



City of Hamilton
GENERAL ISSUES COMMITTEE
AGENDA

Meeting #: 20-014
Date: September 23, 2020
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's Website:

<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1. September 9, 2020

4. COMMUNICATIONS

5. DELEGATION REQUESTS

6. CONSENT ITEMS

7. PUBLIC HEARINGS / DELEGATIONS

8. STAFF PRESENTATIONS

8.1. COVID-19 Verbal Update

8.2. Hate Prevention and Mitigation Initiative Update (LS19031/PW19068(c)/CM19006(c))
(City Wide)

9. DISCUSSION ITEMS

10. MOTIONS

10.1. City of Hamilton's Contribution Towards Business Improvement Area (BIA)
Operating Budgets via the Commercial Districts and Small Business Section
Operating Budget

(Deferred from the August 10, 2020 General Issues Committee meeting.)

11. NOTICES OF MOTION

12. GENERAL INFORMATION / OTHER BUSINESS

13. PRIVATE AND CONFIDENTIAL

13.1. Disposition Strategy - Wentworth Lodge Lands (PED19138) (Ward 13)

NOTE: Report PED19138 will remain TABLED and will not be before Committee for consideration at this time.

13.2. Land Exchange – A. DeSantis Developments Ltd. – 1456 and 1460 Upper James Street, Hamilton (PED20117) (Ward 8)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board.

13.3. Lease Renewal and Amending Agreement – Suite 220, 100 Main Street East, Hamilton (PED20150) (Ward 2)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board.

13.4. LaSalle Park Disposition Review (PED20156) (City Wide)

Pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

13.5. Options for Support for Commercial Tenants and Licensees Within City-Owned Properties Due to COVID-19 (PED20162) (City Wide)

Pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

14. **ADJOURNMENT**



GENERAL ISSUES COMMITTEE MINUTES 20-012

9:30 a.m.

Wednesday, September 9, 2020

Due to COVID 19 this meeting was Livestreamed only

Present: Mayor F. Eisenberger, Deputy Mayor B. Johnson (Chair)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins,
T. Jackson, E. Pauls, J. P. Danko, B. Clark, M. Pearson,
L. Ferguson, A. VanderBeek, J. Partridge

Absent: Councillor T. Whitehead – Other City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. Hamilton Tax Increment Grant - 11 and 15 Cannon Street West (PED20138)
(Ward 2) (Item 6.1)**

(Pearson/Ferguson)

- (a) That a Hamilton Tax Increment Grant Program application submitted by Areacor Inc. (Roni Gilyana), for the property at 11 and 15 Cannon Street West, Hamilton, estimated at \$266,867.70 over a maximum of a five-year period, and based upon the incremental tax increase attributable to the development of 11 and 15 Cannon Street West, Hamilton, be authorized and approved in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to effect recommendation (a) of Report PED20138, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Council – September 16, 2020

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

2. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 115 and 121 Vansitmart Avenue, ERG-18-08 (PED20139) (Ward 4) (Item 6.2)

(Pearson/Ferguson)

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-18-08, submitted by 1349010 Ontario Inc., owner of the properties at 115 and 121 Vansitmart Avenue, for an ERASE Redevelopment Grant not to exceed \$354,828 over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED20139, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

3. Ottawa Street Business Improvement Area (BIA) Revised Board of Management (PED20143) (Wards 3 and 4) (Item 6.3)

(Pearson/Ferguson)

That the following individual be appointed to the Ottawa Street Business Improvement Area (BIA) Board of Management:

- (i) Nadia Ishmail

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

4. Grant from Parks Canada's National Cost-Sharing Program for Heritage Places for Battle of Stoney Creek National Historic Site of Canada (Battlefield Park) (PED20151) (Ward 5) (Item 6.4)

(Pearson/Ferguson)

That the Mayor and Clerk be authorized to execute all necessary documentation, including a Contribution Agreement for funding up to \$100 K under Parks Canada's National Cost-Sharing Program for Heritage Places, for Battle of Stoney Creek National Historic Site of Canada (Battlefield Park), in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

5. Tim Hortons Field – End Guard Anchor Repair/Replacement (PW20039(c)) (City Wide) (Item 9.6(a))

(Partridge/Clark)

That Report PW20039(c), respecting Tim Hortons Field – End Guard Anchor Repair/Replacement, be received.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins

Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

6. Grant Increase to an Existing Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Approval, 467 Charlton Avenue East, ERG-15-03 (PED16037(a)) (Ward 2) (Item 9.7)

(Farr/Eisenberger)

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-19-05, submitted by 467 Charlton Avenue Inc., owner of the property at 467 Charlton Avenue East, for an ERASE Redevelopment Grant not to exceed an additional \$1,311,754, for a total maximum grant of \$3,441,154, payable over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED16037(a), in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins

Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

7. Airport Employment Growth District (AEGD) Wastewater Servicing Update and Capacity Allocation Policy (PED20040/PW20055) (City Wide) (Item 9.9)

(Ferguson/Pearson)

- (a) That Planning and Economic Development staff be directed to consult with relevant stakeholders and report back to General Issues Committee on the implementation of the Airport Employment Growth District Wastewater Capacity Allocation Policy, attached as Appendix “B” to Report PED20040 / PW20055, including:
- (i) The annual solicitation / receipt of wastewater conveyance and treatment capacity allocation requests;
 - (ii) The format / content of the Airport Employment Growth District Wastewater Capacity Agreement;
 - (iii) The amount / deposit / payment method of current wastewater capacity allocation Development Charge Fees; and,
 - (iv) Any other implementation issues that may arise.
- (b) That, until such time as Council approves a Wastewater Capacity Allocation Policy for the Airport Employment Growth District, Planning and Economic Development staff be directed to include a standard condition for all development applications and approvals that require wastewater capacity allocation requiring the applicant to receive written confirmation (including an expiry date) from the Senior Director of Growth Management that adequate wastewater capacity exists and has been allocated for the development application, prior to proceeding with detailed engineering design; and,

- (c) That Planning and Economic Development staff be directed to formulate a City-Wide Wastewater Capacity Allocation Policy and report back to General Issues Committee in Q4 2021.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

8. Encampment Update (HSC20038) (City Wide) (Item 9.11)

(Farr/Eisenberger)

That Report HSC20038, respecting the Encampment Update, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead

Absent - Ward 15 Councillor Judi Partridge

9. Encampment Litigation Update (LS20023(b) (City Wide) (Item 13.2)

(Farr/Eisenberger)

That Report LS20023(b), respecting the Encampment Litigation Update, be REFERRED to the September 16, 2020 Council, pending additional information to be provided from the City Solicitor.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

5. ADDED DELEGATION REQUESTS

5.1 Delegation Requests respecting Defunding of the Hamilton Police Service (for the September 9, 2020 GIC):

5.1.i Danielle Hitchcock-Welsh (Video Submission)

5.1.j Katharine King (Video Submission)

5.1.k Karlie Rogerson (Video Submission)

5.2 Dan Carter, Canadian Hemp Farmers Alliance, respecting Adopting Hemp into the Canadian SDGs (For a future GIC)

9. DISCUSSION ITEMS

9.6.a Tim Hortons Field - End Guard Anchor Repair-Replacement (PW20039(c)) (City Wide)

9.11 Encampment Update (HSC20038) (City Wide)

12. GENERAL INFORMATION / OTHER BUSINESS

12.1 Amendments to the Outstanding Business List

12.1.a Items to be removed:

12.1.a.a Contractual Update - Alectra (Addressed on July 6, 2020 as Item 1 of GIC Report 20-010 - Report FCS19059(a) / LS19048(a))

12.1.a.b Divesting and Defunding of the Hamilton Police Services (Addressed as Items 9.1 to 9.5 on today's agenda)

13. PRIVATE AND CONFIDENTIAL

13.2 Encampment Litigation Update (LS20023(b)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(Eisenberger/Wilson)

That the agenda for the September 9, 2020 General Issues Committee meeting, be approved, as amended.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(b) DECLARATIONS OF INTEREST (Item 2)

- (i) Councillor E. Pauls declared in interest to Item 9.1, respecting the Hamilton Police Service Budget Process – PSB 20-061, as her son is employed by the Hamilton Police Service.
- (ii) Councillor E. Pauls declared in interest to Item 9.2, respecting the Hamilton Police Service Response regarding the Use of Force Inquiries (“8 Can’t Wait”) – PSB 20-062, as her son is employed by the Hamilton Police Service.
- (iii) Councillor E. Pauls declared in interest to Item 9.3, respecting the Hamilton Police Service Year End Report – Use of Force 2019 – PSB 20-043, as her son is employed by the Hamilton Police Service.
- (iv) Councillor E. Pauls declared in interest to Item 9.4, respecting the Hamilton Police Service Equity, Diversity and Inclusion Plan PSB 20-060, as her son is employed by the Hamilton Police Service.
- (v) Councillor E. Pauls declared in interest to Item 9.5, respecting the Hamilton Police Service Crisis Unit Response, as her son is employed by the Hamilton Police Service.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 3)

(i) August 10, 2020 (Item 3.1)

(Farr/Nann)

That the minutes of the August 10, 2020 General Issues Committee meeting be approved, as presented.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(d) COMMUNICATIONS (Item 4)

(i) Correspondence respecting Defunding of the Hamilton Police Service (Item 4.1)

(Merulla/Jackson)

That the following Communication Items, respecting Defunding of the Hamilton Police Service, be received:

4.1.a	Naomi Frederick
4.1.b	Vilma Rossi
4.1.c	Razan Samara
4.1.d	Dawnie Chomitsch

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(e) DELEGATION REQUESTS (Item 5)

(Danko/Clark)

(a) That the following Delegation Requests respecting Defunding of the Hamilton Police Service, be approved to appear before the General Issues Committee on September 9, 2020:

5.1 Delegation Requests respecting Defunding of the Hamilton Police Service (for the September 9, 2020 GIC):

- 5.1.a Kailey Cutillo (Video Submission)
- 5.1.b Joanna Aitcheson (Video Submission)
- 5.1.c Jeanette Eby (Video Submission)
- 5.1.d Ken Stone (Video Submission)
- 5.1.e Imasha Perera (Video Submission)
- 5.1.f Sarah Warry-Poljanski (Video Submission)
- 5.1.g Clair Bodkin (Video Submission)
- 5.1.h Diana Igdoura (Video Submission)
- 5.1.i Danielle Hitchcock-Welsh (Video Submission)

5.1.j Katharine King (Video Submission)

5.1.k Karlie Rogerson (Video Submission)

(b) That the following Delegation Request, respecting Adopting Hemp into the Canadian SDGs, be approved to appear at a future General Issues Committee:

5.2 Dan Carter, Canadian Hemp Farmers Alliance, respecting Adopting Hemp into the Canadian SDGs (For a future GIC)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(f) PUBLIC HEARINGS / DELEGATIONS (Item 7)

(Clark/VanderBeek)

That the following delegations, respecting Defunding the Hamilton Police Service, be received:

7.1.a James Cairns (Video Submission)

7.1.b Emily Meilleur-Rivers (Video Submission)

7.1.c Maddie Brockbank (Video Submission)

7.1.d Jacqueline Cantar (Video Submission)

7.1.e Matt Steski (Video Submission)

- 7.1.f Atlas Ditomasso (Video Submission)
- 7.1.g Alex Kerner, Spring Magazine Video Submission
- 7.1.h Brett Klassen (Video Submission)
- 7.1.i Rick Roberts (Video Submission)
- 7.1.j Adrian Underhill (via WebEx)
- 7.1.k Meir Gordskoy (via WebEx), not present when called upon.
- 7.1.l Ashley Letts, Microbac Laboratories (Video Submission)
- 7.1.m Elisabetta Paiano (Video Submission)
- 7.1.n Abedar Kamgari (Video Submission)
- 7.1.o Susanne Nyaga (via WebEx)
- 7.1.p Hiva Nematollahi (Video Submission)
- 7.1.q Laura Howdene (Video Submission)
- 7.1.r Lauren Ecker (Video Submission)
- 7.1.s Shanice Bowrin (Video Submission)
- 7.1.t Hollie Pocsai, White Elephant (Video Submission)
- 7.1.u Marissa Gilmore (Video Submission)
- 7.1.v Mariel Rutherford (Video Submission)
- 7.1.w Kalya Whitney (Video Submission)
- 7.1.x Emma Barrette (Video Submission)
- 7.1.y Amani Williams (Video Submission)
- 7.1.z Rachel Cuthill (Video Submission)
- 7.1.aa Guiliana Frontini (Video Submission)
- 7.1.ab Eshan Merali (Video Submission)

- 7.1.ac Kinsey Robertson (Video Submission)
- 7.1.ad Lisa Wang (Video Submission)
- 7.1.ae Jessica Clegg and Connor Bennett (Video Submission)
- 7.1.af Hannah MacDonald (Video Submission)
- 7.1.ag Kailey Cutillo (Video Submission)
- 7.1.ah Joanna Aitchenson (via WebEx)
- 7.1.ai Jeanatte Eby (Video Submission)
- 7.1.aj Ken Stone (Video Submission)
- 7.1.ak Imasha Perera (Video Submission)
- 7.1.al Sarah Warry-Poljanski (Video Submission)
- 7.1.am Clair Bodkin (Video Submission), Unable to play delegate's video submission.
- 7.1.an Dania Igdoura (Video Submission)
- 7.1.ao Danielle Hitchcock-Welsh (Video Submission)
- 7.1.ap Katharine King (Video Submission)
- 7.1.aq Karlie Rogerson (Video Submission)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

- | | | |
|-----|---|---|
| Yes | - | Mayor Fred Eisenberger |
| Yes | - | Ward 1 Councillor Maureen Wilson |
| Yes | - | Ward 2 Councillor Jason Farr |
| Yes | - | Ward 3 Councillor Nrinder Nann |
| Yes | - | Ward 4 Councillor Sam Merulla |
| Yes | - | Ward 5 Councillor Chad Collins |
| Yes | - | Ward 6 Councillor Tom Jackson |
| Yes | - | Ward 7 Councillor Esther Pauls |
| Yes | - | Ward 8 Councillor J. P. Danko |
| Yes | - | Ward 9 Councillor Brad Clark |
| Yes | - | Ward 10 Councillor Maria Pearson |
| Yes | - | Ward 11 Councillor Brenda Johnson, Deputy Mayor |
| Yes | - | Ward 12 Councillor Lloyd Ferguson |

Yes - Ward 13 Councillor Arlene VanderBeek
 Absent - Ward 14 Councillor Terry Whitehead
 Absent - Ward 15 Councillor Judi Partridge

(g) DISCUSSION ITEMS (Item 9)

(i) Hamilton Police Service Board Reports (Items 9.1 to 9.5)

(Eisenberger/Jackson)

That, in order to have Chief Girt attend to present the Hamilton Police Service Board reports, Items 9.1 to 9.5, respecting the following reports, be DEFERRED to the September 23, 2020 General Issues Committee:

- 9.1 Hamilton Police Service Budget Process PSB 20-061
- 9.2 Hamilton Police Service Response regarding the Use of Force Inquiries ("8 Can't Wait") PSB 20-062
- 9.3 Hamilton Police Service Year End Report – Use of Force 2019 PSB 20-043
- 9.4 Hamilton Police Services Equity, Diversity and Inclusion Plan PSB 20-060
- 9.5 Hamilton Police Service Crisis Unit Response

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes - Mayor Fred Eisenberger
 Yes - Ward 1 Councillor Maureen Wilson
 Yes - Ward 2 Councillor Jason Farr
 Yes - Ward 3 Councillor Nrinder Nann
 Yes - Ward 4 Councillor Sam Merulla
 Yes - Ward 5 Councillor Chad Collins
 Yes - Ward 6 Councillor Tom Jackson
 Conflict - Ward 7 Councillor Esther Pauls
 Yes - Ward 8 Councillor J. P. Danko
 Yes - Ward 9 Councillor Brad Clark
 Yes - Ward 10 Councillor Maria Pearson
 Yes - Ward 11 Councillor Brenda Johnson, Deputy Mayor
 Yes - Ward 12 Councillor Lloyd Ferguson
 Yes - Ward 13 Councillor Arlene VanderBeek
 Absent - Ward 14 Councillor Terry Whitehead
 Yes - Ward 15 Councillor Judi Partridge

**(ii) Tim Hortons Field – End Guard Anchor Repair/Replacement
(PW20039(a)) (City Wide) (Item 9.6)**

(Ferguson/Danko)

That Report PW20039(a), respecting Tim Hortons Field – End Guard Anchor Repair/Replacement, be DEFERRED to the September 23, 2020 General Issues Committee meeting, pending additional information to be provided in a report from Legal Services on September 23, 2020.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinde Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
No	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**(iii) Federal and Provincial Government Municipal Funding
Announcements Update (FCS20071) (City Wide) (Item 9.8)**

The following item was considered by Council at the September 10, 2020 Special Council meeting:

(Ferguson/Jackson)

- (a) That the General Manager, Finance and Corporate Services, be authorized and directed to execute and submit the funding acknowledgement letter(s) for the Safe Restart Program, including the letter attached as Appendix "A" to Report FCS20071 and any supporting documentation to support the Hamilton funding allocation under the Safe Restart Program; and,
- (b) That staff be directed to prepare, execute and submit any required documentation to support the City of Hamilton funding allocation under the Safe Restart Program.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(iv) COVID-19 Update (Verbal) (Item 9.10)

Paul Johnson, General Manager of the Healthy and Safe Communities Department; and, Dr. Ninh Tran, Associate Medical Officer of Health, provided the verbal update respecting COVID-19.

(Pauls/Pearson)

That the verbal update, respecting COVID-19, be received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead

Absent - Ward 15 Councillor Judi Partridge

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List

(Pearson/Jackson)

That the following amendments to the Outstanding Business List, be approved, **as amended**:

(a) Items to be removed:

12.1.a.a Contractual Update – Alectra
(Addressed on July 6, 2020 as Item 1 of GIC Report
20-010 – Report FCS19059(a) / LS19048(a))

~~12.1.a.b **Divesting and Defunding of the Hamilton Police Service**~~

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(i) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – August 10, 2020 (Item 13.1)

(Farr/Nann)

- (a) That the Closed Session Minutes of the August 10, 2020 General Issues Committee meeting, be approved, as amended; and,
- (b) That the Closed Session Minutes of the of the August 10, 2020 General Issues Committee meeting remain confidential.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(VanderBeek/Merulla)

That Committee move into Closed Session respecting Item 13.2, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann

**General Issues Committee
Minutes 20-012**

**September 9, 2020
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Yes	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Chad Collins
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Absent	-	Ward 15	Councillor Judi Partridge

(i) ADJOURNMENT (Item 13)

(Danko/Nann)

That there being no further business, the General Issues Committee be adjourned at 7:19 p.m.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann
Yes	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Chad Collins
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson, Deputy Mayor
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

Respectfully submitted,

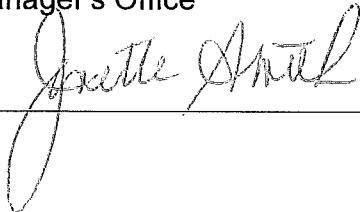
Brenda Johnson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



Hamilton

CITY OF HAMILTON
CITY MANAGER'S OFFICE
 Digital, Innovation & Strategic Partnerships

TO:	Chair and Members General Issues Committee
COMMITTEE DATE:	September 23, 2020
SUBJECT/REPORT NO:	Hate Prevention and Mitigation Initiative Update (LS19031/PW19068(c)/CM19006(c)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	John Ariyo (905) 546-2424 Ext. 1564 Pauline Kajiura (905) 546-2424 Ext. 2567
SUBMITTED BY:	Janette Smith City Manager City Manager's Office
SIGNATURE:	

RECOMMENDATIONS

- (a) That City staff conduct further engagement with key stakeholders and equity-seeking groups, and develop specific recommendations, actions and resource requirements to advance the findings submitted by the project consultant and attached as Appendices A and B to report ((LS19031/PW19068(c)/CM19006(c)) (City Wide));
- (b) That City staff prepare a report on hate-related flags and symbols, which would enable City Council to consider options and actions that could be taken to address public display of any racist, hateful, offensive and insensitive emblems in Hamilton;
- (c) That City Council write a letter to the federal Minister of Justice, requesting that the threshold of "hate crime" as defined in the Criminal Code be consistently applied across law enforcement agencies in Canada;
- (d) That City Council request the Association of Municipalities of Ontario (AMO) to play a key role in engaging and addressing community equity issues that are increasingly common across many municipalities, such as racism, hate and discrimination.

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**SUBJECT: Hate Prevention and Mitigation Initiative Update
(LS19031/PW19068(c)/CM19006(c)) (City Wide) - Page 2 of 10**

EXECUTIVE SUMMARY

Preamble

Our Future Hamilton, approved by Council in 2017, engaged with nearly 55,000 stakeholders and outlined a 25-year community aspiration for Hamilton as a city that is more welcoming and inclusive. It's a vision that Hamiltonians have been building for many generations through hardwork, community conversations, looking out for neighbours, coming together to support good causes and displaying community pride.

The City of Hamilton has been advancing various equity-based initiatives, both internally and externally, to support diversity, inclusion and equity. Some of these initiatives include the Urban Indigenous Strategy, EDI Framework, Hamilton Anti-Racism Resource Centre, Housing & Homelessness Action Plan, just to mention a few. Many of these initiatives are part of the four-year Term of Council priorities.

However, like many communities across the country and around the world, Hamilton is also increasingly tested and challenged by incidents of hate, racism and discrimination. While these acts are perpetrated by a very few, their actions nevertheless affect all Hamiltonians by impugning the city's reputation and diminishing community sense of belonging for many equity-seeking populations.

Project Consultant and Public Engagement

As directed by Council, in November 2019 staff retained a consultant through a procurement process, Sage Solutions, to assist the City in reviewing its existing draft hate-related policies, suggest other relevant policies, conduct community engagement and develop key recommendations. Between December 2019 and July 2020, the consultant completed the following project activities:

- Best practices research from over 20 municipalities in Canada, United States, Australia and the United Kingdom.
- Community conversations with over 300 residents and equity-seeking groups, including Black, Indigenous, 2SLGBTQI+, racialized and faith-based communities. The engagement also included a citywide community survey.
- A review of the City's existing draft hate prevention and mitigation policies, procedures, bylaws and related strategies.

Summary of Key Findings

Through research, public engagement and other best practices review conducted for this project to date, the following are some of the key findings:

- Frustration felt by many equity-seeking groups:
Many Black, Indigenous, 2SLGBTQI+, racialized and faith-based communities in Hamilton who participated in community engagement expressed their frustration and decried the perceived lack of leadership to acknowledge systemic racism,

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**SUBJECT: Hate Prevention and Mitigation Initiative Update
(LS19031/PW19068(c)/CM19006(c)) (City Wide) - Page 3 of 10**

conduct significant police reforms and improve social determinants of health. Participants also called for more listening to the community, creating safe spaces, better public education, better enforcement and improved community outreaches.

Hamilton is not alone in this increasing community call for action. In Canada, several municipal governments from coast to coast, including Vancouver, Calgary, Winnipeg, Mississauga, Toronto, Kingston, Ottawa, Montreal and Halifax have acknowledged systemic racism, hate and discrimination in different shape or form.

- Need for better recognition and support for community efforts and advocates:
There are many local community advocates, groups and residents working together on various grassroots initiatives to stand up against hate, racism and discrimination in Hamilton. One of these initiatives is “*No Hate in the Hammer*”, organized by the Hamilton Community Legal Clinic, the Hamilton Roundtable for Poverty Reduction, and the John Howard Society of Hamilton, Burlington & Area. Another one in the past was the “*Hamilton For All*” campaign, organized by the Hamilton Centre for Civic Inclusion and the Hamilton Immigration Partnership Council. Many grassroots efforts are still ongoing and are so important to foster a better community inclusion. However, feedback received indicated that there is not enough recognition and resource support for these local efforts to ensure sustainability.
- Community Action against Hate and Discrimination:
Public feedback and research showed there are many inclusion conversations and equity initiatives that have been happening in Hamilton for years. Many are led by the City, and others are led by various community organizations, groups and stakeholders. However, there is no central accountability or mandate in place to bring these strategies and actions together for better tracking and reporting. This kind of central, enabler and facilitator’s role is usually played by the local government to ensure there is proper community engagement, resource support and capacity building as required.
- Charter of Rights & Freedom as a cover for Hateful expressions:
Flags, symbols and emblems viewed as racist, hateful and discriminatory by many equity-seeking groups and community advocates continue to be displayed in Hamilton and various communities in Ontario, such as the Confederate flag. While there is the belief that the Charter of Rights and Freedom protects these expressions, many municipalities are now exploring ways to ban and reinforce their own beliefs and values of community equity, diversity and inclusion. Broader municipal associations such as the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) can play key roles in these conversations.

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- Inconsistent interpretation of Criminal Code by Police departments:
Canada's Criminal Code is relatively clear in its definition of "hate crime". However, research shows there is a big disparity in how the definition is interpreted and applied by police departments across the country. This inconsistency puts some police departments that meticulously track hate crimes at a disadvantage of comparative statistics and public reputation of their municipalities.
- Hate prevention and mitigation policies:
Except for the City of Toronto, the City of Hamilton's related policies on hate prevention and mitigation far exceed other municipalities reviewed. Some of these include the City's draft Hate Related Incident Prevention Policy, draft Hate Related Incident Prevention Procedure, Corporate Security Procedure, Notification of Assembly and Trespass Bylaw. However, research shows that the solution is not about creating more policies generally seen as "enforcement" or "punitive", but rather doing more "affirmative" actions to reinforce municipal values such as community engagement, strategic partnerships, community capacity building and placemaking initiatives.

The detailed findings from public engagement and comparative research are attached as Appendices A and B to report ((LS19031/PW19068(c)/CM19006(c)) (City Wide)).

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications related to the recommendations of Report LS19031/PW19068(c)/CM19006(c)) (City Wide). However, implementing a community action plan on hate, racism and discrimination could potentially have financial implications. Staff will bring forward any potential financial implications at a later date for Council consideration.

Staffing: There are no staffing implications related to the recommendations of Report LS19031/PW19068(c)/CM19006(c)) (City Wide). However, implementing a community action plan on hate, racism and discrimination could potentially have staffing implications. Staff will bring forward any potential staffing implications at a later date for Council consideration.

Legal: Having a City bylaw that potentially aims to ban the public display of flags, symbols and emblems considered by many to be racist, hateful and offensive could run afoul of the Canadian Charter of Rights and Expressions and other related laws. Staff will advise Council of any legal implications as part of developing a report.

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**SUBJECT: Hate Prevention and Mitigation Initiative Update
(LS19031/PW19068(c)/CM19006(c)) (City Wide) - Page 5 of 10**

HISTORICAL BACKGROUND

On December 11, 2013, Council passed a motion reinforcing the use of the City Hall Forecourt as a space for public demonstrations and protests, and that there should be no cost to do so. Council also directed that the Special Events Advisory Team (SEAT) coordinate with protest organizers, where advanced notice of a protest is given.

On March 28, 2018, Council passed a motion directing staff to investigate and report on ways to mitigate the use of City park and public spaces by "hate groups" in consultation with various groups.

On July 12, 2019, Council approved staff recommendations on the draft Hate Incident Prevention Policy and Procedures, draft Procedure for Notification of Assembly or Demonstration and Corporate Security Office report (LS19031/PW19068). Council also directed staff to retain an external consultant and conduct public engagement on these policies, procedures and other related issues.

On August 12, 2019, staff provided an information update on the staff composition and a process to retain a public engagement consultant (CM19006).

On October 16, 2019, Council received various project updates relating to the consultant procurement process and Corporate Security. Notably, Council approved a Trespass bylaw as submitted by Legal Services (LS19031/PW19068(a)/CM19006(a)).

In December 2020, staff issued two notices under the new Trespass bylaw.

On February 20, 2020, Council received an information update on the retention of a public engagement consultant (Sage Solutions) and their proposed public engagement plan (LS19031/PW19068(b)/CM19006(b)) (City Wide).

On September 23, 2020, through this current report, staff are providing Council with some recommendations along with the two reports submitted by project consultant on research and public engagement. The reports are attached as Appendices A and B to report ((LS19031/PW19068(c)/CM19006(c)) (City Wide)). The final consultant's final recommendations report is expected in December 2020.

Another related project update is the Council direction to staff on matters of corporate security such as enhanced video technology, signage and safety enhancements on the forecourt of City Hall (Report LS19031/PW19068). Corporate Security staff will update Council through a report to the Public Works Committee in October 2020.

Similarly, the City's Equity, Diversity and Inclusion (EDI) Framework from the Human Resources Division is expected to be brought forward to Council by December 2020.

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**SUBJECT: Hate Prevention and Mitigation Initiative Update
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POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Policy implications and legislation relating to this initiative from the beginning include Canadian Charter of Rights and Freedom, Criminal Code, Ontario Human Rights Code, and others such as privacy, policing and public safety requirements. Staff will regularly review and advise Council on continued alignments with applicable policies and legislation.

However, there is also a growing recognition by local governments across the country that legal requirements should not be used as an excuse to tolerate or be seen as tolerating any act of racism, hate and discrimination in their communities. In view of this, municipalities are now increasingly looking for other ways to reinforce their values and commitments to community inclusion, even if it means challenging existing laws and legislations.

RELEVANT CONSULTATION

Internal consultations

Legal Services Division:

Regarding staff recommendation on developing a report for Council on flags, symbols and emblems considered by many equity-seeking residents to be racist, offensive and discriminatory, which are been displayed in Hamilton and other communities.

Council members:

Between December 2019 and January 2020, project consultant and staff reached out to all Council members to obtain their thoughts on the hate prevention and mitigation issues in Hamilton. Seven Council members accepted the one-on-one meeting invitations and provided their individual feedback.

External consultations

A number of public and stakeholder engagement activities have been conducted for this project to date. These include:

- Community Conversations on Hate Prevention and Mitigation:
Between June 29 and July 9, 2020, five virtual community conversations were held involving the general public and equity-seeking groups such as racialized, Indigenous, 2SLGBTQI+ and faith-based community leaders. In total, 154 residents, stakeholders and equity-seeking groups participated.
- Anti-Black Racism and Hate Conversation:
On Wednesday, August 19, 2020, an anti-Black racism and hate discussion was held virtually, in partnership with the Afro Canadian Caribbean Association. Over 40 participants attended the event.

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- Community Survey:
Between June 16 and July 15, 2020, an online community survey was launched, with 91 participants across Hamilton. The detailed survey asked various questions relating to hate experiences, perceived root causes and recommended solutions.
- Telephone and Email Exchanges:
Ten specific telephone conversations and email exchanges took place involving the lead consultant and residents who preferred to participate through these engagement methods.
- Mayor's Advisory Table on Diversity and Inclusion:
Project consultant held two conversation sessions with the members of the Mayor's Advisory Table on Diversity and Inclusion.

Details of project public engagement and findings are attached as Appendix A to Report (LS19031/PW19068(c)/CM19006(c)) (City Wide).

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Hamilton's vision is "To be the best place to raise a child and age successfully". However, as the city grows in population and becomes more diverse, so are the challenges posed by equity issues such as racism, hate and discrimination. These social problems are not unique to Hamilton but rather are a localization of global occurrences.

Based on research, public engagement and best practices reviews, staff documented three commonalities to better understand and address racism, hate and discrimination:

1. Intentional engagement is required with equity-seeking groups who are at the receiving end of these racist and hateful behaviours. These equity-seeking populations include groups such as Black, Indigenous and People of Colour (BIPOC), 2SLGBTQI+, Muslims, Sikhs, Jewish and other faith-based and racialized communities. The lived-experiences of these communities are key to understanding local issues and developing effective solutions.
2. Thorough understanding of community data relating to racism, hate and discrimination is also very important. In Hamilton, police collect and track hate-related data reported to the service – although it's a known fact that these incidents are grossly under-reported. Federal agencies such as Statistics Canada collects relevant data. There are also other local community organizations such as the Social Planning Research Council, Hamilton Centre for Civic Inclusion and researchers from local post-secondary institutions that collect data. Data is key for decision makers such as municipalities to gain broader understanding of equity-based issues and make informed decisions.

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3. Lastly, exploring best practices from other jurisdictions is also very essential. Many cities have been engaging and investing in community equity issues for years., including the City of Hamilton. Despite the efforts, there is no municipality or community that has solved all their equity problems. Solutions continue to require municipalities learning from one another, pulling necessary leverages and discussing collaborative solutions.

In view of the above background considerations, the following analyses are specific to each recommendation:

- Developing community actions with public engagement:

This project has engaged with residents and equity seeking populations to understand experiences of hate, racism and discrimination. Over the years, several projects of this kind had also been completed. Some of these include City-led projects such as the Strengthening Hamilton Community Initiative in 2002, to more recently Our Future Hamilton, Urban Indigenous Strategy and work on the Hamilton Anti-Racism Resource Centre. There are also other related inclusion conversations led by various community groups, such as the Hamilton Centre for Civic Inclusion and Gandhi Peace Project.

However, a big concern noted by the community is the amount of engagements and strategies done over the years in Hamilton, but with no specific convergent community action plan that could be tracked, measured and consistently reported on for progress. The community expects their local government to play this kind of coordinating role, so that community inclusion outcomes can have better accountability and reporting.

For this reason, staff are recommending further engagement work is needed with the community to research, consolidate and create a community action plan for Hamilton relating to racism, hate and discrimination. This action plan will be informed by past initiatives, with short to long-term priority setting informed by the community. Key consideration of such action plan will include what's within municipal authority, budgets, support considerations for local groups, advocacy needed with senior levels of government and other potential community partnerships.

- Public display of symbols considered as racist and discriminatory:

Symbols and emblems such as Confederate flag and swastikas are still been publically displayed in Hamilton and other cities in Ontario. These symbols are considered as racist, hateful and discriminatory by many racialized and equity-seeking groups. Research shows there is lack of public education and understanding of the hurt these emblems can cause, even among the people displaying them.

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The public understanding in general is that Canada's Charter of Rights and Freedom is believed to protect these expressions, and that police are responsible to interpret what constitutes a hateful expression. However, research, media reports and community feedback also indicate growing frustration among many residents that certain individuals shouldn't be hiding behind perceived legal protections to exhibit hateful behaviours.

There is now increasing expectation and scrutiny on local governments to do more and denounce behaviours that don't align with their values. In Ontario, residents from several communities have been petitioning their local governments to ban emblems like Confederate flag, with support from many local politicians. Some of these cities include Toronto, Collingwood, Belleville, Norfolk County, Chatham-Kent, Sutton and Georgetown. In Hamilton, there is a need to further explore this issue, conduct research, engage with stakeholders and bring an information report to Council to inform what actions could be further taken by the City of Hamilton.

Furthermore, municipal associations such as the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) can play influential roles. Established in 1901, FCM has been the national voice of municipal governments across the country, with over 2,000 municipalities as members. Similarly, AMO has been serving Ontario municipalities since 1899, with about 444 current municipal members. Community equity issues are common across these municipalities such as racism, hate and discrimination.

- Consistency in the definition and application of hate crimes by the Police:

In 2019, Hamilton Police Service data indicated 84 police-reported hate incidents. Of the incidents reported, 42 were based on religion and mostly targeted the Jewish community. There were 38 racial incidents, with 34 of them targeting Black Hamiltonians. Also, in four cases, gender identity was the targeting factor, while eight people were targeted because of their sexual orientation.

In Canada's Criminal Code, three sections somewhat capture hate crimes. Section 318 speaks to "advocating genocide" and targeting of an "identifiable group" for destruction or killing. Section 319 talks about "public incitement of hatred". Lastly, section 430 (4.1) addresses mischief (e.g. graffiti) to cultural or religious property.

However, according to Canada's Department of Justice, "One of the difficulties surrounding the collection of hate crimes concerns the definition of what constitutes a hate-motivated incident. There is considerable variability in the definitions in use by police services across Canada. Some police forces (such as the Metropolitan Toronto Police Service) use what might be termed an exclusive definition. That is, a crime is only classified as a hate crime when, in the opinion of the investigating officer, the act was "based solely upon the victim's race, religion, nationality, ethnic origin, sexual orientation gender or disability.

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Other police agencies such as the Ottawa Police Service use a lower threshold. According to this broader definition, a hate-motivated crime is one that was motivated "in whole or in part, by a bias". The matter of definition is critical; if the exclusive definition is used, then a much smaller number of incidents are likely to be classified as hate crimes. This observation is borne out by statistics both in Canada and elsewhere: jurisdictions adhering to an exclusive definition report significantly lower rates of hate crimes".

The Hamilton Police Service use a lower threshold / broader definition of an incident motivated "in whole or in part, by a bias" to classify hate crimes. For this reason, the hate crimes recorded in Hamilton are comparatively higher than other police services that use exclusive definition.

Cities that use exclusive definition of hate crimes are often mistaken as having lower crimes compared to cities that use a lower threshold. Any city that is known for having a higher number of hate crimes often have their reputation impacted compared to others, even though police departments have an inconsistent definition across the country.

ALTERNATIVES FOR CONSIDERATION – Not applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix A to Report (LS19031/PW19068(c)/CM19006(c)) (City Wide): Public Engagement Report prepared by Sage Solutions

Appendix B to Report (LS19031/PW19068(c)/CM19006(c)) (City Wide): Comparative Research Report prepared by Sage Solutions

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Hamilton

Hate Prevention & Mitigation Initiative

Stakeholder Engagement Summary Report

August 12, 2020

Prepared by Rebecca Sutherns PhD CPF
Sage Solutions

sage
SOLUTIONS

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Key Messages

This report summarizes the community engagement process and findings from December 2019 to July 2020 within Hamilton's Hate Prevention and Mitigation Initiative. It will be followed by a series of recommendations to Council, after an additional round of community engagement to interpret these findings in the fall of 2020.

It is worth noting that the themes and suggestions were remarkably consistent across all input channels. Findings have been divided into themes that describe the extent and roots of the problem and those that recommend how to address it. Summarized themes have been illustrated with verbatim quotations from participants throughout.

There is a notable disconnect reflected in these findings between some leaders who see hate as a minor problem in Hamilton that has been blown out of proportion by a vocal minority and those who see it as a significant and widespread problem that is being minimized or ignored by those in power. The former group are therefore seeking to keep their response to hate muted in order not to give it undue attention, whereas the latter sees this lack of response as fuelling hate and allowing it to flourish.

The reasons cited for hate in Hamilton reflect this polarized understanding of the issue. While some would see it as a problem concentrated among a relatively small number of individuals, many others provide systemic explanations rooted in colonialism and white supremacy and/or in a generational and economic legacy in Hamilton itself. They also point to fear, ignorance and a dislike of difference as underlying what they describe as a critical issue for the City.

The priority responses to hate suggested by community members also illustrate this divide. Noticeably low priority was given to regulation and enforcement, despite that being the City's initial focus for this project. Instead, residents are looking for proactive, visible and principled municipal leadership. They want to see follow-up on reports previously submitted rather than additional engagement at this time. They are asking for resources to be shifted away from enforcement and towards social services and community programming. They want the City to invest in safe spaces for support and dialogue.

These conversations cannot be separated from the time and context in which they occurred. Engagement activities were adjusted in their format and breadth due to COVID-19 restrictions. They took place concurrently with Black Lives Matter protests around the globe and the release of an independent report highly critical of Hamilton Police Services' behaviour at Pride 2019. As a result, many participants reported feeling angry, tense, exhausted and grief-stricken. Their trust in City staff and processes is low, and in the police even lower. This project provides an opportunity to rebuild trust, but it also risks further undermining it if recommendations do not receive timely, decisive follow-up.

Background

The impact of hatred and hate incidents in a community results in a disproportionate level of harm that affects not only the individual but the community at large. Whether directed against individuals or communal institutions, acts of hatred leave entire communities feeling impacted, with undeniable ripple effects. According to Statistics Canada, over the last five years, there has been an increase in the number of police-reported hate incidents and crimes reported.¹ Even in contexts where overall rates are stable, the intensity or seriousness of crimes may be showing an increase over time.²

Policies, bylaws and procedures govern how people are meant to interact with one another. Municipalities have the potential to act as a catalyst for dismantling hatred through the creation and enforcement of such regulations, complemented by visible leadership, decisions about the design of physical spaces, as well as supports provided to particular kinds of associations and events, which can help or hinder positive collective social relationships occurring in their communities through policy and collaboration with social service organizations, police services, and community organizations.

The City of Hamilton is exploring ways the municipality can contribute to ensuring the community lives up to the positive aspirations it holds for itself of being an inclusive and welcoming city that is the best place to raise a child and age successfully. It is doing so by learning from other communities' experiences, creating a supportive policy context, building on previous community recommendations and listening further to the community through an engagement process that has unfolded during the summer of 2020. This project is known as "Hate Prevention and Mitigation in Hamilton."

This report summarizes what was heard during the community engagement phase. It uses people's own words (shown in *italics* throughout) to supplement a summary of the themes raised in order to provide an accurate overall sense of what participants had to say.

Methodology

Guiding Principles for Engagement

The design and implementation of this engagement process was guided by the City's Core Principles of Public Engagement³:

¹ Statistics Canada. [Table 35-10-0191-01 Police-reported hate crime, number of incidents and rate per 100,000 population, Census Metropolitan Areas](#)

² Iner, Dryer, ed. *"Islamophobia in Australia Report II."* Sydney: Charles Sturt University and ISRA, 2019.
Nathan, Julie. *"Report on Antisemitism in Australia."* New South Wales: Executive Council of Australian Jewry, 2019.

³ *Public Engagement Charter*, Hamilton's Engagement Committee, City of Hamilton.

1. Transparency and Trust
2. Accountability and Action
3. Inclusion and Diversity
4. Create Opportunities for Active Participation
5. Collaboration, Cooperation and Shared Purpose
6. Ongoing Engagement and Open Communication
7. Learning, Reflection and Evaluation
8. Capacity for Engagement

Specifically, this commitment has led to the following decisions:

- Inviting a cross section of community leaders to inform the initial engagement design
- Provision of a variety of accessible engagement platforms and opportunities, where possible given pandemic restrictions
- Priority given to hearing from those most directly and frequently affected by hate in Hamilton
- Inclusion of verbatim quotations throughout this report, to allow residents' words to communicate the key messages (included in blue italics throughout)
- Building on relevant recommendations already communicated to the City through other consultations and community events, as well as lessons learned from comparable communities tackling hate in other parts of Canada and the world
- Ensuring that the questions asked are meaningful and have the potential to be impactful within the City and across the wider community

Community Engagement Process

The community engagement activities originally planned within the Hate Prevention and Mitigation Initiative were adapted in terms of their timing, breadth and formats due to COVID-19 restrictions. The following diagram outlines the various activities used to gather feedback thus far. A detailed methodology can be found in Appendix A.



Facilitation was led by Dr. Rebecca Sutherns and her team from Sage Solutions, the Guelph-based consulting firm hired to support the City with this project, in conjunction with two community engagement staff at the City (John Ariyo and Pauline Kajiura) and local community leaders.

The findings that follow summarize the feedback obtained from the activities listed above. A summary of results from the online survey can be found in Appendix B. Poll data from the five Listening Sessions can be found in Appendix C.

Reflections on Methodology

Reflecting on the engagement process itself, the following observations by the consulting team are worth noting:

- This report summarizes the input received, but that input cannot be deemed to be representative in a broader sense of the Hamilton population, since it involved such a small sample size. Although selected quotes have been included verbatim, their substantive accuracy has not been verified and they should not be understood as representing the opinions of the consulting team as a result of their inclusion.
- A variety of notable events such as Black Lives Matter, the release of the independent report on Hamilton police behaviour at Pride 2019, and a general sense of stress and disconnection during COVID-19 have certainly affected this project, not only in terms of the engagement activities that occurred, but also a heightened sensitivity or level of tension around some of the issues being discussed, including systemic racism and defunding police. At the same time, other issues such as the yellow vest protests have lessened in prominence over the same time period.
- These various events have resulted in potentially distinct but related issues such as racism, trans/homophobia, discrimination, extremism etc. getting blended and confused—in media reports and in people’s minds. A project about “hate” could capture all of it but could also be considered either too broad or too narrow in some contexts.
- Conducting engagement fully online using a platform new to the City during COVID-19 introduced additional benefits and challenges. It allowed for a lot of information to be collected in a short time, courtesy of the survey and the chat feature on Zoom. It also offered additional anonymity less possible in in-person sessions. Yet the chat feature also allowed for multiple concurrent conversations which proved both to enrich and distract the conversations. The most common primary benefit of digital engagement—reach to a large number of people—likely proved truer for the Listening Sessions, at which attendance was quite robust, compared to the survey, which received relatively few responses. It is unusual to have more people participate synchronously than asynchronously in community engagement activities.
- The questions asked and process followed at each Listening Session were identical, and yet the tone of each meeting was noticeably different, ranging from quiet to participatory and moderate, to a higher degree of assertiveness and friction. In two of the sessions, participants asked other participants to leave, including in one case a community liaison civilian representative of the Hamilton Police Services and in another a participant who expressed opinions deemed to be offensive by some others. In both cases, there were participants unhappy with how those departures were handled by the facilitation team. There was an evident tension at times between maintaining the inclusivity required at a public meeting, holding space for the co-existence of opposing views and creating safe, positive and equitable spaces. One participant expressed it this way: *“Inclusion denies that some groups within our communities and those outside our communities have differential power in our society that is structural and historical. It’s not everyone needs to listen to everyone or both sides. There are people who using their power to mute other voices.”*
- It is a challenge to create trust in a virtual room for a 90-minute session comprising a mix of participants who may or may not have been known to one another previously.

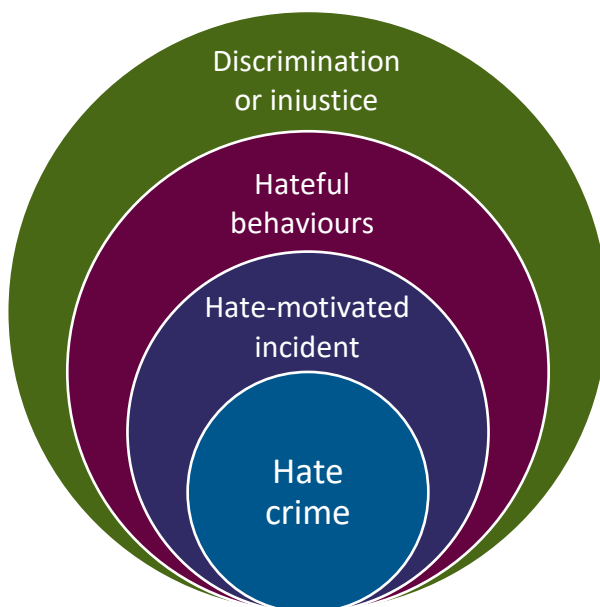
The consulting team is not local to Hamilton, which could be perceived as an asset in terms of objectivity or a liability in terms of not understanding local nuance. The City staff involved appeared to be known by many of the participants and were addressed positively in most cases, but the overall trust level in the City by participants, even around the Mayor’s Advisory Table, was low.

- There was a considerable degree of congruence in the opinions expressed. We have noted outlying perspectives where appropriate, as well those that were expressed notably more frequently than others, but overall the perspectives were similar even across diverse participants.

Terminology

Concerns were raised about the terminology used within this project. As one participant said, *“Hate” is too general – name racism, transphobia, violence etc. for what they are— hate has lost meaning and is implied to be negative in every context—it creates more distance—also individualizes it to talk about ‘behaviours’ or ‘incidents’.*” Another expressed concern this way: *“City officials have used that word ‘hate’ to describe justifiable hurt and anger directed towards institutions (such as hate for police) and equated them as the same thing as white supremacist violence.”*

A more detailed treatment of definitions of terms will be included in the final report for this project. For now, it is worth acknowledging that the project is known as “hate prevention and mitigation” and the term “hateful behaviours” has been used to refer to a broader category than hate crimes or hate-motivated incidents, as shown below. We recognize the limitations of this language, as “behaviours” may only be the visible tip of a much larger iceberg of attitudes that could be called hateful or perhaps also unwelcoming or non-inclusive or discriminatory or biased. More accurate descriptions are used whenever possible.



Findings

This section describes the dominant themes and actionable recommendations that were heard repeatedly across input channels.

The initial section describes people's direct experience of hate and a lack of a sense of safety, as well as their understanding of the extent of and reasons for the problem in Hamilton.

Recommendations for action made by participants were then organized in seven (7) categories, which emerged from the initial comparative research within this project as the most common approaches to prevent and mitigate hateful behaviour. These categories are summarized in Appendix D. The use of and relative emphasis within these approaches varies across communities. It is used as an organizing framework here in part to help the City of Hamilton decide on its own preferred mix of approaches.

Understanding the Problem

It is worth noting from the outset that the findings were remarkably consistent across the various input channels. The themes noted should therefore be understood in that way, with exceptions noted where relevant. All quotations were initially grouped by theme and then representative ones were selected for inclusion in the body of the report and others for Appendix E, to give readers a more direct sense of what was heard and an ability to link the key messages back to the words of participants.

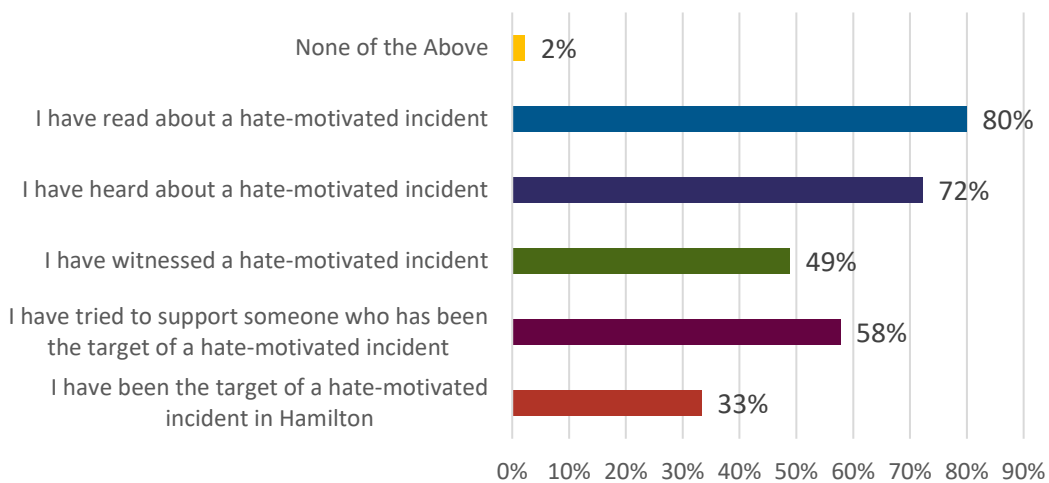
Extent of the problem of hate in Hamilton

Although *"everyone in the community is affected by [racist] incidents,"* many people understand that because of inequity and intersectionality, hate does not affect people equally. There is a sense that there are players on all sides contributing to a lack of safety (e.g. yellow vests or Antifa) or to building it (e.g. community-building organizations).

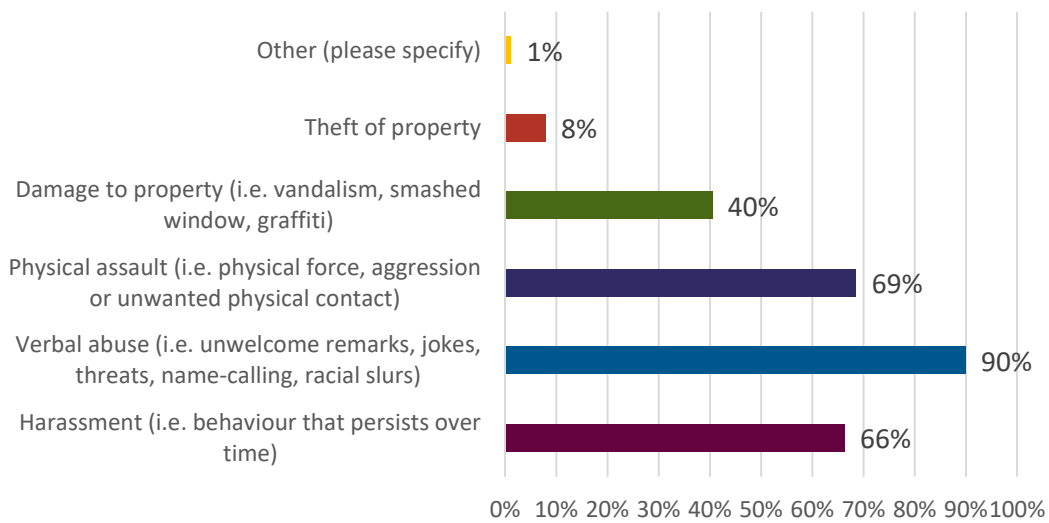
There is a notable disconnect between some leaders who see hate as a minor problem in Hamilton that has been blown out of proportion by a vocal minority and are therefore seeking to keep their response to it muted in order not to give it undue attention, and those who see it as a significant, widespread and deeply-rooted problem that is being minimized or ignored by those in power and thereby fuelled by them and allowed to flourish.

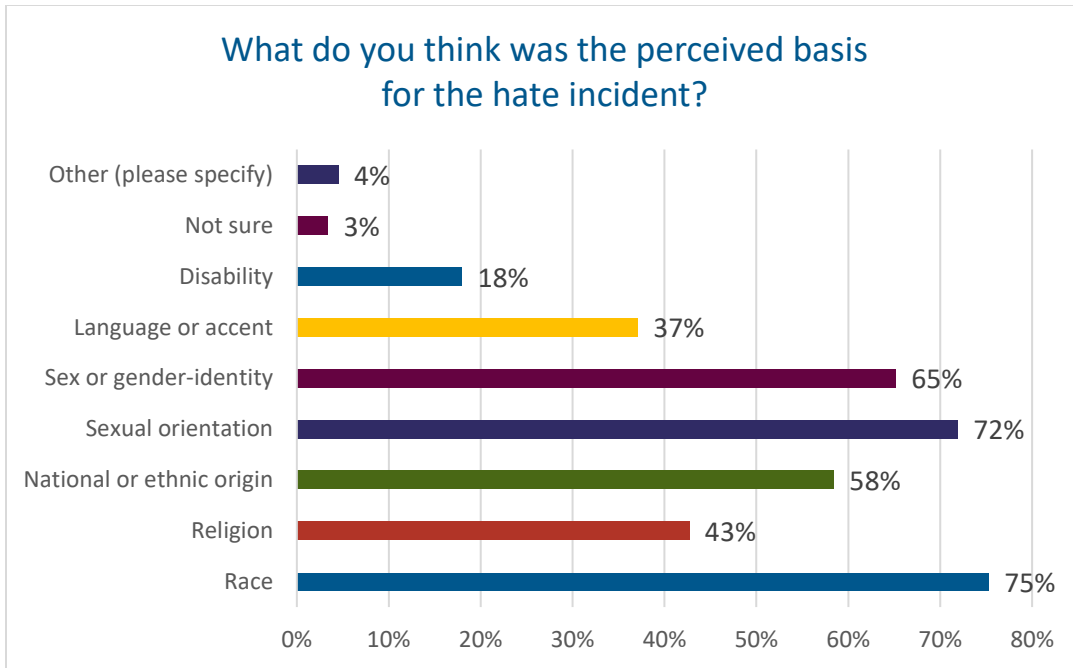
55% of survey participants were aware of hateful incidents and 68% believe they have recently become worse in Hamilton. 77% of participants in the listening sessions for groups most affected by hate deem it one of the top three priorities facing the City right now. (See Appendix B and C for further details.)

What is your personal experience with hate-motivated incidents in Hamilton?



What kind of hate-motivated incident was it?





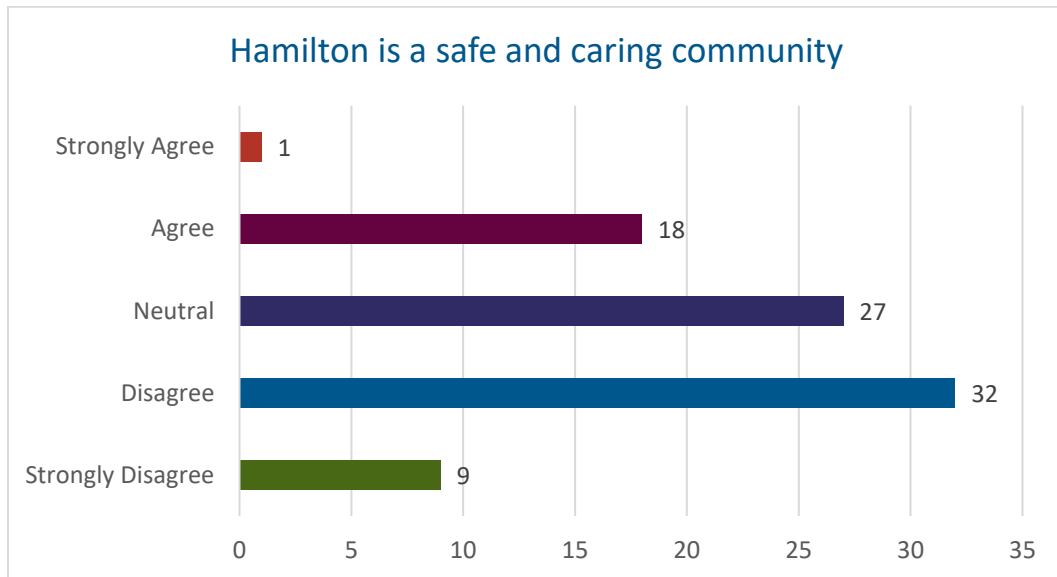
Systemic factors

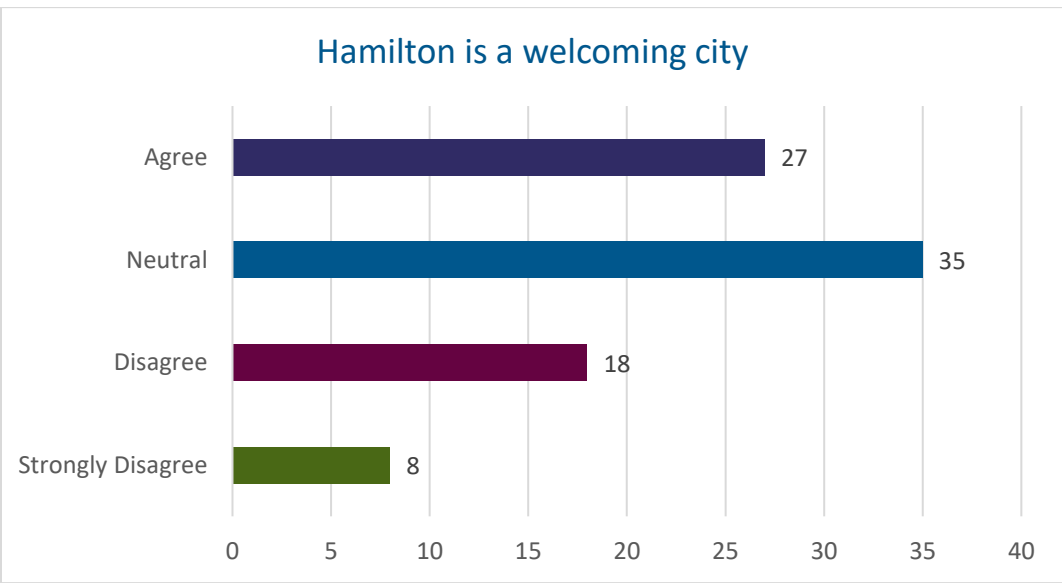
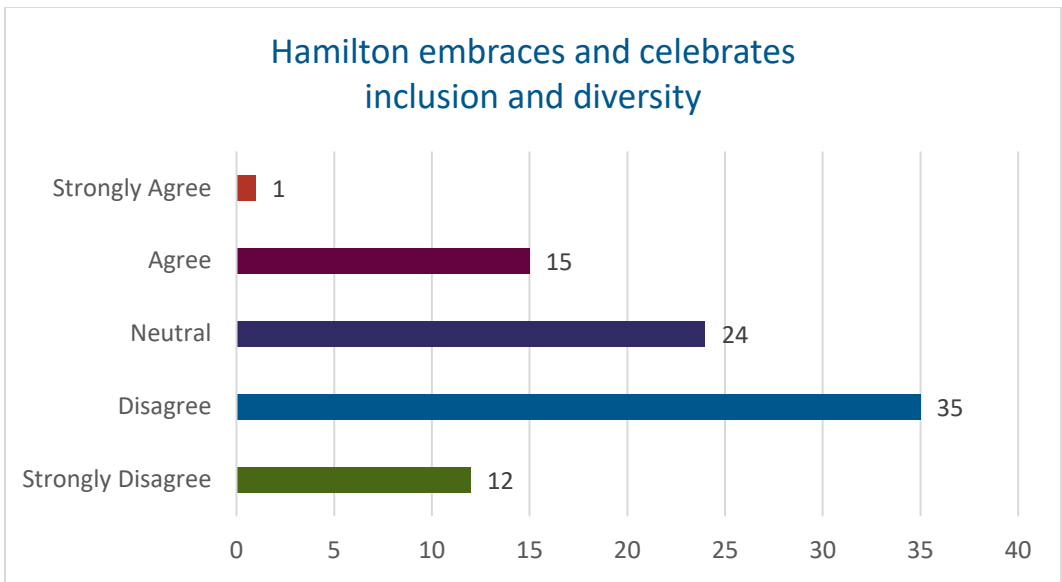
Many participants pointed to systemic historical inequities such as white supremacy and colonialism and/or economic factors such as capitalism and gentrification and/or political trends such as rises in extremism (on all sides) and populism as underpinning hate. They also highlighted a rise in fear, anxiety and overall social upheaval and divisiveness. There is a sense that the media is making things worse not better.

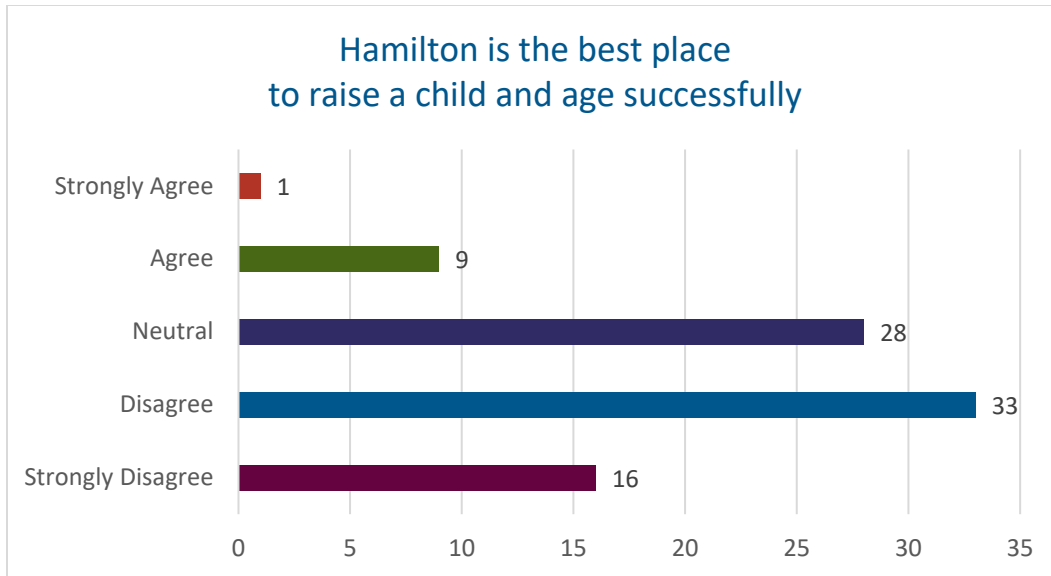
- *“In part, I think I think it’s caused by ideological movements that are organizing and being emboldened online that promote intolerance, xenophobia, and hate. I think these movements are partly gaining support because of poverty, lack of good economic opportunity, and a resulting sense of resentment, victimhood, and social alienation.”*
- *“It is stylish and vogue to consider friction between groups as a symbol of hatred or abuse. Special interest groups (Antifa, BLM) with noble names and professed ideals are provocateurs sowing discontent. People largely get along well and are outraged when justice does not prevail. Some events are thus overwhelmingly pushed and with divisive narratives often before even rudimentary investigation has taken place.”*
- *“I think that the stresses that will come out of COVID will exacerbate the fear that drives hate and individuals looking for a scapegoat to blame for the situation one is in.”*
- *“Why aren’t we showcasing when people are coming together?”*
- *“People are not actually listening to each other.”*

Living up to the city’s ideals

As shown from the graphs below, taken from the survey results, Hamilton is seen as struggling to live up to its own ideals.



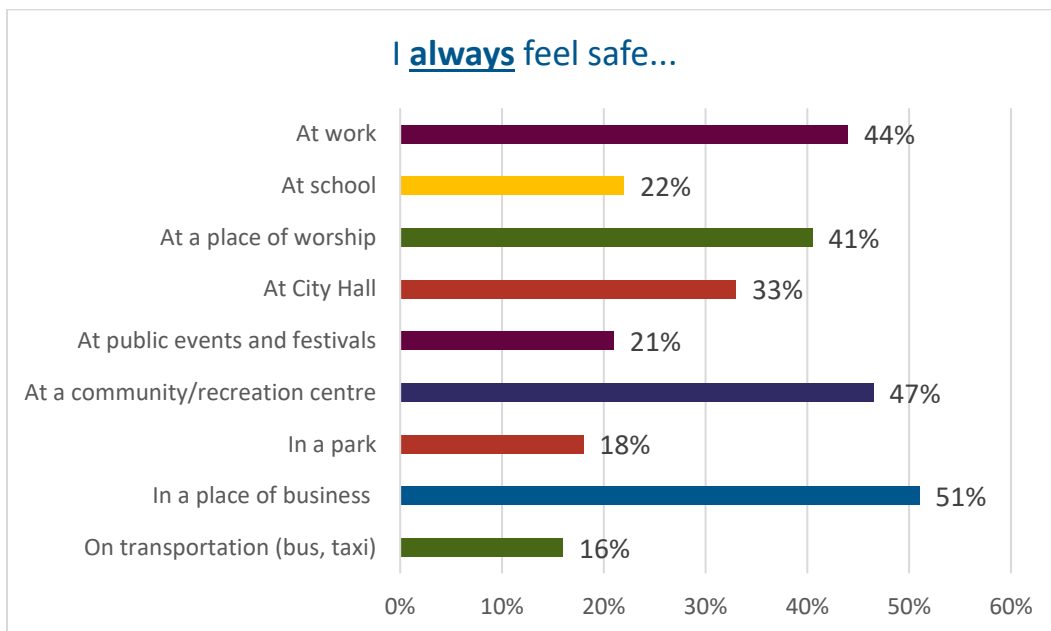


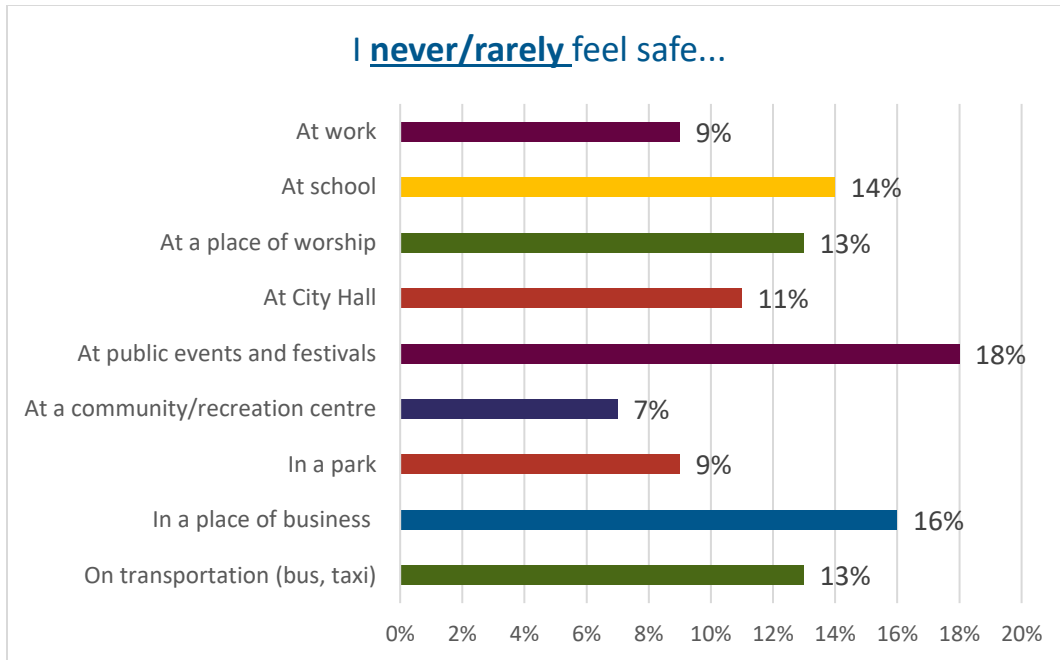


Sense of Safety

The issue of safety was probed in more detail in the survey than in the Listening Sessions. Based on these findings, it is an issue of obvious concern.

51% indicated they have avoided activities or events because they feel unsafe while there or on their way there. 42 people commented, providing examples of feeling unsafe at events—mostly protests and events. Several people said they feel unsafe in parks, anywhere after dark, City hall forecourt, or anywhere with police presence.





- *“All members of our community should feel safe to be out in the community all of the time.”*
- *“I don't let my daughter participate in any pride activities, festivals, or marches. She is 15 and a lesbian and I am very proud of her for being true to herself, but I will not let her risk her safety by celebrating in public and it saddens us as a family.”*
- *“I am a white woman. I do not feel unsafe in that I will be the target of a hate crime, but I do often worry about my safety. I have avoided protests to support causes I care about because I am afraid of tear gas and of things getting out of hand and being un/under prepared.”*

Why Hateful Behaviours Happen

One of the objectives of this project is to better understand why hateful behaviours happen because, as one respondent said, *“diagnosis shapes treatment.”* Responses here have been clustered to reflect people’s perspectives on reasons for hate anywhere and reasons for hate specifically in Hamilton. There was considerable agreement across responses, with a strong emphasis on racism, although some concerns were raised that there is not a shared understanding of the actual hate-related problem(s) needing to be addressed. Reasons are listed here in rough descending order of frequency of mention.

Anywhere

- Ignorance
 - *“When I think about why hate occurs, the main elements that come up are ignorance, prejudice, and the development of a rigid identity or fearful identity based on a variety of factors that may be social and economic based. It’s important to recognize why these hate beliefs develop, so we know how to address them. If ignorance is the culprit then education becomes one of the main elements to fight hateful behaviour. Some of the required behaviours that I think would help are justice, developing a sense of justice, and developing a sense of unity. And these two can be found, of course, in the larger society, but faith plays an important role in developing these two virtues. What does unity mean in today’s world?”*
- Dislike of difference, exacerbated by a sense of disempowerment
 - *“When you feel like you have been dealt a bad hand in life or you are not considered equal to others, you develop this rigid identity. Fear identity comes from the fact that when we are not in a good place mentally and spiritually, we tend to retreat. And when we retreat, we develop symptoms of fear towards unknown, what’s different.”*
 - *“Historically, fear of the other is a driving motivation for most of the wars, most of the hate that exists. When you get this isolation, when you leave people wondering if they have anything to come back to, it forces you back inside yourself and when you don’t have a broad scope to work from it tends to drive you inside and protect what you know and what is familiar rather than opening up and taking in what life has to offer you through other people and through other ideas. Fear drives a lot of that lashing out and deprivation and not understanding what tomorrow will bring.”*
- Generationally taught and blind following of misconceptions of the past
 - *“I agree ignorance and fear motivate hate. But we also have to realize that hate is taught. Whether it is taught from the pulpit, taught from the soap box or taught in the home. Children aren’t born hating; they learn to hate. We need to recognize that and educate, not only against ignorance, but also against learnt hatred, absorbed hatred.”*
- White supremacy
 - *“Sometimes we try and skirt the issue. We live in a settler, colonial country. That is one of the main roots. This country is also built on white supremacy that is why you have these issues of hate perpetrated across this country. So, when you are having these conversations about hate, we need to also situate this discussion around white supremacy, around settler colonialization. Fear and education and all of those things are band aid solutions and divert from the actual discussion around white supremacy and settler colonialization. Those need to be at the centre of this conversation.”*

- Media (including Hollywood) perpetuating misinformation and providing an *“oppressors’ version of history and the news,”* with social media providing a platform for hate and enabling negative behaviour
- Fear and a desire for control and to gain and keep power;
- Racism and racial profiling, accompanied by a lack of investment in ending it was noted by several participants, but there were a few dissenting voices, including one who referred to, *“An agenda to label Canada as racist even when it’s not.”*

In Hamilton

- Authority figures tolerate it. Not only is it not immediately condemned, it is barely acknowledged. Hate-based groups are given a platform. Lack of strong leadership.
 - *“The political context, globally, is fraught. Trump makes everything worse. But right now in Hamilton, members of the queer, immigrant and racialized communities have been subjected to visible demonstrations of hate in the forecourt of City Hall—(at least pre-COVID) and the leadership has been abysmal in responding and denouncing these activities. While the right to freedom of expression must be respected, the Mayor and many City Councillors, and other formal leaders, can still make strong statements of denunciation. They haven’t. The lack of leadership in denouncing these activities has sent a strong message of ‘lack of support’ for marginalized communities and has emboldened the ‘hate agitators’.”*
 - *“When hateful actions aren’t immediately condemned, it emboldens the hateful people.”*
 - *“We have a local government that does not actively condemn the actions of white supremacist organizations (e.g. Yellow Vesters at Pride) or hold the Hamilton Police Services accountable for facilitating, contributing to, and/or failing to act during instances of hate-motivated incidents.”*
 - *“The Council downplays it and the police ignore it”*
 - *“Racism is normalized in this city.”*
 - *“Hate breeds hate.”*
- Significant underreporting due to mistrust of police
 - *“The police services don’t contribute to the safety of 2SLGBTQ community in Hamilton. Community sees them as perpetrating homophobia, transphobia and racism through the dismissal of complaints/reported crimes, victim shaming, committing secondary victimization and violence.”*
- Previous reports not taken seriously
 - *“So my worry...is we’re going to have more of the same. You’ll do this brilliant consultation with us. You will submit a report to our leadership. And our leadership will say, thanks for that report, Rebecca! And nothing will happen, because that is what has happened in this city over and over again.”*

- *"Your report shouldn't be a suggestion, it needs to be a demand."*
- Targeted as favourable terrain with a history and legacy of white supremacy here
 - *"It has to do with the size of the city, it has to do with mainly the past history of the city that has remained subterranean. From credible sources we have been told that Hamilton and London are targeted. That's on top of all the innate conditions in Hamilton. There is an extra disadvantage of this activity that is happening."*
 - *"There has been a long history of overt racist organizing in Hamilton, going back to the Tri City Skins in the 80s and 90s. These were obvious Nazis who openly wore swastikas and engaged in racist violence. As a working-class town, Hamilton has been perceived as an important site of contestation for white supremacists. The Yellow Vesters are just the latest iteration—slightly less radical but linked to the more radical white supremacist elements."*
 - *"A blue collar city"*
 - *"Being a blue collar city should not be an excuse."*
- Economic and social deprivation, including housing instability; criminalization of the homeless; lack of mental health supports
 - *"White supremacy breeds in high poverty situations."*
- "Dislike for the unlike"
 - *"I think some oppressed feeling people blame minorities especially if they see their positions of power relative to them"*
- Lack of representation
 - *"Entitlement and upbringing"*
 - *"Lack of diversity in positions of power"*
- Lack of enforcement
 - *"Not enough penalties"*
 - *"Reliance on policing rather than prevention"*
 - *"Punishments aren't an effective deterrent"*
- Cultural timidity
 - *"I know as an Indigenous person, my safe place is somewhere hiding in a park. You don't see a lot of our Indigenous people out in the gatherings unless it's really something that we are passionate about. And we want to be there and we want to fight about it, and have our voices heard. Other than that, we're comfortable hiding and I think that stems from residential schools. From the traumas we faced. We'd rather hide and keep safe, and keep our families safe, than be out there."*

Responding to the Problem

Based on the survey, responding to hateful incidents is **seen as the responsibility of schools, the City, community organizations, individuals and police** – in that order, with responses falling quite close together.

Suggestions for Taking Action

This section summarizes participants' recommendations about what should be done to address hate in Hamilton. It should be read alongside the prioritization results from the poll questions outlined in Appendix C in which people asserted their preference for proactive measures rather than those related to regulations and enforcement.

Addressing hate will require a **multi-faceted response** involving multiple levels of government and many community actors working together in concert toward shared goals. There was an emphasis on trusting community members to respond in ways that match their contexts. Integrated, whole-system responses are required, but so too are specific recommendations related to each targeted group. There is an appetite for specific strategies with names and timelines—people are looking for practical accountability, not another lofty vision. At the same time, they recognize big change takes time.

- *“To move the needle on this topic we need to work at a wholistic and systemic manner. We need to be sure that we have an overall strategy that engages and works with all different stakeholders. There are three main groupings: the individual, the community and the institutions. Each play a role, and each may need to take different lines of actions but they all need to be under a unified vision that can lead to unified action towards actualizing the vision for the city.”*
- *“Regulations and enforcement address the hate crime aspect of it, where public education and programming are addressing the hate part of it. And I think both of them are important, but both require a different response and it's nuanced, but in a list of options like that, we need to be more focused on if we are talking about hate or occurrences of hate crimes. People can walk around their whole lives hating and not necessarily express it or do anything about it. But with hate crimes, we're there, we've got addressed, you want to send some hate mail, you want to graffiti our front walkway, you want to start a fire, you know where to find us. And that is really an enforcement issue.”*
- *Take a long view. “This is lifetime work.”*

People experience hate differently based on their intersectional identities. Community members stated that the city was not safe for transgender people, especially transwomen.

Therefore, responses to hateful behaviour in the city, need to be **informed by an intersectional lens** – how hateful behaviours impact different people.

- *“Particularly unsafe for black trans women”*
- *“Also problematic for people with disabilities; youth; poor; sex workers, drug users”*

The community is appealing to the City for **reliable, local empirical evidence and willingness to learn from other places** who have dealt with hate in their own cities effectively.

More specific recommendations are grouped below based on the seven categories of approaches identified through the comparative research. Additional categories of approaches suggested by participants follow after that.

Need for Proactive Leadership

Disconnected City Council

Participants reported a significant lack of connection “between the City and the city.” They describe Council using terms such as *“tone deaf”* and *“insincere”* and *“ignorant.”* The City is seen to have failed to follow up on previous consultation recommendations. As a result, there is deep skepticism about the likelihood that this project will lead to any significant change, across all input channels. The process was described as *“disingenuous”* and *“draining.”* People were disappointed that Councillors and the Mayor did not attend any of the consultations. In terms of hate, the City is described as having *“abdicated its responsibility of enforcement.”* Many people expressed the opinion that silence or complacency on the part of Council has emboldened hatred in the city and given it a greater spotlight.

- *“When a community feels supported than things start to change. Right now, as many people are echoing that there is not enough connection between those in leadership and those in our Hamilton community. That’s just not right. It doesn’t allow us to progress as a city. There are so many great things that are changing amongst the community and it’s most important for those in leadership to support those changing features and I think that’s when we’ll start to notice a difference, when the community feels heard and supported.”*
- *“Our leaders need to understand that being silent and ignoring the issues because they are difficult or controversial can be seen as supporting the very things we do not want to support, so visible and proactive leadership is really important.”*

Hiding behind “free speech”

There is frustration that the City has been using a justification of protecting “free speech” to allow hate speech to take root in Hamilton. Freedom of expression is not an unlimited right and misses the point when it comes to curtailing hate and violence. One person described it as a *“mask that the City is hiding behind.”*

- *“This whole concept of ‘othering’ is a huge concept that we have to work against and I do think that in Canada we have amazing rules that help us do that. One of the things we really need in Canadian culture, we’re very much not wanting to create a problem. So sometimes we go to the other extreme in allowing things to happen that are totally against everyone’s value in society, but we do it in the name of freedom of speech. But with freedom there has to be some responsibility. As a City there has to be a sense of accountability. What is permissible and what is not permissible?”*
- *“When you are silent, you allow those voices to be amplified, in the name of freedom.”*
- *“Freedom of speech is not freedom from consequences.”*

The community is appealing for **courageous [formal and informal] leadership** that takes a stand against hate, from the City and across the city.

- *“Make decisions beyond three years, even if not supported by full voter base if systemic changes are needed”*
- *“We need leadership that is visible, bold and proactive”*
- *“Actively distance yourself and hold people accountable for their discriminatory behaviour”*
- *“The City’s role is in no way shape or form to be complicit in hateful behavior—and at this time, they’ve allowed a hate group—the yellow vests, to campaign on their property.”*
- *“First, it would require ALL City Councillors to admit white supremacy existed. There are too many for whom their fragility overrides their ability to make decisions while acknowledging this. As long as the decision makers deny white supremacy, having City Council as our decision makers is a scary prospect.”*
- *“Don’t be afraid to speak about difficult issues (Council—world religions, racism, Indigenous reconciliation etc.).”*
- *“Address harassment before escalates into hate.”*
- *“Need champions on Council.”*
- *“Make this part of Future Hamilton public forum.”*

There is a strong appetite for proactive leadership from the City that is not performative or symbolic but rather collaborative and responsive to the needs and asks of different communities.

- *“Rainbow crosswalks are expensive and suggest the city is safe when it’s not—performative actions need to be backed up by community investment and supports, otherwise can actually be dangerous (backlash).”*
- *“Invite us to the decision-making tables—don’t decide for us or make us subjects—nation to nation decisions with Indigenous people.”*
- *“We don’t even feel like we belong because we are not included in any of the media pieces or artwork, or anything. We have to be included, right off the start. And that will help with some of the hate because if we are being included and if you are purposefully excluded (cause that’s what it seems like) than everyone else can stomp on you, if you are left out. Everyone needs to be included.”*
- *“Respond seriously to the Pride report.”*
- *“Start with basic customer service such as answering people’s emails.”*

The City is encouraged to use the levers and resources at its disposal.

- *“At the intersection of bylaw and policing, the City could have easily used bylaw to disrupt the racists who were regularly rallying at City Hall. The racists were posting anti-immigrant placards on City property. This was against bylaw, but was not enforced. The lack of bylaw enforcement emboldened the racists. Enforcement would have been an easy way to disrupt their activity.”*
- *“We enjoy a great measure of free speech but at the same time, there are certain things that you can’t get away with saying and I don’t think enough is being done to enforce that. And from the City’s perspective, they can enact policies, who they allow in gather in their forecourt at City Hall. Things that can and can’t be accepted. There needs to be a stronger hand and taking the resources that we already have available us and putting them into effect and making them very strong statement about what and will not be tolerated in this community.”*
- *“So our City Council already proved an example of them being able to identify hate speech that is not worth listening to. There was a leader of a hate group in town that wanted to address City Council through the usual mechanisms where citizens can put in a request to speak to Council and the request was denied. They did not give that person a platform and they said, anything you have to say is not worth hearing. You are not welcome here. Thanks, but no thanks. So they already showed that they can make a discrimination and make a judgment call about who is worth listening to and who is not worth listening to. This goes to prove that not all speech is equal. And not every single person needs a platform. So when our City, is not taking a stance against hate, they are*

part of perpetuating that hate. So they already proved that they can make that judgement call, did it once, so they can do it again."

- *"Any City Counsellor can put a motion forward to enact a bylaw."*

Listening to the Community

Based on experiences with previous city consultations, participants in the listening sessions shared that they were tired of not being listened to. There was a deep apathy for and frustration about engagement sessions that result in no action. The City should utilize the knowledge that communities hold, and the lived experiences of individuals, and value it as an essential element of hate prevention initiatives. This means meaningful bridging between what is happening to communities in the city and the City's responses to it.

Several people who attended the listening sessions also mentioned that public engagement processes are exhausting and can feel unsafe or retraumatizing.

- *"You need to listen before you can lead."*
- *"Nothing for us, without us."*
- *"Pay attention to whose knowledge is valued and listened to."*

Public Education

Despite education falling primarily under provincial jurisdiction, it is seen as a necessary response to hate. The City could support community organizations to develop curriculum and/or to provide guest speakers in schools. Education is also needed more broadly, including amongst police, on issues such as the limits of free speech, a deeper understanding of what is actually happening in Hamilton, racism, and justice/unity. It was notable, however, that people spoke about this primarily in terms of education of young people in schools rather than public education campaigns. "sensitivity training" was hardly mentioned and seen as largely ineffective.

- *"We need to start young, because adults are really stubborn"*
- *"Part of the issue we can deal with here locally is having the City back and provide people who are willing to speak about these things. Teachers do have written right within their curriculum, "professional judgement." And to meet the expectation, they have quite a bit of latitude in how they choose to meet the expectations. So at any point, I can invite in a speaker, to speak to my class, who is going to give a perspective that I may not be able to give as a white male with a whole lot of privilege. But having that resource bank locally, don't get me wrong the school board is going to say that they have a resource bank too... but having community people versus people at the school board... let me just say, it would be nice, if there were well known community leaders who were available, known to teaching staff, and able and willing to come in."*

- *“Because of a lack of knowledge and training for everyone. Because people believe that being trained once or a couple of times is enough. Because that training is inadequate—we need to have baseline understanding of power and oppression, we need to be able to identify small things—micro-aggressions, both as an act and as an impact. We need to learn and practice how to challenge the person performing those acts and support the person(s) affected by them. It needs to start with council. It needs to be openly and EXAGGERATEDLY practiced everyday—like we are teaching toddlers to be polite.”*

Creating Safe and Inclusive Spaces

There is a strong appetite for **safe spaces**, where people can access trauma-informed healing and other supports, where they can report hateful experiences, and connect with others. These community-based reporting sites then need to share their data while maintaining confidentiality.

- *“We need something like 519 in Toronto or Quest, that is properly resourced to be successful”*
- *“We could use an interfaith resource centre.”*
- *“Alternative reporting mechanisms—resourced, independent—per group.”*

The City is invited to **create opportunities for safe and productive dialogue**, including across factions. Convene groups and help them feel heard.

- *“Our bishops, and rabbis are not meeting regularly and not addressing social problems in the city the way they used to. I wonder why? I feel like they’ve all gone to their corners, but I think that I think a lot of people take their cues from faith leaders and I think they have a role to play with the City. And with the City, we can come up with a way to invite those leaders to help us mobilize our communities in positive ways to address this.”*
- *“The solutions have to come from the religious groups because we contain both the victims and the perpetrators of religious hate. someone said we leave a vacuum for the haters to take the podium. we need alternative religious visions.”*
- *“The City has the power to bring multi-stakeholders together from the private, from the public, from the not-for-profit sector, to even have an understanding of not only what the issues are but what are the solutions. A good example of this is in the City of Chicago. The City lost many people to a very hot summer. So the City brought many people together and the City Council said, we are not interested in hearing whether you believe in climate change or not, we just want you to give us solutions as to what do to. Of course, it is very difficult to have those conversations. People don’t understand each other’s language even. But after half a day of fussing around, they came up with incredible solutions.”*
- *“Interfaith opportunities—support a resource centre.”*

- *“Find ways to reach the whole community, not just those who already agree.”*

Across the city, work needs to be done to highlight commonalities without being afraid to pinpoint differences and talk about them.

- *“It’s a lovely thing to get together and share our experiences, traditions and appreciate how much we have in common and what we share—that’s a lovely, lovely thing. The much more difficult conversation to have is about our differences. Our different faiths, traditions, and beliefs. We have differences. Theologically, ideologically, communally, and we need to get to a point where we can talk about those differences and come to appreciate what they are and how in a general community, we can live together peacefully with tolerance and dare I say, with respect and appreciation, despite those differences. That’s the tough conversation to have. Also, even more difficult conversation with those who just want to see us as ‘us versus them’...”*
- *“Move away from a discourse of identity and toward characteristics.”*

Community Programming

There is strong support for proactive and preventative measures rather than reactionary enforcement. The community is appealing for reallocation of funding to community programming that can better support the unique needs of different communities. These include improving material conditions such as food and housing and understanding the underlying issues such as mental health challenges. There was a strong cry for increased funding to social services in the community. In the racialized and 2SLGBTQ+ groups, this appeal came alongside calls to defund the police and, in some cases, to decouple social services from faith-based organizations.

- *“The City persists in diagnosing the problem as individual bad actors—and the ‘solutions’ flow from this analysis. The City needs to ... begin to make transformative change—and it could start from shifting funds from the police to those social service agencies that can truly work to prevent hate and care for the community.”*
- *“The defunding of social services in Hamilton—despite us having a strong need for it is violence against those most marginalized in our communities who require these services the most. It’s an enormous failure of our municipal leadership.”*

Regulations

Regulations were not chosen as a high priority measure across the various listening sessions. Very little was said about policies or regulations, other than in response to a survey question that prompted the topic. There was a desire for the City to utilize existing levers at their

disposal to act against hate incidents that are happening, especially in front of City Hall. It was also mentioned multiple times that current regulations are not effective or remain underutilized by the City.

- 68% said they were aware of City policies or procedures that address hate speech and/or hate-motivated incidents in Hamilton.
- 26 people mentioned awareness of City policies related to hate, ranging from HARRC to Zero Tolerance to signage to equity and inclusion policy. Policies are seen as mostly vague, inadequate, poorly understood, not impactful.
- More than 50 people provided comments of dissatisfaction with any City actions/responses to date, mostly in reference to the police handling of Pride 2019. Respondents used strong language such as “disgusted” and “appalled” to describe police response, which was seen as not timely or sufficient.
- Only seven (7) people commented that they were satisfied with any actions or responses to hate-motivated incidents, mostly in terms of positive grassroots responses.

Enforcement

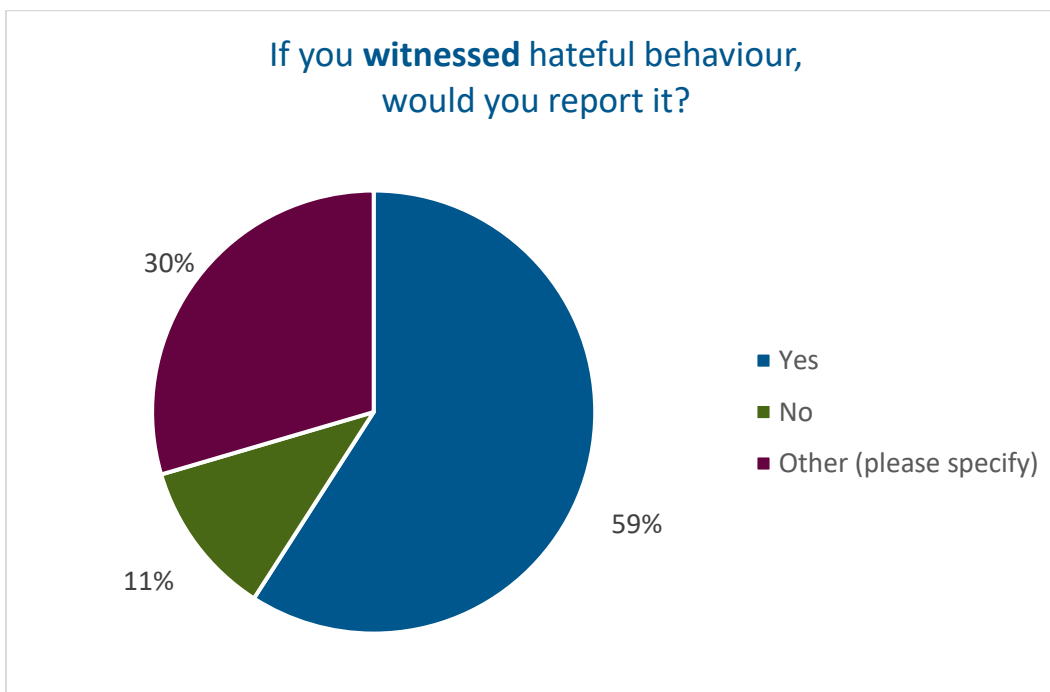
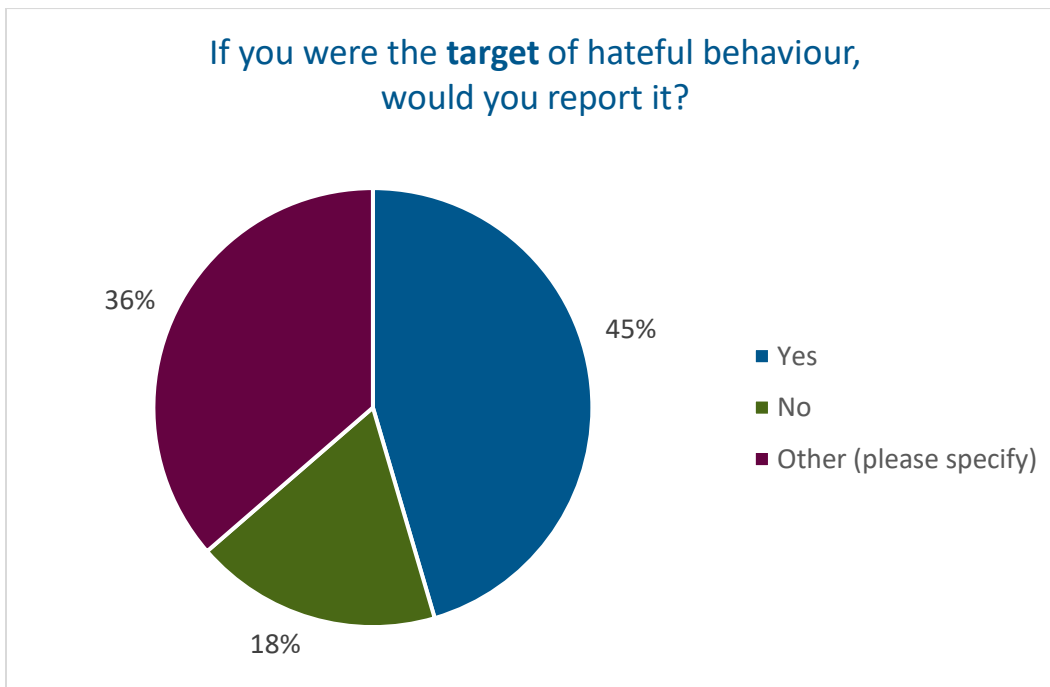
Mistrust of police

This theme of a lack of trust in police, and in Hamilton Police Services more specifically, has a number of dimensions to it. One is significant underreporting of hate-based incidents due to a fear of being dismissed, revictimized or otherwise harmed, to the point that using police-reported statistics was described as “irresponsible” and “irrelevant.” Another reason those statistics were seen as unreliable has to do with them excluding hateful incidents perpetrated by police. There was a sense that police perpetuate hate in the city by allowing it to flourish.

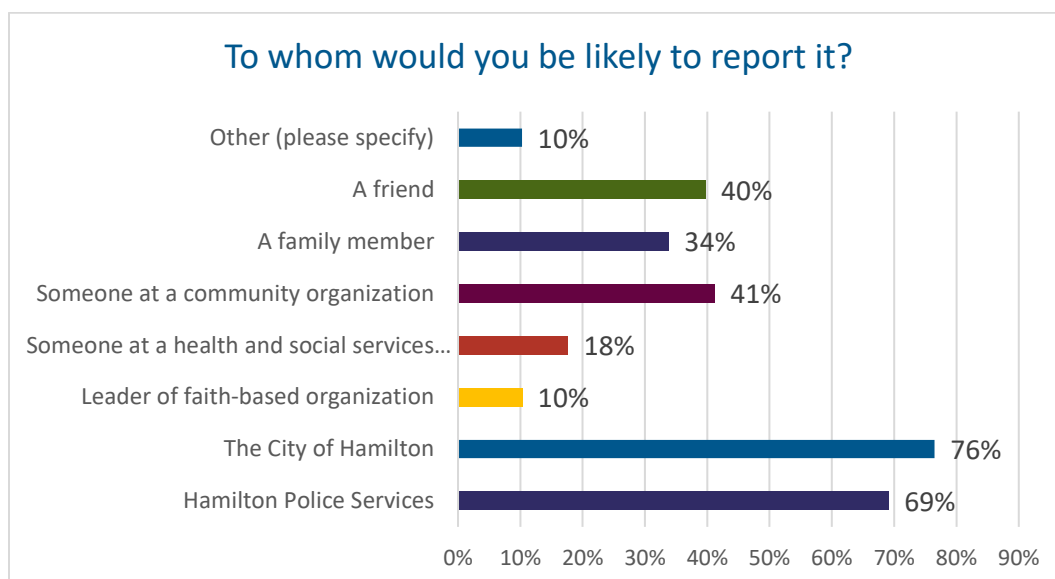
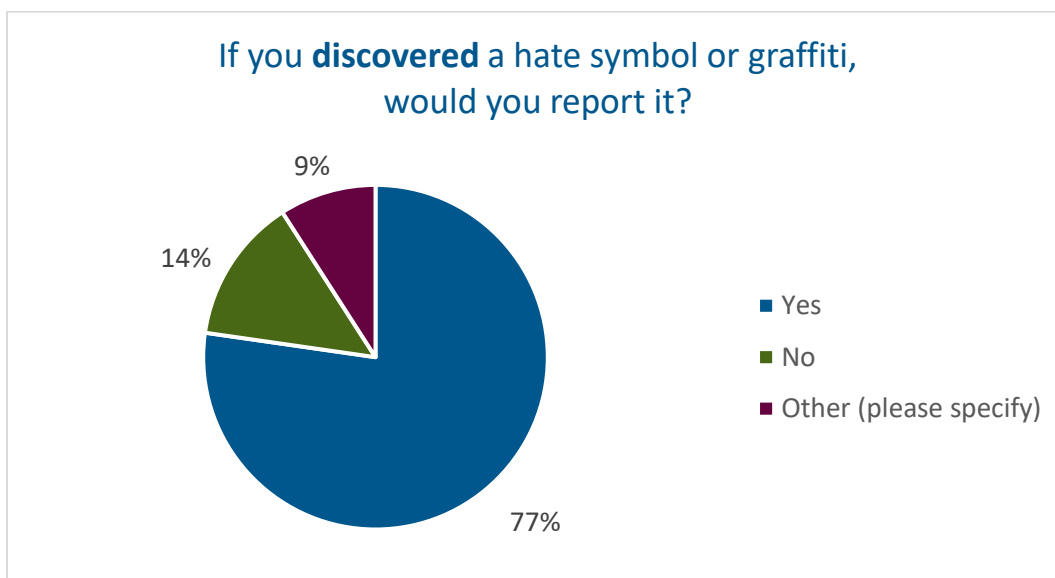
- *“I strongly believe that hate crime being underreported is because you have to report them to the police. Most people feel unsafe reporting to the police because the police perpetuate A LOT of the hate crimes. I also know too many people who have reported hate crimes to the police only to be laughed at and further humiliated and subjected to more hatred.”*
- *“There really isn't any point in reporting incidents of hate given the Hamilton police defining themselves as the victims of hate incidents in past hate crime reports. This action demonstrates that the police do not actually respect accepted definitions of hate incidents and therefore cannot be expected to respond to them appropriately. Additionally, despite recent incidents, the police persist in seeing themselves as a minority group that are discriminated against because people are naming their abuses of power.”*
- *“How do we prevent regular hate when we do not even have mechanisms to prevent City Council and police from doing that?”*

Reporting

Reporting hate-motivated incidents was probed in more detail in the survey than in the Listening Sessions.



- Many commented that they were “unsure” or “it depends” on whether they would report if they were the victim (36%) or they witnessed (30%) hateful behaviour. Several people cited mistrust in police and the lack of follow-up.





- Other reasons for not reporting hateful behaviour included fear of being doxed and it not being worth the effort.
 - *“We internalize it. I know a bunch of people who have had something happen to them but it’s gone nowhere because they don’t want to report it or they need somebody to be right there with them. Somebody they trust, somebody they can confide in because once they report it, they still need that support afterwards.”*
 - *“Why report if nothing is done?”*
 - *“Even when we do report it, sometimes it’s turned into, it’s your fault. The blame gets shifted to the person who is reported it.”*
 - *“I am a member of society that is told cannot be a victim of a hate crime or racial profiling. Thus I would not report it as it would not fit your reporting forms. Thus you will never get baseline data.”*

The City is encouraged to **create or revamp response processes** if they do not already exist.

- *“A clear process for when/how to respond to a critical incident (i.e. for the Mayor).”*
- *“Need stronger accountability—e.g. evaluation, reporting mechanisms, a report card—transparency, communicate to community.”*

The following categories do not fit easily in the seven (7) categories listed above but were brought up in both survey and listening sessions as playing an integral part in a response to hate prevention in the city.

Participants highlighted a **need for more diverse representation at decision making tables**, rather than symbolic or tokenized representation, or none at all.

The community encourages the **media** to cover stories with more balance and to be cognitive of the impact those stories may have on the communities they are portraying.

- *"We really need to get a hold of that media, because they perpetuate a lot of harm."*
- *"Probably what we read about this is 10% true."*

There is a need for more deliberate and intentional opportunities for different communities to interact, build relationships and get to know each other, *"Positive experiences help eradicate hate."* The City could play an integral role in **creating social opportunities and events that are accessible to everyone**.

- *"People need to know each other—stronger relational bridges"*
- *"Make City events accessible to everyone—cover bussing, admission, etc. This might help newcomers, existing residents, those in lower socioeconomics come together. This must be deliberate and will require action on the part of the City."*
- *"Integration not isolation/segregation or assimilation."*

The City is also encouraged to create more **progressive and representative hiring practices**.

- *"Is there an effort to have more racialized staff at the City of Hamilton and on the police force? ...There has not been any mandate compelling the city to have to actually act on the data it has demonstrating a lack of diversity within if staff."*
- *"Just because they hired a woc [woman of colour] to save face doesn't make them less racist, police have been known to hire token poc [person of colour] to use the 'we're not racist, we hired so and so.' I do not care to see more diversified police force who are still mandated to uphold white supremacy."*

Next Steps

The role of government is to balance competing priorities and to act in the best interests of the community. Resident input is an important source of intelligence and reconnaissance to help inform Council decisions. That input rarely communicates a consistent message to leaders, however. In this project thus far, there is a notable congruence of views despite wildly different political stances inside this group of respondents. People across the political spectrum are calling, for example, for full and accurate reporting of hateful incidents and increased trust in police and City Hall built through a sense of being heard. Opposing viewpoints are certainly

present, including for example about the role of faith communities in providing social services and support, but overall, the input is remarkably consistent.

The polling results about priority responses are particularly telling. They encourage the City to listen without being silent, to shift resources toward social services and programs, to invest in safe spaces and dialogue. Noticeably low priority was given to regulation and enforcement, which were the focus of the City's initial description of this project.

The next step of this project is to transform this input into concrete recommendations for Council later this year. To get there, additional opportunities for community input will occur throughout the fall.

Appendix A: Detailed Methodology

The community engagement activities originally planned within the Hate Prevention and Mitigation project were adapted in terms of their timing, breadth and formats due to COVID-19 restrictions.

The Stakeholder Engagement Summary Report summarizes the findings from all of the following engagement opportunities, unless otherwise noted:

- Meetings with relevant City staff, the Mayor and five Councillors, and nine diverse community leaders to gather input and advice on the community engagement plan (December 2019 and January 2020).
- A facilitated 90-minute session with the Mayor's Advisory Table on Diversity and Inclusion on June 26, 2020 via Zoom. (Unfortunately, the Mayor was absent for health reasons).
- An online survey to inaugurate the use of EngagementHQ software on EngageHamilton, open for one month from mid-June to mid-July 2020. The online survey was promoted through the City's Twitter and Instagram accounts; on the City's website via a hero banner on the landing page; on a separate web page specific to the project; through the newly launched Engage Hamilton website; in a quarter-page print ad that ran in the Spectator on two consecutive Saturdays; and through email distribution lists.
- Five 90-minute facilitated community "Listening Sessions" held between June 29 and July 9, 2020, conducted via Zoom. Input taken from audio recording and chat transcript. The Listening Sessions were promoted using the same methods as the online survey.
- Telephone interviews with three individuals and email messages from seven others, all of whom reached out proactively to make their voices heard.
- Submitted notes from a February 2020 community meeting on "Resisting Hate and the Far Right"

Facilitation was led by Dr. Rebecca Sutherns and her team from Sage Solutions, the Guelph-based consulting firm hired to support the City with this project, in conjunction with two community engagement staff at the City (John Ariyo and Pauline Kajiura) and local community leaders.

The survey was answered by 91 people. 608 people visited the page on the Engage Hamilton site and 102 of those registered to respond. Having to provide a name and email address proved to be a deterrent to participation, despite that information not being directly linked to

survey responses in the analysis.⁴ The demographic profile of respondents roughly matches the overall profile of Hamilton’s population as per 2016 data as follows:

Survey Respondents	Hamilton Population (StatsCan)
60% women, 22% men, 8% non-binary, 2% transgender	51% female, 49% male
61% heterosexual, 8% queer, 8 other answers of 7% or less	
24% self-identify as having a disability; 20/21 describe it as non-visible	
3.4% self-identify as Indigenous	2.3% Aboriginal
79% white, 7% black, 7% other, 6% south Asian, 6% prefer not to say, 8 other racial identities with 1-2% each	
76% non-racialized	79.7% non-racialized
41% no religious affiliation, 26% Christian, 9% other, 6% Roman Catholic, 8 other options with 4% or less	
77% born in Canada	76% born in Canada
Of those not born in Canada, 26% have lived here 4-10 years, 26% have lived here 11-24 years, 26% have lived here 25-49 years, and 21% have lived in Canada for 50+ years	
40% have lived in Hamilton for more than 25 years, 33% have lived in Hamilton for 11-24 years, 18% for 4-10 years and 8% for 1-3 years	

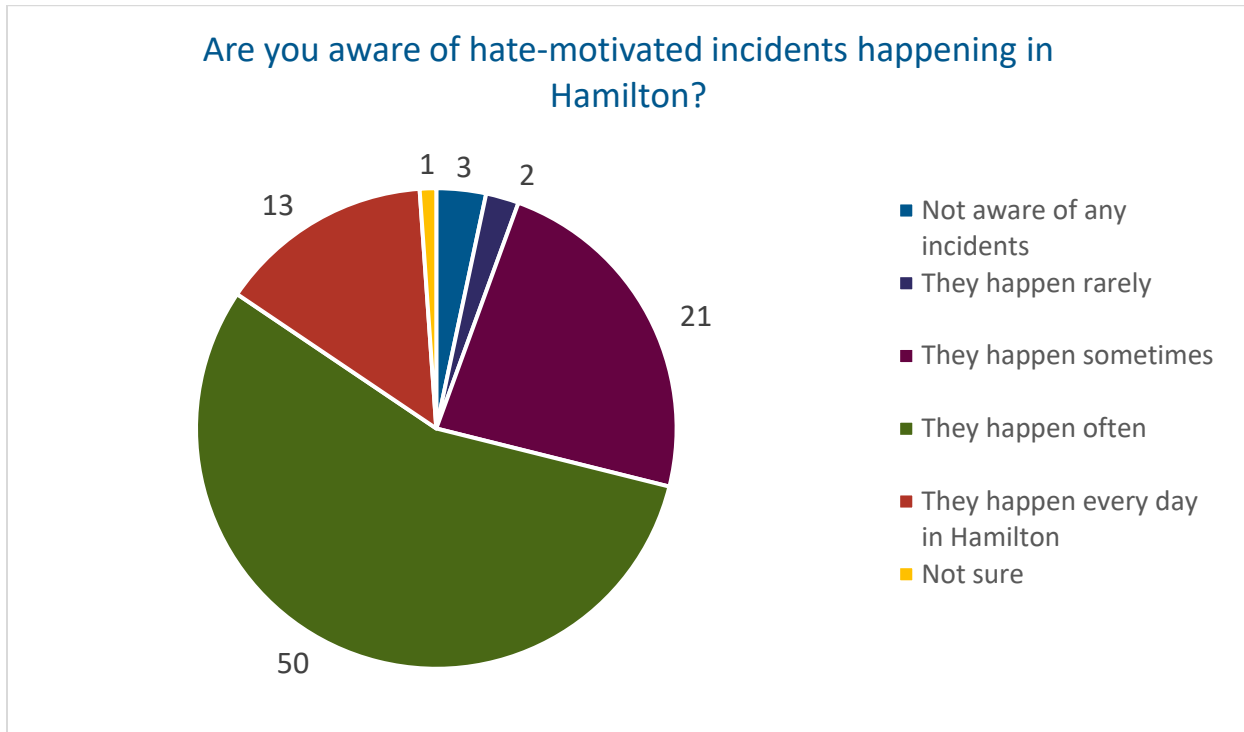
The Listening Sessions were attended by 154 residents as follows: General Public (62 participants), Racialized (29), Indigenous (15), Faith Leaders (15) and 2SLGBTQ+ (33). The subgroups were selected to reflect the communities reported to be most frequently targeted in hate-related incidents in Hamilton over the past few years. A handful of participants (roughly five) attended more than one session.

The telephone interviews, held upon request, included one prominent member of the 2SLGBTQ+ community and two yellow vest protesters.

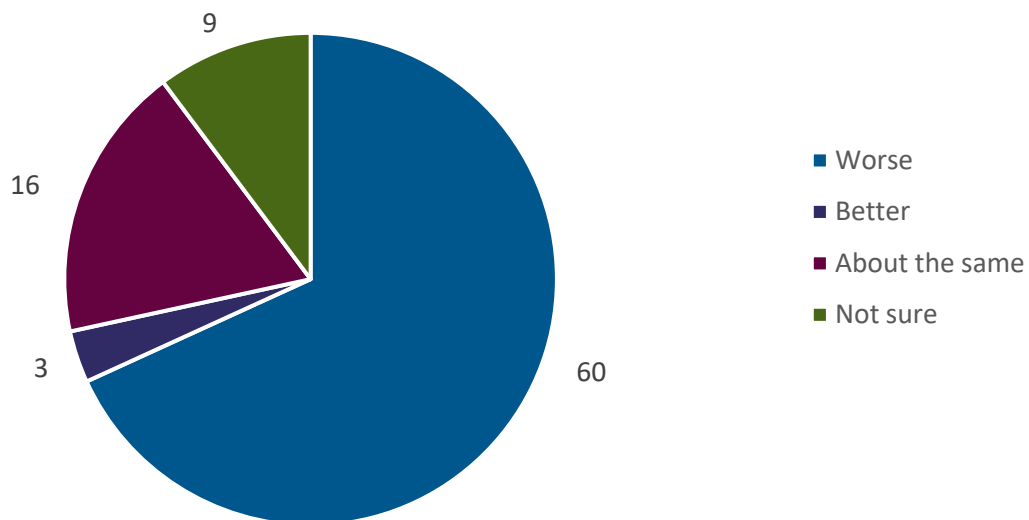
⁴ This concern was confirmed orally by several participants at the Listening Sessions. Registration is required on Engage Hamilton as a City decision, in part to build an ongoing database of participating residents, to streamline future engagement opportunities.

Appendix B: Online Survey Results Summary

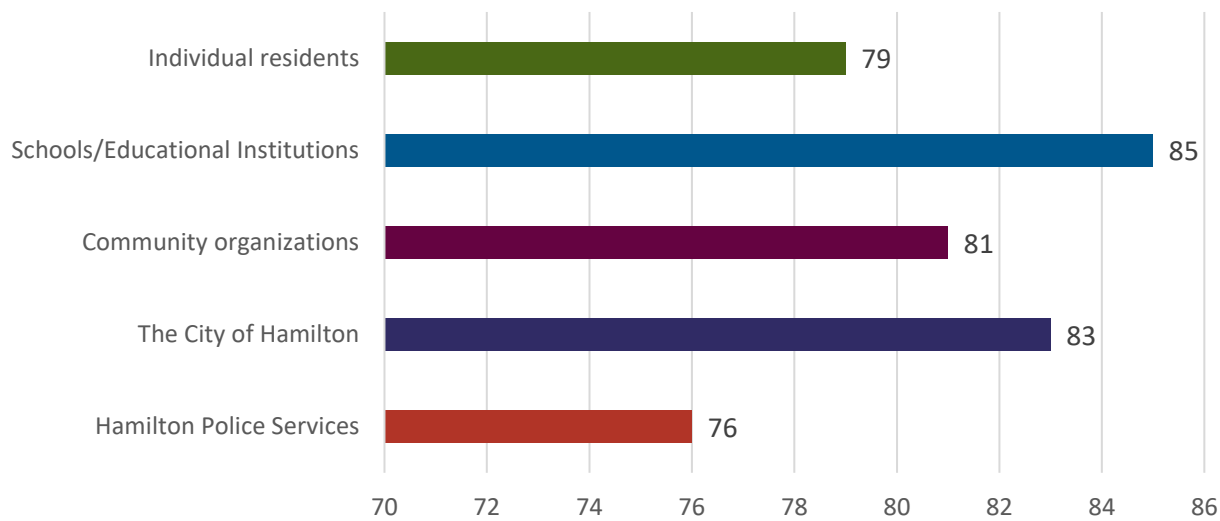
91 people completed the online survey for the City of Hamilton's Hate Prevention & Mitigation Initiative between June 15 and July 15, 2020. The graphs that follow summarize the results from the multiple-choice questions. Qualitative responses were incorporated into the body of this report.



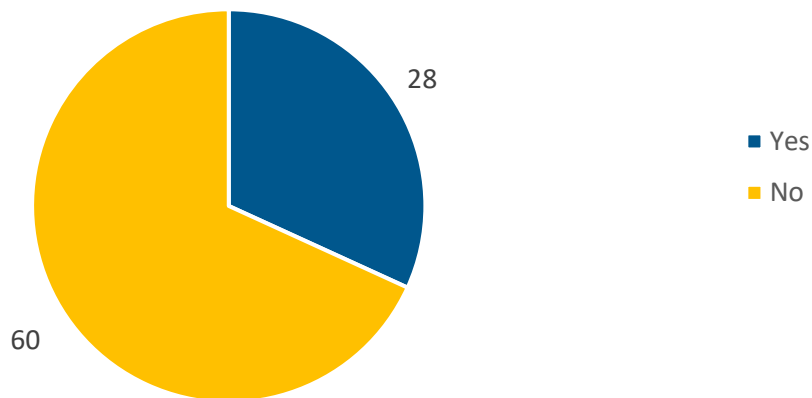
How do you think hate-motivated incidents in Hamilton have changed over the past three years?



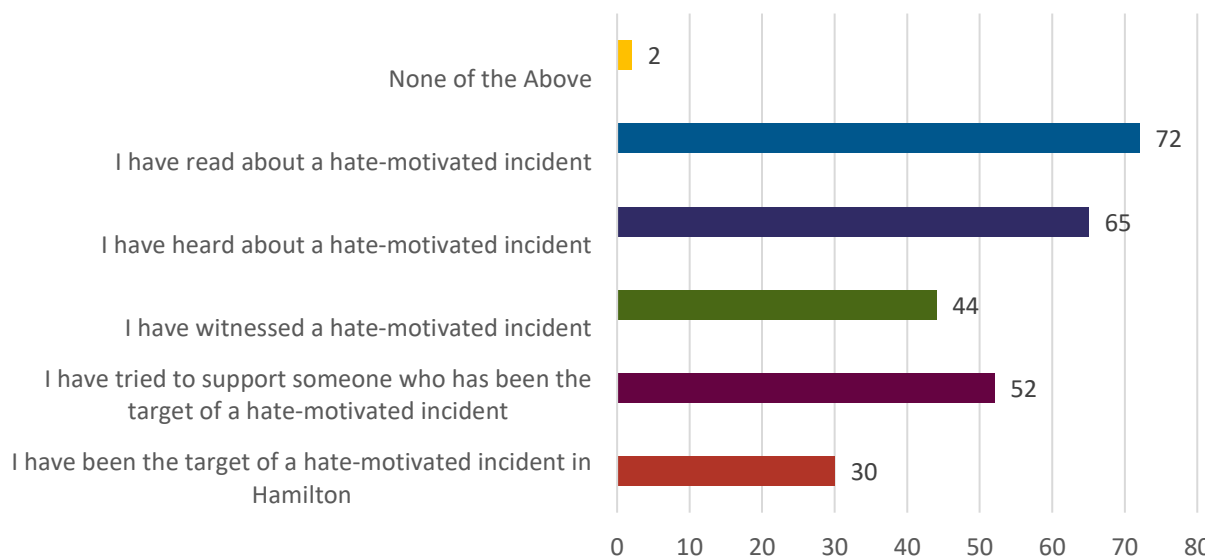
Whose responsibility is it to address hate-motivated incidents?



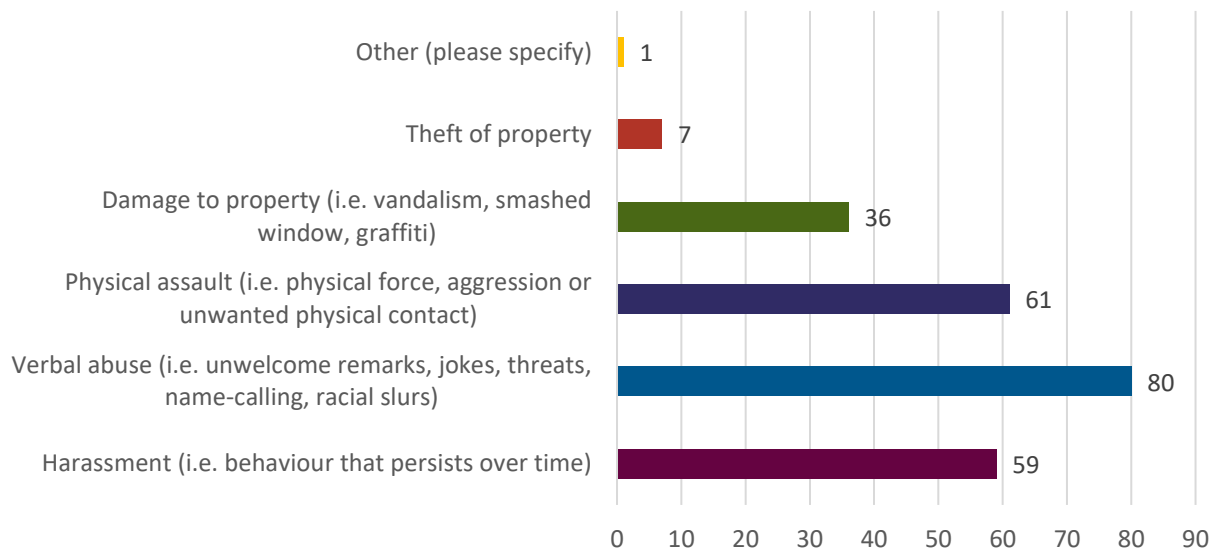
Are you aware of any City of Hamilton policies or procedures that address hate speech and/or hate-motivated incidents in Hamilton?



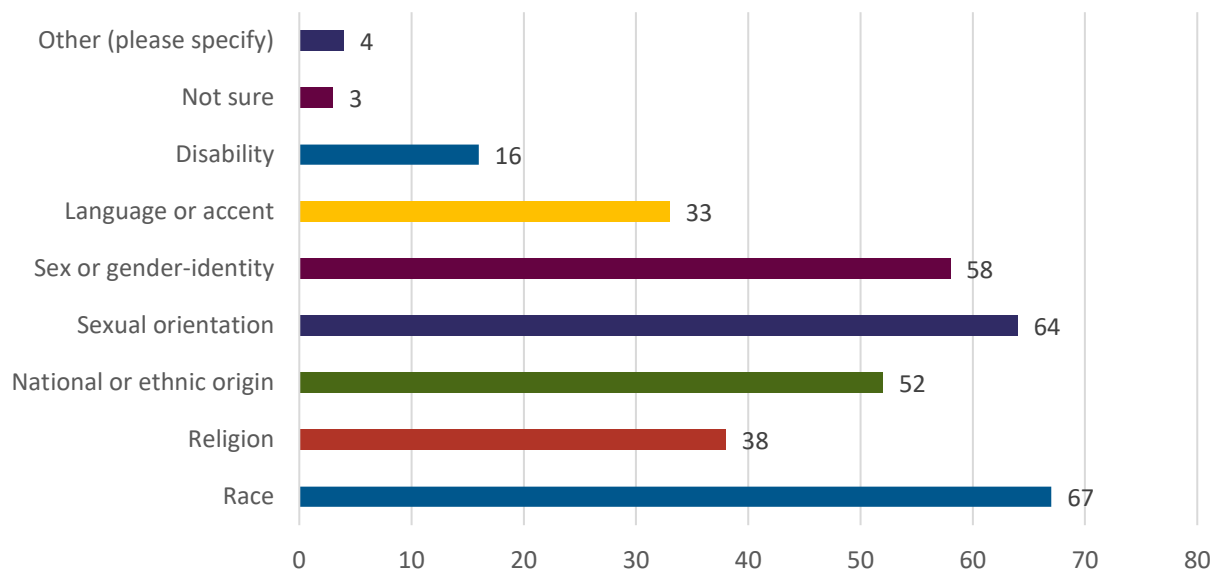
What is your personal experience with hate-motivated incidents in Hamilton?



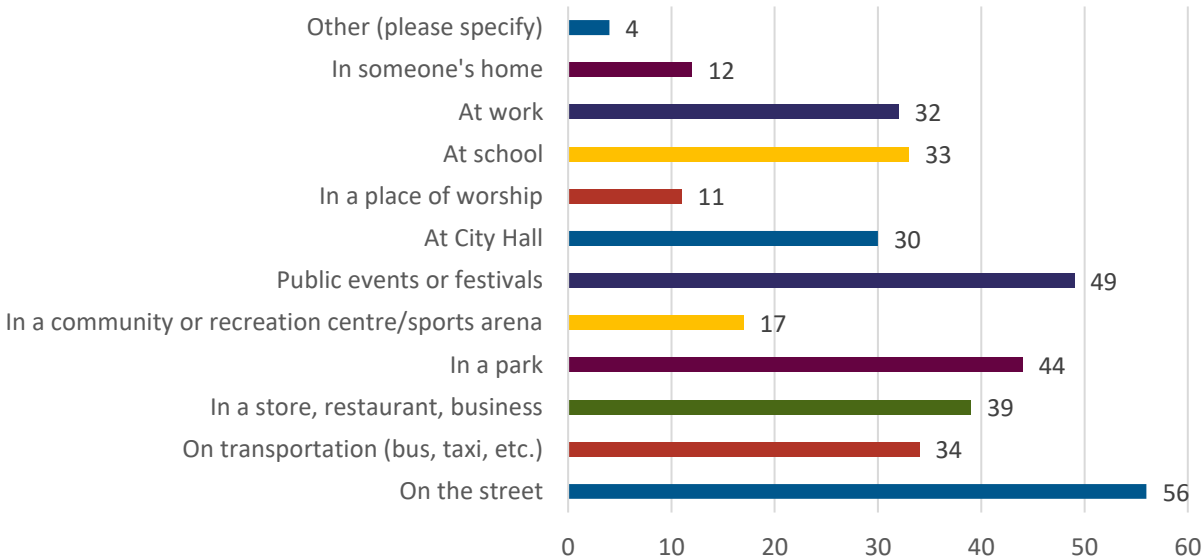
What kind of hate-motivated incident was it?



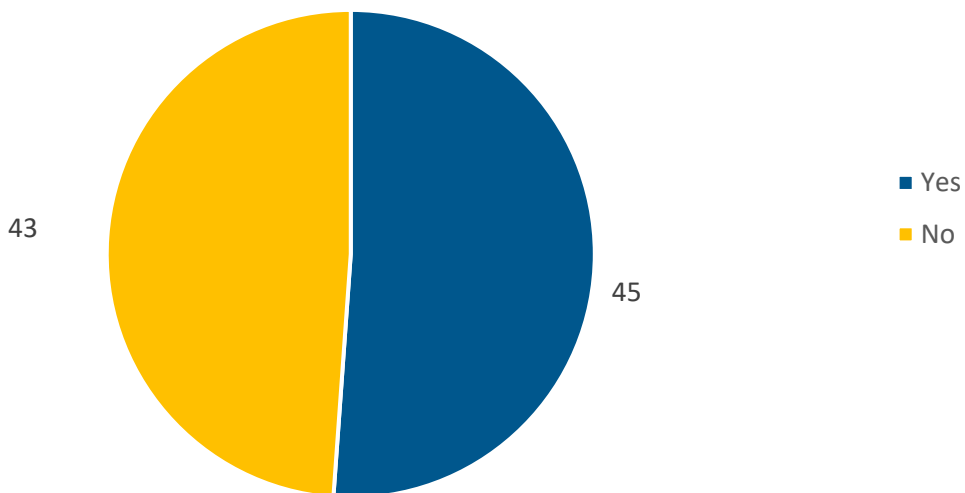
What do you think was the perceived basis for the hate incident?



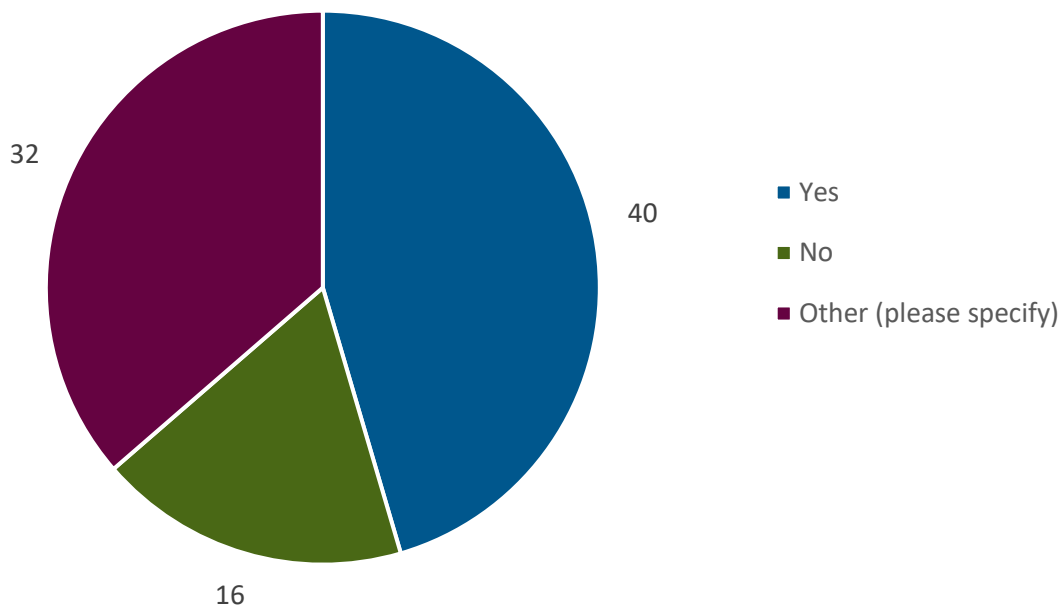
In what type of location(s) have you experienced or witnessed hate-motivated incidents?



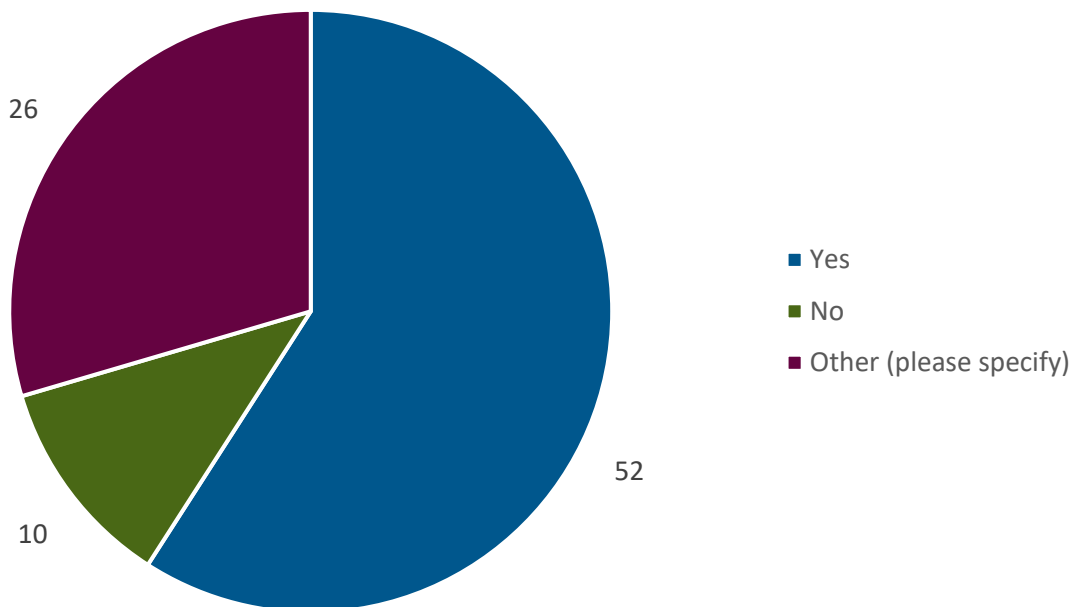
Do you ever avoid activities/events because you do not feel safe there or on the way there?



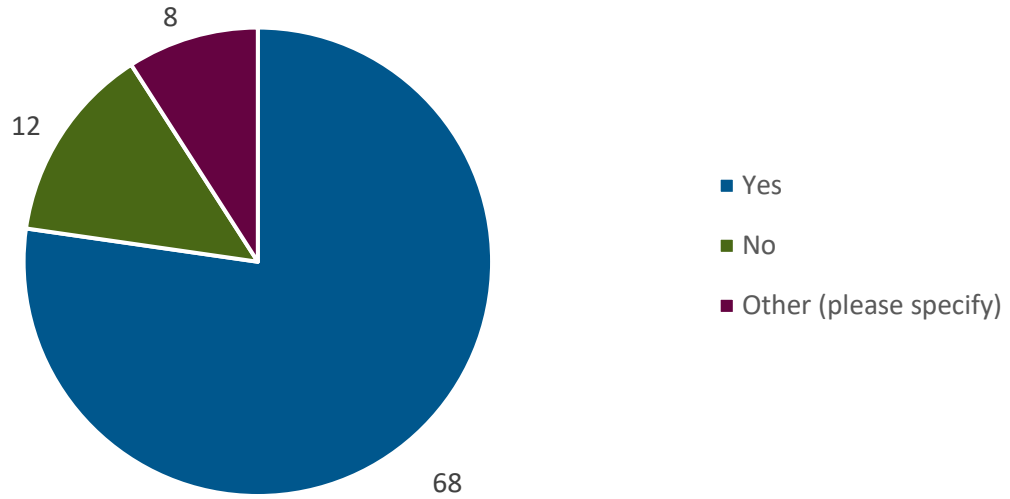
If you were the **target** of hateful behaviour, would you report it?



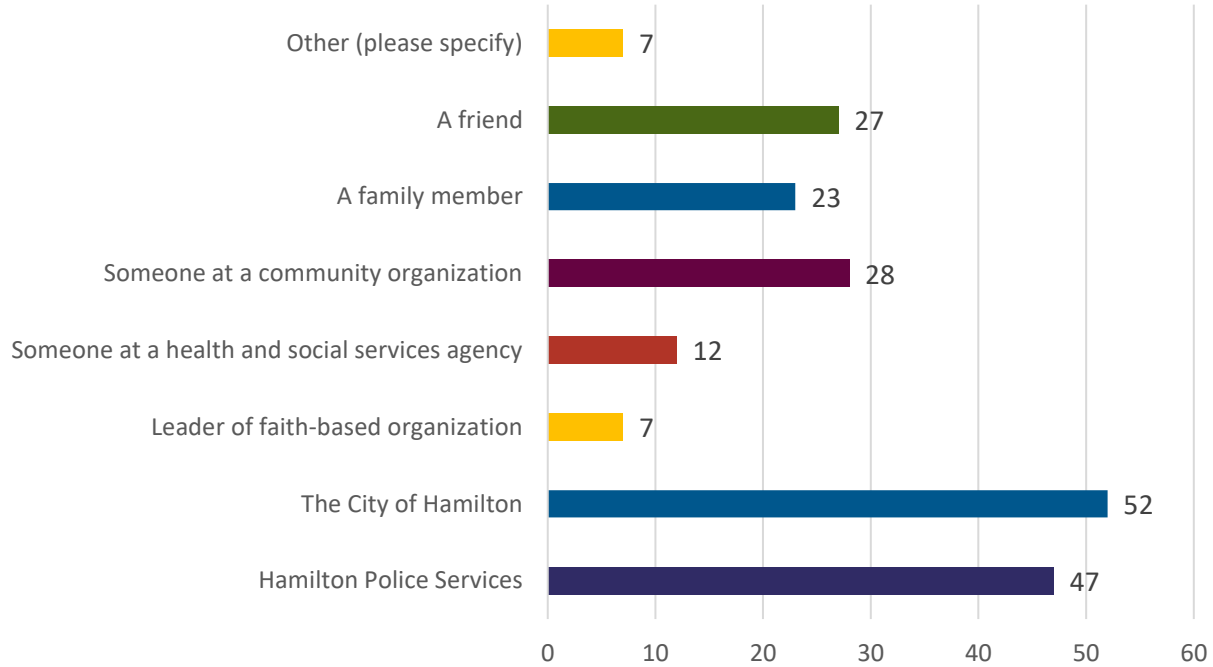
If you **witnessed** hateful behaviour, would you report it?



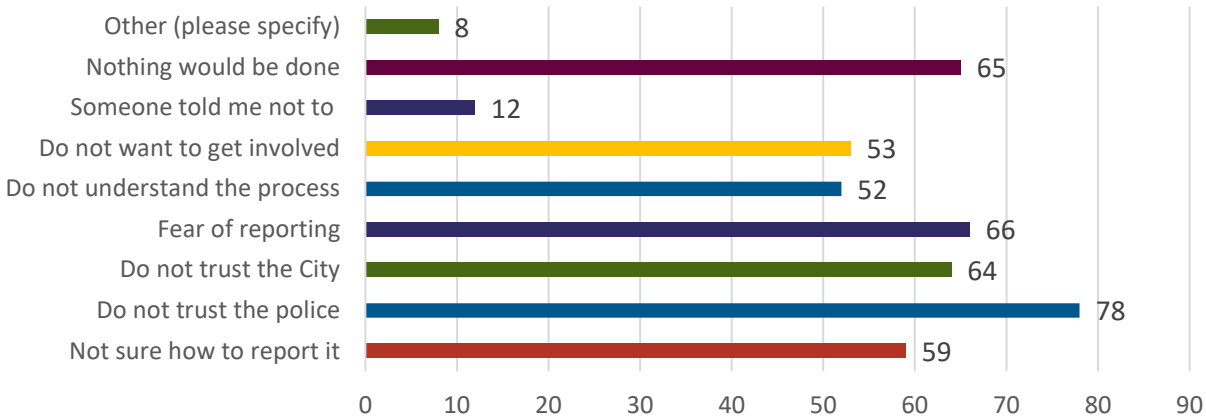
If you **discovered** a hate symbol or graffiti, would you report it?



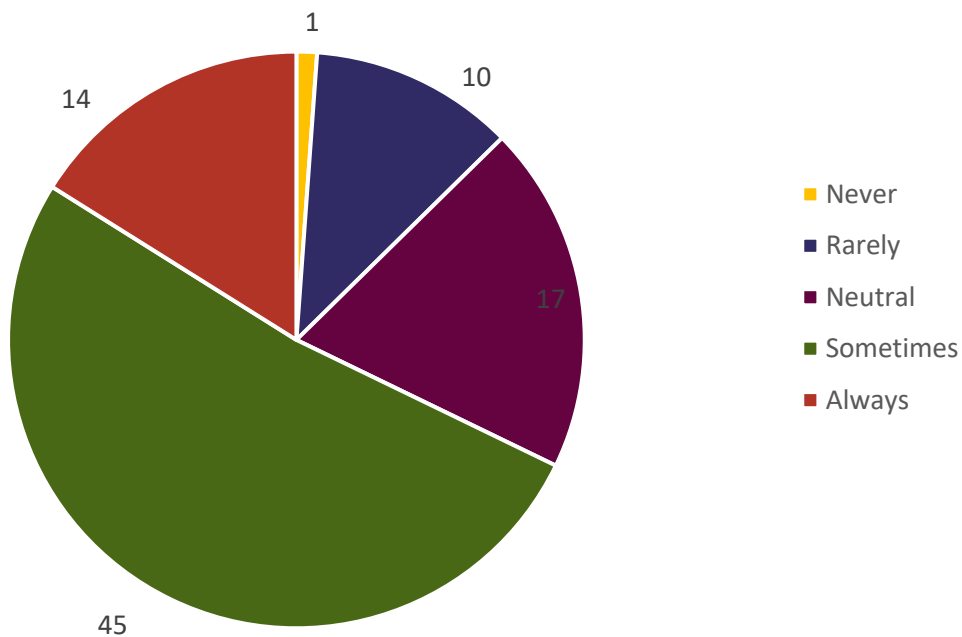
To whom would you be likely to report it?

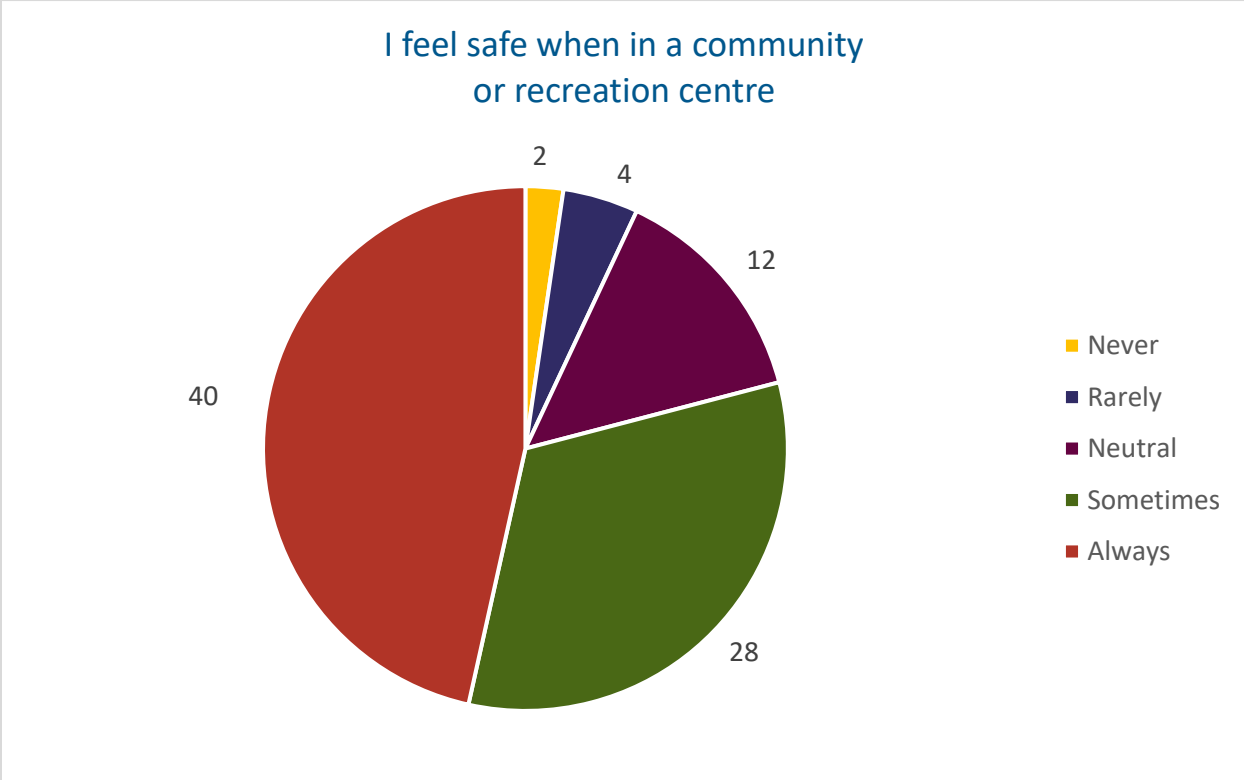
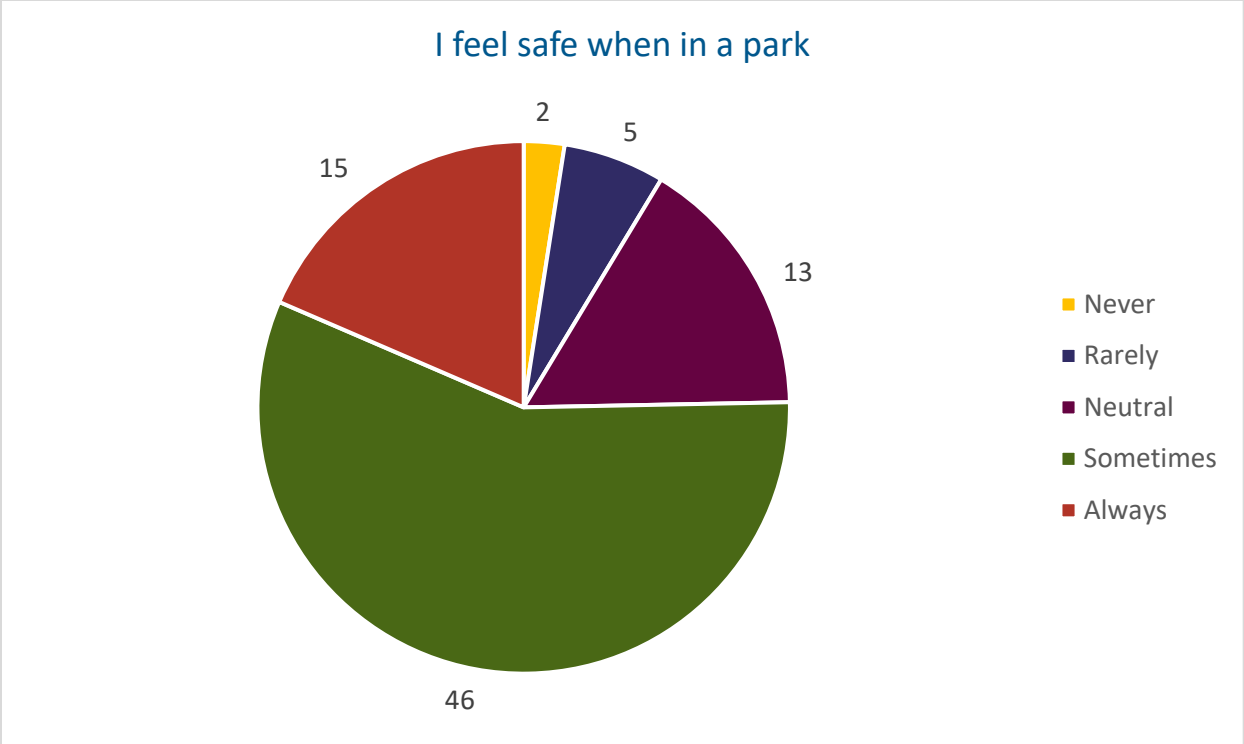


What do you feel stops people from reporting hateful behaviour?

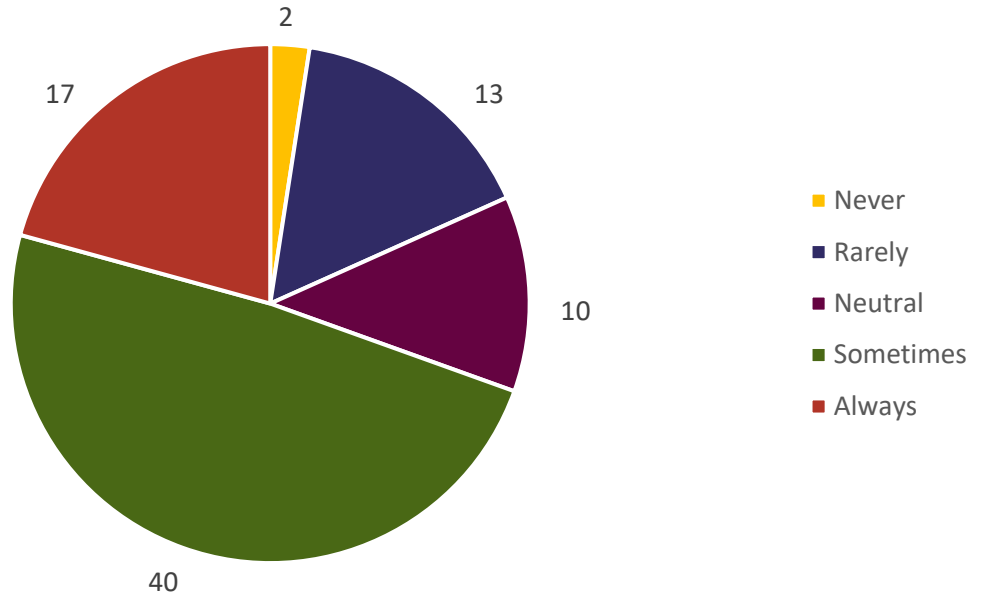


I feel safe when I'm on transportation (bus, taxi, etc.)

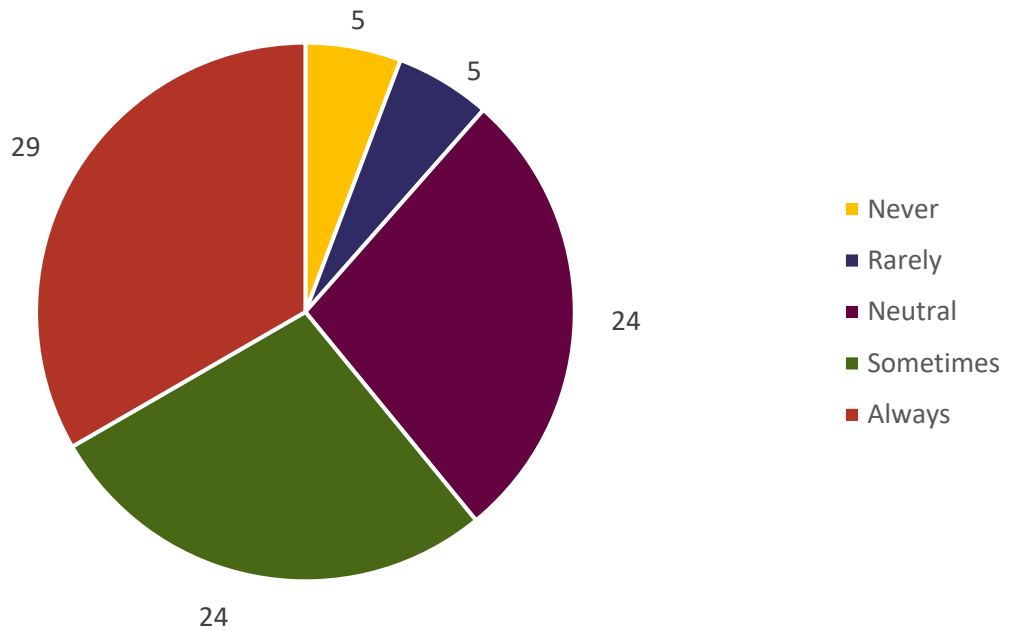


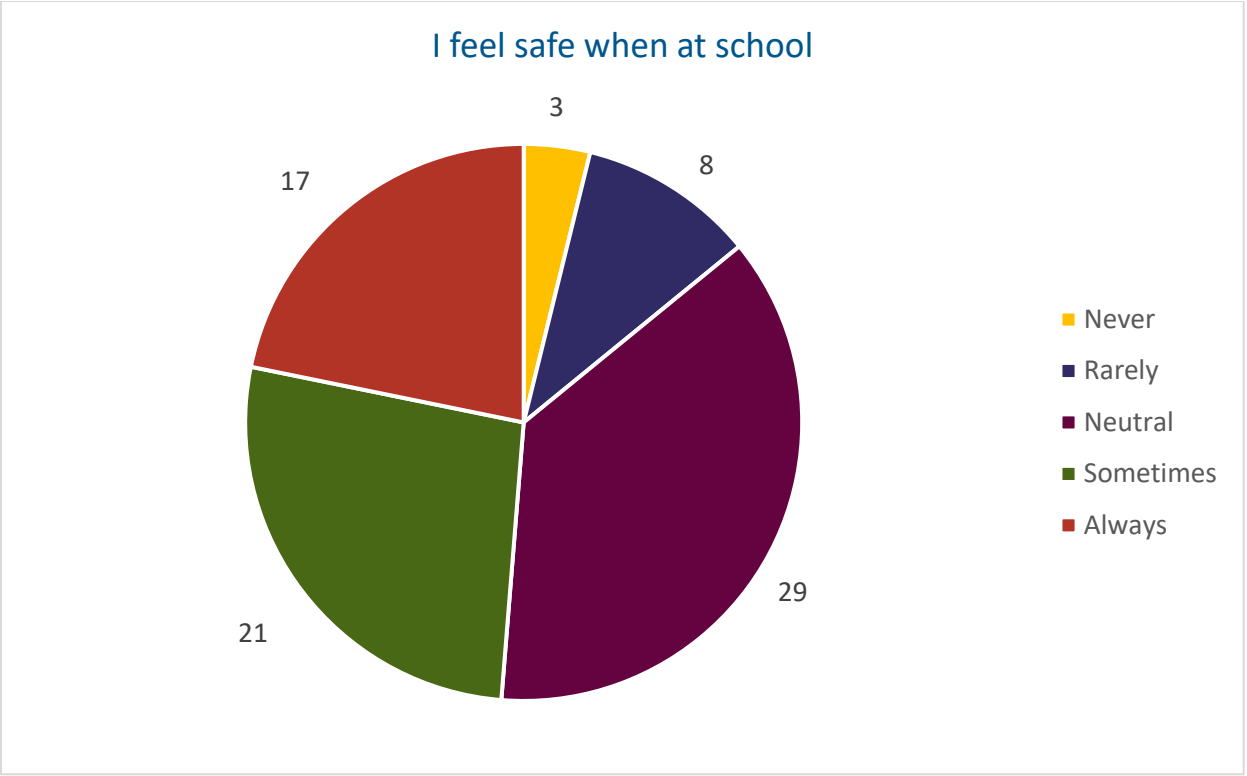


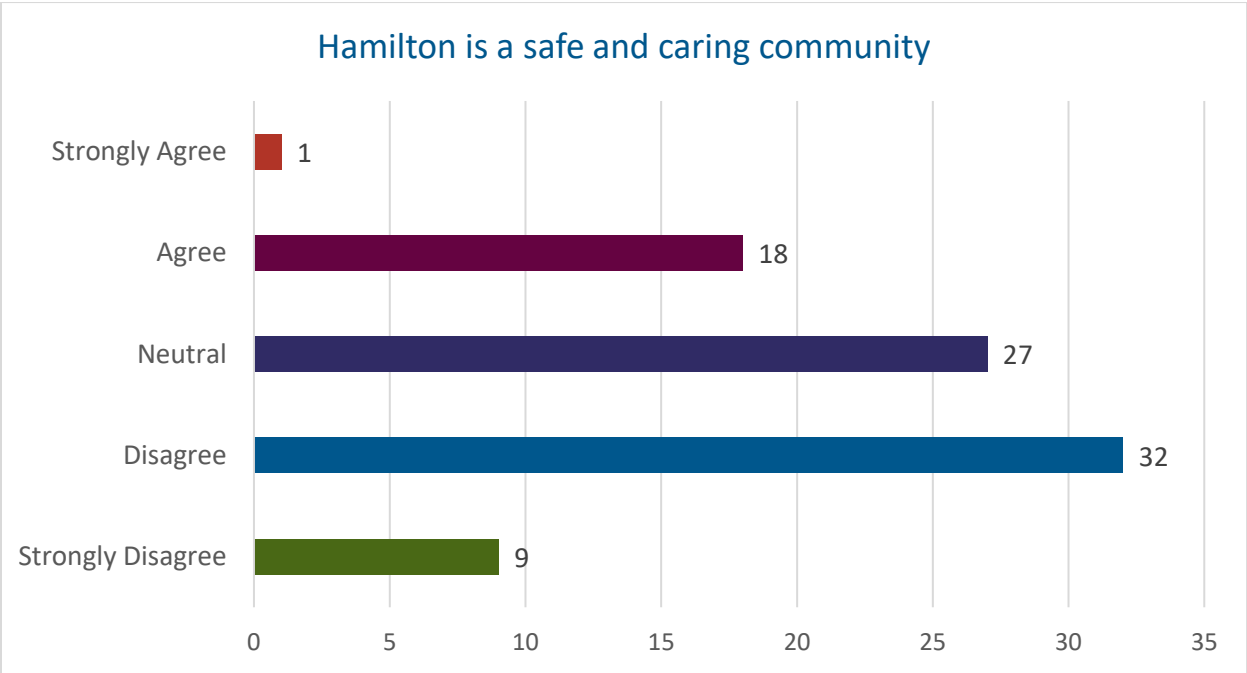
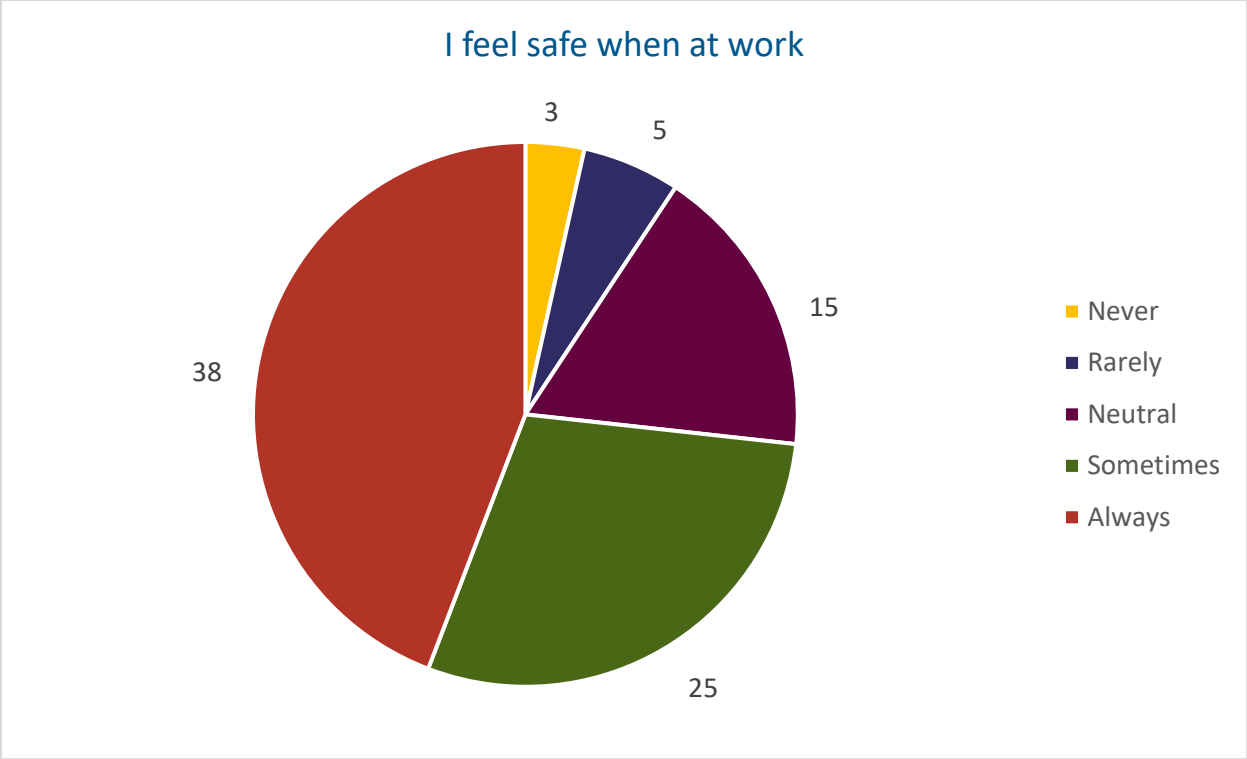
I feel safe when at public events or festivals

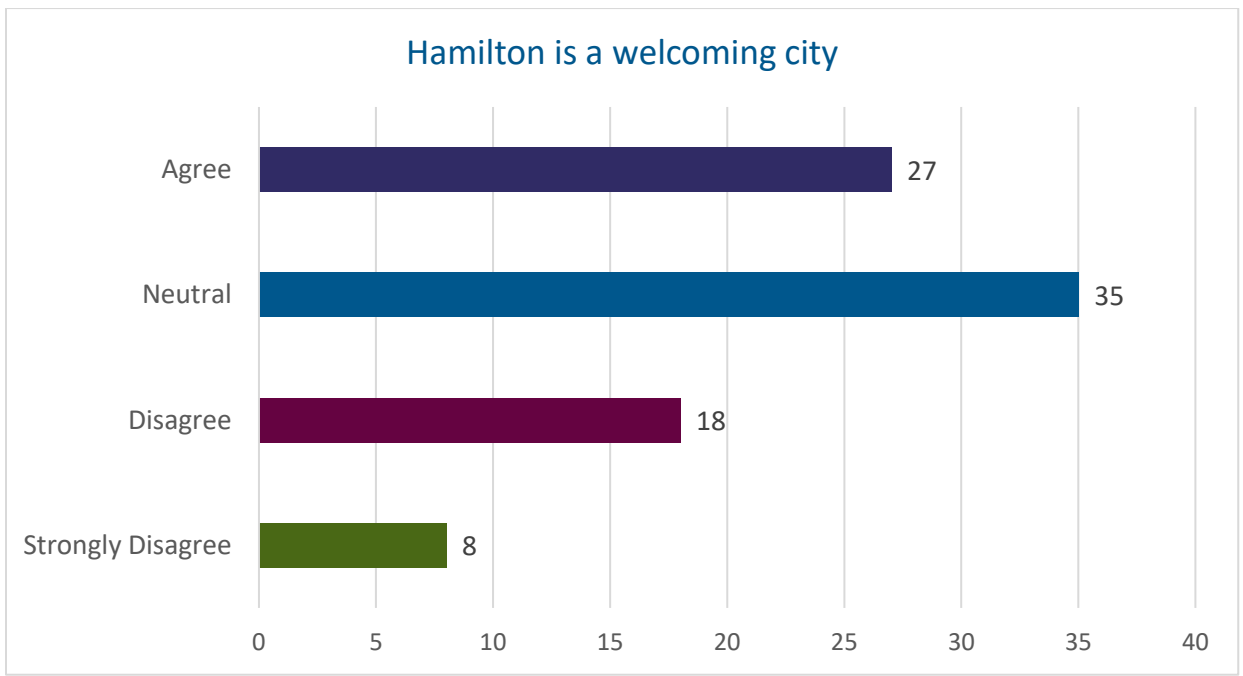
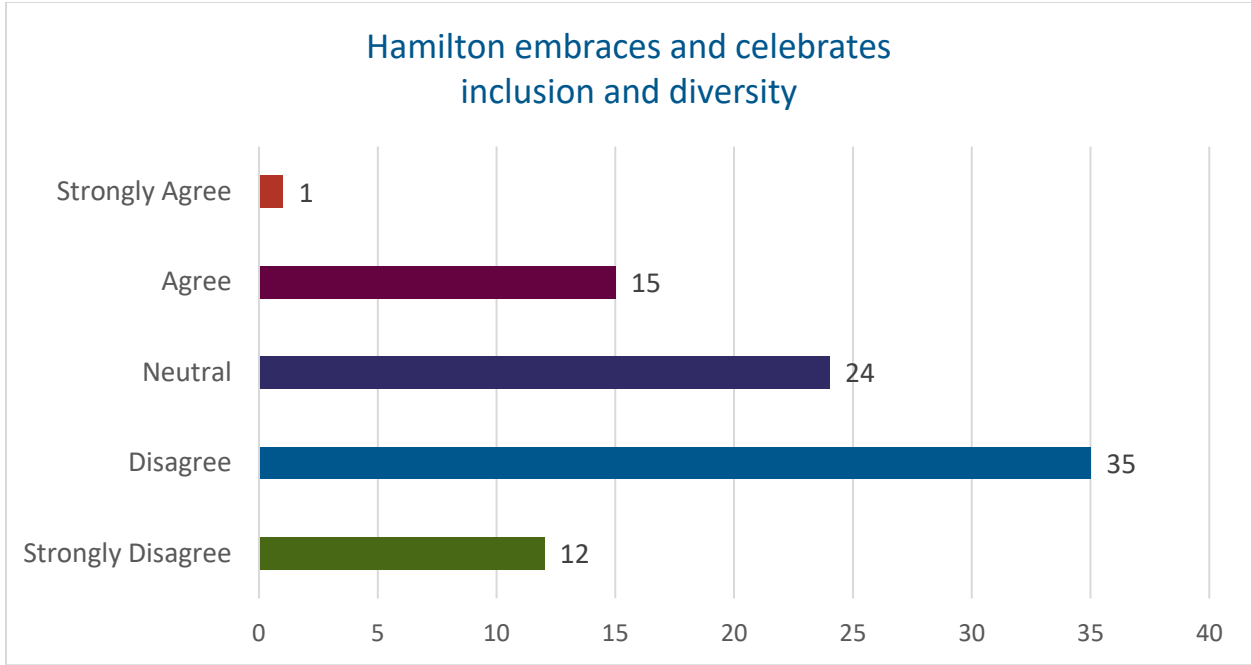


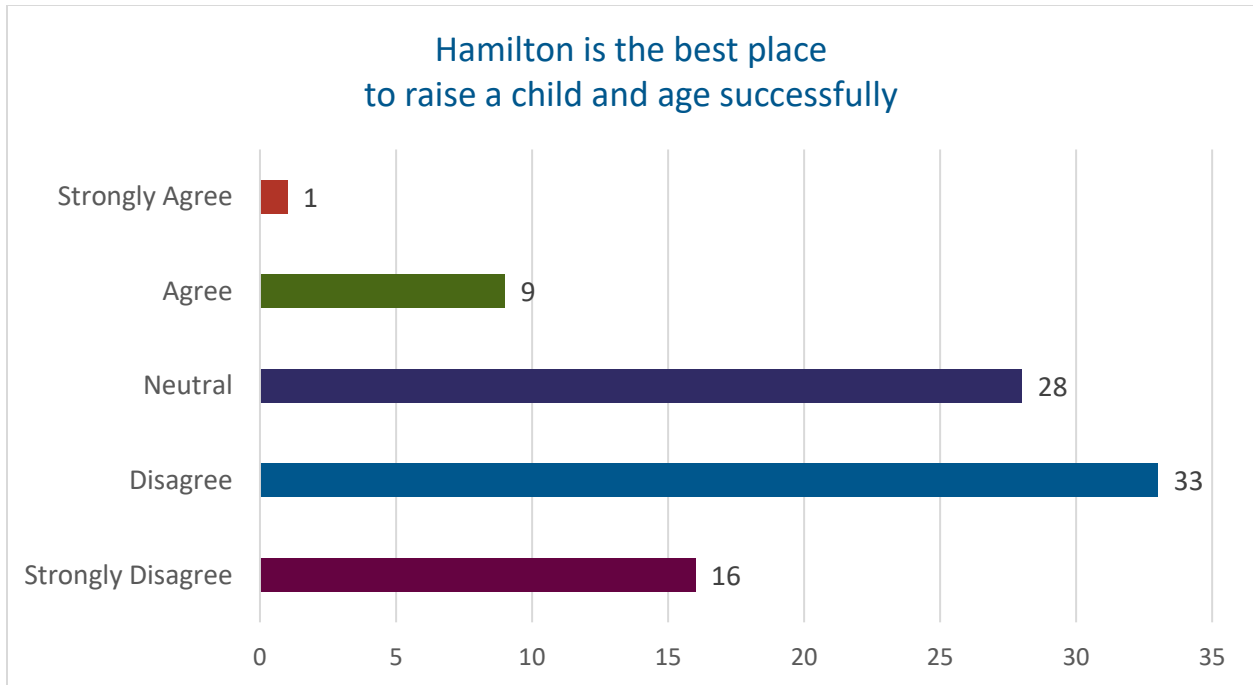
I feel safe when at City Hall











Appendix C: Listening Session Poll Results

Four poll questions were asked in each of the Listening Sessions. The responses are shown here. Not everyone answered every question. The total number of responses to each question are shown in brackets below each group heading.

1. How prevalent is hateful behaviour in your life?

	2SLGBTQ (33)		Faith-based (13)		Indigenous (14)		Racialized (20)		TOTAL # (Groups 1-4)		General Public (52)		TOTAL # (Groups 1-5)	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Part of my daily lived experience	8	24%	2	15%	3	21%	6	30%	19	24%	13	25%	32	24%
It's important to me and occasionally affects me directly	20	61%	5	28%	9	64%	8	40%	42	53%	23	44%	65	49%
I'm aware of it but it rarely affects me	3	9%	3	23%	2	14%	5	25%	13	16%	10	19%	23	17%
It doesn't affect me directly very often	2	6%	3	23%	0	0%	1	5%	6	8%	6	12%	12	9%

2. How much of a priority should hate mitigation and prevention be for Hamilton right now?

	2SLGBTQ (30)		Faith-based (13)		Indigenous (13)		Racialized (23)		TOTAL # (Groups 1-4)		General Public (53)		TOTAL # (Groups 1-5)	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
It's one of the top three issues facing our city	24	80%	8	62%	11	85%	18	78%	61	77%	36	68%	97	73%
It's a fairly big deal, like it is in many places	6	20%	5	38%	2	15%	4	17%	17	22%	16	30%	33	25%
There are many other priorities more than this one	0	0%	0	0%	0	0%	1	4%	1	1%	1	2%	2	2%

3. Which of these approaches requires immediate attention by the City?

(Numbers are # of responses—people could select up to two options each. Categories drawn from previous comparative research presented in the sessions)

	2SLGBTQ (25)		Faith-based (12)		Indigenous (10)		Racialized (19)		TOTAL # (Groups 1-4)		General Public (53)		TOTAL # (Groups 1-5)	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Proactive leadership	8	32%	6	50%	5	50%	7	37%	26	39%	27	51%	53	45%
Listening to the community	12	48%	2	17%	5	50%	11	58%	30	45%	27	51%	57	48%
Public education	4	16%	5	42%	3	30%	9	47%	21	32%	15	28%	36	30%
Creating safe and inclusive spaces	16	64%	5	42%	4	40%	2	11%	27	41%	9	17%	36	30%
Community programming	13	52%	4	33%	4	40%	5	26%	26	39%	19	36%	45	38%
Regulations	0	0%	0	0%	1	10%	1	5%	2	3%	4	8%	6	5%
Enforcement	0	0%	2	17%	0	0%	4	21%	6	9%	7	13%	13	11%

4. Which of these approaches will lead to the biggest long-term impact for the city?

(Numbers are # of responses—people could select up to two options each. Categories drawn from previous comparative research presented in the sessions)

	2SLGBTQ (24)		Faith-based (12)		Indigenous (12)		Racialized (19)		TOTAL # (Groups 1-4)		General Public (52)		TOTAL # (Groups 1-5)	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Proactive leadership	5	21%	9	75%	7	58%	7	37%	28	42%	24	46%	52	44%
Listening to the community	11	46%	1	8%	7	58%	13	68%	32	48%	24	46%	56	47%
Public education	1	4%	6	50%	4	33%	9	47%	20	30%	16	31%	36	30%
Creating safe and inclusive spaces	20	83%	6	25%	5	42%	3	16%	31	46%	12	23%	43	36%
Community programming	10	42%	3	25%	2	17%	2	11%	17	25%	22	42%	39	33%
Regulations	1	4%	0	0%	1	18%	3	16%	5	7%	4	8%	9	8%
Enforcement	0	0%	0	0%	1	8%	1	5%	2	3%	4	8%	6	5%

Analysis of Poll Results

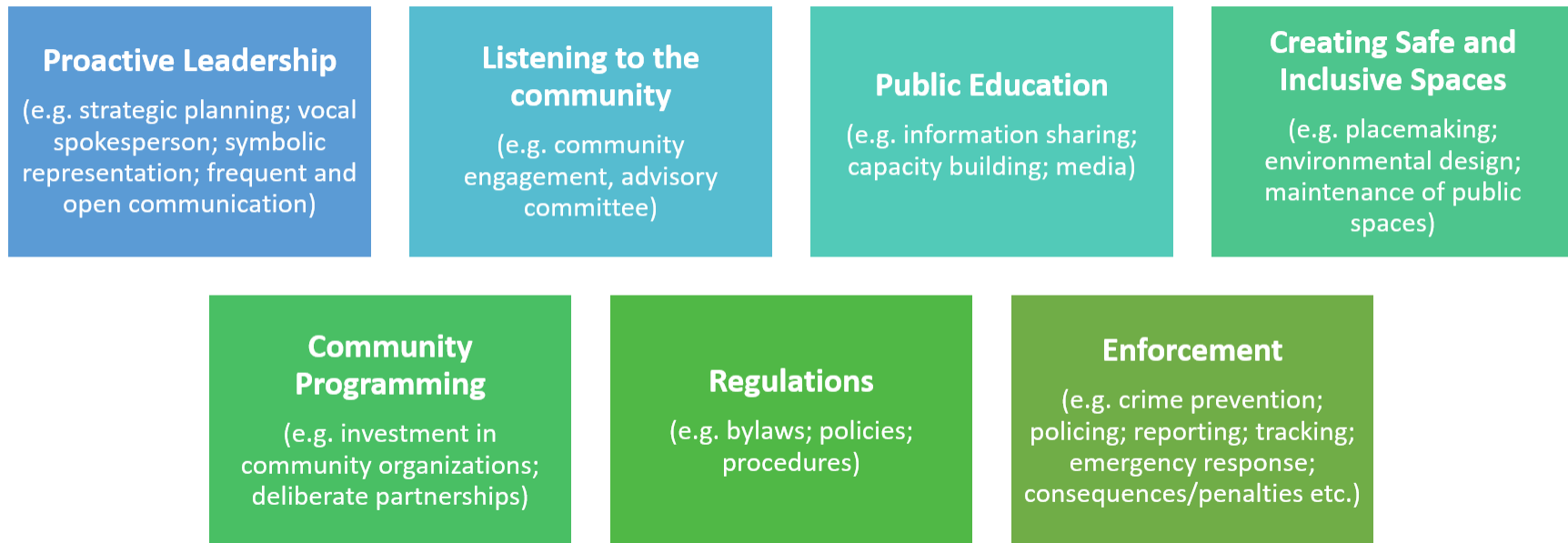
What follows here are analytical comments by the consulting team in response to the poll results above.

- The response options were taken from categories of responses to hate in communities included in the comparative research that preceded these consultations. There was general support for the categories, with acknowledgement that the details within each will matter more than the headings. One additional category was mentioned: representation of marginalized groups around decision-making tables.
- Not surprisingly, hate-related issues are of considerable concern to those who attended. Hate is a high priority issue that intersects strongly with their lived experience as a self-selected group of participants.
- The input from the general public meeting paralleled feedback from the individual subgroups quite consistently.
- There was some concern expressed that who answers the questions has significance yet is not tracked. As one respondent inquired, *“Can a white person comment on the seriousness of racism?”*
- There was general agreement on prioritization of response approaches across the groups, with no dramatic differences between immediate and longer-term priorities. Participants placed a heavy emphasis on listening to the community, providing proactive City leadership and investing in community programming. Regulations and enforcement were seen as considerably less important. This is notable in part because the initial scope of work for this Hate Prevention and Mitigation focused heavily on those two approaches.
 1. Government at all levels is used to a model of passing regulations and enforcing them. In this day and age, we need officials to learn new ways of leading communities in the democratic process—more engagement and new ways
 2. Laws and regulations provide the framework but at the core, it is in the individual that the capacity to nurture unity resides, which is why laws are limited in their capacity
- The creation of safe spaces figured somewhat more prominently for 2SLGBTQ+ respondents. For example:
 - *“Being a member of the Two Spirit & LGBTQIA+ community I can say that the lack of community spaces for us to meet in has hurt us. Spaces that we used to have are no more. It is far easier to build community and make connections if you have a physical space that is central to your community. Our digital world has changed a lot about how our communities interact with each other, but it is that human connection*

that builds those bonds. It is important that the City see these kinds of spaces and not just an investment in one particular community, but an investment in the city as a whole. When we create safe and welcoming spaces and prove they are a priority we are making a statement about what kind of city we want to be."

Appendix D: Possible Approaches to Prevent and Mitigate Hateful Behaviour

(This slide was shown at Listening Sessions and reflects a summary of the approaches uncovered during the comparative research)



Appendix E: Select Additional Quotations from Community Engagement Activities

Why hateful behaviours happen

- *"Hate is taught."*
- *"Community feels unsupported by the City and punished for speaking out"*
- *"Failure to admit mistakes when they happen"*
- *"We need to recognize that it cannot be something that is tolerated, and not just not tolerated in its heinous forms, but in its subtlety, which is really where hate dwells so much more. A lot of people would be reluctant to make manifest hateful statements across the community, yet there are always these little comments. Hate against religious groups or faith groups or ethnicities that is couched in ideological or political statements about other countries or grouping people together in this "us versus them" sense."*
- *"People from inside and outside of Hamilton have been allowed to get away with hateful language (e.g. Yellow-Vesters, homophobic and religious extremists) without any consequences. In fact, police have arrested protesters more frequently than hate groups. Eurocentrism and white supremacy are pervasive in all institutions, and Hamilton institutions (police and council in particular) refuse to take accountability for their complicity. Inequity and wealth disparities are pervasive, and along with that comes the intersectional layers of indigeneity, race, immigration, gender identity, etc."*
- *"Hate-based groups, that sometimes camouflage themselves by stating their ideologies are based around economic concerns, are allowed a platform in front of City Hall. That provides legitimacy whether we want it to or not. Lack of understanding of the harm that such groups inflict upon vulnerable populations in our city, especially by people in power. It's easy to dismiss these events or these groups as inconveniences and things to be ignored when you are in the privileged majority that doesn't have to worry or feel threatened."*
- *"[Leaders] are listening with deaf ears."*
- *"If they are not listening to what the constituents are demanding, then one of the options on that poll is creating a space safe. You cannot create a safe and inclusive space if you do not listen to the people most marginalized in your community and address the concerns, they are sharing with you, that they are experiencing. So those two of course will be at the top of the list, but if you are not listening to your constituents, if you are not hearing their demands, if you are not hearing the things that they need to have a safe and inclusive space, than all the other things on that list are irrelevant."*
- *"That investigation that we spent half a million dollars on told us nothing that we didn't already know. The community had already said all of these things. There was nothing*

new to be told there. And that half a million dollars could have been used for all those things we were talking about."

- *"We have a history of stifling strong responses to hate"*
- *"Deeply embedded systemic racism"*
- *"The presence of new Canadians seems to threaten those who are under-employed"*
- *"Lack of exposure to other cultures and races"*

Safety

- *"Things that require me to be alone at night. There have been yellow vest activists living directly across the road from my house for over a year. I avoid a lot because there has been hate based graffiti on my house. I am afraid that they recognize me from public events, that they will recognize me at my public facing job, or that they will recognize me in the street and target me."*

Local Responses

- *"I have reason to believe that many individual residents attempt to interrupt or resist hate motivated incidents in a number of ways; interpersonal interactions, reporting incidents to a number of agencies, speaking out about what happened via social media, presence at City Hall forecourt, placards, singing, letters to the editor, attending rallies, political activism (for instance, sit-in to end the Special Resources Officer in Schools program) etc. Community organizations such as HCCI, and Disability Justice Network of Ontario, HWDSB Kids Need Help, Pride Hamilton, SACHA, etc. have demonstrated exemplary leadership on behalf of the community - they have provided educational opportunities, raised issues via the local Bill Kelly radio show, written letters to the editor, spoken to local media (CBC, Hamilton Spectator), organized political rallies, etc."*
- *"For me, my biggest fear is that as a white person, breaking silence is 'breaking rank' of white solidarity and that I will be seen as not fun, not a team player, etc. that is something I am working through, but still scary and uncomfortable."*

Suggestions for Taking Action

- *"People need to see faith community leaders being open, learning, accepting."*
- *"Grassroots mobilization."*
- *"Engage more than the police in stopping hate—e.g. large employers."*
- *"There's a lot of things that [need] to be done in conjunction. It's so hard to try and bring it right down to something so narrow. We do need the education, we need to build that sense of community, everybody needs to be included into the community."*
- *"Learn from elsewhere."*

- *"Use reliable, local empirical evidence."*
- *"How are we going to make sure that the consultants actually have enough power to influence Council and not have their recommendations dismissed?"*
- *"Please prove our doubts wrong by making real changes happen."*
- *"I understand that all of this will be reported back, but there is something valuable in hearing people speak to this firsthand. And they're not having that opportunity! They're not having the opportunity to listen to these stories. Sure, the reports written about this will be exemplary, and I'm sure the staff will take it back and say, "Here are the recommendations we need to do." It is really scary when you took a look at proactive leadership and listening as the top two [priorities] that we had on that list and we don't have a leader here."*
- *"We need bathrooms for folks downtown, safe injection sites, places for folks to shower and clean up, flexible housing options."*
- *"Stopping the breakup of camps where homeless folks are living."*
- *"People are embedded in hate. It's hard to change the perception of people, especially adults. More advocacy towards our younger generation, we unfortunately have a lot of barriers facing us with COVID over the next little while and there are many people struggling with their mental health. With their mental health comes people being mean to each other. When you are suffering within your home, within yourself, within your community, you're going to project that hatred on other people."*
- *"Wellness checks not by police, or with Indigenous people alongside police"*
- *"Invest in community transformative justice and crisis intervention"*
- *"Create programming opportunities."*



Hamilton

Hate Prevention & Mitigation Initiative

Comparative Research Report

May 14, 2020

Prepared by Rebecca Sutherns PhD CPF
Sage Solutions

sage
SOLUTIONS

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Background

According to Statistics Canada, over the last five years, there has been an increase in the number of police-reported hate incidents and crimes reported.¹ Even in contexts where overall rates are stable, the intensity or seriousness of crimes may be showing an increase over time.² The impact of hatred and hate incidents in a community results in a disproportionate level of harm that affects not only the individual but the community at large. Whether directed against individuals or communal institutions, acts of hatred leave entire communities feeling impacted, with undeniable ripple effects. Policies, bylaws and procedures govern how people are meant to interact with one another. At a municipal level, creation and enforcement of such regulations are complemented by decisions about the design of physical spaces as well as supports provided to particular kinds of associations and events, which can help or hinder positive collective social relationships. Municipalities therefore have the potential to act as a catalyst for dismantling hatred occurring in their communities through policy and collaboration with social service organizations, police services, and community organizations.

Given the presence of yellow vest protestors congregating on city property on weekends in 2019, the City of Hamilton is exploring ways the municipality can contribute to ensuring the community lives up to the positive aspirations it holds for itself. It is doing so by learning from other communities' experiences, creating a supportive policy context, building on previous community recommendations and listening further to the community through an engagement process that will unfold during the spring and summer of 2020.

This report is an environmental scan of municipal policies and bylaws pertaining to hate crimes or hate-motivated incidents and behaviour on city property and public property. The objective is to understand how other municipalities across Canada, and selected examples from Australia, England and the United States, are approaching mitigating hate and discrimination in their cities, through specific policies and bylaws and other non-legislative measures, in order to inform Hamilton's approach.

Methodology

Building on the initial report, *Hate Mitigation Policies, Procedures and By-laws of Comparison Municipalities*, created by the City of Hamilton,³ this report reviews twenty Canadian municipalities that had reported hate crimes over the last five years, selected based on comparability to Hamilton, Ontario. It also reviews state and local Australian examples from communities also considered comparable to Hamilton, such as Newcastle and Wollongong. The Canadian examples are largely policies, while the Australian examples are municipal strategies along with research reports on various "bias crimes."

Information was located by internet search, utilizing key terms such as "municipal behaviour bylaw," "code of conduct municipal property," "public behaviour on city property," "respectful

behaviour," "respectful behaviour in recreational centres," "public nuisance bylaws," "trespassing bylaws" and "municipal policies hate mitigation." It also included searching and reading through applicable bylaws, council agenda minutes, available on municipal websites.

Policy information has been challenging to find; many policies are internal and difficult for the public to access. There is also a lot of variability in language, such as in the names of policies and procedures, which can make locating relevant, comparable information difficult. It is highly likely that the search process outlined above did not uncover the full range of protocols, strategies and informal, undocumented initiatives. It does, however, indicate that published materials are limited.

Beyond municipal policies, other research reviewed direct community responses to hate activity, and community-based research on combating intolerance, anti-Black racism, homophobia, and initiatives for creating safer public spaces.

Research also covered Police Service websites and the information available on how to report hate crimes and hate-motivated incidents.

Some preliminary scholarly research was also conducted. Hate crimes are complex and research on them is limited, particularly in Canada. There is a tendency to focus on victims rather than perpetrators, not just in understanding the behaviours but even in designing mitigation strategies. A fulsome review of the literature is beyond the scope of this project.

Police-Reported Hate Crimes

Table 1 shows the number of police-reported hate incidents and rates per 100,000 population in 2018 within those twenty municipalities, as documented by Statistics Canada. Statistics were not available for Oshawa or Quebec City. The census metropolitan area of Toronto encompasses, among others, Brampton and Mississauga. The census metropolitan area of Vancouver encompasses Richmond and Surrey.

In 2018, police reported 1,798 criminal incidents in Canada that were motivated by hate. Hate crimes accounted for less than 0.1% of the over 2.0 million police-reported crimes in 2018 (excluding traffic offences).⁴ The number of police-reported hate crimes decreased by 13%, or 275 fewer incidents, compared to 2017. With the exception of 2017, the number of hate crimes in 2018 was higher than any other year in the past 10 years.⁵ Police data on hate-motivated crimes include only those incidents that come to the attention of police services and also depend on police services' level of expertise in identifying crimes motivated by hate. As a result, an increase in numbers may be related to more reporting by the public to police services (for example, as a result of outreach by police to communities or heightened sensitivity after high profile events), and/or a true increase in the extent of hate crimes being committed.⁶

According to a recent report in the *Hamilton Spectator* based on unpublished police statistics, the number of reported hate-bias incidents in Hamilton decreased by 26.4 per cent over the previous year. Police chief Eric Girt stated "Hamilton has been misrepresented as the leading hotbed for hate because police here are more vigilant in collecting hate-bias incidents than many other communities." Girt believes that the majority of hate incidents that are reported to Hamilton police services predominately involve mischief-related graffiti and lower level assaults, while many other jurisdictions do not collect and report those as hate statistics.⁷ Even

Table 1. 2018 Police-reported hate crime, number of incidents and raters per 100,000 population		
	Number of hate crime incidents	Rate per 100,000 population
Total police-reported hate crime	1,798	4.9
Brampton (considered part of Toronto census metropolitan area)		
Calgary	80	5.3
Edmonton	69	4.8
Guelph	11	7.8
Halifax	17	3.9
Hamilton	97	17.1
London	34	6.4
Mississauga (considered part of Toronto census metropolitan area)		
Montreal	276	6.5
Oshawa		
Ottawa	105	9.8
Quebec City		
Richmond (considered part of Vancouver census metropolitan area)		
Sudbury (Greater Sudbury)	3	1.8
Surrey (considered part of Vancouver census metropolitan area)		
Toronto (Includes all Toronto census metropolitan areas including Brampton and Mississauga)	364	6.4
Vancouver (Includes all Vancouver census metropolitan areas including Richmond and Surrey)	187	7.1
Victoria	24	6.1
Waterloo (Kitchener, Cambridge, Waterloo)	39	6.7
Windsor	6	1.7
Winnipeg	28	3.4

with that decrease, Hamilton’s numbers lie in a high range relative to the other cities listed above.

There is considerable variability in the definition of what constitutes a hate-motivated incident across police services in Canada.⁸ Some police services use the exclusive definition, which states that a crime is only classified as a hate crime when, in the opinion of the investigating officer, the act was "based solely upon the victim's race, religion, nationality, ethnic origin, sexual orientation gender or disability," while other police services define a hate-motivated crime as one that was motivated "in whole or in part, by a bias". This distinction in definition impacts the comparability of crime rate statistics across the country. Jurisdictions adhering to an exclusive definition likely report significantly lower rates of hate crimes.

Legislation and its Limits

Out of 20 municipalities reviewed (see Table 2), the City of Toronto has the most robust formal suite of policies related to mitigating hate on city property, specifically a response to planned and unplanned hate rallies. No other municipal policies located address groups of people congregating on municipal property for the purpose of demonstrating to incite hate.

The legislative framework for hate-related infractions is complex and occurs at various levels, Globally, there are international covenants that make it illegal to advocate hatred that incites discrimination, hostility and violence. Federally, the Canadian federal Charter of Rights and Freedoms and provincial Human Rights Codes are in place to ensure protection against discrimination. At a more local level, there are generic rules around trespassing or responsible behaviour on city/public property. More specifically, municipalities might have regulations related to anti-discrimination or the promotion of [often cultural] diversity, many of which apply to their staff or volunteers and less to the general public. Even more specifically, communities might have policies or codes of conduct related to peaceful public gatherings or, in rare cases, hate-related behaviour.

Table 2. Comparison of Municipal Policies & By-laws

Municipality	Formal Policy for Hate Crime (related to Hate incidents)	Policies/ By-laws for behaviour on city property/ public property
Brampton		✓
Calgary		✓
Edmonton		✓
Guelph		✓
Halifax		
London		✓
Mississauga		✓
Montreal		
Oshawa		✓
Ottawa		✓
Quebec City		
Richmond		
Sudbury		✓
Surrey		
Toronto	✓	✓
Vancouver		
Victoria		
Waterloo		✓
Windsor		✓
Winnipeg		

Yet even when legislation is in place, it is only as effective when enforced. One recent study of three Australian states revealed a woeful lack of convictions of bias crimes despite thousands of offences being reported, sometimes as many as three per day, in a context where vast underreporting is known to be the case. Just three convictions in total have occurred since the

mid 1990s. The researchers point to a variety of contributing factors, including staff cuts to bias crime units, widespread denial, conservatism and intolerance among “old white men” that run police services, inappropriate police training to recognize and track these crimes, and even a tendency to want to keep minorities quiet. Vilification crimes are known to be difficult to take to trial, since proving motivation is key to conviction, so police may not bother pursuing incidents. Moreover, if common cases are not handled seriously, it makes it harder to prevent major hate crimes.

All of this occurs within a broader context of selective enforcement in security and policing, which itself is nested within a justice system and a broader sociocultural reality in which bias, racism and other forms of discrimination have been shown to be rampant.⁹

Legislation alone is therefore an insufficient condition to mitigate hate. Not only is reporting problematic, but even when reporting occurs, decisive, effective follow up may be limited or allocated unequally.

Critical Observations

At a local level, municipalities have a range of “levers” at their disposal by which to address hate-related behaviours, directly and indirectly. These include:

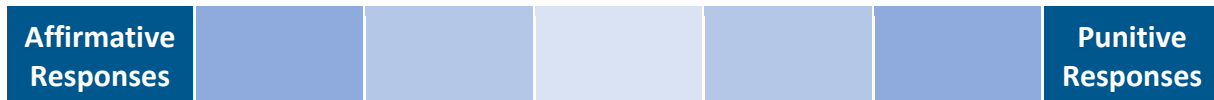
- Strategic planning and leadership
- Communication and community engagement
- Environmental design and maintenance of public spaces
- Community placemaking and programming (including investment in the work of community organizations)
- Public education and capacity building
- Proactive partnerships
- Regulations and policies
- Enforcement practices (including tracking and reporting; situational crime prevention; levelling consequences etc.)
- Emergency response and symbolic representation

They are often housed under strategic headings such as “cultural diversity” or “community safety,” which may be both broader and narrower than hate mitigation. Even more broadly, local decisions that accelerate equitable economic activity, for example, could have an impact on hate-related behaviours to the extent that they are exacerbated by hopelessness or inequities. Available examples of these levers have been summarized – the City of Hamilton may wish to explore others.

Illustrative examples of community-based initiatives are also included here, which often thrive with municipal support. They demonstrate the intersection of front-line work, intentional

partnership development and community-led responses, whether it's the development of public education campaigns, community response systems, collective memory and art projects or anti-hate coalitions. These manifest into tangible programs and community engagement activities that bring people together across generations, cultures and abilities, and inherently are more likely to combat hate.

How these various levers are used will depend in part on where a municipality situates itself in terms of balancing early intervention with responsive engagement. More preventative approaches would promote the behaviours a community wants to see, rather than focusing on punishing infractions. Some municipalities develop and cite their values, for example, when asked how they address hate. While it is difficult to assess the extent to which they successfully live up to those aspirations, and in whose opinion, there is a noticeable difference in tone between affirmative and punitive responses, and each community needs to choose where it lands on that spectrum.



Given this range, it is not surprising that across the twenty municipalities, there is great deal of variability in how municipalities are addressing hate incidents on city and public property. Moreover, it is difficult to assess how effective these various approaches are. Reported hate crime rates is one important but rough measure of results, but there are multiple contributing factors to that number, and it does not necessarily give an accurate depiction of hate-related incidents or how safe people feel to report or even to live in each place. Similarly, the existence of a published strategy document or piece of legislation does not necessarily speak to how well-used or effective that policy or regulation has been in practice.

Range of Levers

Despite this variability, what does emerge as clear are the following observations:

- a multi-pronged approach is needed;
- a single “one size fits all” model is not appropriate to each place;
- municipalities are able to use various levers to influence behaviour, and yet
- mitigating hate requires coordinated action well beyond municipal control;
- no single municipality currently has this issue “figured out,” but Hamilton can learn from the composite experience of others.

There are several elements which, taken together, create an environment in which hate is less likely to flourish. These include the following:

- Zero tolerance of hate-related behaviour – on “paper,” in perception and experientially

- Effective communication, including to help residents navigate how to handle hate-related incidents (both experiencing or witnessing a hate-related incident)
- Broad and specific training for police in respect, diversity and recognition of hate crimes
- Public education (e.g. campaigns, values exercises, dialogue, training) to set shared community norms and expectations and to increase knowledge
- Ongoing training and workshops for municipal staff and community organizations to share best and emerging practices in building diverse, inclusive and equitable communities
- Intentional collaborative relationships across the community, including with police services
- Access to trauma-informed, culturally appropriate support for victims
- Safe, responsive and transparent reporting mechanisms that are used and that extend beyond only reporting to police services
- Community-wide tracking of hate-related incidents
- Crime prevention through environmental design
- Support for community groups and initiatives that promote diversity and inclusion and address root causes of discrimination
- A supportive suite of legislation, policies, regulations and codes of conduct that are actually followed
- Investment in alternative models of enforcement to achieve community safety, such as restorative justice
- Creativity and openness to meet emerging needs as they arise

Case Study: The City of Toronto

An integrated suite of policies specifically targeting hate

The City of Toronto's Hate Activity Policy and Procedures assist in the identification of a hate-motivated crime or incident and identify the appropriate responses. The goal of the Policy and Procedures is to establish and maintain a hate-free City as required under the City of Toronto Human Rights and Anti-Harassment/Discrimination Policy, the Ontario Human Rights Code and the Criminal Code. The City's Hate Activity Policy and Procedures have broad application and apply to all City of Toronto employees, volunteers, accountability officers and their staff, and elected officials and their staff. It also applies to citizen advisory committees/bodies, members of the public, service recipients, visitors to and users of City facilities/public space and individuals conducting business with, for or with support from the City of Toronto.¹⁰ Perhaps most importantly, the City's Hate Activity Policy specifically states that the City of Toronto condemns the promotion of hatred and promotes an environment free of hate.

The City's Hate Activity Procedures outlines behavioural expectations and lines of communication should an event occur on city property. A report is made to management and the Human Rights Office. City staff are required to respond to these incidents/allegations by assessing the issue, and if it is an emergency, respond based on existing emergency guidelines and notify the Toronto Police Services (TPS). If it is not an emergency, staff are required to

record and provide all details to the Human Rights Office for consultation and response. Because of the legal issues and constitutional rights involved, staff in Legal Services are also typically involved in the assessment of the allegations and in decision making about appropriate responses to such incidents or allegations.

In 2019, the City created a plan specifically for responding to hate rallies which were occurring on city property. Under this new policy, the City of Toronto does not issue permits for rallies, protests or demonstrations. The City directs those wishing to hold a rally or protest in a public space to complete the Toronto Police Notice of Demonstration. This is not required, but if a group files a notice, it activates a communication channel between TPS, the City's Corporate Security, and City staff to monitor the event. The information requested in the notice of demonstration is to ensure public safety, it is not a permit for demonstrations or rallies. It is highly unlikely that many organizers would provide notice of demonstration to TPS, due to the historically strained relationship between public demonstrations and police services. Actual use or effectiveness of this mechanism has not been verified.

When either TPS or City staff become aware in advance of a rally, they communicate with one another so that existing protocols can be activated. If the City receives such a notice of demonstration from the TPS, it coordinates to ensure response protocols outlined in the Hate Sponsored Rally Protocols regulation are put into place. Response protocols include communication channels between the Toronto Police Service, the City's Corporate Security personnel and staff in the City's Municipal Licensing and Standards' By-law Enforcement division. Toronto Police attends rallies to monitor and keep the peace. When the Toronto Police receive a hate activity complaint, the complaint is reviewed and assigned to the responsible Superintendent for follow up. Depending on the nature of the allegation, the Superintendent may engage the Hate Crime Coordinator and officers from the Community Response Unit, Crime Unit or Major Crime Unit within the Toronto Police Service. An internal Toronto Police Service investigation is then undertaken. The outcome of the investigation is communicated to the Superintendent of the relevant Toronto Police division, who determines whether or not the matter should be referred to the Attorney General's office for review.

The strength of these policies is that channels and specific responses exist for planned and unplanned hate rallies on city property. By creating clear communication channels with the Toronto Police Services, the City can efficiently and effectively utilize protocols when incidents arise. The City's policies are also the only ones in the country that outline an explicit plan to deal with groups of people versus just an individual. Further, city policies and practices must be designed to avoid infringing on the Canadian Charter of Rights and Freedoms, which include freedom of thought, belief, opinion and expression; freedom of peaceful assembly; and freedom of association. The City's policies balance not infringing on those rights while showcasing a strong commitment to inclusion, anti-discrimination, and condemnation of hate, including ensuring that its spaces are not used to propagate hate against any group of people.

Case Study: Newcastle, New South Wales, Australia

Harmonized state and local actions to promote perceptions of safety and lower crime

New South Wales (NSW) is an Australian state representing about 10% of the country's land mass and 8 million residents, roughly one third of the country's population, not unlike Ontario. In 2018, NSW passed a law (*The Crimes Amendment (Publicly Threatening and Inciting Violence Act 2018)*) that criminalizes publicly threatening or inciting violence on specific grounds, including race, religion or sexual orientation. It sets a high bar for the rest of the country and the existence of that legislation gives police more power to gather evidence when suspected bias crimes occur.

Newcastle is a post-industrial harbour city, the second largest in NSW, which could be considered comparable to Hamilton. Newcastle has a Social Strategy that sets a goal of being an "inclusive community" that "fosters a culture of care." Within that Strategy, they have a Safe City Plan that was generated in response to growing diversity in their city and increasing unrest that has accompanied that change. The Safe City Plan includes a range of components, including a "Safe and Vibrant Night Time Economy" strategy, primarily to address "alcohol-related anti-social behaviour," as well as Crime Prevention Through Environmental Design (CPTED), municipal services explicitly to promote pro-social behaviours, and activities to improve residents' perceptions of safety. Specific activities include provide multi-lingual resources related to community safety, partnering with the Department of Justice to support authorized street art, safe spaces training in partnership with ACON (a community health organization that supports people of diverse genders), placemaking grants and processes to ease reporting of hate-related incidents. Only after describing these various initiatives does their strategy address legislation, which is also in place to support police in enforcing expectations regarding discriminatory behaviour.

Behaviour on Public Property

Thirteen out of twenty of the Canadian municipalities reviewed have a policy or bylaw to manage behaviour of the general public who are using City property and/or public property (see Table 2). These include Brampton, Calgary, Edmonton, Guelph, London, Mississauga, Oshawa, Ottawa, Sudbury, Toronto, Waterloo, and Windsor. These are guidelines are framed under titles such as Trespassing and Public Nuisance bylaws, Good Behaviour Policies, Respectful Behaviour Policies and Respect for People and Property Code of Conduct. The policies are rooted and supported by the Trespass to Property Act (Ontario). As noted above, such guidelines and policies are integral to creating cities rooted in inclusivity and anti-discrimination, influencing how people are to treat each other in the public spaces.

Favourable features of several of these policies include:

- Explicitly referencing zero tolerance for violence, vandalism, and inappropriate behaviour on recreational city properties, including harassment, such as the use of racial or ethnic slurs;
- Appreciative language about respectful behaviour that is encouraged, such as a commitment to creating and promoting safe, healthy, respectful and welcoming environments where there is respect for others and responsibility for all actions;
- Naming and defining hateful behaviours that are not acceptable;

The majority of the policies are contextualized specifically for recreational centres, with a noticeable gap in how to manage behaviour on other city properties. Within these preventative guidelines and policies, clear communication channels for filing complaints or reporting infractions are cited. The most common approach is to report incidents to the most senior employee at the facility, or to corporate security. Depending on the severity of the incident, local police services are contacted to open an investigation. Penalties for infractions include a suspension of access to city properties, fines, and in some cases criminal charges. Significant enforcement occurs only when a law is broken, usually carried out by the police services.

Most of the policies reviewed focus on an individual's behaviour rather than large groups of people, such as rallies or protests. It is explicitly stated by some municipalities that their approach is to direct the responsibility of maintaining peaceful assembly, public safety and enforcement to the police while encouraging respectful behaviour on city premises. The City of Mississauga's Outdoor Events Policy requires event organizers planning to use public spaces to pre-register, obtain prior approval and sign various agreement forms indicating they will abide with relevant tolerance and inclusion policies. Although this helps to manage planned rallies, there is a need for clear procedures in the event of unplanned gatherings.

The City of Calgary and the City of Windsor have policies about public behaviour, though they refer to public intoxication, urination in public spaces, and fighting. No such policies could be found for the City of Halifax, the City of Montreal, Quebec City, the City of Richmond, City of Victoria and the City of Winnipeg.

Case Study: City of Vancouver

Police Demonstration Guidelines

As cited above, the Toronto Police Service requires a notice of demonstration. Similarly, the Vancouver Police Department (VPD) created *Public Demonstration Guidelines* to provide general information on how the VPD manages public demonstrations. The guidelines are designed to recognize the public's right to lawful assembly while upholding the law in a proportionate manner and with the least level of intrusiveness. When policing public demonstrations, the VPD's goals include but are not limited to preventing criminal acts from taking place, ensuring that the safety of demonstrators, the public, and the police is maintained, as well as ensuring that the public peace is maintained. The guidelines do not mention hate rallies explicitly, though VPD always considers and upholds Section 2 of the Canadian Charter of Rights and Freedoms.

Case Study: City of Guelph and City of Brampton

Procedures for Removing Racist Graffiti on Municipal Property

Municipal procedures for removing hate graffiti on city property, and ensuring the public knows how to report hate graffiti are extremely important. Commonly, in frustration, complaints are reported through the wrong channels such as via social media platforms or incorrect municipal departments. The majority of municipalities have a special section on their websites that communicate to the public how to report hate graffiti. As an example of this, the City of Guelph's Graffiti section on its municipal website includes a definition of hate graffiti, a timeline for how quickly it will be addressed, where to file the report and what information is required.¹¹

The City of Brampton recently approved a motion to update the procedures for reporting and removing racist graffiti, after the public showed outrage that racist message was left up in their neighbourhood for days.¹² The lack of timely response indicated a gap in the City of Brampton's procedures for removing racist graffiti. The approved motion rectified this by prioritizing consistent and accurate information when reporting hate-motivated crimes (such as vandalism on city property) to the public and developing a coordinated response protocol which includes the timely removal of graffiti undertaken within hours of receipt of a report. All incidents of vandalism are reported to the police services. When possible, photographic evidence is provided. The City has also committed to exploring different ways of tracking and reporting incidents.

Key Incidents as Catalysts

Several communities point to memorable key incidents as having motivated action against hate. For instance, In the aftermath of the horrific events in Christchurch, New Zealand, where two consecutive mass shootings occurred at local mosques, policymakers in both New Zealand and Australia continue the extensive debate on the balance between the restriction on speech and the protection of free speech.¹³ "The supporters of restrictive speech laws believe they are necessary to prevent racism, violence, and encourage diversity and multiculturalism, whereas those who oppose greater restrictions are concerned about their negative impact on free speech."¹⁴ On the spectrum noted above, these approaches are obviously highly reactive, but can catalyze more preventative responses in the future.

Tracking and Reporting

As outlined above, hate crimes are likely to be significantly under-reported, and the means for tracking them are inconsistent across jurisdictions. Because changes in reporting practices can affect hate crime statistics, it is essential to recognize that, according to police services, higher rates of police-reported hate crime in certain jurisdictions may reflect differences or changes in the recognition, reporting and investigation of these incidents by police and community members.

Accurate data is not only useful in counting the number of incidents that have occurred. Expanding statistical data related to hate crime and incidents will provide much-needed insight into better understanding the intersectional elements of hate. Recognizing how the intersectional identity of victims uniquely impacts them will help improve programming and prevention efforts, as well as help organizations who deal with victims of hate to anticipate the needs of prospective clients better.¹⁵ Similarly, capturing the location of hate incidents improves the ability of the municipality, police services, and local organizations to develop responses.

Most reporting systems involve an expectation that victims or bystanders will report in-person at Police Services.

To create safer and more responsive reporting systems, police services across Canada have incorporated online reporting platforms. Reporting an incident online offers a person a way to report an incident from home, with the help of a family member or friend if needed, minimizing the need to visit a police station which may feel intimidating and uncomfortable, or at the very least less convenient, thereby acting as a barrier to reporting, the complaint will still be filed online. It is unclear if proper follow-up and access to trauma-informed, culturally appropriate support services for victims are available or improved depending on the way the complaint is filed.

Out of twenty municipalities, ten police service websites had online reporting tools on their website. Frequently, it is mentioned that if the report is related to any vandalism or graffiti that could be described as hate-motivated, the person making the report should call the police instead. Of those ten, only two had specific online tools for reporting hate-motivated incidents. The online tool included examples of hate incidents and prompted the person to file a report by using questions unique to reporting hate incidents versus other criminal activities.

Case Study: Alberta Hate Crimes Committee

Real time mapping of hate-related incidents

In 2017, the Alberta Hate Crimes Committee (AHCC) launched the StopHateAB.ca website to capture hate incidents and contribute to the "real-time" map of documented hate incidents. The website still encourages individuals to report to hate-motivated incidents to police services, this does not replace filing a formal report. However, the information generated supports the outreach and education initiatives of the Alberta Hate Crimes Committee, while also disclosing to communities where incidents are taking place.

Collaborative Community Strategies

Community initiatives and collaborations to organize public education campaigns, community rapid response systems, community engagement art or storytelling projects or anti-hate coalitions are integral to combating hate. Cities thrive on multi-lateral, holistic approaches to

combating systemic problems. These foundational resources build empathy and hold spaces for dialogue. The following section examines examples of community initiatives to combat hate-motivated incidents in selected cities across Canada, Australia, England and the United States.

United for All, Ottawa

United for All is a coalition recently established in Ottawa as a reaction to the rise in hate crimes toward religious and cultural groups, and Indigenous community members. The coalition is supported by a table of champions including Ottawa Mayor Jim Watson, the Ottawa Chief of Police etc., as well as an extensive list of partnering organizations. The goal of the coalition is to secure investment for critical programs that address the root causes of hate and violence. This also includes a long-term goal of building social resilience, and supporting education, advocacy, research, and institutional change.

City of Richmond Diversity Symposium

Annually, the City of Richmond hosts a Diversity Symposium to share best and emerging practices in building diverse, inclusive and equitable communities.

Surrey Parks, Recreation & Culture 10-Year Strategic Plan

The City of Surrey conducted a community engagement process to involve over 5,000 people in the development of Surrey’s Parks, Recreation & Culture (PRC) 10-Year Strategic Plan. The intention was to build on existing assets and meet the needs of a diverse and growing community. Participants emphasized that to meet the diverse needs and interests of this unique community, the City would need to take an integrated approach including more intergenerational, intercultural, and all-abilities events and programs to bring a broader range of people together.¹⁶ As a result, in integrating the different departments and engagement cultivated themes, more holistic solutions were discovered for inclusion, celebrating diversity and community safety. Moreover, a vision of what these spaces should look and feel like, helped to articulate how citizens will relate and behave towards one another.



Figure 1 Live Graphic Recording of Surrey’s PRC Community Engagement Session by Tiare Jung, Drawn Change

Surrey also has a Mobilization and Resilience initiative (<https://www.surrey.ca/community/18661.aspx>) that attempts to address issues before they become emergencies or requiring police interventions.

The Australian Hate Crime Network (AHCN)

The AHCN is a partnership composed of three sectors of society: academics, representatives of NGOs from minority communities, and people from relevant government organizations. The network provides leadership, advocacy and support for state and national government responses to hate crime and hate incidents; provides an educative and advisory role to key agencies and services on preventing and responding to hate crime and hate incidents; enhances community awareness of hate crime and hate incidents, and encourages reporting, help seeking and access to available resources; monitors and reviews patterns in hate crime and hate incidents; advocates for improvement in data collection, law enforcement and criminal justice responses; and, collect and distribute relevant current research and knowledge on hate crime and hate incidents.

The Hate Crime Project, Southwark Mediation Centre, London

The Hate Crime Project (HCP) is a project run at Southwark Mediation Centre, London, England, that addresses the harms of hate crime through a restorative justice lens. Cases are often referred to the HCP by schools, housing associations, police services as well as self-referrals. The project has been very successful in tackling racial harassment and homophobia in the community, by creating a forum for both the victim and perpetrator to participate. The key objectives of the project are to explore the effect that inter-personal conflicts has on the lives of those directly and indirectly involved; to enquire into issues around prejudice and identity, which may be at the heart of the conflict; and to find a resolution that is acceptable to all or most involved. Further, allowing participants to vocalize their stories in this way can help them to recover from their experiences of targeted victimization.

There is a similar program starting locally in *Kitchener, Waterloo*. The project is called the Together Project, brought together in collaboration by the Community Justice Initiatives (CJI) and the Coalition of Muslim Women of Kitchener. The intention is to bring restorative practices to identity-focused harm, building on work called "Brave Spaces." The program seeks people with lived experiences of racism to act as trained transformative mediators to conflicts that arise in the community.

Portland United Against Hate (PUAH) Project

One common issue across North America is the struggle to obtain accurate data related to the number of incidents of hate-motivated incidents, due to distrust in law enforcement, fear of re-victimization, apathy, or a sense of futility. In Portland, USA, an initiative called Portland United Against Hate (PUAH) Project created a community rapid response system to track and report hateful acts while also providing support and protection to communities. The system provides a culturally responsive and trauma informed support to those reporting acts of hate.

Paper Monument, New Orleans

Paper Monuments is a public art and public history project designed to elevate the voices of the people of New Orleans. The intention is to create new narratives and symbols of the city that represents the collective vision, and honours the erased histories of the people, places, movements, and events that have made up the past 300 years. The project centres equity, integrity, and collaboration to expand the collective understanding of New Orleans, while producing a new public memory.

Preliminary Implications for the City of Hamilton

The current City of Hamilton policies and procedures explicitly to address hate-related behaviours, developed in 2019, include:

- *Hate Related Incident Prevention Policy and Procedures*
- *Procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces*
- *Corporate Security Office Activities and Recommendations*

As in several other municipalities, the development of these regulations was triggered by a series of key events in the city, most notably unrest at the Gage Park Pride Festival in June of 2019. They sit within a broader suite of relevant strategies that articulate Hamilton's vision and values (e.g. *Our Future Hamilton*), its approaches to working with specific populations (e.g. *Hamilton Urban Indigenous Strategy*), and/or behavioural expectations for its staff and volunteers (e.g. policies on diversity, harassment, equity etc.) Other concurrent reviews are ongoing, including related to the policing of the incident mentioned above.

Provisionally, Hamilton is putting in place several elements from the list of enablers noted earlier that create an environment in which hate is less likely to flourish, including:

- Zero tolerance of hate-related behaviour written into policies
- Intentional, collaborative relationships, including with police services
- Support for public education to set shared community norms and expectations and to increase knowledge about what is not acceptable behaviour
- Crime prevention through environmental design
- A suite of supportive policies, including a Trespassing Bylaw

This list can be verified, strengthened and added to over time.

In the meantime, a provisional analysis of existing policies is offered here.

Hate Related Incident Prevention Policy and Procedures

This policy is consistent with other thirteen municipalities that are taking explicit action against hate activities on municipal property through their policies and procedures; in particular, it bears a close resemblance to the City of Toronto's Hate Activity Policies and Procedures. The Hamilton policy thoroughly lays out the intention of the policy, who the policy is for, to what spaces it applies to, provides examples of behaviour that is not tolerated, articulates the communication channels for reporting infractions, and engaging with other community partners, such as police services to ensure it is followed.

The following highlights point to limitations of the Hamilton suite of policies that could be mitigated throughout this project:

- The Hate Related Incident Prevention Policy indicates that the City wants to facilitate the combined efforts of various sectors in responding to hate, including but not limited to staff, police services, elected officials and other levels of government. There needs to be more detail provided on how this will be done, as doing so is not outlined in the accompanying procedures. Will there be a development of a Hamilton Action Plan for Anti-Hate Activity, for example?
- More information and disclosure about the range of consequences would help demonstrate the severity of these violations. Other municipalities list tiers of penalties depending on the severity and the frequency of the policy infraction. Examples are 72-hour notices at the minimum (City of Sudbury, City of Oshawa, City of Ottawa).

Procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces

The City of Hamilton is consistent with other municipalities in not issuing permits for activities associated with assemblies and demonstrations, and instead requiring those interested in holding a rally or demonstration to submit a Notification of Demonstration Form. It is worth noting that extremist and/or anarchist groups are not highly likely to complete a Notice of Demonstration. Especially if these notifications are not required.

In the example of Toronto, Notifications of Assembly or Demonstration were orchestrated by the Toronto Police Services, not the City. It is unclear how utilized these notices are. In the example Vancouver, the Vancouver Police Services use Police Demonstration Guidelines to educate potential demonstrators about what to expect, and what the role of the police is during protests. The tone of this document is much different than the notice form of the Toronto Notification of Assembly.

It seems likely that if the City of Hamilton creates this tool that it will be underutilized.

Corporate Security Measures

The City's Corporate Security Office filed a report in July 2019 outlining a series of recommendations to respond to hate-related activities, most notably in the forecourt of City Hall.

This suite of security recommendations is likely necessary to improve safety through environmental design and the gathering of timely, accurate footage and information, assuming the capacity exists to catalogue and analyze such footage. The tone of these measures does appear to be reactive and punitive in its orientation. As an example, the proposed signage at City Hall emphasizes more heavily the kinds of behaviours that will not be tolerated than those that are actively encouraged. There is a heavy reliance on policing to address hate and a tendency in practice to define hate narrowly as "hate crimes." There is a deference to and emphasis on the limits imposed by Charter of Rights and Freedoms rather than attempts to actively build an inclusive community within the bounds of that broad legislation.

As previously noted, combatting hate is only partially about legislation and policy and heavily about creating and sustaining a culture of inclusion. Taken together, Hamilton's approaches will therefore need to be supplemented by a range of other efforts (some of which are underway and others that need reinforcement) in order to ensure a coordinated, multi-pronged approach to addressing hate. Positive, proactive approaches to city-building should be a strong focus, to supplement more reactive and punitive activities. Examples of such efforts could include the following, based on the comparative research conducted thus far. This list will be refined further based on local research slated for 2020.

- Decisive, visible, credible leadership that speaks out quickly and unequivocally against hate
- Consistent training and transparent monitoring of respectful and equitable policing
- Decoupling of "hate" from policing and toward a broader community responsibility involving a more positive promotion of a culture of empathy and care
- Broad, active communication and public education, not just in response to hateful incidents but proactively to build inclusion
- Active promotion and funding of multilateral, positive initiatives to build trust and empathy across the city
- Community-based reporting mechanisms, comprehensive tracking and support for victims.

Additional analysis will be forthcoming following the community engagement phase of this project.

APPENDIX A: Comparison of Municipal Policies

Municipality	Name of Policy/Bylaws/ Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
Brampton	Good Behaviour Policy	All participants and spectators using city property	City Staff	Asked to leave the premise, depending on severity liable for a fine.	Intended for recreational city properties.
Calgary	Regulate Public Behaviour	General public	Police Services	Fine	No mention of discrimination or anti-racism. Only encompasses acts such as urination, violence, etc.
Edmonton	Respect for People and Property (Code of Conduct)	All visitors and staff	Staff, Corporate Security & Edmonton Police Service	Level B & Level C: harassment, discrimination or hate-related crimes. Asked to leave & may have privileges suspended from City Operated facilities and property.	Intended for recreational city properties.
Guelph	Rzone	Participants and the general public	City Staff	Depending on the severity, be barred immediately from the premises and if necessary, a suspension for a period of time. Incidents may be reported to the City of Guelph Regional Police Service, and charges may follow.	Intended for recreational city properties.
Halifax	Could not find any policies about behaviour on city property.				
London	Public Nuisance By-law	General Public	Bylaw Compliance & Police Services	Fines	Intended for public and private property. Section that address issue of hateful "street preachers" by prohibiting interference with another person's use and enjoyment of a public space by using "abusive or insulting language as a personal invective."

Municipality	Name of Policy/Bylaws/ Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
Mississauga	Use of Facilities Policy (intended for recreational city property) Outdoor Events in the Civic District Policy	All visitors and staff & general public, anyone who applies to host an event an outdoor event.	Staff & Police Services	Unclear to whom infraction should be reported.	A permit will not be given to anyone who promotes contempt or hatred for any person (defined in Ontario Human Rights Code)
Montreal	Could not find any policies about behaviour on city property.				
Oshawa	Trespass By-Law Respect Check Policy	Applies to all members of the public.	An authorized person who has reason to believe that a person has engaged in Prohibited Conduct may give the person a Trespass Notice.	72 hour written trespass notice will be issued. Notice prohibits entry on or to a City Facility for a period not exceeding 3 days, which can be extended up to 6 months.	Respect Check policy is for all municipal properties (including City Hall).
Ottawa	Corporate Trespass to Property Procedures	Applies to all.	On site supervisory staff or facility security guards.	72 hour written trespass notice will be issued. Depending on the type of incident, behaviour, frequency, the person will be banned for a longer time.	
Quebec City	Could not find any policies about behaviour on city property.				
Richmond	Could not find any policies about behaviour on city property.				
Sudbury	Trespass to Property Act Policy		On site staff will escalate to supervisors and security guards. All trespasses issued by the City of Greater Sudbury will be forwarded to the Greater Sudbury Police Service to be entered into their trespass database and decide if further investigation is warranted.	72 hour written trespass notice will be issued. Depending on the type of incident, behaviour, frequency, a person will be banned for a longer time.	
Surrey	Could not find any policies about behaviour on city property.				

Municipality	Name of Policy/Bylaws/ Guidelines	Who does this policy apply to	To whom are Infractions reported	Penalties	Comments:
Toronto	Hate Activity Policy & Procedures	Applies to all	Toronto Police Service or City staff	The City may issue a trespass notice issued under the Trespass to Property Act to limit or bar future use of any City property after appropriate investigation and contextual review.	
Vancouver	Public Protest Policy (no further information found on this)				Vancouver Police Department has created a Public Demonstration Guidelines.
Victoria	Could not find any policies about behaviour on city property.				
Waterloo	Respectful Behaviour Policy	Applies to all persons (residents, non-residents, volunteers, tenants, and staff) within City facilities, and at any other location where City staff are present.	City staff who will direct inappropriate behavior to Police Services if necessary.	Banning from all municipal facilities.	Applies to behaviours that obstruct or hinder the ability of others to use and enjoy city facilities, or participate in City services programs or events, or compromise the safety and health of others, including staff, are unacceptable and prohibited.
Windsor	Trespass By-Law	General public	Authorized Person or Police Services if damage to property or person does not leave after warning.	Notice of trespass, ban for up to ten days. Subsequent cases or incidents of more severe or threatening behaviour many incur periods of up to six months, including an indefinite ban as approved by the City Solicitor. Long term bans shall be the exception rather than the rule.	No explicit mention of hate-motivated incidents or discriminatory behaviour.
Winnipeg	Could not find any policies about behaviour on city property.				

¹ Statistics Canada. [Table 35-10-0191-01 Police-reported hate crime, number of incidents and rate per 100,000 population, Census Metropolitan Areas](#)

² Iner, Dryer, ed. *Islamophobia in Australia Report II.* Sydney: Charles Sturt University and ISRA, 2019.
Nathan, Julie. *Report on Antisemitism in Australia.* New South Wales: Executive Council of Australian Jewry, 2019.

³ <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=205539>

⁴ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

⁵ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

⁶ <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>

⁷ <https://www.thespec.com/news/hamilton-region/2020/01/31/despite-summer-of-hate-hamilton-s-hate-incidents-tumbled-in-2019.html>

⁸ https://www.justice.gc.ca/eng/rp-pr/csj-sjc/crime/wd95_11-dt95_11/p0_1.html

⁹ See for example: <https://ccla.org/a-recent-history-of-racial-profiling-and-policing/>,
<https://www.bbc.com/news/world-us-canada-46513250>, <https://journals.openedition.org/cybergeog/26165>

¹⁰ <https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-132059.pdf>

¹¹ <https://guelph.ca/how-can-we-help-you/graffiti/>

¹² <https://www.bramptonguardian.com/news-story/9503719-brampton-changes-its-hate-graffiti-removal-procedures-after-offensive-message-left-for-days/>

¹³ Wilkie, Monica. "Criminalising Hate Speech: Australia's Crusade against Vilification." *Culture, Prosperity & Civil Society*, vol. 6, Sept. 2019.

¹⁴ Wilkie, Monica. "Criminalising Hate Speech: Australia's Crusade against Vilification." *Culture, Prosperity & Civil Society*, vol. 6, Sept. 2019.

¹⁵ <https://www.ourcommons.ca/Content/Committee/421/JUST/Brief/BR10536925/br-external/OrganizationForThePreventionOfViolence-e.pdf>

¹⁶ <https://www.surrey.ca/files/PRC%20Community%20Engagement%20Report.pdf>



Hate Prevention & Mitigation Initiative

Initial Engagement Report to GIC

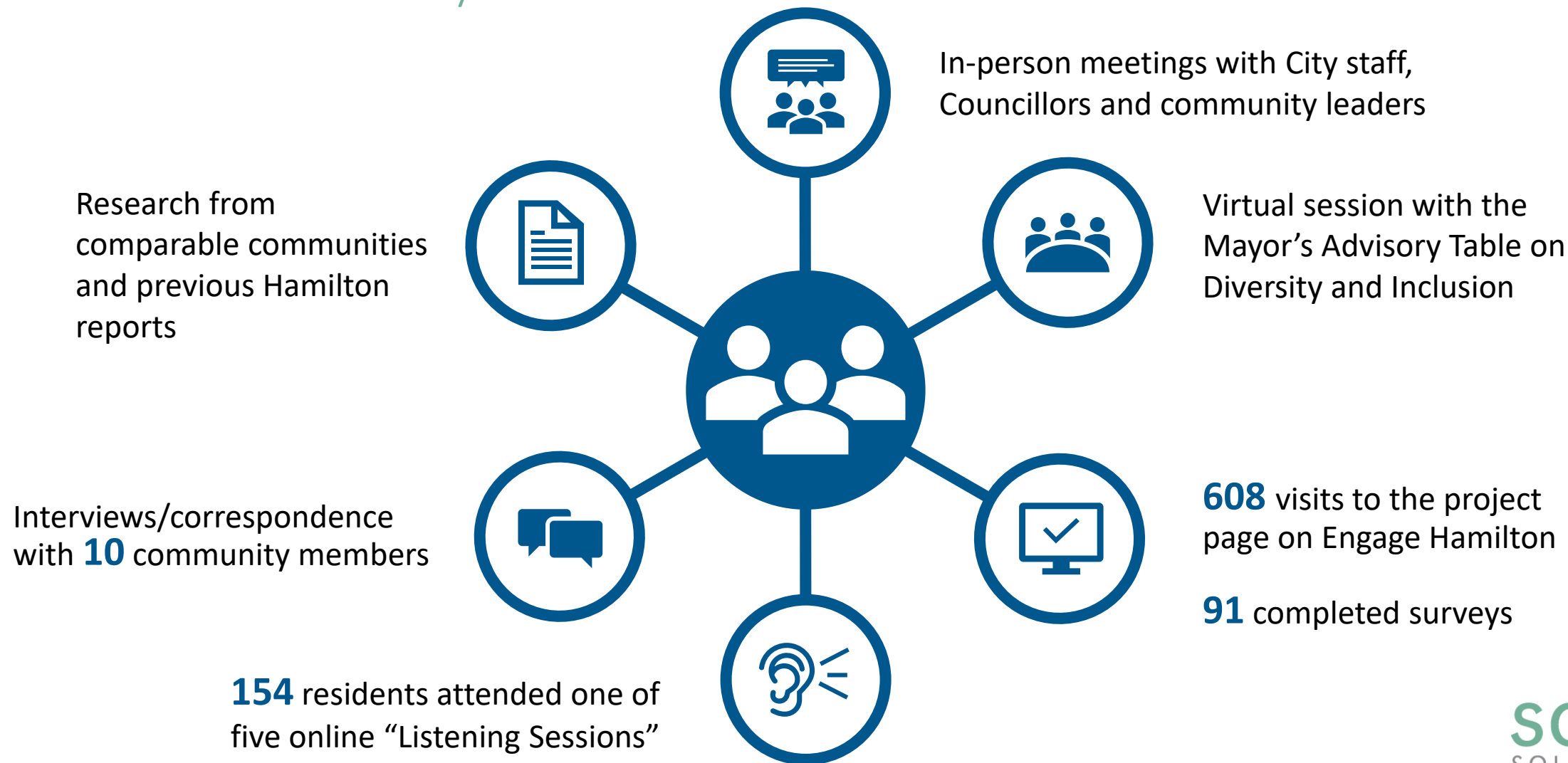
Dr. Rebecca Sutherns, Sage Solutions

September 23, 2020



Community Engagement Activities

December 2019-July 2020



Framing the problem



Framing the problem



Framing the problem



The context has shifted

This initiative has greater
urgency,
relevance and
scrutiny now

We heard remarkable congruence
of opinion
across engagement channels
and political positions

What we heard:

Hamilton is building momentum and has considerable work to do to live up to its own vision and values when it comes to hate prevention and mitigation.

Other communities are struggling,
experimenting and learning too.

What's being tried elsewhere:

Proactive
Leadership

Listening to the
Community

Public Education

Creating Safe &
Inclusive Spaces

Community
Programming

Regulations

Enforcement

Hamilton' initial framing of this project:

Proactive
Leadership

Listening to the
Community

Public Education

Creating Safe &
Inclusive Spaces

Community
Programming

Regulations

Enforcement

What the community is saying:

Proactive
Leadership

Listening to the
Community

Public Education

Creating Safe &
Inclusive Spaces

Community
Programming

Regulations

Enforcement

We will make recommendations in the following categories:

Proactive Leadership

Centering the
Community

Education and
Prevention

Regulations and
Enforcement

These recommendations will be vetted and refined with targeted community stakeholders in October before Council receives a final Recommendations Report in early December.

CITY OF HAMILTON

MOTION

General Issues Committee: August 10, 2020

MOVED BY MAYOR / COUNCILLOR E. PAULS.....

SECONDED BY MAYOR / COUNCILLOR

**City of Hamilton’s Contribution Towards Business Improvement Area (BIA)
Operating Budgets via the Commercial Districts and Small Business Section
Operating Budget**

WHEREAS, the City of Hamilton provides an annual Contribution to Operating Budget Grant to the Business Improvement Areas (BIAs);

WHEREAS, this Contribution to Operating Budget Grant is funded through Planning and Economic Development’s Operating Budget to each BIA and is calculated based on the ratio of the BIA levy to their jurisdictional assessment to the overall BIA assessment;

WHEREAS, the funds allocated from the Contribution to Operating Budget Grant must be spent during the year that they were allocated for;

WHEREAS, due to COVID-19, many planned expenditures for 2020 have been cancelled;

THEREFORE, BE IT RESOLVED:

- (a) That the funds allocated to the BIAs for the 2020 Contribution to Operating Budget Grant that are unused, be carried over and used in accordance with the Contribution to Operating Budget Grant terms prior to December 31, 2021;
- (b) That staff be authorized and directed to establish an appropriate reserve for the unused Contribution to Operating Budget Grant funds that were allocated to the BIAs for 2020; and,
- (c) That staff be directed to close the reserve at the end of 2021 and report back to the General Issues Committee advising where any remaining balance in the reserve should be allocated.