



SASKATOON _____
POLICE SERVICE

TO: Shirley Greyeyes, Chairperson
Board of Police Commissioners

FROM: Cameron McBride
Office of the Chief

DATE: 2024 June 04

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

- Goal 2 Maintain core policing operations and address community concerns.

Our People

- Goal 3 Promote a healthy work environment and learning culture.

Partnerships

- Goal 5 Enrich the relationships between Saskatoon Police Service and communities served.

DISCUSSION:

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

The SPS 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 crime terminology to coincide directly with all 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 that has been undertaken by the Hate Crimes Task Force (HCTF). The HCTF is a collaborative endeavour established in March 2022 by the Canadian Race Relations Foundation (CRRF) and the Chiefs of Police National Roundtable. The HCTF is co-chaired by CRRF and the RCMP. The task force is focused on increasing awareness of the scope, nature and impact of hate crimes across Canada and to create national standards to better support targeted communities across the country. The SPS Hate Crimes Sergeant is a current member of the Hate Crimes Task Force.

Hate crime is not clearly defined in the *Criminal Code*, which creates challenges with reporting, coding, and tracking of potential hate crimes.

Definitions Section

(Please note that the definitions below are the most current and have been accepted by the HCTF).

Hate Crime

“A criminal offence committed against a person or property that is motivated in whole or in part by bias, prejudice or 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 on any other similar factor”.

Suspected Hate Crime

“A criminal offence against a person or property with reasonable suspicion that is motivated in whole or in part by bias, prejudice, or hate and cannot be proven to be solely motivated by hate”.

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Non-Criminal Hate Incident

“A non-criminal action against a person or property that is motivated in whole or in part by bias, prejudice or 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 on any other similar factor”. An example of a Non-Criminal Hate Incident would be racial slurs being made during a neighbor dispute.

Specific Hate Crime Violations

Although any criminal offence can be deemed a hate crime there are specific hate crime violations in the Criminal Code. These are as follows:

Section 318(1) - Advocating Genocide (AG consent)

Section 319(1) - Public Incitement of Hatred

Section 319(2) - Wilful Promotion of Hatred (AG consent)

Section 319 (2.1) – Wilful Promotion of Anti-Semitism (AG consent)

Section 430(4.1) - Mischief to Religious Property

Hate Propaganda

Any writing, sign or visible representation that advocates or promotes genocide or the communication of which by any person would constitute an offence under Section 319.

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

Of interest, in 2022 the **Canadian Centre for Justice Statistics (CCJS)** modified the criteria for coding hate crime. They have stated that in order to properly identify and code hate crime occurrences, 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

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- race/ethnicity/sexual orientation of suspect
- all surrounding and supporting evidence

Hate 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 crime detection and reporting.

Hate Crimes Unit Role

The SPS HCU 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.
- 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 to potential hate crimes and non-criminal hate incidents an online hate crime 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

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violence or threat of personal violence or events with a known suspect, which must be reported directly to a SPS member.

<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:

- The number of events that were reviewed and investigated regarding potential hate crimes and non-criminal hate incidents doubled from 2022 to 2023.
- There were 208 recorded events in 2022 and 403 recorded events in 2023.
- The main reason for the increase is the establishment and continuous evolution of the Hate Crimes Unit which allows for a focus on searching, tracking and investigating potential hate crimes 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 the 403 events identified by the Hate Crimes Unit in 2023:

- 41% were Patrol dispatched calls and did not require further investigation.
- 58% of the dispatched calls resulted in an occurrence report which was reviewed and/or investigated by the Hate Crimes Unit.

Of the 403 recorded events 64 were considered either a hate crime or a suspected hate crime.

- 20 were suspected hate crimes
- 36 were hate crimes
- 1 was Advocating Genocide
- 3 were Public Incitement of Hatred
- 4 were Mischief to Religious Property
- Of the 64 events 16 resulted in charges where hate was recommended to Crown as an aggravating factor, which is a 25% charge rate.

Of the 16 charges where hate was considered to be an aggravating factor either in whole or in part the following Criminal Code charges were laid:

- 1 Robbery – disposition pending
- 1 Utter Threats to Person – disposition pending
- 1 Criminal Harassment – hate was considered an aggravating factor
- 1 Disturbing the Peace – hate was considered an aggravating factor
- 1 Assault with a Weapon – hate was considered an aggravating factor

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- 3 Mischief – 2 disposition pending, 1 diverted therefore hate as an aggravating factor was not applied
- 1 Mischief by Graffiti – disposition pending
- 4 Common Assault – 1 where hate was considered an aggravating factor, 1 hate was not considered an aggravating factor, 2 disposition pending
- 2 Assault Peace Officer – 1 hate was considered an aggravating factor, 1 disposition pending
- 1 Theft Under \$5000 – hate was not considered and aggravating factor

There were also 51 events that were reviewed by the Hate Crimes Unit that were considered *Criminal Code* only (hate was not an aggravating factor). 12 of these files were reviewed and recommendations were made to the Crown against hate as an aggravating factor.

As highlighted in the statistical analysis between 2022 and 2023 there was an increase in the number of occurrences that were reviewed/investigated by the HCrU. This can be deceptive as it infers that more people are reporting potential hate crimes when that is not actually the case. One of the reasons the numbers doubled was because there is now a dedicated unit and files that otherwise would not have been located are now being identified, assessed and categorized appropriately. The HCU had a Constable in a duty to accommodate position working full time from February to December 2023. One of the tasks of the constable was to complete the search functions to locate any potential hate crimes, do background checks on suspects and report the findings to the Sergeant who was then able to more accurately assess the occurrences, and assist with interviewing accused and other investigative tasks.

CONCLUSION:

The SPS Hate Crimes Unit has completed its second 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:

- Incorporate information and products that have been approved by the Hate Crime Task Force into daily operations at the SPS. This will assist foster a learning culture within the SPS.
- Incorporate information and products that have been approved by the Hate Crime Task Force into community presentations as well as making appropriate modifications to the SPS website hate crimes section to included accepted products such as a hate crimes pamphlet which would be translated into a variety of languages.
- Provide information to the judiciary on hate crimes that has been approved by the Hate Crime Task Force.
- Continue to enhance the relationship and collaborate with the Crown Prosecutors Office supporting consistent messaging and procedures with hate crimes.
- 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 crimes.
- Continued representation on the Hate Crimes Task Force.

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- Continued collaboration with the Alberta Hate Crimes Intelligence Group (law enforcement intelligence group centered around hate crime and extremism) and strengthen the SPS Hate Crimes position within said group.
- Continued collaboration with the National 2SLGBTQIA Liaison Group (law enforcement intelligence group centered around hate crimes and extremism towards the queer community).
- Continue to enhance the working relationship with SPS Victim Services to develop a more responsive strategy from the onset of an investigation to support victims of not only hate crimes but non-criminal hate incidents as they can be equally as traumatizing.

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