



SASKATOON _____
POLICE SERVICE

TO: Jo Custead, Chairperson
Board of Police Commissioners

FROM: Troy Cooper
Office of the Chief

DATE: 2023 June 02

SUBJECT: 2023 Hate Crimes Unit Report

FILE #: 2,007-13

ISSUE:

The nature of Hate Crime is continually evolving and the Saskatoon Police Service (SPS) has taken steps to improve our response, including the implementation of the Hate Crimes Unit in January 2022 as part of the Interpersonal Conflict Section.

RECOMMENDATION:

This report be received as information.

STRATEGIC PRIORITY:

Crime and Safety

- Strategy 2.1 Continue to address acutely elevated-risk situations that individuals, families, or environments face in the community.

Our People

- Strategy 3.2 Provide high caliber training that appropriately considers the needs of our people and organization.

Partnerships

- Strategy 5.3 Sustain and foster existing positive relationships with multicultural communities.

DISCUSSION:

Hate/bias crimes affect not only individual victims but also the larger community. Police services across Canada are working to increase hate/bias crime detection and reporting. The SPS is committed to filling the gap in an effort to address the impact of hate/bias crimes within our community.

The Saskatoon Police Service Hate Crimes Unit (HCU) was developed in January 2022, as a support unit with a diverse portfolio that includes, investigations, data collation, victim and community support, public education and awareness, community engagement, and member training.

The SPS HCU creation was in response to a national increase in crime against “*identifiable groups*”. For the purpose of this report, the definition of an “*identifiable group*” has been referenced to Section 318(4) of the *Criminal Code of Canada* and states:

- “*identifiable group* means any section of the public distinguished by colour, race, religion, national or ethnic origin, age, sex, sexual orientation, gender identity or expression, or mental or physical disability.”

Standardizing hate/bias crime terminology to coincide directly with larger agencies across Canada as well as within the boundaries set by The Canadian Centre for Justice Statistics (CCJS) and Statistics Canada is an ongoing discussion.

Hate Crime is not clearly defined in the *Criminal Code*, which creates challenges with reporting, coding, and tracking of potential hate/bias motivated occurrences.

Definitions Section

The definitions within the *Criminal Code* are for **Hate Propaganda Offences**, which are stand alone offences and include:

- **Section 318 – Advocate Genocide**
- **Section 319(1) – Public Incitement of Hatred**
- **Section 319(2) – Wilful Promotion of Hatred**
 - Charges under Section 318 & 319(2) require approval by the Attorney General
- **Section 430(4.1) – Mischief to Religious (or Cultural) Institutions**

Thoughtful consideration must be given when evaluating a *Criminal Code* offence that may have been motivated by hate/bias. The *Criminal Code* allows for a provision under **Section 718.2** regarding sentencing on conviction of an offence, if proven that hate/bias was wholly or in part an aggravating factor to the criminal offence committed.

Hate/Bias Motivated Incidents are incidents motivated by the same factors as a hate crime but do not reach the threshold of a criminal offence. These incidents may include racial insults, blasphemy, or malicious complaints.

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Of interest, in 2022 the **Canadian Centre for Justice Statistics (CCJS)** modified the criteria for coding hate crime. **Hate crime** is defined as a criminal violation motivated by hate, based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or gender identity or expression, or any other similar factor and a **Suspected Hate Crime** is a criminal offence against a person or property with reasonable suspicion that is motivated by hate, bias, or prejudice, and cannot be proven to be solely motivated by hate. They have also stated that in order to properly identify and code hate crime incidents, consulted investigators have identified the importance of considering the surrounding circumstances. These may include (but are not limited to):

- what was said
- timing of any slur
- history between parties
- level of threat displayed
- when applicable, the severity and context of violence, vandalism, and/or destruction of property, i.e., how an object was vandalized
- absence of any other information
- was a victim ‘randomly’ targeted?
- perceptions of the victim
- visibility of the victim
- only person of that characteristic in neighborhood?
- other similar people/groups targeted
- is the person visibly different? Are they ‘out’ if LGBT?
- community context/neighbourhood
- race/ethnicity/sexual orientation of suspect
- all surrounding and supporting evidence

Hate/bias crimes affect not only individual victims but also the larger community. The SPS, along with other Police services across Canada are working diligently to increase hate/bias crime detection and reporting.

Hate Crimes Unit Role

The SPS Hate Crimes Unit has a diverse portfolio that includes, investigations, data collation, victim support, public education, community engagement, and SPS member training.

The Hate Crimes Unit is a part of the Interpersonal Conflict Section. The unit currently consists of a dedicated Detective Sergeant with a focus on:

- Reviewing and investigating complaints that have been reported as being motivated by hate, bias, or prejudice. This includes assisting other units in their investigations by providing specific hate/bias-based knowledge if deemed necessary.
- Collating data regarding hate/bias incidents and occurrences in order to be able to develop proactive strategies aimed at reducing hate/bias motivated crime.

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- Providing information to intelligence units to monitor extremist ideologies and or hatred that may lead to criminality.
- Internal and external consultation on issues involving situations that are aggravated by hate bias or prejudice.
- Education and relationship building both within the Service and in the community in order to help build trust.
- Coordination with the Crown Prosecutor’s Office on files regarding charges and forward vital information to other prosecutors once charges have been laid.
- Develop a protocol with the City of Saskatoon and Saskatoon Fire Department regarding any potential hate/bias motivated occurrences that happen in public spaces that are not otherwise reported to the SPS.
- Monthly meetings with the Anti Racism Network as a member of the Anti Racism Network Justice Sub-committee.
- Coordination with the Alberta Hate Crimes Intelligence Group (AHCIG) to gain perspective across Canada on the impact that provincial, national, and global situations have on Saskatoon.

Hate Crime Reporting

The SPS recognizes the importance of the public reporting hate crime incidents to the police, including challenges that may exist. To help facilitate reporting for the community and to bolster our overall response, an online hate crimes reporting tool was developed.

The Hate Crimes Online reporting tool can be accessed through the SPS website. The online reporting tool will not process weapon related offences, threats to person or property, personal violence or threat of personal violence or events with a known suspect, which must be reported directly to a SPS member.

Hate/Bias motivated incidents such as: racial insults, blasphemy, etc. can be reported using the online reporting tool, link below:

- <https://saskatoonpolice.ca/onlinereporting/hatecrime/>

The development of the Hate Crimes Unit information webpage can be accessed through the SPS homepage. The webpage provides education regarding Hate Crimes, a link to the Hate Crimes Online reporting tool, and various other information, references, and resources.

Hate Crimes Statistics

The Hate Crimes Unit’s measurement and statistical analytics are being developed along with the unit’s response to the community. The Hate Crimes Unit reported the following key findings:

- Nine times more events were reviewed and investigated regarding potential hate/bias incidents in 2022 than in 2021.
- There were 23 recorded events in 2021 and 208 recorded events in 2022.

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- The main reason for this increase is the Hate Crimes Unit’s ability to focus on searching and tracking potential hate/bias motivated events reported to SPS.
- All files that pass through the Hate Crimes Unit are reviewed by the Sergeant including reviewing Patrol call responses for potential follow up.

The following is a brief analysis of 208 events identified by the Hate Crimes Unit in 2022:

- 31% were Patrol dispatched calls and did not require further investigation.
- 69% of the dispatched calls resulted in an occurrence report, which was reviewed and/or investigated by the Hate Crimes Unit.

Of the 208 recorded events 46 were either suspected or actual hate/bias motivated crimes:

- 27 were suspected hate/bias motivated crimes.
- 19 were hate/bias motivated crimes.
- Of the 46 events, 10 resulted in charges where hate/bias was an aggravating factor, which is a 22% charge rate.

Of the 10 charges where hate/bias was an aggravating factor the following *Criminal Code* charges were laid:

- 1 Administer Noxious Substance
- 1 Criminal Harassment
- 1 Disturbing the Peace
- 1 Indecent Communications
- 2 Assault with a Weapon
- 4 Common Assault

As highlighted in the statistical analysis between 2021 and 2022, one reason a hate/bias motivated occurrence goes unreported is due to the accurate identification and classification by the police agency receiving the report. This reaffirms the necessity of a Hate Crimes Unit to continue building and maintaining an internal education and awareness plan for the SPS.

CONCLUSION:

The SPS Hate Crimes Unit has completed its first operational year and is continuing to develop with a focus on community and process. There are a several ongoing and future initiatives being pursued, including:

- Continues work to make the SPS Hate Crimes Unit more accessible to everyone, which includes improving accessibility and inclusiveness of the Hate Crimes Online reporting tool.
- Develop a pamphlet with a focus on the Hate Crimes Unit, including a QR code with translations in the top 15 different languages.
- Research opportunities around new innovative strategies and reporting procedures.
- Continue to enhance collaboration between Patrol Division and Criminal Investigations Division (CID) in response to hate/bias incidents and/or crimes.

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- Create SPS Training Module for SPS members including CID and civilians to help further hate/bias crime knowledge within the SPS.
- Continued collaboration with the Alberta Hate Crimes Intelligence Group and strengthen the SPS Hate Crimes position within said group.
- Continued presentations to community groups, and diverse /marginalized groups, regarding hate/bias motivated incidents and crimes to assist education and increase awareness and reporting procedures.
- Work with SPS Victim Services and SPS’s Advisory Committee On Diversity to develop a more responsive strategy from the onset of an investigation to support victims of hate/bias motivated crimes
- Collaboration to develop programing for offenders convicted of crimes that were aggravated by hate/bias. Very similar to how perpetrators of Domestic Violence offences complete a program as mandated on their release conditions.
- Continue to build relationships and collaborate with the Crown Prosecutors Office supporting consistent messaging and procedures with hate/bias motivated crimes.

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