# Hate/Bias Motivated Crimes

As stated earlier, seventeen (17) of the total reported events involved offences that were committed against a person or property and were classified as "Hate/Bias motivated crimes". This represents a decrease by 10.5 % in this category when compared to the nineteen crimes reported in the previous year, 2014. The following chart shows the number of Hate/Bias crimes reported annually over the last six year period.

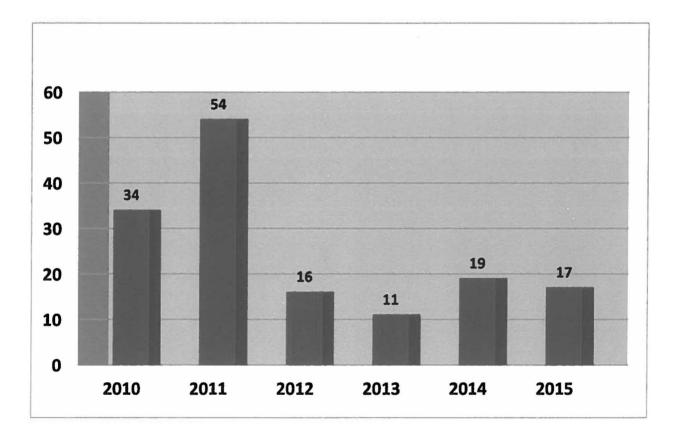


Figure 3: Events Classified as "Hate/Bias Motivated" Crimes (2010 - 2015)

The total number of Hate/Bias motivated crimes in 2015 was seventeen (17) and the charges are in the following chart (table 2 next page)

Offence Type	TOTAL	RA	SO	RE	DI	UK
Mischief (Graffiti)	0					
Assault 1	11	8	2	1		
Assault with Weapon	0					
Utter Threat	4	3	1			
Mischief Under	1			1		4 VOC K HOLV
Harassing Calls	0					
Criminal						
Harrassment	0					
Break and Enter	0					
Arson	0					
Theft Over	0					
Cause Disturbance	1	1				
Neighbour Dispute	0					
Suspicious						
Circumstance	0					
Trespass	0					
Dangerous Operation						
of M.V.	0					
Wilful Promotion of						
Hatred	0					0
Theft Under	0					
Sexual Assault	0					
Total	17	12	3	2	0	0

#### Table 2: 2015– Identified Hate Crime Breakdown by Type and Category

#### Legend:

- RA = Race/Ethnicity
- SO = Sexual Orientation
- RE = Religion
- DI = Disability

By way of comparison, the next chart shows the breakdown of the Hate/ Bias crimes in relation to the total hate/bias incidents (overtones) reported annually, over the last six year period. (*See Figure 4 next page*)

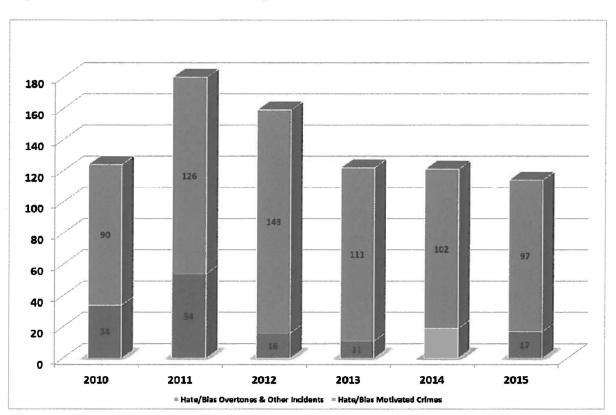


Figure 4: "Hate/Bias crimes" in comparison to "Hate/Bias incidents" (2010 - 2015)

An explanation for the decrease from nineteen (19) reports in 2014 to seventeen (17) reports in 2015 is due to a change in capturing the reports within the Hamilton Police Service. All reports are reviewed and classified by the Hate Crime Unit who has the Hate Crime Statistical Training in classifying reports for accuracy. The training from Statistics Canada enables the reports to be categorized consistently within our service as well as across the province. This category is for Hate/Bias motivated crime where motivation is the key. If there is ambiguity, no criminal offence or no suspect; then one can not classify an event as a Hate/Bias motivated crime.

The category of Hate/Bias incidents had a decrease in 2015. Ninety seven (97) events compared to one hundred and two (102) in 2014. This is a decrease of 5%. This category has the majority of events within the Hamilton Police Service.

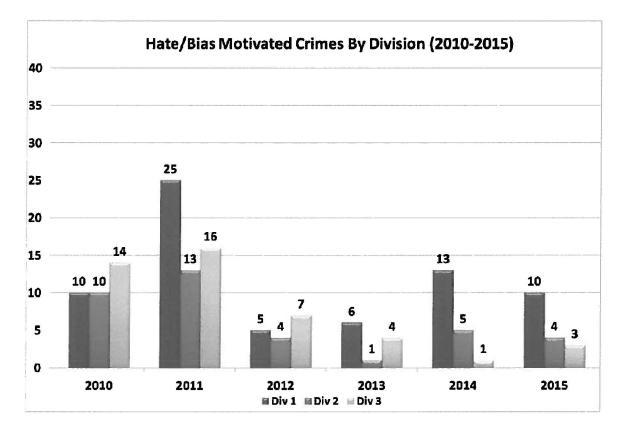
# **Criminal Charges and Clearance Rate**

In 2015, of the 114 total Hate/Bias crimes and incidents, fourteen (14) were cleared by criminal charges. This represents a clearance rate of 12% in this category. Ten (10) were Hate/Bias crimes and four (4) were Hate/Bias incidents with overtones.

# **Divisional Breakdown**

A review of the Divisional breakdown of the seventeen (17) "Hate/Bias crimes" was conducted.

In 2015, thirteen (10) incidents were recorded in Division One, five (4) in Division Two and one (3) in Division Three. The following chart shows the divisional breakdown of Hate/Bias crimes over the past six year period. (*See Figure 5*)



#### Figure 5:

# **Community Outreach**

Hamilton Police Service prides itself on established relationships and partnerships with the diverse communities we serve. A continued effort has been made in 2015 to work alongside the communities to enlighten and engage in meaningful discussions on Hate/Bias issues.

The following are some highlights of outreach and education initiatives the H.C.U. has undertaken in 2015 in partnership with the community:

- Work with the LGBTQ, Positive Space groups, Muslim, Hindu, Jewish, Black, and Aboriginal Communities in partnership with the HPS Community Relations Coordinator.
- Liaise with Crown Attorney's Office regarding hate propaganda cases.
- Community education with Hamilton's Centre for Civic Inclusion HCCI.
- Liaise with McMaster University, the Detention Center, Canadian Border Services, Justice Officials Protection and Investigations Service (JOPIS), Criminal Intelligence Service Ontario (CISO) and Victim Witness Assistance Program (VWAP)
- Attended events in the community: Hosted International Day Against Homophobia, Biphobia and Transphobia at Central Police Station. Attended McMaster University for the 21<sup>th</sup> anniversary commemoration of the Rwandan Genocide with the Rwandan community. Partnered with Sir Winston Churchill High School to celebrate International Day of Pink (anti bullying) and helped raise money for the school. Participated in Gay Pride Parade March with Westmount Secondary School. Participated in celebration with the Hindu Samaj Temple to celebrate the 14<sup>th</sup> anniversary of the rebuilding the Temple after the fire of 2001.

# **HPS Education**

The Hamilton Police is committed to quality service and the training of front line officers is one way to accomplish this. The Hate Crime Unit prepared and delivered PowerPoint presentations to frontline officers as a refresher for investigating Hate/Bias crimes and incidents.

Presentations on hate crime are continually being done to all members of the service and the various units.

The Hamilton Police Service (HCU) also delivered educational presentations at the Ontario Police College twice in 2015 for the Advanced Hate Crime Course. The Hamilton Police Service is often called upon for this as it has established itself as a leader in Hate Crime Investigations in Ontario.

The Hate Crime Unit delivered presentations to both the Interval House Women's Shelter as well as the City Of Hamilton Anti-Racism Committee.

The Hate Crime Unit continues to be a leader in training with Statistics Canada in Ottawa for streamlining and structuring Hate Crime definitions and occurrences across the Province of Ontario.

# Hate Crimes Unit Initiatives 2015

The Hamilton Police HCU continues to dialogue with community members and groups with concerns and issues around Hate crime. Some examples are as follows:

- The HCU investigator follows all matters before the courts where hate/bias has been identified to ensure the application of Section 718.2(a) (i) of the Criminal code is recognized in sentencing.
- The Hate Crime Unit has three designated Crown Attorney's who review all hate crime cases.
- The Hate Crime Unit has mentored several Officers regarding what is involved with a hate crime incident, from arrest to interview.

- The Hate Crime Unit along with HCEIT members and an OPC representative put together an advanced training course for Hate Crime Officers which was piloted across the province in 2012 and 2013. The goal was to further educate Hate Crime detectives and to make sure everyone was using the same language. The course offered dialogue between Hate Crime Detectives and Crown Attorneys with respect to Hate Propaganda cases in Ontario. In 2015, Detective Pietroniro presented Hamilton Hate Crime cases to students on the course.
- Worked collaboratively with HCEIT members on issues involving protest groups throughout the province and Hamilton. Meetings are attended on a quarterly basis.

The Hamilton Police is committed to ensuring that the hate/bias crimes proceeding to court have been identified to the crown and an application for 718.2 regarding sentencing provisions is brought to the attention of the judge at sentencing.

#### **Sentencing Provisions**

- 718.2 Other sentencing principles-A court that imposes a sentence shall also take into consideration the following principles.
  - (a) A sentence should be increased or reduced to account for any relevant or mitigating circumstances relating to the offence or the offender, and, without limiting the general and foregoing.
  - (b) evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor.

The Hate Crime Unit in partnership with the judicial system is committed to ensuring that the 718 (a) (i) section is applied due to the nature of the offences and the impact on the wider community. Hamilton Police HCU will continue our pursuit in the apprehension of offenders in all crimes designated to be motivated by Hate.

# **Future Outlook**

There has been significant change regarding legislation around Section 13 of the Human Rights Act which may have an impact on reporting incidents within the Hate Crime Unit of the Hamilton Police.

Section 13 of the Human Rights Act is the section which governs hate speech on the telephone and internet. It was officially given royal assent On June 26<sup>th</sup>, 2013 and has taken effect now after a one year phase in period, thus removing it from the Human Rights Act. Part of our commitment is to be aware of what is going on around the world and how that affects everyone within our community here in Hamilton.

The removal of Section 13 and its impact on our diverse communities will be continually monitored through our statistical gathering and incident report follow up.

# Conclusion

The Hamilton Police Service HCU has seen a decrease in the Hate motivated crimes as well as our Hate/Bias incidents. We will remain committed in educating the public and our service on hate crimes. Our community needs to be committed and diligent on reporting hate crimes. The Hamilton Police Service still maintains some of the best reporting practices in Ontario but, we still have some unreported Hate/Bias incidents. The Hamilton Police Service will continue to be vigilant and promote the reporting of Hate Crimes through our Community Outreach as well through Social Media.

The Hate Crime Unit of the Hamilton Police Service is committed to the journey alongside and working with the many diverse communities we proudly serve in our City of Hamilton.

# **4.4(**d)



Hamilton Police Services Board 155 King William Street P.O. Box 1060, LCD 1 Hamilton, Ontario L8N 4C1

February 22, 2016

Members of the Board,

The Ontario Government's *Strategy for a Safer Ontario: public discussion paper* afforded our organization an opportunity to provide input to the development of a new strategy to build safer, stronger communities across the province. We want to share that same input with you, and to offer our endorsement for local initiatives that will achieve our mutually desired goals.

Our interest is specific to our vision and mission, and to one of the five core police services mandated under Ontario's *Police Services Act* - crime prevention. We would welcome crime prevention approaches, including public education and engagement initiatives, to address the deeply concerning rates of sexual crimes against children and youth in our community. Beyond victim assistance and criminal investigation, we believe police can play a vital and effective role in preventing sexual offenses against children. We have encouraged the Province's consideration of the evidence and literature within the field of situational crime prevention research, including both primary prevention opportunities and strategies for reducing recidivism. Beyond tertiary interventions, primary and secondary prevention strategies are needed, together with crime analysis that asks questions about who, what, where, when, and how these crimes occur.

Researchers in Australia, for example, have identified routine activities preceding adolescent sexual abuse of younger children (using research conducted here in Canada) and suggested situational prevention strategies as a result. Research in the U.K. and Australia has shown the influence of the presence of a guardian on the severity of child sexual abuse, and highlighting the importance of guardianship as a protective factor in sexual offending.

The Moore Center for the Prevention of Child Sexual Abuse at Johns Hopkins has challenged the idea that child sexual abuse is "inevitable" – the notion that we can't prevent it entirely. Instead, they have urged us to consider that it is, in fact, 100% preventable with evidence-based programs. We understand that good work is underway in Waterloo Region (*Smart on Crime 2015-2018*), and that New Brunswick has created a provincial Crime Prevention and Reduction Strategy that moves beyond traditional responses in criminal justice and policing. In the United States, the *National Plan to Prevent the Sexual Abuse and Exploitation of Children* puts it plainly: "We know prevention can work. The Plan supports

comprehensive prevention strategies but pays special attention to primary prevention and positive youth development. (It) describes a range of actions that includes individual, community and policy level strategies, to stop the demand for, and to prevent, child sexual abuse and exploitation".

Our input to the Province included our full support for enhanced police training specific to this issue. We also wholeheartedly support the inclusion of child abuse, and particularly sexual abuse-specific, curriculum during training of new police officers to enhance and strengthen their skills and responsiveness when encountering this issue. In addition, we believe a summary of crime prevention strategies and approaches related to keeping children safe from sexual harm would be an effective addition to policing overall and a valuable tool in our collective efforts at a community-wide response to child sexual abuse.

We believe that promising research, crime prevention approaches, and innovative data analysis can help to inform and strengthen our collective response to child sexual abuse. Informed by these, the Province and Hamilton Police Service would have our complete support and that of many other community partners for the priority engagement of our policing resources in crime prevention efforts aimed at this critical issue. The HPS report of a staggering 38% increase in sexual crimes against children last year, and a 5-year average increase of 25%, is of great concern. We need to better understand these numbers, and we have asked our colleagues at HPS to explore both the data and its implications with us in order to ensure we respond appropriately as a community. It remains however, vitally important that we determine the extent to which current efforts and approaches here in Hamilton are working, and whether this trend in the wrong direction is evidence that more attention is required beyond prevention initiatives.

Our organization has long enjoyed a positive and valued partnership with Hamilton Police Service. And we know the extent of its commitment to young people in our community is significant. But we also know that identifying and incarcerating offenders or trying to prevent recidivism are tertiary interventions that do nothing concrete to prevent the incidence or impact of sexual crimes against children. We urge the Board to make this a priority moving forward, and to include a specific prevention focus among the expectations that will be communicated to the new Chief of Police.

We believe thriving children create thriving communities. Our community impact planning work has placed significant emphasis on education and prevention initiatives as well as the treatment work we do with children and youth. There is no question that we could accomplish more together than ever we could on our own, and for that reason you may count on our full commitment to any collaborative initiatives or partnerships that address this pressing community safety issue.

Respectfully,

Karen Smith Executive Director (905) 523-1020 ext. 211

> Thrive Child and Youth Trauma Services 460 Main Street East, Suite 201, Hamilton, ON L8N 1K4 www.thrivechildandyouth.ca



# **OUTSTANDING ISSUES as of April 21, 2016**

ITEM	ORIGINAL DATE	ACTION REQUIRED	STATUS	EXPECTED COMPLETION DATE
1. Update: Delegation: Mr. Chandrashekar	January 21, 2014	That a review of the processes surrounding the Administration of Overtime and the Sick Pay Reserve be completed.		2 <sup>nd</sup> Quarter of 2016
2. Correspondence from Mr. Shekar Chandrashekar with respect to articles from the Hamilton Spectator.	September 15, 2014	That staff report back on the ability to publish expense(s) of Police Services Board Members on the Hamilton Police service Board website pages. The report is to include the process and costs associated to develop this initiative.		2 <sup>nd</sup> Quarter of 2016
3. 2015 Hamilton Police Service Operating Budget (PSB 14-119)	January 22, 2015	That the Board requests KPMG to attend a future meeting of the Board to answer any questions with respect to the annual audit.		2 <sup>nd</sup> Quarter of 2016
4. Other Business	February 26, 2015	That the Board Administrator investigates the use of Electronic devices for monthly agendas.	PSB 16-001 – In process of gathering further information.	2 <sup>nd</sup> Quarter of 2016
5. Training and Practices of the Hamilton Police Service on Bias Free Policing	July 23, 2015	That Senior Command report back to the Board on the value, implications, pluses and minuses moving forward with respect to collecting, evaluating, analyzing and reporting on race based analysis data on an ongoing basis, including recommendations moving forward.		Waiting for MCSCS to release Legislation

4.4 (e)



# OUTSTANDING ISSUES as of April 21, 2016

ITEM	ORIGINAL DATE	ACTION REQUIRED	STATUS	EXPECTED COMPLETION DATE
6. Training and Practices of Hamilton Police Service on Bias Free Policing	July 23, 2015	The Board request an information report with respect to the best practices as it pertains to developing policy around Community Street Checks		Waiting for MCSCS to release Legislation
8. Body-Worn Camera Study	November 19, 2015	The Chief to report back to the Police Services Board in one year with further findings from external body-worn camera pilots.		4 <sup>th</sup> Quarter of 2016 – (November)
9 Request from Ms. Marla Brown of Hamilton Community Legal Clinic (HCLC), to Provide a Deputation to the Board	2015	That the request from Ms. Marla Brown of the Hamilton Community Legal Clinic (HCLC) to provide a deputation to the Board with respect to racial profiling / carding / street checks in Hamilton, be approved.		Waiting for MCSCS to release Legislation
10. Information Item 4.5(k)	March 31, 2016	Correspondence from Karen Smith, Executive Director, Thrive Child and Youth Trauma Services with respect to the Ontario Government's Strategy for a Safer Ontario be deferred to the next meeting of the Board		April 21, 2016

#### - RECOMMENDATION -

DATE:	2016 April 21
REPORT TO:	Chair and Members Hamilton Police Services Board
FROM:	Ken Weatherill Acting Chief of Police
SUBJECT:	Lease Amendment and Renewal 7 Innovation Drive, Flamborough (PSB 11-112b; see also 11-112 and 11-112a)

#### **RECOMMENDATIONS:**

- a) That the Hamilton Police Services Board approve the renewal of the Lease Agreement between the City of Hamilton - Police (Tenant) and City of Hamilton (Landlord), for the purposes of providing a location for the HPS to provide office space located at 7 Innovation Drive, Flamborough, Suite 235 for patrol officers working in Flamborough;
- b) That the Hamilton Police Services Board request that the Mayor and the City Clerk, of the City of Hamilton, execute a Lease Agreement renewal between the City of Hamilton - Police (Tenant) and City of Hamilton (Landlord) in a form satisfactory to the City of Hamilton Legal Services, for the premises located at 7 Innovation Drive, Flamborough, Suite 235; and
- c) That the previous Lease Agreement be amended to exclude Suite 240.
  - Area: Approximately 278 square feet of space for use as a Patrol Officers' report writing and lunch office.
  - Term:A period commencing on April 1, 2016 and expiring March<br/>31, 2017 with four (4) one-year options to renew.
  - **Rental Rate:** \$3,156.00 per annum plus H.S.T. and utilities. The payments will be made from Account #55358-376614.

Ken Weatherill Acting Chief of Police

#### FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

- FINANCIAL The cost of this lease agreement is \$3,156.00 per year calculated at \$263.00 per month. The City of Hamilton has provided both suites without charge since November 2011 but now requires rent to be charged. This is an unbudgeted expense. The payments will be made from Account #55358-376614.
- STAFFING n/a
- *LEGAL* The present lease has expired, however police have been allowed to stay on a month-by-month basis.

#### BACKGROUND:

The Waterdown Community Policing Centre (CPC) was located in the old Municipal Offices on Highway #5, in Waterdown. In June of 2011, the municipal offices were closed, leading to the closure of the Waterdown CPC, as well as the Flamborough beat officers' office. The City made a commitment to find a new location for the policing centre. The Hamilton Technology Centre at 7 Innovation Dr., Flamborough had two (2) vacant suites and it was determined that this location would be an excellent venue for police.

A one-year lease agreement was executed for the lease of two (2) adjoining suites. Suite 235 is approximately 278 square feet and Suite 240 is approximately 706 square feet. Suite 235 was used as a beat patrol office for the officers working in the Flamborough and Waterdown areas. Suite 240 was used by the Waterdown CPC volunteers to organize activities and staging of events. The lease was executed and expired November 30, 2012. Police have been allowed to stay on a month-to-month extension for both suites.

In March 2016, the police service was notified through Board Chair Lloyd Ferguson that police would be required to re-enter into a formal lease and that there would be a cost associated with leasing this space. A review of use of both suites was undertaken and it was determined that Suite 240 is no longer required since most of the volunteer programming has been centralized at 640 Barton Street and that Suite 240 in recent years has seldom been used.

Suite 235 is highly utilized and should be retained as a beat office to provide officers in the Flamborough/Waterdown area a place to write reports and take lunch breaks. Without this space, officers would have to travel to Dundas or back to the Division 3 headquarters at 400 Rymal Road, thereby increasing the amount of time required to respond to emergency calls in the Flamborough area.

A standard City of Hamilton lease agreement has been prepared for the lease of Suite 235. It is a one (1) year lease with four (4) one-year options to renew. Total lease is expected to last five (5) years. The yearly cost is \$3,156.00 per year and is based on \$263.00 per month calculated at \$11.35 per square foot.

Staff is recommending the approval of this lease.

#### KW/D.Bowman

cc: Deputy Chief Eric Girt, Community Policing
Superintendent Jamie Anderson, Corporate Services
Superintendent Dave Calvert, Division 3
John Randazzo, Chief Accountant
Inspector Mike Worster, Community Mobilization Division
Neil Everson, Economic Development
Real Estate, City of Hamilton

- RECOMMENDATION -

DATE:	2016 April 21
REPORT TO:	Chair and Members Hamilton Police Services Board
FROM:	Ken Weatherill Acting Chief of Police
SUBJECT:	Lease Renewal Parking at 5Star Fitness 1215 Stone Church Road East, Hamilton (PSB 16-061)

#### **RECOMMENDATIONS:**

- a) That the Hamilton Police Services Board approve the renewal of the Lease Agreement between the City of Hamilton (Tenant) and 1738900 Ontario Inc. operating as 5Star Fitness (Landlord), for the purposes of providing 30 parking spaces for HPS staff assigned to the Multi Agency Training Facility (MATA).
- b) That the Hamilton Police Services Board request that the Mayor and the City Clerk, of the City of Hamilton, execute a Lease Agreement renewal between the City of Hamilton (Tenant) and 1738900 Ontario Inc. operating as 5Star Fitness (Landlord) in a form satisfactory to the City of Hamilton Legal Services, for the continued rent of 30 parking spaces;
  - Term: A period commencing on September 1, 2016 and expiring August 31, 2021.
  - Rental Rate: \$9,000.00 per annum calculated at \$750.00 per month plus H.S.T. The payments will be made from Account #56510-376622.

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Ken Weatherill Acting Chief of Police

Police Services Board Report #16-061

#### FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

- FINANCIAL The cost of this lease agreement is \$9,000.00 per year calculated @ \$750.00 per month. The rental rate has not increased over the previous lease term. The payments will be made from Account #56510-376622.
- STAFFING n/a
- *LEGAL* The existing lease has a 5-year option to renew upon expiry on August 31, 2016.

#### BACKGROUND:

When the Multi Agency Training Facility opened in 2011, there was not enough onsite parking to accommodate the number of employees that attend the facility on a daily basis. This was a known issue at the time of construction, however, since the project was funded through the stimulus funding model, parking issues were set aside in order to be shovel ready and ensure that the \$26MM provided for this project was not compromised.

Through delegated authority, the City of Hamilton Real Estate services negotiated the first rental agreement with 5Star Fitness. As part of the initial agreement, an option for a 5-year lease extension was included. No other offsite parking is available nearby. The rate of \$9,000.00 per annum is equivalent to \$25.00 per month per parking spot. This is a reasonable rental rate for this space.

#### KW/D.Bowman

cc: Deputy Chief Eric Girt, Community Policing

Superintendent Jamie Anderson, Corporate Services

- John Randazzo, Chief Accountant
- John Hamilton, Real Estate, City of Hamilton

#### - RECOMMENDATION -

DATE:	2016 April 21
REPORT TO:	Chair and Members Hamilton Police Services Board
FROM:	Ken Weatherill Acting Chief of Police
SUBJECT:	Adoption of City of Hamilton Procurement Policy (PSB 12-115b)

#### **RECOMMENDATIONS:**

- a) That the Board approve the adoption of the City of Hamilton Procurement Policy By-law 16-070, approved by City Council on March 9, 2016, for the Hamilton Police Service.
- b) That the Board approve the amendments to the City of Hamilton Procurement Policy as listed below.

Ken Weatherill Acting Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – n/a

STAFFING – n/a

LEGAL – n/a

#### BACKGROUND:

The Hamilton Police Service has historically adopted the City of Hamilton's Procurement Policy as a framework to ensure the procurement of goods and services in a timely, efficient, and cost effective manner while supporting the controls and accountability appropriate for a public agency.

The City of Hamilton operates a centralized Procurement Section which is responsible for the administration of the City of Hamilton's Procurement Policy. The City of Hamilton Procurement Section provides its services to all City of Hamilton departments and local Boards including the Hamilton Police Service, Public Health, and the Hamilton Public Library.

The City of Hamilton's Procurement Section operates on a customer service model by assigning procurement specialists to Client Departments to assist in the procurement of goods and services and to ensure that procurement transactions are conducted in a fair, open and transparent manner. As well, the Procurement Section prepares necessary procurement documents, processes purchase orders, maintains records of procurement transactions, and provides procurement-related training on the City's financial software application.

For financial reporting purposes, the financial information of a municipal police service in Ontario is included as part of the municipality's financial reporting. This reporting relationship has encouraged financial resource sharing between municipalities and municipal police services. For the City of Hamilton and the Hamilton Police Service, this relationship includes sharing resources related to the activity of procuring goods and services. While there is no legislative requirement for a municipality and municipal police service to have consistent procurement policies, a common set of shared procurement policies helps to ensure efficiency and consistency in the administration of the procurement function.

# AMENDMENTS MADE BY THE CITY OF HAMILTON TO THE PROCUREMENT POLICY

Summary of amendments attached – Revisions to Procurement Policy, March 2016

# AMENDMENTS MADE BY HAMILTON POLICE SERVICE TO THE CITY PROCUREMENT POLICY