

HATE CRIME AND HATE INCIDENT RESPONSE

1. GENERAL

- A. Halifax Regional Police (HRP) recognizes that crimes and incidents motivated by hate, bias, or prejudice are serious events that can have a disproportionate impact on affected individuals and communities.
- B. This policy provides the guiding principles for the HRP response to Hate Crimes and Hate Incidents and outlines responsibilities and expectations that are in addition to the general responsibilities and expectations of HRP members when responding to and investigating a report made to police.

2. POLICY

- A. HRP shall maintain processes and protocols for the response to Hate Crimes and Hate Incidents. These shall be regularly reviewed to ensure they remain current with relevant legislative amendments, applicable case law, education, and training.
- B. HRP shall refer all Hate Crimes with sufficient evidence to consider prosecution, to the Public Prosecution Service, with evidence to support the hate motivation element in addition to the evidence which goes towards proving the offence.
- C. Where a case would ordinarily be suitable for consideration for Restorative Justice, HRP shall work with partner agencies, individuals, and communities, as appropriate, to determine the most suitable disposition.
- D. HRP shall actively engage with partners to reassure and support individuals and communities victimized and/or affected by Hate Crimes and Hate Incidents.
- E. The HRP Diversity Office shall be available as an additional point of contact for community members and groups affected by Hate Crimes and Hate Incidents but shall remain separate from any investigation.
- F. HRP shall work collaboratively with other law enforcement and government agencies to share information as lawful and appropriate, to counter the activities of organized hate groups.

Procedure

G. HRP shall complete a General Occurrence (GO) report for any criminal or non-criminal incident reported to HRP where hate, bias, or prejudice is suspected to have been a motivation.

H. DISPATCH

- i. Calls for service which relate to suspected Hate Incidents shall be assigned the initial call type HATI.
- ii. Calls for service which relate to suspected Hate Crimes shall be assigned the initial call type HATC.
- iii. To ensure an accurate record of what is alleged to have taken place, the call record shall include the exact wording of any words or statements as outlined by the caller, which forms part of the hate element.

I. RESPONDING OFFICER

The responding officer(s) shall ensure that:

- i. A thorough initial investigation is completed.
- ii. The victim or complainant is made aware of the process by which HRP responds to Hate Crimes and Hate Incidents.
- iii. Full details of the alleged hate, bias, or prejudice are recorded in the GO report, whether this is reported by the victim, complainant, witness, or any other person. This shall include the exact wording of any verbal or written words and/or statements by the suspect(s) which form part of the hate element.
- iv. Calls for service which relate to suspected Hate Incidents shall be assigned the final call type HATI.
- v. Calls for service which relate to suspected Hate Crimes shall be assigned the final call type HATC.
- vi. The Hate Motivation Study Flag is added.
- vii. For Hate Incidents, the Hate Incident UCR code (8850) is added as the primary offence type, except where the Hate Incident formed part of a wider criminal matter, at which time it should be added as an additional offence type.

viii. For Hate Crimes:

1. The appropriate criminal offence UCR code is added as the primary offence type (for the specific hate-motivated offences within the Criminal Code, see Appendix A).
2. The Hate Crime Details page is completed.
3. The appropriate Hate Crime Indicator (CCJS Crime Type) is selected (Yes, No, or Suspected).

ix. For Hate Crimes involving graffiti, that evidence of the graffiti is captured and arrangements are made for its removal, in a timely manner.

x. The seizure, handling, and disposal of any offending material is completed in a sensitive manner, in accordance with the PROPERTY AND EVIDENCE POLICY.

J. NCO

The reviewing NCO shall ensure that:

i. The file is notified or routed to the handle HHATE as appropriate:

1. Where charges have been laid, a notification shall be sent to HHATE
2. If the file includes an offence that will be routed to CID, a notification shall be sent to HHATE
3. If there are no charges and the file will not be investigated by CID, the file shall be routed to HHATE, once the NCO is satisfied the initial investigation has been completed

ii. The Watch Commander is informed, for inclusion on the Watch Commander's Report.

K. HATE CRIME INVESTIGATOR

The Hate Crime investigator shall review all files involving suspected Hate Crimes and Hate Incidents and shall ensure that:

- i. Where appropriate, the HRP Diversity Office is consulted, particularly in matters that may require broad community liaison and support.
- ii. The file is reviewed for elements that may be linked to another investigation and/or individual known to be motivated by hate, bias, or prejudice.
- iii. As a minimum, a Supplementary Report is added to the file.

- iv. Any files with sufficient evidence for a charge to be considered, are referred to a Crown Attorney within the Nova Scotia Public Prosecution Service, to ensure the file contains evidence to support the hate motivation element in addition to the evidence which goes towards proving the offence.

L. DIVERSITY OFFICE

Where an individual victim, complainant, or group of persons is affected by the Hate Crime or Hate Incident, the HRP Diversity Officer may:

- i. Be available as a point of contact and reassurance, while remaining separate from any investigation.
- ii. As appropriate, consult with the Hate Crime investigator, Victim Services, Community Resource Officers, Community Relations Crime Prevention, and any other relevant Team/Unit.

3. DEFINITIONS

- A. **Hate Crime** is a criminal offence committed against a person or property, that is perceived to be motivated and/or is motivated, in whole or in part by the suspect's hate, bias, or prejudice based on the victim's real or perceived ancestry, race, national or ethnic origin, language, colour, religion/creed, sex, age, mental or physical disability, gender identity and/or expression, sexual orientation or any other similar factor.
- B. **Hate Incident** is an incident involving behaviours that, though motivated by hate, bias, or prejudice against a victim's real or perceived ancestry, race, national or ethnic origin, language, colour, religion/creed, sex, age, mental or physical disability, gender identity and/or expression, or sexual orientation, are not criminal acts.
- C. **Suspected Hate Crime** is a criminal offence committed against a person or property where motivation by hate, bias, or prejudice in whole or in part is suspected but, upon investigation, it cannot be demonstrated.

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Policy Sponsor	Deputy Chief, Operations

By Order Of:



Dan Kinsella
Chief of Police

