-to-year increases and decrease in hate crime over

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<sup>2</sup> Kimmy Yam, "Anti-Asian hate crimes increased 339 percent nationwide last year, report says," NBC News (Jan. 31, 2022 3:02 pm), available at <https://www.nbcnews.com/news/asian-america/anti-asian-hate-crimes-increased-339-percent-nationwide-last-year-repo-rcna14282>.

<sup>3</sup> Human Rights Campaign, *An Epidemic of Violence 2021* (2022), available at [https://reports.hrc.org/an-epidemic-of-violence-fatal-violence-against-transgender-and-gender-non-confirming-people-in-the-united-states-in-2021?\\_ga=2.108286530.1970043238.1687242940-1404589019.1687242940](https://reports.hrc.org/an-epidemic-of-violence-fatal-violence-against-transgender-and-gender-non-confirming-people-in-the-united-states-in-2021?_ga=2.108286530.1970043238.1687242940-1404589019.1687242940).

<sup>4</sup> Center on Extremism, "White Supremacist Propaganda Soars to All-Time High in 2022," Anti-Defamation League (Mar. 8, 2023), available at <https://www.adl.org/resources/report/white-supremacist-propaganda-soars-all-time-high-2022>.

<sup>5</sup> California Attorney General, *2021: Hate Crime in California*, Cal. Dept. of Justice (Jun. 28, 2022)

the last decade, overall hate crime incidents have increased by 159.9 percent.<sup>6</sup> Reported hate crimes declined in 2023 after three years of continual increases.<sup>7</sup> However, the 2023 report showed that reported anti-Jewish and anti-Arab/Muslim hate crimes doubled between 2020 and 2023: anti-Jewish crimes increased 56 percent from 190 in 2022 to 297 in 2023; and anti-Arab or anti-Muslim crimes increased 35 percent from 48 to 65.<sup>8</sup>

While the findings of these reports are significant, they likely do not capture the entire story. That is because the Attorney General's reports are based on data from law enforcement agencies related to crimes actually investigated by law enforcement. Many crimes and hateful, criminal acts likely occurred that were not reported to police. Currently, there are a number of ways that the state tries to address hate crimes. Under section 13023 of the Penal Code, law enforcement agencies are required to collect data on hate crimes and provide that data to the Attorney General, who then must report this data online and to the Legislature annually. The Federal Bureau of Investigation also tracks and reports on hate crimes nationally.

In addition, Attorney General Rob Bonta announced in 2021 a plan to create a Racial Justice Bureau and a virtual convening against hate crime. The Bureau will be based in the DOJ, and aims to tackle hate crime through outreach with community organizations and law enforcement on hate crime prevention, information sharing, and reporting. The Attorney General also developed a Hate Crime Rapid Response Protocol that acts as a supplemental resource to local, state, and federal law enforcement's investigation and prosecution of hate crimes through resources for skilled law enforcement, lawyers for civil rights issues, and victim services professionals. The California Department of Social Services likewise runs a grant program called Stop the Hate to fund nonprofits to provide support and services to victims and survivors of hate incidents and hate crimes. (Gov. Code § 8260.) CRD runs the California vs. Hate Resource Line and Network, which is similarly aimed at hate crime reporting and services for victims of hate crimes. In 2021, AB 1126 (Bloom, Ch. 712, Stats. 2021) created the Commission on the State of Hate, which establishes a commission with a similar structure to the working group established by this bill to specifically provide resources and assistance with other state agencies and local law enforcement and

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<sup>6</sup> California Attorney General, *2023 Hate Crime in California*, Cal. Dept. of Just., available at [https://data-openjustice.doj.ca.gov/sites/default/files/2024-06/Hate%20Crime%20In%20CA%202023f\\_0.pdf](https://data-openjustice.doj.ca.gov/sites/default/files/2024-06/Hate%20Crime%20In%20CA%202023f_0.pdf).

<sup>7</sup> *Hate Crimes Fell in California Last Year, but Religion-based Incidents Increased Sharply*, PPIC, (Oc. 15, 2024), available at <https://www.ppic.org/blog/hate-crimes-fell-in-california-last-year-but-religion-based-incidents-increased-sharply/>.

<sup>8</sup> *Ibid.*

the public on the state of hate crimes and trends, to engage in fact-finding and data collection on hate crimes, and to advise the Legislature, Governor, and state agencies on policy recommendations to prevent hate.

Despite these programs, hate crime continues to exist and are a grave ill on California communities. This bill aims to prevent hate crimes through statewide and regional radio, social media, and television campaigns to discourage discrimination against individuals or groups.

To implement the media campaign, this bill requires CRD to convene a working group to develop a plan for the campaign. The working group would be comprised of one member from the Assembly and Senate, respectively, and nine members appointed by the Director of CRD who have expertise in the field of marketing and messaging. The working group's members must reflect the geographic and demographic diversity of the state. This bill also requires that the percentage of advertising campaigns created by the working group be based on the rate of hate crimes committed against each community respectively. This would mean the advertisements would be tailored to address hate towards specific groups proportionally to that community's share of the overall hate crimes committed against all groups. It should be noted that these percentages will be based on the data on hate crimes reported by the Attorney General; because of potential disparities in hate crimes reporting related to cultural practices of individuals, their likeliness to report hate crimes, and policies of law enforcement or community policing, actual levels of specific types of hate crimes toward particular groups may vary some from the data reported by the Attorney General.

This bill exempts the working group from Bagley-Keene and provides that this limitation on the access to public meetings is necessary to ensure diverse and expert input in the creation of antidiscrimination media campaigns.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

The Senate Appropriations Committee writes regarding the fiscal impact:

To administer this bill, CRD anticipates requesting one position (Staff Services Manager II), \$171,000 in 26-27, and \$168,000 in 27-28 and ongoing. This position would manage the working group required by the bill as well as create and run the public education campaigns, under CRD leadership's direction (absorbable workload). In addition, CRD reports that it would request between \$2.5 million to \$25 million in 26-27 and 27-28 and ongoing for the public education campaigns themselves, depending on the

type, size, frequency, and other details of the public education campaigns that the Legislature would like to fund. For example, a public education campaign that runs on TV would be much more expensive than one that is not on TV. This range is based on CRD's experience and the costs of running other statewide public education campaigns in recent years.

**SUPPORT:** (Verified 8/29/25)

California Legislative LGBTQ Caucus (source)  
 Anti-Defamation League  
 Association of California State Employees with Disabilities  
 California Legislative LGBTQ Caucus  
 Equality California  
 Hadassah  
 JCC Federation of San Luis Obispo  
 JCRC Bay Area  
 JCRC of Greater Santa Barbara  
 Jewish Community Federation and Endowment Fund  
 Jewish Council for Public Affairs  
 Jewish Democratic Club of Marin  
 Jewish Family & Community Services East Bay  
 Jewish Family and Children's Service of Long Beach and Orange County  
 Jewish Family and Children's Services of San Francisco, the Peninsula, Marin & Sonoma Counties  
 Jewish Family Service of San Diego  
 Jewish Family Services of Silicon Valley  
 Jewish Federation Los Angeles  
 Jewish Federation of Orange County  
 Jewish Federation of the Greater San Gabriel and Pomona Valleys  
 Jewish Free Loan Association  
 Jewish Long Beach  
 Jewish Public Affairs Committee of California  
 Stop AAPI Hate

**OPPOSITION:** (Verified 8/29/2025)

None received

**ARGUMENTS IN SUPPORT:**

The author writes:

Hate and violence against marginalized people have reached historic highs. The same can be said for the proliferation of white supremacist propaganda, and the growth of hate-driven, white supremacist groups, and organizations. Cleaning up in the aftermath of hate crimes is not enough. California must go on the offensive against hate and bigotry, and chart the course to become America's first genuinely Antiracist State.

The California Legislative LGBTQ Caucus, the sponsor of this bill, writes in support stating:

[...]According to the most recent Hate Crimes Report released by the Attorney General's (AG) office, reported hate crime events in California decreased by 7.1% from 2,120 in 2022 to 1,970 in 2023. While hate crimes have more recently decreased in California, the AG's hate crimes report has noted hate crimes and hate incidents have increased against members of the LGBTQ+ community, especially amongst transgender, gender nonconforming/non-binary, and intersex people.

While there are serious efforts to combat hate crimes from the California Department of Justice and through other community investments, these efforts do not outpace the harm caused by the continued increase in hate crimes against marginalized communities, including but not limited to the LGBTQ+ community, and given the increase in hate speech, hate incidents, and hate crimes targeting marginalized community members, including but not limited those in the LGBTQ+ community.

ASSEMBLY FLOOR: 66-1, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio

NO VOTE RECORDED: Castillo, Chen, Dixon, Ellis, Gallagher, Hadwick, Hoover, Lackey, Macedo, Sanchez, Ta, Tangipa



Prepared by: Amanda Mattson / JUD. / (916) 651-4113  
8/29/25 20:38:54

**\*\*\*\* END \*\*\*\***