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HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: March 12, 2020

REPORT TO: Chair and Members
                 Hamilton Police Services Board

FROM: Eric Girt
                 Chief of Police

SUBJECT: *Year-End Report: Hate Crime 2019*
                 PSB 20-021

BACKGROUND:

Hate/Bias Crime
As defined in the Policing Standards of Ontario, "Hate/Bias crime" is *"a criminal offence committed against a person or property which is motivated solely, or in part, by the suspect's Hate/Bias against a person's race, religion, national or ethnic origin, colour, sexual orientation, mental or physical disability, age, sex or similar factor."* This definition has been adopted by the Hamilton Police Service (HPS) and incorporated within our internal policy.

In the *Criminal Code of Canada*, Hate Crimes can be separated into two (2) distinct categories – those that fall under the Hate Propaganda section and any other criminal offence where there is evidence to support a Hate/Bias motivation.

Hate Propaganda offences include the following:

- Advocating Genocide
- Willful Promotion of Hatred against an Identifiable Group
- Public Incitement of Hatred

To lay a charge for Advocating Genocide or Willful Promotion of Hatred against an Identifiable Group, the Attorney General's consent must be received. Each of these offences is specific and includes the targeting of a person from an "identifiable group".

Under the Mischief section of the Criminal Code (s. 430. (4.1)) a charge of Mischief to Religious Property can be laid if it can be proven that the act was committed by bias, prejudice or hate based on religion, race, colour, or national or ethnic origin.

An identifiable group is defined by the *Criminal Code of Canada* under section 318 (4) as *"any section of the public distinguished by colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or gender identity or expression or mental or physical disability"*.

With respect to all other criminal offences, before an occurrence can be classified as "Hate/Bias", there must be evidence present demonstrating the criminal offence was motivated by bias, prejudice or hate, based on the victim's race, national or ethnic origin, age, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity or expression, or any other similar factor.
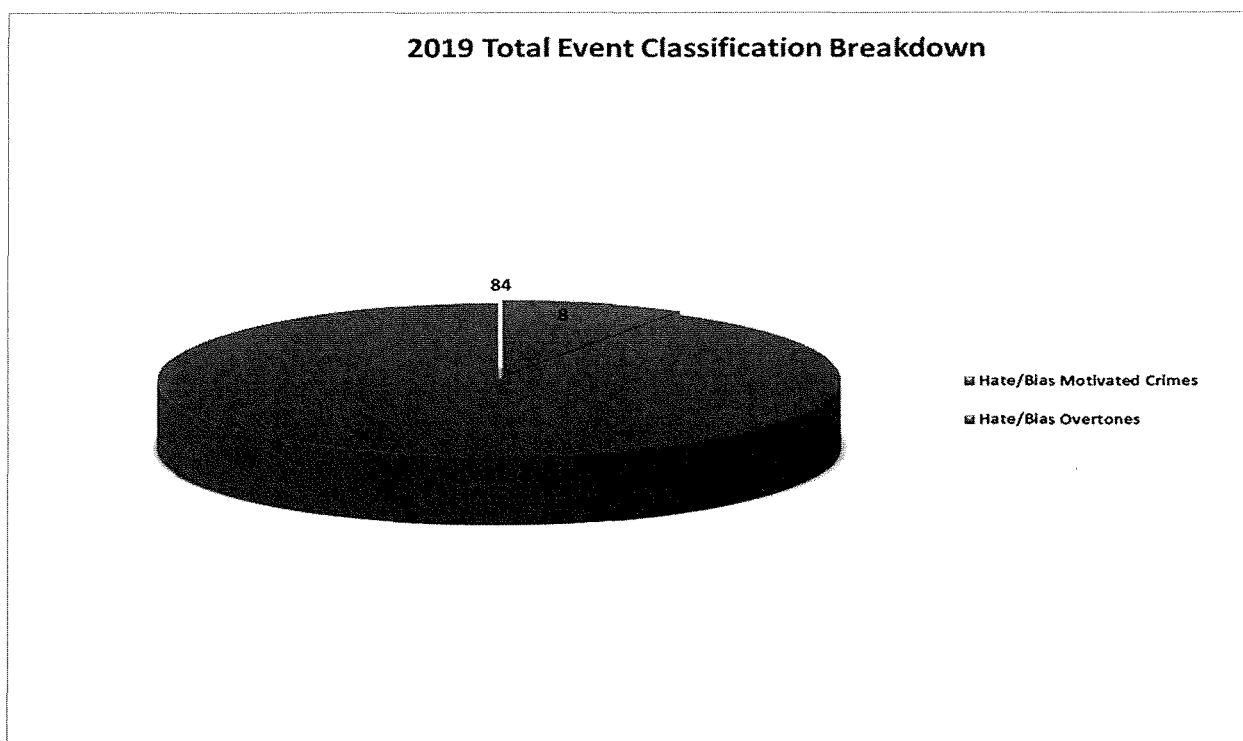
Hate Crime Unit (HCU)

The HPS's Hate Crime Unit (HCU) operates as part of the Intelligence Branch located in the Investigative Services Division. The HCU was established in 2003 and concentrates on incidents where hate or bias has been identified as a precipitating component in the commission of a criminal offence.

The HPS Hate Crime Investigator is also a member of the Hate Crime/Extremism Investigative Team (HCEIT) of Ontario. The mandate of the HCEIT is to conduct coordinated, strategic and tactical intelligence enforcement operations and to target those individuals or organized groups involved in hate motivated activity and criminal extremism on a multi-jurisdictional level. The team is made up of 15 police agencies across Southern Ontario.

Statistical Overview

In 2019, a total of 92 hate/bias events were reported to HPS. Of this total number of reported events, eight involved offences that were committed against a person or property and fell within the parameters of a hate/bias crime.

2019 Total Event Classification Breakdown

84

8

⊻ Hate/Bias Motivated Crimes

⊻ Hate/Bias Overtones

Identified Patterns from Overall Reported Events

There were 38 events related to mischief (graffiti). Most of the graffiti events occurred on streets, other public areas, city parks and at or near schools.

Overall, there was a decrease in the total number of reported events from 2018. In 2018, a total of 125 events were reported, compared to 92 in 2019. This represents a 26.4 per cent decrease.

Victimization by Identified Group

The majority of reported incidents were directly related to religion, followed by racial bias and sexual orientation. In 2019, the Black community, the Jewish community and the 2S and LGBTQIA+ community were the groups most frequently victimized.

Although the statistics from police reports provide a measure of quantity of incidents, the overall impact on each group can be profound regardless of the numbers. It is important to acknowledge there are secondary victims for each crime that include family, friends and community members who identify with the targeted groups. Reported hate crimes are broken down by type and category in Figure 2.

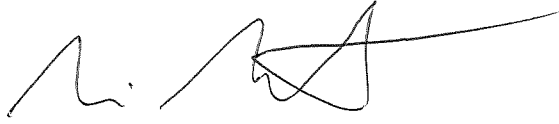### Figure 2: 2019 – Identified Hate Crime Breakdown by Type and Category

Category	Hate/Bias Overtones	Hate/Bias Motivated Crimes	Total
Age (AG)	0	0	0
Disability (DI)	0	0	0
Gender Identity (GI)	4	0	4
Sexual Orientation (SO)	8	0	8
Similar Factor (SF)	0	0	0
Racial Bias (RA)	34	4	38
Religion (RE)	38	4	42
Total	84	8	92

Community Outreach and Education

Reporting hate crimes and incidents is an important step in stopping the cycle of hatred and preventing others from being victimized. HPS recognizes some community members may not be comfortable attending a police station or reporting directly to a police officer. A new online reporting tool has been created to allow citizens to report incidents without having to attend a station.

HPS encourages the community to report hate/bias crimes and incidents to ensure actions are taken, including assigning appropriate resources to make our community safer. There has been a continued effort in 2019 to work alongside our communities to educate, enlighten and

engage in meaningful discussion and learning on hate/bias issues. Together, we can make a difference in stopping the cycle of hate.

Eric Girt
Chief of Police

EG/F. Bergen

Attachment: 2019 Hate/Bias Crime Report

cc: Frank Bergen, Deputy Chief – Operations
        Paul Hamilton, Superintendent – Investigative Services Division

HAMILTON POLICE SERVICE

2019

HATE/BIAS
STATISTICAL REPORT

Prepared by:
Detective Paul Corrigan
Hate Crime & Extremism Unit - Investigative Services

sexual orientation

national or ethnic orgin

age

religion

ancestry

language

colour

mental/physical disability

race

sex

gender identity

Hate Propaganda

gender expression

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EXECUTIVE SUMMARY

The Hamilton Police Hate Crime Statistical Report is an annual report that provides statistical data about criminal offences that are committed against persons or property and are motivated by the victim's race, religion, ethnicity, colour, sexual orientation, mental or physical disability, age, gender identity or expression, or other similar factors.

The report explains the mandate for the Hamilton Police Service Hate Crime Unit (HCU) and the data based on hate crimes reported to Hamilton Police Service from January 1, 2019 to December 31, 2019.
The report also provides an overview of the training and education that was provided to Hamilton Police Service members with respect to hate crime, as well as the various community outreach initiatives that were undertaken by the HCU.

Last year, a report by Statistics Canada saw Hamilton designated as the city with the highest rate of police-reported hate crimes in Canada. The media also dubbed 2019 as "the summer of hate" after a series of high-profile protests at Gage Park and City Hall.

In 2019, there were a total of **92** hate/bias incidents reported to Hamilton Police Service. This number represents both suspected hate/bias incidents and criminal offences. In comparison to 2018, this represents a decrease of **26.4** per cent. Over the past 10 years, the average number of reported hate crimes is approximately **128.4** per year. The number of hate crime-related arrests increased to seven from three in 2018.

All events were classified by the HPU Investigator based on the information provided by the investigating officers or by the individual(s) directly involved. The classification and breakdown of the 2019 incidents are as follows:

Classification	Number
Hate/Bias Crimes	8
Hate/Bias Incidents (Overtones)	84

The majority of reported incidents were directly related to religion, followed by racial bias and sexual orientation. In 2019, the Black community, the Jewish community and the 2S and LGBTQIA+ community were the groups most frequently victimized.

Data within the report was gathered from crimes and incidents reported to Hamilton Police. While the HCU encourages the community to report all incidents, the service is aware not all incidents are reported to police.

There are several reasons why hate/bias incidents are not reported. For example, people may feel the crime was not important or the chances of the police apprehending the suspect are low. Some victims see the incident as a personal matter, since it may involve family or colleagues, or there may be a feeling of blame and/or embarrassment about being targeted. Furthermore, the victim may not understand that they have been victimized or they may endeavor to solve the issue themselves. Previous negative experiences with the police and judicial system, whether in Canada or overseas, may also affect the willingness of a victim to report to police.

Reporting hate crimes is an important step in stopping the cycle of hatred and preventing others from being victimized. It is also important for police to be aware of hate crimes so an analysis can be done to ensure actions are taken, including assigning appropriate resources to make our community safer.

Building strong, positive relationships between Hamilton Police and Hamilton's diverse communities is important in helping victims feel more comfortable in reporting incidents to police. Throughout 2019, the HCU presented to various religious and minority groups in Hamilton. This continued outreach allows the HCU to address citizens' concerns and encourages increased reporting and information sharing.

INTRODUCTION

HCU operates as part of the Intelligence Branch in the Investigative Services Division. The HCU was established in 2003 and investigates incidents where hate or bias has been identified as a precipitating component in the commission of a criminal offence or in an incident affecting the wider community.

The HCU has been mandated to:

- Conduct investigations, arrest offenders and prepare cases for court in relation to hate propaganda offences;
- Provide investigative support and specialized skills to officers in all other sections of Hamilton Police Service who are involved in the investigation of hate/bias crimes;
- Collect intelligence and maintain intelligence files to enable the monitoring and tracking of known, active hate groups and individuals;
- Liaise with other police services to ensure the exchange of relevant information pertaining to hate/bias crimes and groups;
- Work closely with the Community Relations Coordinator and act as a resource to community groups, assisting with education and crime prevention in the area of hate/bias crimes;
- Maintain and track all reported hate/bias incidents for statistical purposes; and,
- Develop and implement internal and external training on hate-based crime.

Hate Crime/Extremism Investigative Team (HCEIT) of Ontario

In 2003, the Hamilton, Guelph, London, Ottawa and Waterloo Regional Police Services, in partnership with the Ministry of Community Safety and Correctional Services, came together and formed the Hate Crime Extremism Investigative Team (HCEIT).

The team has since expanded to include a total of 15 police agencies across Southern Ontario.

The HCU meets quarterly with HCEIT members to discuss trends and concern across the province, discuss new initiatives and exchange intelligence. Member services include:

- Brantford Police Service
- Durham Regional Police Service
- Guelph Police Service
- Halton Regional Police Service
- London Police Service
- Niagara Regional Police Service
- Ontario Provincial Police Service

- Ottawa Police Service
- Peel Regional Police
- Stratford Police Service
- Toronto Police Service
- Waterloo Regional Police Service
- Woodstock Police Service
- York Regional Police

STATISTICAL OVERVIEW

In 2019, the HCU received and classified a total of 92 hate/bias related incidents.

The overall number of police-reported incidents fell from 125 to 92, which represents a decrease of 26.4 per cent over the previous year. Of this total number of reported incidents, eight were crimes that fell within the parameters of a hate/bias crime as defined below. This represents a 60 per cent increase in reported hate/bias criminal offences over 2018.

Reported events were classified according to the following definitions:

Hate/Bias Crime
Includes any criminal offence where there is evidence to prove that the offence was motivated solely, or in part, because of a bias or prejudice, based on the victim's race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity or expression, or any other similar factor. Includes all Hate Propaganda offences.

Hate/Bias Incident (Overtones)
Can include any incident that involves hate or bias towards any member of the public because of their race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity or expression, or any other similar factor. These incidents cannot be proven to have been motivated solely or in part because of the person's bias/prejudice towards the victim, but include some type of racial overtone.

Note: It should be noted that all hate/bias crimes are hate/bias incidents, but not all hate/bias incidents are classified as hate/bias crimes.

TOTAL EVENT CLASSIFICATION BREAKDOWN

The reported event types were broken down by category for hate/bias motivated crimes and hate/bias overtone. Event types included identified offences in the Criminal Code of Canada, and non-criminal call types to which the Hamilton Police Service responded for service *(Figure 1)*.
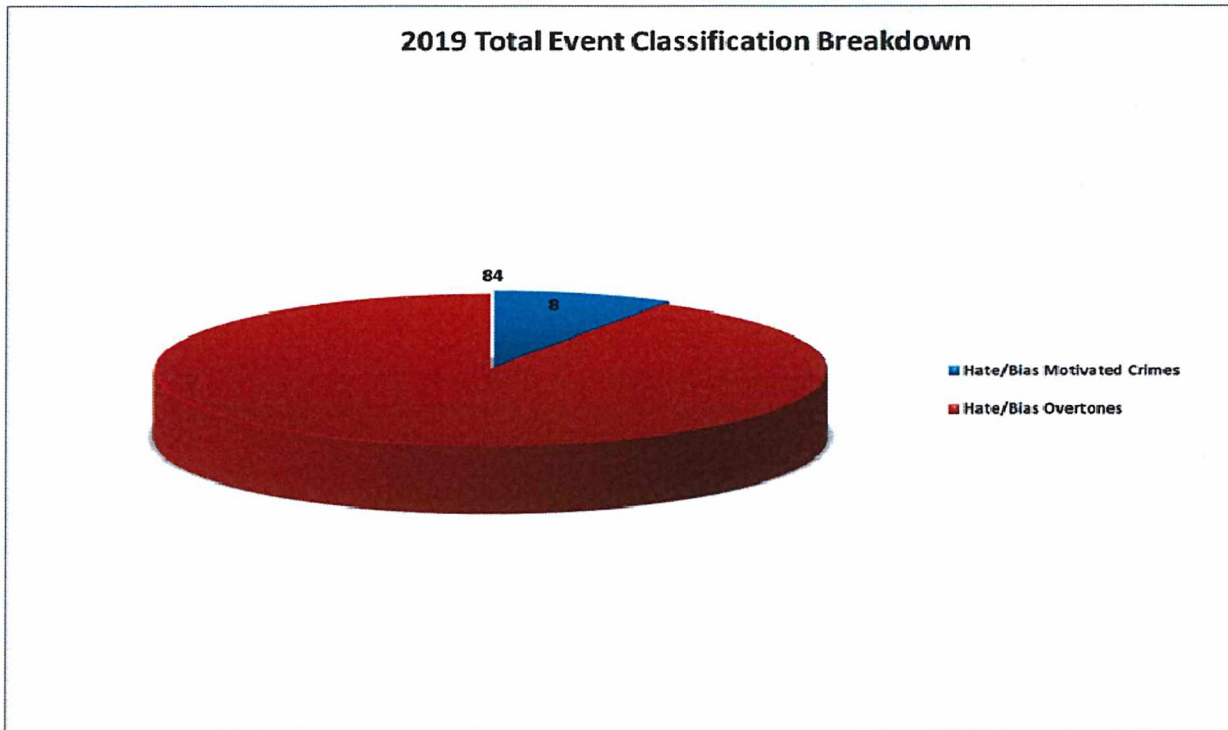

Figure 1

Table 1: 2019 – Total Incident Breakdown by Type and Category

All Categories

Category	Hate/Bias Overtones	Hate/Bias Motivated Crimes	Total
Age (AG)	0	0	0
Disability (DI)	0	0	0
Gender Identity (GI)	4	0	4
Sexual Orientation (SO)	8	0	8
Similar Factor (SF)	0	0	0
Racial Bias (RA)	34	4	38
Religion (RE)	38	4	42
Total	84	8	92

The highest numbers of reported incidents were directly related to religion.

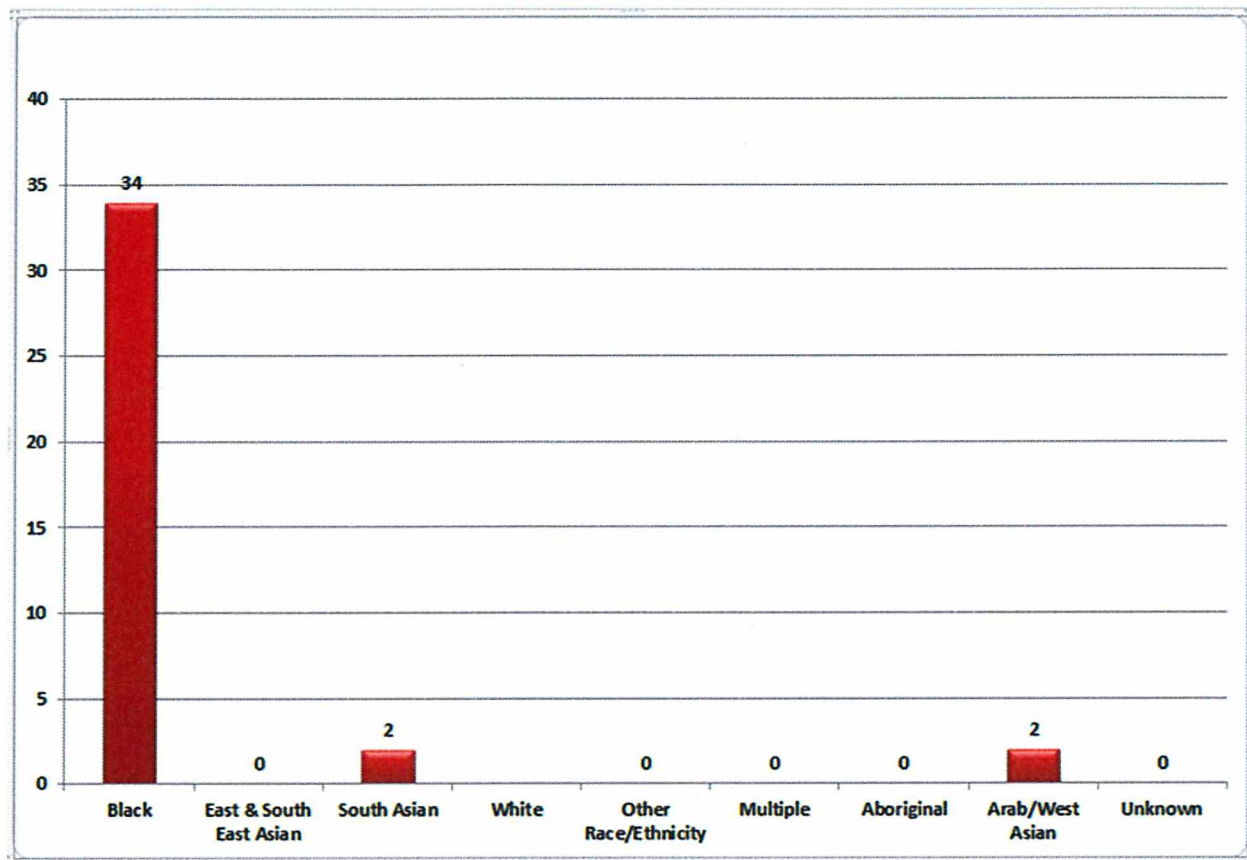## VICTIMIZATION BY IDENTIFIED GROUP

Racial Bias

Figure 2

The chart displays reported hate/bias incidents broken down by race/ethnicity *(Figure 2)*. In 2019, the Black community was the most targeted group with 34 incidents. In comparison, there were 41 hate/bias incidents targeting the Black community in 2018. This represents a 17 per cent decrease in reported hate/bias motivated incidents from the previous year.
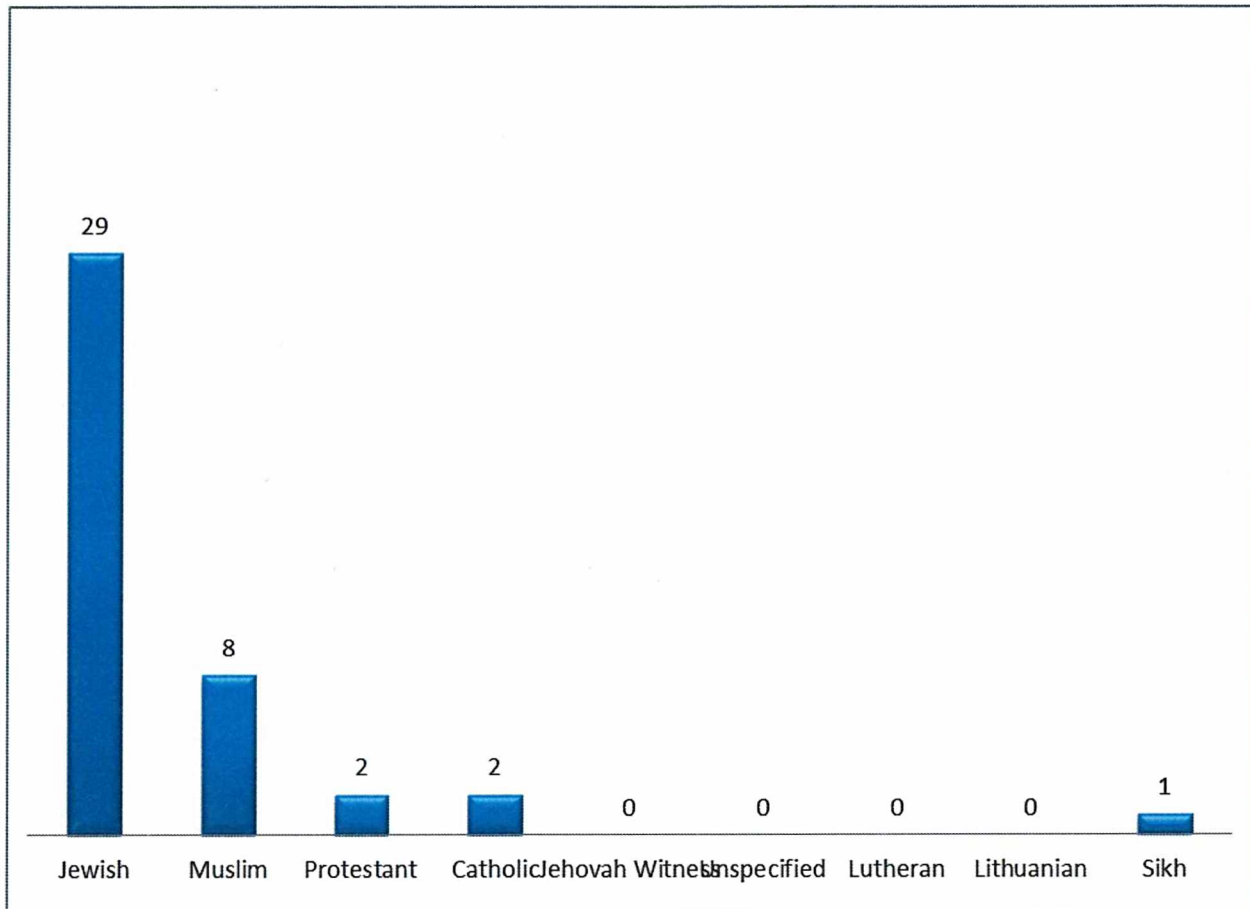
Religion

Figure 3

The chart displays reported hate/bias incidents broken down by religion *(Figure 3)*. In 2019, members of the Jewish community were the most targeted group in the religious category with 29 incidents, followed by members of the Islamic community with eight incidents. In 2018, there were 30 hate/bias incidents targeting the Jewish community and 14 incidents targeting members of the Islamic community. This represents a decrease of 3.33 per cent reported hate/bias incidents targeting the Jewish community, and a decrease of 42.86 per cent targeting members of the Islamic community.

Sexual Orientation and Gender Identity (Self-Identification)
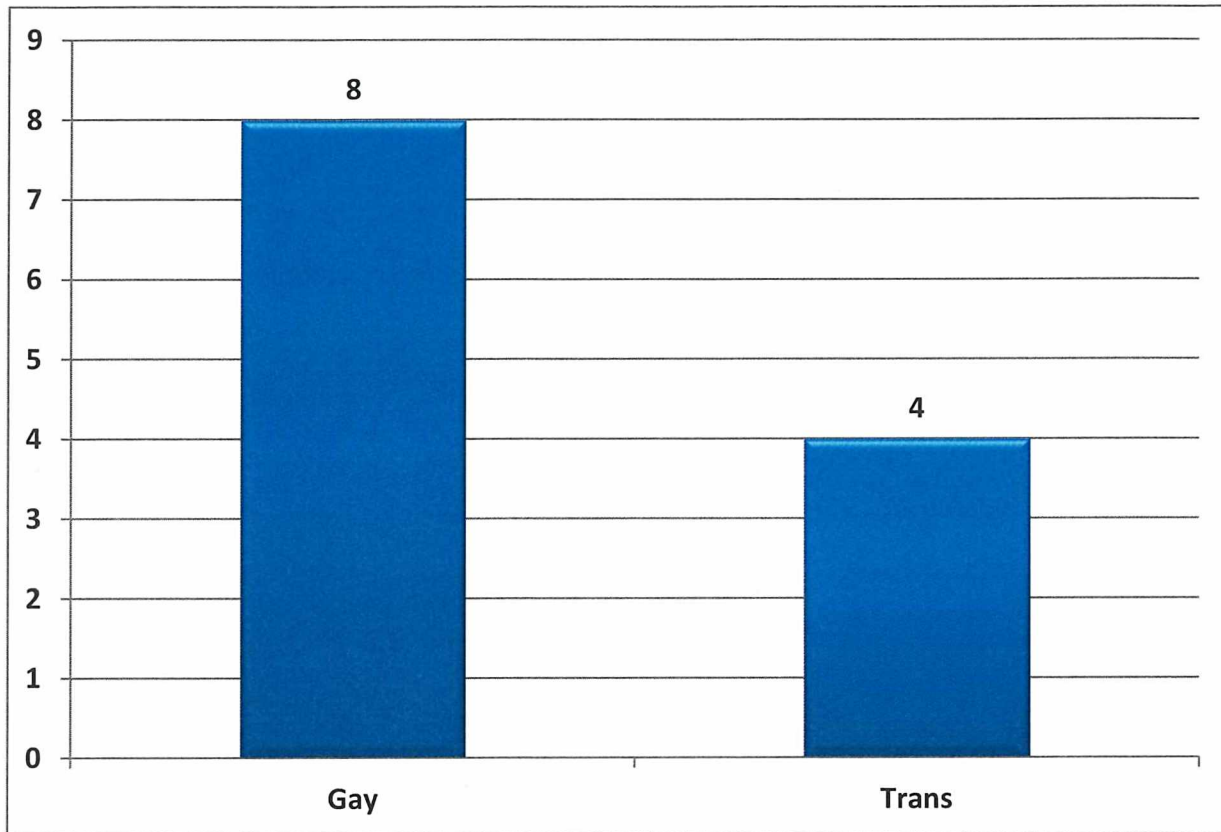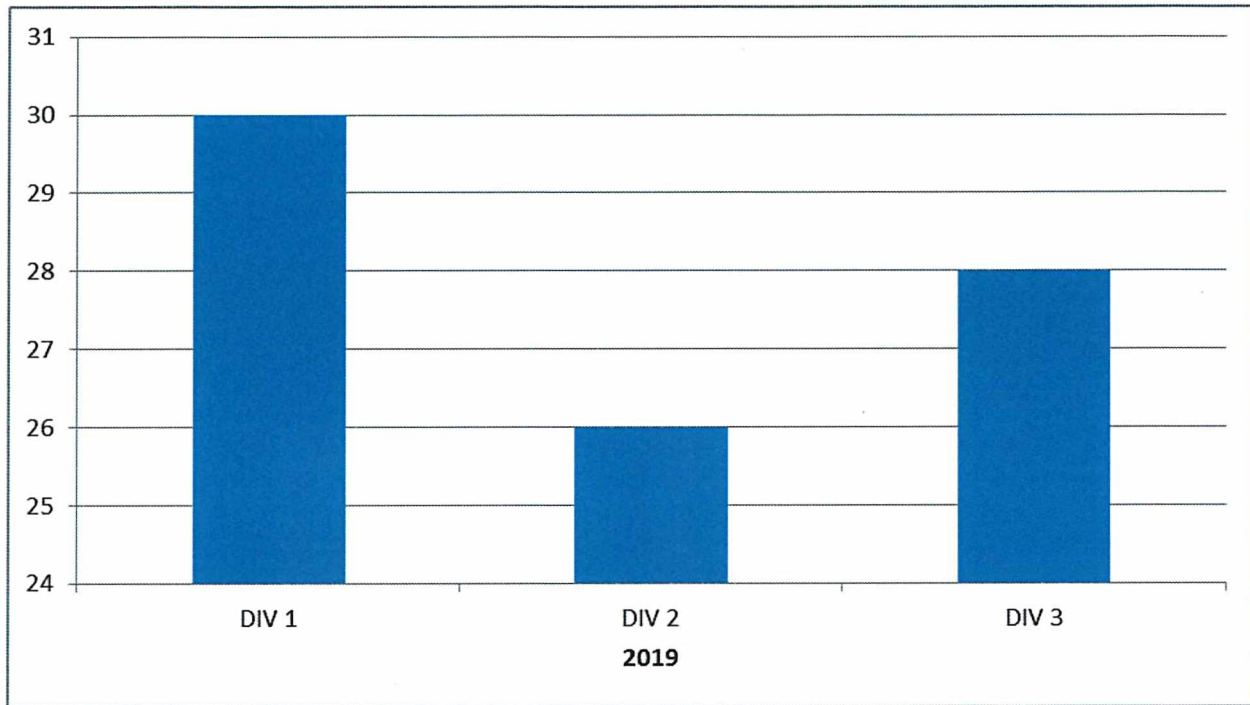

Figure 4

The chart displays reported hate/bias incidents broken down by sexual orientation and gender identity *(Figure 4)*. In 2019, members of the 2S and LGBTQIA+ community specifically self-identifying as gay men were the most targeted group with eight incidents, followed by transgender identified persons with four incidents. Those individuals that self-identified as transgender did not indicate their gender identity. In 2018, the number of hate/bias incidents targeting the 2S and LGBTQ+ community, specifically members self-identifying as gay men, was 11. The number of incidents targeting community members that self-identified as transgender was four. There was a 31.57 per cent decrease compared to 2018 of reported incidents targeting individuals self-identifying as gay men.

DIVISIONAL BREAKDOWN

The following chart outlines a breakdown of hate/bias incidents by Division.

In 2019, 30 hate/bias incidents were recorded in Division One, 26 in Division Two and 28 in Division Three.
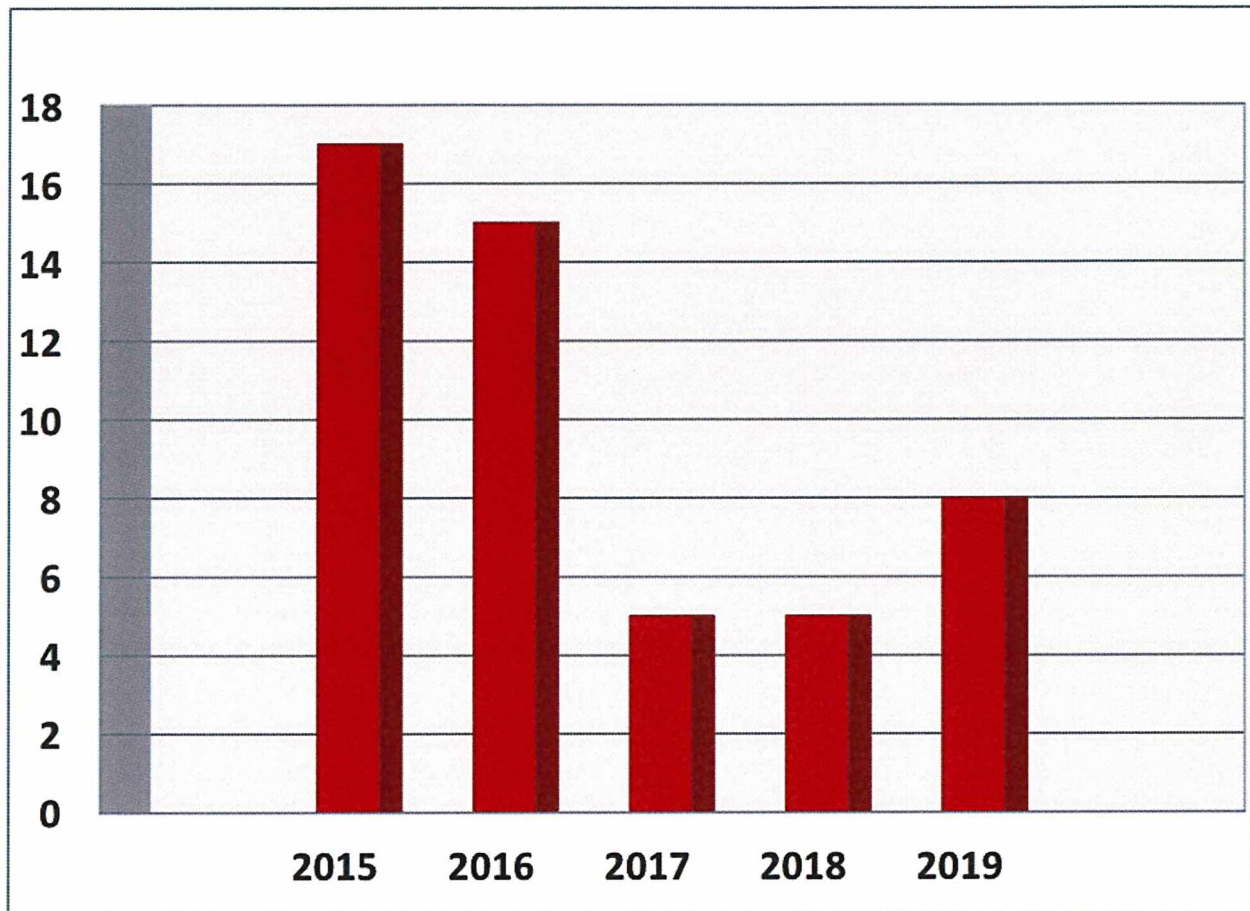
HATE/BIAS MOTIVATED CRIMES

Figure 5

Eight of the total reported events involved offences that were classified as hate/bias motivated crimes. The chart shows the number of hate/bias crimes reported annually over the last 5-year-period (*Figure 5*).

The chart below breaks down the eight 2019 hate/bias motivated crimes by type and category *(Table 2)*.

Table 2

Identified Hate Crime Breakdown by Type and Category								
Offence	AG	DI	GI	SO	SF	RA	RE	Total
Arson								
Assault 1						1	1	2
Assault with Weapon						3		3
Break and Enter								
Cause Disturbance								
Criminal Harassment								
Dangerous Operation of MV								
Domestic								
Harassing Calls								
Neighbour Dispute								
Mischief (Graffiti)						1	2	3
Mischief Under								
Sexual Assault								
Suspicious Circumstance								
Theft Over								
Theft Under								
Trespass								
Utter Threat								
Wilful Promotion of Hatred								
Total						5	3	8

Legend
AG - Age
DI - Disability
GI – Gender Identity
SO – Sexual Orientation
SF – Similar Factor
RA – Race/Ethnicity
RE – Religion

DIVISIONAL BREAKDOWN

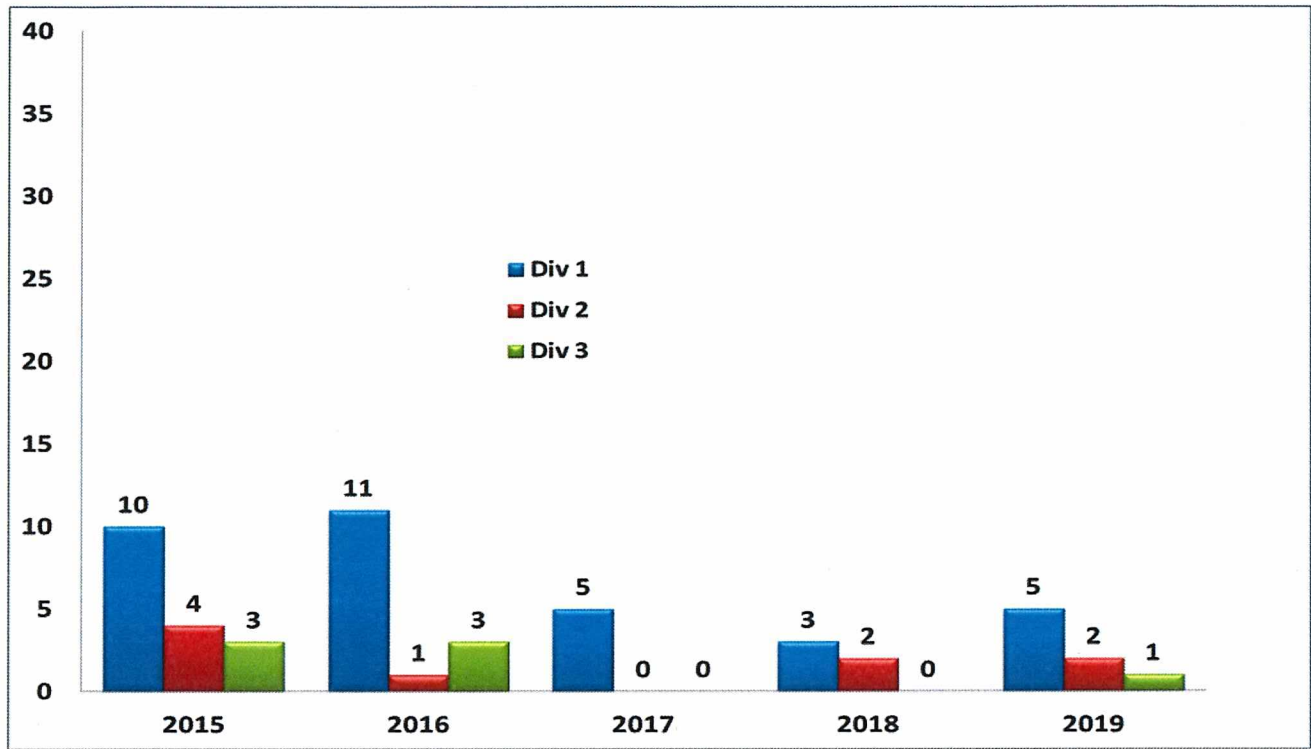The following chart outlines a breakdown of hate/bias crimes by Division.

Figure 7

In 2019, five hate/bias criminal offences were recorded in Division One, two in Division Two and one in Division Three.

COMMUNITY OUTREACH

The following are some highlights of the outreach and education initiatives the HCU has undertaken in 2019 in partnership with the community:

- Presentations to the Hamilton-Wentworth District School Board Positive Space Committee

- All new Hamilton Police recruits, Communications staff and Victim Services personnel are trained in how to recognize hate/bias incidents and crimes

- HCU secured a grant from HCEIT to help with the operating costs for HWDSB's Rainbow Prom

- International Day of Pink

- Liaise with McMaster University, Victim Services, Justice Officials Protection and Investigations Service (JOPIS), Criminal Intelligence Service Ontario (CISO), RCMP, OPP and Victim Witness Assistance Program (VWAP) on hate/bias investigations

- Presentations to the Jewish and Muslim communities

- Commemoration of the 75th Anniversary of the liberation of Auschwitz-Birkenau

- International Day against Homophobia

- Internal Support Network fundraising nights

- Hebrew Academy Lunch

- 2S and LGBTQIA+ flag raising ceremony to celebrate Pride Month

- Kristallnacht Commemoration

EDUCATION

Presentations on hate/bias offences and updated legislation are given to members of the Service on an ongoing basis.

The hate crime unit is working with the City of Hamilton Hate Mitigation Project.

An ongoing dialogue with the Hamilton Crown Attorney's Office on hate/bias related matters is a valuable educational tool to improve the quality of crown briefs.

CONCLUSION

In 2019, the HCU recorded a decrease in hate/bias occurrences and an increase in hate/bias motivated crime. The number of hate crime-related arrests increased from three to seven over the previous year.

Hamilton Police Service recognizes that hate crime has a devastating impact on victims and communities. The impact of hate crime is far reaching, extending beyond the physical and emotional trauma to the victim. The HCU is committed to investigating hate/bias motivated crimes and incidents to ensure Hamilton remains a safe place to live and work.

Reporting hate crimes and incidents is an important step in stopping the cycle of hatred and preventing others from being victimized. Hamilton Police recognize some community members may not be comfortable attending a police station or reporting directly to a police officer. A new online reporting tool has been created to allow citizens to report incidents without having to attend a station.

Hamilton Police encourage the community to report hate/bias crimes and incidents to ensure actions are taken, including assigning appropriate resources to make our community safer. There has been a continued effort in 2019 to work alongside our communities to educate, enlighten and engage in meaningful discussion and learning on hate/bias issues. Together, we can make a difference in stopping the cycle of hate.