

## HAMILTON POLICE SERVICES BOARD

### - INFORMATION -

**DATE:** 2009 May 19

**REPORT TO:** Chairman and Members  
Hamilton Police Services Board

**FROM:** Brian J. Mullan  
Chief of Police

**SUBJECT:** *Year-End Report: Hate Crime - 2008*  
*(PSB 09-058)*

#### **BACKGROUND:**

Attached you will find the Hamilton Police Service's 2008 *Hate/Bias Crime Statistical Report*.

In 2008, a total of 69 hate/bias related incidents were reported to the Hamilton Police Service. This represents a decrease of almost 20%, compared to the 86 incidents reported in 2007.

All incidents were classified based on the information furnished by the investigating officers, or more commonly, by the person(s) directly involved. The classifications and a break down of 2008 incidents are as follows:

- Hate/bias motivated - 33 incidents
- Hate/bias overtones - 21 incidents
- Incidents - 15 incidents

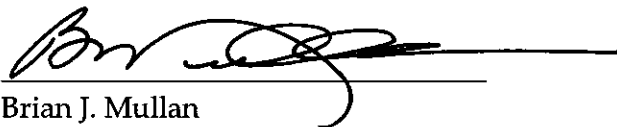
Of the total reported incidents, 33 involved offences that were categorized as being committed against a person or property and fell within the parameters of a "hate crime", as defined by the Hamilton Police Service.

The greatest number of reported incidents were directly related to racial bias (RA), where a total of 39 incidents were recorded. The second highest were incidents related to religion (RE), where a total of 20 incidents were recorded. The third highest numbers of incidents were in relation to sexual orientation (SO), with seven (7) incidents. These three (3) categories have consistently been the most reported categories in hate crime incidents.

The Black community was statistically the most targeted group by hate/bias crime in 2008. In total, there were 17 incidents in relation to this community. The second most targeted group statistically was the Jewish community, with 15 incidents being reported. Of note, there were three (3) incidents targeting law enforcement in 2008. Although the numerical statistics give a measure of the quantity of reported incidents, the overall impact on each group can be substantial, regardless of the number of incidents and keeping in mind the under reporting of hate/bias crimes.

Public education campaigns and community involvement encourages citizens to report hate crimes to police for action. Several outreach and educational initiatives were continued in 2008, including work undertaken with SISO, CISO, Crime Stoppers Ontario, McMaster University Security, HPS Training Branch, the LGTBQ community, Crime Prevention, the Aboriginal community, the Interfaith Group, the Muslim community, the Sikh community and the Woman Abuse Working Group.

In 2009, several upcoming international, national and local events have been identified as having the potential to impact hate-bias related crime incidents, in Hamilton. These include the 2010 Olympics, the 2010 G8 Summit, the anarchist movement and the current economic climate. The Hate Crime Officer will monitor these events and activities closely and take the appropriate actions, when and where necessary.



Brian J. Mullan  
Chief of Police

BJM/jp

Attachment: *2008 Hate/Bias Crime Statistical Report*

cc Deputy Chief Ken Leendertse, Community Policing



**Hamilton Police Service**  
**2008**  
**Hate/Bias Crime Statistical Report**

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Hate Crime Unit  
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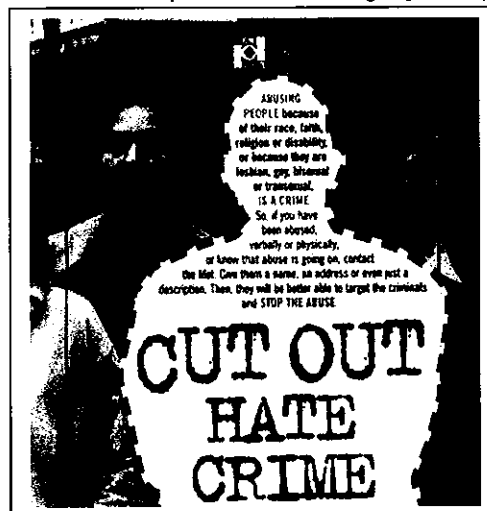
### **Executive Summary**

In 2008, a total of sixty-nine (69) hate/bias related incidents were reported to the Hamilton Police Service. This represents a decrease of almost 20% compared to the eighty-six (86) incidents reported in 2007.

All incidents were classified based on the information furnished by the investigating officers, or more commonly, by the person(s) directly involved. The classifications and a break down of 2008 incidents are as follows:

- Hate/bias motivated - 33 incidents
- Hate/bias overtones - 21 incidents
- Incidents - 15 incidents.

Of the total reported incidents, thirty-three (33) involved offences that were categorized as being committed against a person or property and fell within the parameters of a "hate crime" as defined by the Hamilton Police Service.



The greatest number of reported incidents was directly related to racial bias (RA). A total of thirty-nine (39) incidents were recorded. The second highest were incidents related to religion (RE). A total of twenty (20) incidents were recorded. The third highest numbers of incidents were in relation to sexual orientation (SO). A total of seven (7) incidents were recorded. These three categories have consistently been the most reported categories in hate crime incidents.

The Black community was statistically the most targeted group by hate/bias crime in 2008. In total, there were seventeen (17) incidents in relation to this community. The second most targeted group statistically was the Jewish community. There were fifteen (15) incidents in relation to the Jewish community. Of note, there were three (3) incidents targeting law enforcement in 2008. Although the numerical statistics give a measure of the quantity of reported incidents, the overall impact on each group can be substantial regardless of the number of incidents and keeping in mind the under reporting of hate/bias crimes.

Public education campaigns and community involvement encourages citizens to report hate crimes to police for action. Several outreach and educational initiatives were continued in 2008 including work undertaken with SISO, CISO, Crime Stoppers Ontario, McMaster University Security, HPS Training Branch, the LGTBQ community, Crime Prevention, the Aboriginal community, the Interfaith Group, the Muslim community, the Sikh community and the Woman Abuse Working Group.

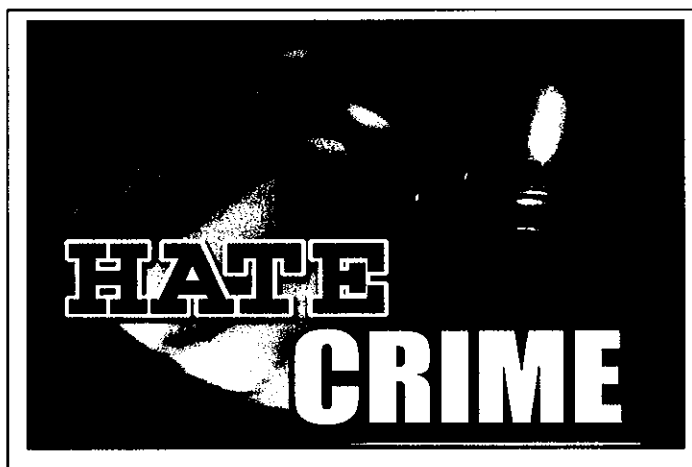
In 2009, several upcoming international, national and local events have been identified as having the potential to impact hate-bias related crime incidents in Hamilton. These include the 2010 Olympics, the 2010 G8 Summit, the anarchist movement and the current economic climate. To effectively and proactively deal with these issues the H.C.U. recommends retaining its current position within the Intelligence Unit and Intelligence community, developing additional community outreach and educational programs and participating in the H.P.S. Graffiti Steering Committee.

**Introduction:**

**Hate/bias Crime:**

Hate/bias crime is defined as, “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, ethnicity, sexual orientation, disability group, age or gender.

In the Criminal Code of Canada, hate crimes can be separated into two distinct categories – those that fall under the Hate Propaganda section and any other criminal offences where there is evidence to support a hate/bias motivation. Hate Propaganda offences include the following; Advocating Genocide, Public Incitement of Hatred, and Willful Promotion of Hatred. For these offences, Attorney General Consent must be received before proceeding with a criminal charge. Each of these offences is specific and includes the targeting of a person from an “identifiable group”. An identifiable group is defined by the *Criminal Code of Canada* as, “any section of the public distinguished by colour, race, religion or ethnic origin.”



On September 17<sup>th</sup> 2003, a private member’s Bill known as Bill C-250 was introduced. This Bill pertained to including “sexual orientation” as the fifth protected category in terms of the definition of “identifiable group.”

With respect to all other criminal offences, before an occurrence can be classified as “hate/bias”, there must be evidence present that demonstrates that the criminal offence was motivated by bias, prejudice or hate, based on the victim’s race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor. In 1994, the Canadian Government adopted hate crime sentencing regulations. In 1996, sexual orientation, age and language were added to the list.

**Hate Crime Unit (H.C.U.):**

The Hamilton Police Service's *Hate Crimes Unit* (H.C.U.) is a sub-unit of the Intelligence Branch in the Investigative Services Division. The H.C.U. 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 unit has been mandated to:

- Conduct investigations, arrest offenders and prepare cases for court in relation to hate/bias based offences.
- Provide investigative support and specialized skills to officers in all other sections 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 crime groups and individuals.
- Liaison with other police services to ensure the passage of relevant information pertaining to hate/bias crimes and groups.
- Liaison with the Community Relations/Race Relations section 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.
- Develop and implement internal training on hate based crime.

**Hate Crime/Extremism Investigative Team (H.C.E.I.T.) of Ontario:**

In 2003, the Hamilton, Ottawa, Guelph, London 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 (H.C.E.I.T.) The team expanded to 13 police agencies by including Toronto, Oxford County, Halton, York Regional, Peel Regional, Brantford and Durham Police Services. The mandate of the team is to conduct coordinated, multi-jurisdictional strategic and tactical intelligence enforcement operations and to target those individuals or organized groups involved in hate motivated activity and criminal extremism:

- Collect, evaluate, collate, analyze, disseminate and effectively utilize information / intelligence on targeted activities.
- To provide specialized investigative support with matters involving hate propaganda, the promotion of genocide, hate motivated crimes, and the diverse variants of criminal extremism.
- To contribute and maintain a database of relevant intelligence to be utilized where appropriate.
- To facilitate the exchange of information with other law enforcement and/or government agencies.
- To assist with the training of law enforcement officers with the identification and investigation of hate crime criminal extremism.
- To provide specialized, up to date intelligence to assist each respective police agency in response/planning of major events.
- To develop Provincial consistency in the investigation, occurrences reporting, intelligence gathering and statistic gathering of hate crime extremism related incidents.

**Statistical Overview:**

In 2008, Hate Crime Unit received and classified a total of **sixty-nine (69)** hate-bias related incidents. (See Figure 1)

Of this total number of reported incidents, **thirty-three (33)** involved offences that were committed against a person or property and fell within the parameters of a "hate crime" as defined and utilized by the Hamilton Police Service. Incidents were classified as follows:

**1. Hate/Bias Motivated Incidents**

Includes any criminal offence where there is information to illustrate 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, or any other similar factor. Includes all Hate Propaganda offences.

**2. Incident (Hate/Bias Overtones)**

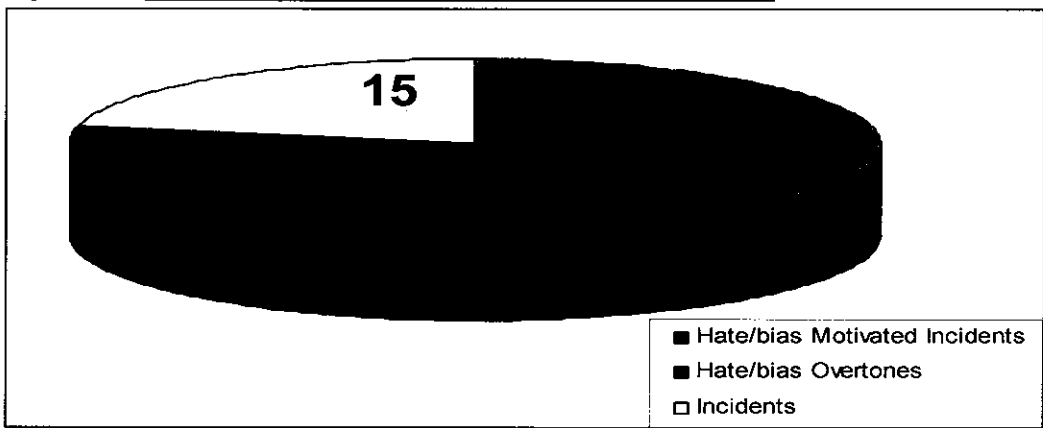
Includes any incident that involves hate or bias towards any member of the public because of their race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor. These incidents cannot be proven to have been motivated solely or in part because of the person's bias/ prejudice towards the victim, but include some type of racial overtone. i.e., the use of racial epithets / odious remark

**3. Incident**

Includes incidents that occurred at a place of worship, a private dwelling house or business belonging to a member of an identifiable group. The motivation is ambiguous and there is no information/evidence to suggest that the incident occurred due to a hate or bias. The event is captured for the purposes of data/tracking in the case of a reoccurrence.

*Note: The data included in this report has been collected using the actual or "perceived" bias of the suspect. In most cases, this "perceived" bias is not always accurate, but nevertheless was the reason for the person having been targeted. The "perceived" race, religion, or sexual orientation of the victim may have been the foundation of a criminal offence or racial epithet. It is with this caution, that one particular race of persons or some other identifiable group may appear to be the group most targeted.*

**Figure 1: 2008 - Incident Classification Breakdown**





*Hamilton Police Service - 2008 Hate Bias Crime Statistical Report*

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The reported incident types were broken down by category. Incident types included identified offences in the Criminal Code of Canada, Liquor Licence Act, Landlord and Tenant Act and non-criminal call types to which the Hamilton Police responded for service (i.e. neighbour dispute). Each incident was broken down by "type" and category. (See Table 1)

**Table 1: 2008 – Incident Breakdown by Type and Category**

Incident Type	NA	RE	SO	Other	Total
Mischief (Graffiti)	17	14	5	2	38
Assault	4		1	1	6
Assault with a Weapon	4		1		5
Utter Threats	5				5
Cause Disturbance	1	2			3
Indecent/Harassing Phone Calls	1	2			3
Mischief Under \$5000	2				2
Robbery	2				2
Arson		1			1
Neighbour Dispute	1				1
Common Nuisance	1				1
Criminal Harassment	1				1
Suspicious Circumstances		1			1
<b>TOTAL</b>	<b>39</b>	<b>20</b>	<b>7</b>	<b>3</b>	<b>69</b>

*Hate/Bias Category Legend: Age (AG), Disability (DI), Ethnicity (ET), Gender (GE), Language (LN), Multi-Bias (MU), Nationality (NA), Race/Colour (RA), Similar Factor (SF), Sexual Orientation (SO), Other (in this case bias towards "Police").*

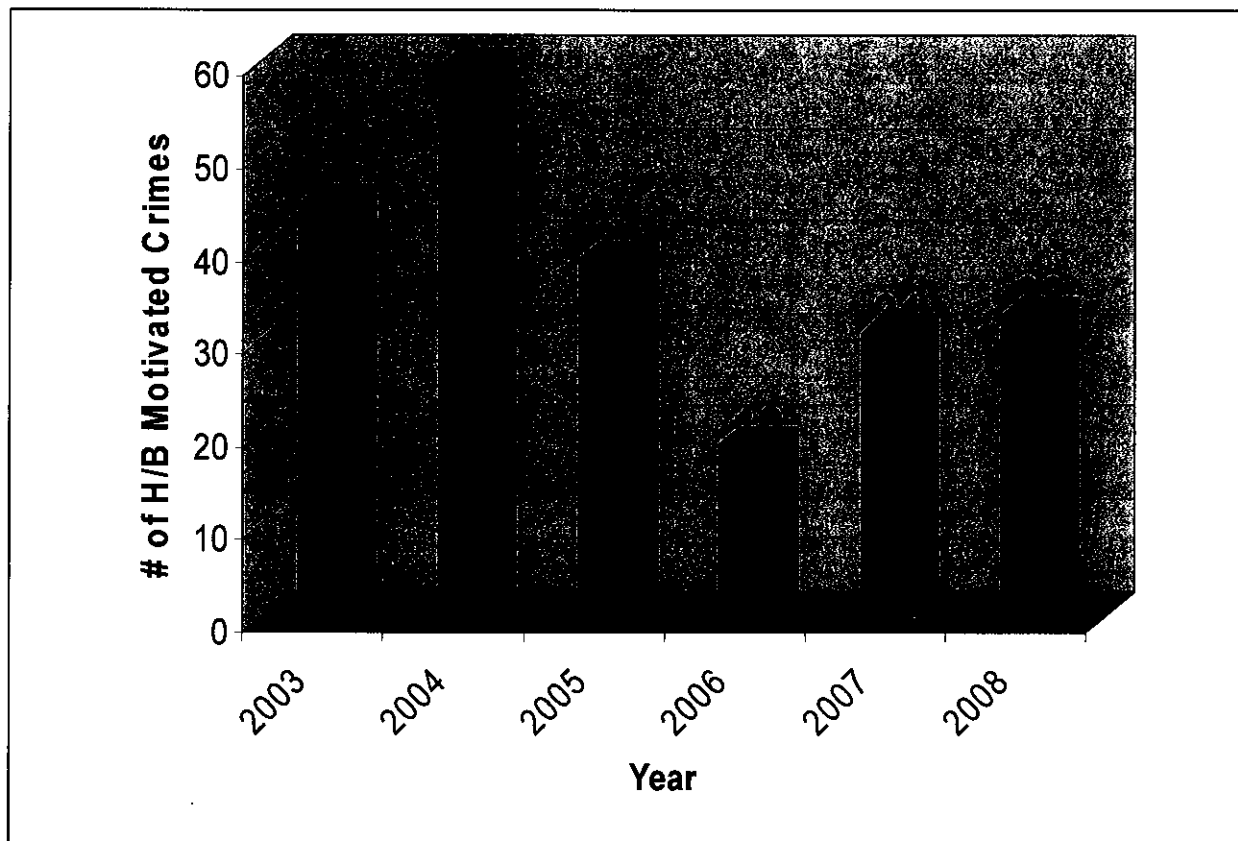
**Identified Patterns from Overall Reported Incidents:**

The greatest number of reported incidents was directly related to racial bias: Race (RA). A total of thirty-nine (39) incidents were related to race accounting for a 56% of total reported incidents. The majority, thirty-eight (38) of these incidents were mischief (graffiti) incidents. As in 2007, the graffiti incidents most commonly occurred on streets, city parks, places of worship and at or near schools.

Overall, there was a decrease in the total number of reported incidents. In 2008, a total of sixty-nine (69) incidents were reported compared to eighty-six (86) in 2007. This represents an overall decrease of almost 20% in reported incidents.

As stated earlier, thirty-three (33) of the total reported incidents involved offences that were committed against a person or property and were classified as "hate/bias motivated" crimes (as defined by the Hamilton Police Service). The thirty-three (33) incident classified in 2008 represents an increase when compared to the 31 incidents reported in the previous year. (See Figure 2)

**Figure 2: Incidents Categorized as "Hate/Bias Motivated" Crimes (2003 to 2008)**



**Victimization by Identified Group:**

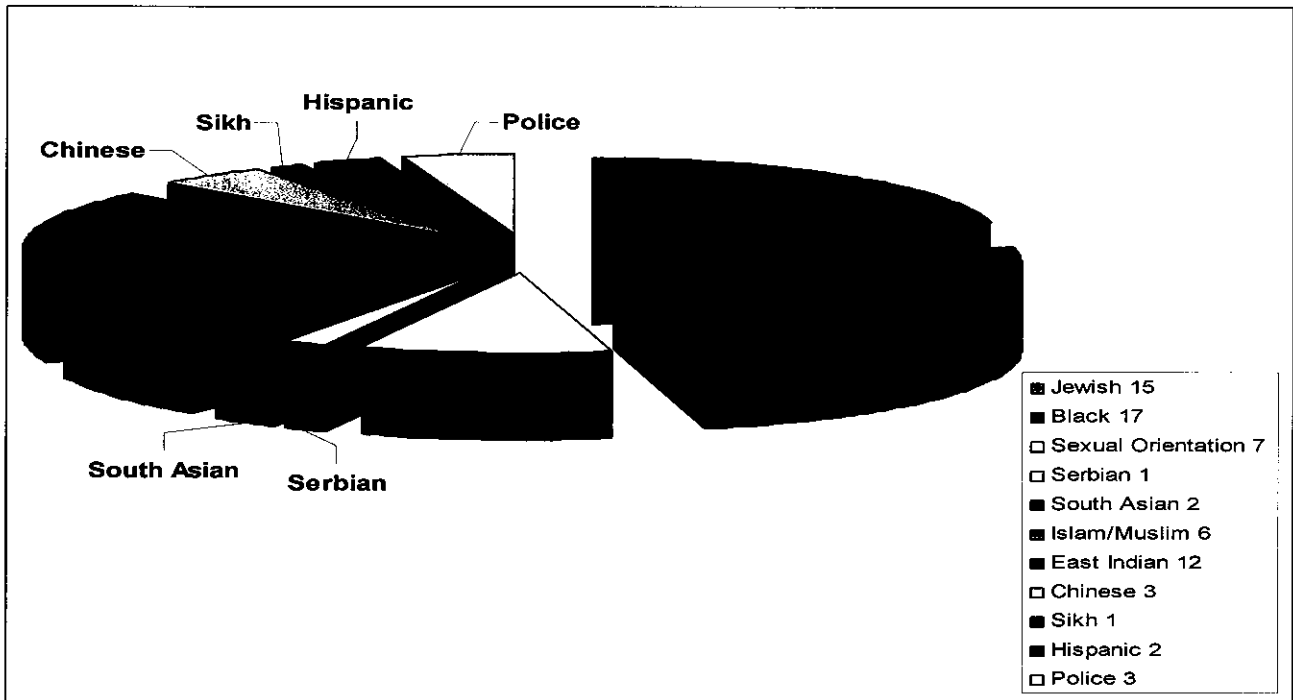
The black community was the most targeted by hate/bias crime in 2008. There were **seventeen (17)** incidents targeting this community. These incidents accounted for 25% of the total number of reported incidents.

The second most targeted group was the Jewish community. These incidents accounted for 22% of the total reported incidents. The third group targeted was the East Indian community with **twelve (12)** incidents that accounted for 17% of the total



reported incidents. In 2008, three hate-bias crimes against law enforcement were observed. (See Figure 3)

**Figure 3: 2008 Victimization by Group**

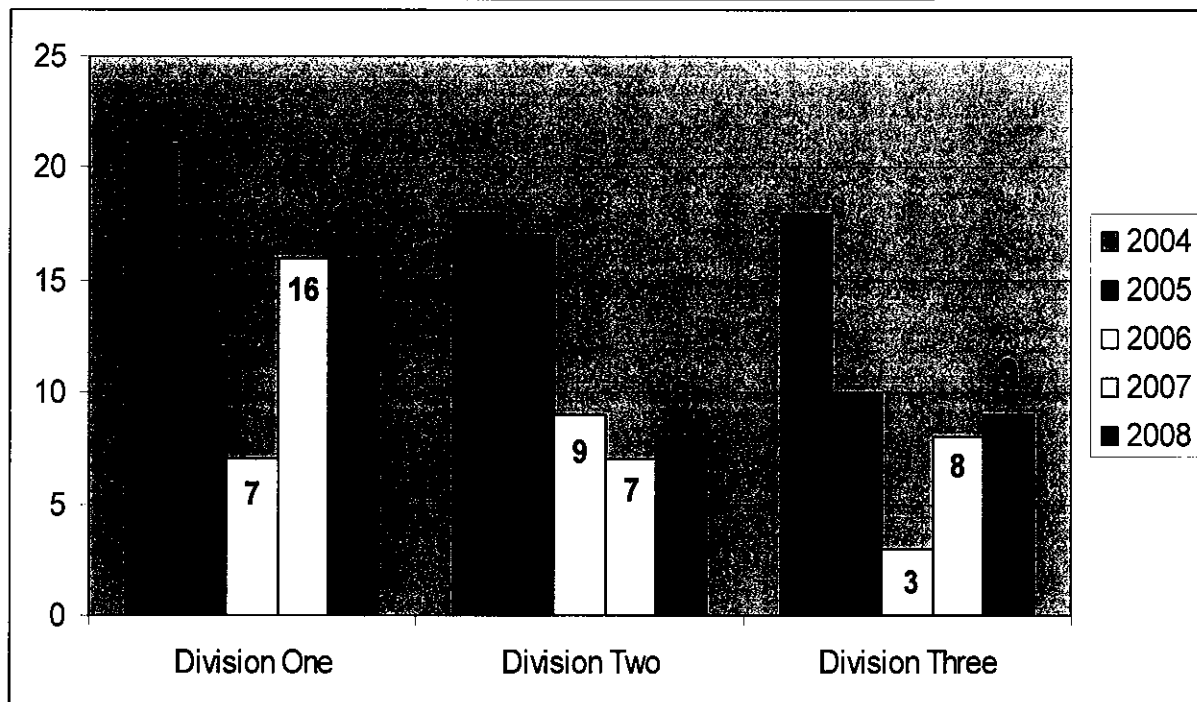


Although the statistics of police-reported crimes gives a measure of quantity of incidents, the overall impact on each group can be profound regardless of the numbers. It is important to acknowledge there are secondary victims for each crime that include family, friends and community members that identify with the targeted groups. It is also important to consider there is under reporting of hate/bias crimes. The Hate Crime Working Group studies indicate that only 10% of all hate crimes are believed to be reported.

**Divisional Breakdown:**

A review of the Divisional breakdown of the thirty-three (33) "hate/bias motivated" crimes (as defined by the Hamilton Police Service) was conducted. In 2008, sixteen (16) incidents were recorded in Division One, eight (8) in Division Two and nine (9) in Division Three. (See Figure 4)

**Figure 4: Hate/Bias Motivated Incidents by Division (2004-2008)**



**Community Outreach:**

When hate crimes occur, it is vital that there be dialogue between the community and the service providers, especially the police. Unaddressed hate crimes lead to mistrust and may eventually destabilize a community. Public education campaigns and community involvement encourages citizens to report hate crimes. The following are some highlights of outreach and education initiatives the H.C.U. has undertaken in partnership with the community:

- Community education with SISO.
- Crime Stoppers Ontario production of educational DVD "Hate Destroys Lives".
- Information sessions & cooperation with McMaster University Security.
- Recruit training with the HPS Training Branch.
- Community Discussion Panels.
- Participation in Crime Prevention Awareness Week
- Work with the LGBTQ, Sikh, Muslim, Jewish, Black, Aboriginal Communities.
- Participation with the Woman Abuse Working Group.
- Participation with the Interfaith Committee.

**OUTLOOK:**

In 2009 and beyond, the H.C.U. anticipates that the unit will continue to remain active in investigating hate/bias crime incidents and liaising with the numerous distinct communities within Hamilton. The H.C.U. is cognizant that several upcoming international, national and local events may have significant impact and repercussions on the Hamilton community in terms of hate/bias related incidents. The following emerging trends and areas of concern have been identified:

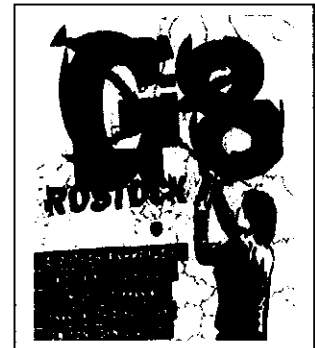
➤ **2010 Winter Olympics (Vancouver)**

- Direct action against the Olympics (Anti-2010).
- Targeting of corporate sponsors (nationally & internationally).
- Native land claim issues (nationally).
- Environmental, poverty, public debt and homelessness issues.



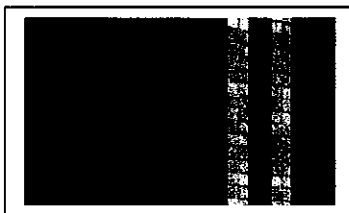
➤ **2010 G8 Summit (Huntsville)**

- Civil disorder in surrounding areas.
- Protests – anti-capitalist, anti-globalization, environmentalists, etc.
- Counter-conference – religious counter-summit planned in Winnipeg (Desmond Tutu, Dali Lama & Aga Khan IV).



➤ **Anarchist Movement**

- HPS "swarming" incident – Mex-i-can Restaurant, January 22<sup>nd</sup>, 2009.
- Guelph Police vehicle arsons.
- Anarchist Bookfair – June 6<sup>th</sup>, 2009 (Westdale Highschool).
- Anarchist reaction to the HPS graffiti strategies.
- Anarchist graffiti/Anti-police graffiti observed in Hamilton.



➤ **Local Native Land Reclamation Issues**

➤ **Anti-government & Anti-establishment reaction of economic crisis & job losses**

**Recommendations:**

- 1/ To deal with upcoming international, national and local events that may have an effect on hate-bias crime incidents in Hamilton, it is recommended the H.C.U. continue to work in the Intelligence Branch. This allows the H.C.U. to liase within the Intelligence community, collect and maintain intelligence files and to monitor and track known hate crime groups, arising issues and potential threats.
- 2/ The H.C.U. and the Intelligence Unit should continue to support multi-disciplinary, multi-jurisdictional units aimed at monitoring and dismantling hate crime groups, proactively dealing with arising situations and supporting the many distinct communities within Hamilton.
- 3/ As 55% of all hate-bias related crimes reported in 2008 were graffiti incidents, the H.C.U. should be invited to sit on the Graffiti Steering Committee to add input into the H.P.S. graffiti prevention strategy and to offer intelligence information on the reaction to theses strategies by distinct communities and anarchist groups.
- 4/ The H.C.U. and the H.P.S. have developed relationships with several distinct communities in Hamilton. This has encouraged members of these communities to report hate crimes. The H.C.U. must continue to develop relationships with many of the communities (Muslim, Chinese, East Indian, Sikh, etc) that may for historical, religious or ethnic reasons hesitate to contact the police or report hate-crime.
- 5/ Hate is a learned behavior. Like bigotry and prejudice, people learn these behaviors as they become products of their environment and culture group. To address this issue, the H.C.U. should work with the H.P.S. School Liaison Officers, Crime Managers and Crime Prevention officers to develop educational initiatives to be presented in schools, H.P.S. "Police College" and to community groups.

