

FREQUENTLY ASKED QUESTIONS

What happens if a civil rights injunction is violated?

A violation of a civil rights injunction is a criminal offense and should be reported to the police immediately. Violations can subject a perpetrator to fines of up to \$10,000, and up to two and one-half years in a house of correction or, if bodily injury results, to up to 10 years in state prison.

I am already working with the District Attorney's Office, which is prosecuting criminal charges in this matter. Could the Attorney General still get a civil rights injunction to protect me?

Yes. Criminal prosecution of a hate crime is a separate proceeding from a civil injunction under the MCRA. Both cases can take place simultaneously. When the Attorney General obtains injunctions under the MCRA, she coordinates with police departments and district attorney's offices.

Does the Attorney General seek money on behalf of victims for violations of the MCRA?

Generally, no. Victims can file their own lawsuits if they wish to obtain money

damages. If you wish to obtain individual legal representation you may consider contacting a private attorney. In addition, some victims of violent crime may be eligible to apply for compensation for out of pocket expenses related to the crime. For more information, contact the Attorney General's Victim Compensation and Assistance Division at (617) 727-2200.

What other services can the Attorney General provide to victims of hate crimes?

The Attorney General's Victim Services Division will work directly with victims and their families to support them during and after any legal proceedings. The Victim Services Division will explain legal proceedings, answer questions, and direct victims to resources and support services. The Attorney General's Victim Compensation Division provides financial assistance to eligible victims of violent crime for certain expenses.

For more information about these or any other program within the Attorney General's Office, visit our website at www.mass.gov/ago.

CONTACT US

The Attorney General's Civil Rights Division can be reached at:

Civil Rights Division
Office of the Attorney General
One Ashburton Place
Boston, MA 02108
617-727-2200 or
617-727-4765 (TTY)

Information about the Civil Rights Division, including a complaint form, is also available for download at our website:
www.mass.gov/ago/civilrights

OFFICE OF THE ATTORNEY GENERAL

Massachusetts Civil Rights Act

A Guide for Residents and Visitors



COMMONWEALTH OF MASSACHUSETTS

One Ashburton Place
Boston, MA 02108
(617) 727-2200
www.mass.gov/ago

A MESSAGE FROM THE
ATTORNEY GENERAL

As Attorney General, protecting the civil rights of residents and visitors to Massachusetts is one of my most important responsibilities.

This publication outlines some of your civil rights under Massachusetts law. The Massachusetts Civil Rights Act (MCRA), M.G.L. c. 12, s. 11H-11J, protects all residents and visitors to Massachusetts against threats and interference with their civil rights. The MCRA protects, for example, the right to use public parks, walk on public streets, attend school, live peacefully in your home, and enjoy other basic rights free from bias-motivated threats, intimidation, coercion, and violence. These rights are at the heart of our safety, well-being and freedom.

If you believe that your rights or the rights of a family member have been violated, or if you need further information, please contact the Civil Rights Division of the Attorney General’s Office.

Cordially,

The Attorney General of Massachusetts

HATE CRIMES

Certain criminal conduct is a hate crime when the perpetrator is motivated by bias (prejudice) against another person’s race, color, religion, national origin, sexual orientation, gender identity, or disability (M.G.L c. 265, s. 39).

Even if the perpetrator was mistaken in his or her perception that the victim was a member of a particular group, the conduct is still a hate crime as long as the offender was motivated by bias against that group.

Your rights may have been violated if:

- The perpetrator targeted you because of your race, national origin, religion, age, sexual orientation, gender, gender identity, or disability or protected activity (for example, the right to vote or the right to associate).
- The perpetrator interfered with your civil rights, including your right to use public parks, walk on public streets, attend school, or live peacefully in your home.
- The perpetrator used verbal slurs while threatening or intimidating you.

THE IMPACT OF HATE CRIMES

Along with the impact on individual victims, hate crimes send a message to members of groups that they do not belong, or will be hurt because they are perceived as different. Our response to hate crimes can send a powerful message that these crimes will not be tolerated.

VICTIMS OF HATE CRIMES

Report incidents to the police. Many police departments have a civil rights officer trained specifically to respond to hate crimes. There are translation services available for victims.

Get medical help if needed. Some victims may need support and reassurance. Victims may choose to speak with a victim advocate, community leader or counselor.

Contact the Attorney General’s Civil Rights Division for additional resources and to learn about civil rights injunctions.

THE ATTORNEY GENERAL’S
OFFICE

The Attorney General may go to court to seek a civil rights injunction to protect a victim of a hate crime. The MCRA authorizes the Attorney General’s Office to pursue legal action against those who deprive others of their civil rights through intimidation, threats, coercion or violence. Under the MCRA, the Attorney General may obtain an injunction against a perpetrator who threatens, intimidates or coerces another person on the basis of that person’s protected category or protected activity.

CIVIL RIGHTS INJUNCTION

An injunction is a legally enforceable court order issued by a judge that prohibits a perpetrator from committing certain actions.

A civil rights injunction will:

- order protection for a victim, and all others like him or her, in the Commonwealth;
- order the perpetrator to stay away from a victim, his or her family, home, and place of work;
- prohibit a perpetrator from further acts of intimidation or violence.