Hate Crime Study:
Summary Results of Consultations

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Hate Crime Study:
Summary Results of Consultations

1.   Introduction

In 1999, the Canadian Centre for Justice Statistics (CCJS) received four years of funding from the federal government's Policy Research Initiative (PRI) for a special study on hate crimes in Canada. The purpose of this study was to enhance the understanding of hate crime and to assess the feasibility of developing a survey to collect police-reported hate crime statistics in Canada.

The results of the first phase of the CCJS' Hate Crime Study were released in January 2001 through the report entitled "*Hate Crime in Canada: An Overview of Issues and Data Sources*". This report included a description of the experiences of other jurisdictions (U.S. and U.K.) that have attempted to collect hate crime statistics, data collection issues (victimization surveys, police-reported data, methods), a description of police departments which address hate crimes in Canada and an overview of their initiatives, as well as an analysis of the 1999 General Social Survey (GSS) data on hate crime.

2.   Background

Although data from the 1999 GSS on criminal victimization have helped address some questions regarding the nature and magnitude of hate crimes in Canada, certain limitations exist. For example, GSS data are estimates based on information collected from a sample of the population and are therefore subject to sampling error. The analysis is also limited because of sample size. In order to allow more detailed analysis of these types of crimes, a much larger sample would be required. Many property type hate crimes are often targeted against institutions such as community centres, churches, and synagogues; however, the GSS measures crimes against individuals and households and does not include crimes against the community or businesses. Police-reported statistics often include hate propaganda offences in their hate crime databases; however, the GSS does not capture any information regarding this specific offence category. Furthermore, the literature indicates that many hate crimes are committed by youths against youths – the GSS only includes those aged 15 and over in its sample.[1] It becomes important to collect data on police-reported hate crimes in order to complete the picture of hate crimes in Canada.

In order to receive input on future developments of the hate crime study, preliminary consultations were held with members of the National Justice Statistics Initiative (NJSI).[2] In March 2001, the CCJS met with the Police Information and Statistics (POLIS) Committee of the Canadian Association of Chiefs of Police (CACP) and with the Liaison Officers Committee[3] (LOC) of the NJSI in April 2001. It was determined that a pilot survey should be conducted with 17 policing jurisdictions that collect hate crime statistics. This pilot survey would determine what type of information police departments collect, examine the quality of the data, measure the extent of police-reported hate crime in selected jurisdictions, as well

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[1] For a more in-depth discussion on these limitations, please refer to the report "Hate Crime in Canada: An Overview of Issues and Data Sources", Canadian Centre for Justice Statistics, Statistics Canada. Catalogue no. 85-551-XIE.

[2] Since 1981, the Federal, Provincial and Territorial Deputy Ministers responsible for the administration of justice in Canada, with the Chief Statistician, have been working together in an enterprise known as the National Justice Statistics Initiative (NJSI). The governing body of the NJSI is the Justice Information Council (JIC). In general, the mandate of the NJSI is to provide information to support the administration of justice, and to ensure that accurate information regarding the nature of criminal and civil justice is available to the Canadian public. The operational arm of the NJSI is the Canadian Centre for Justice Statistics (CCJS), which is a division within Statistics Canada.

[3] The Liaison Officers Committee (LOC) consists of departmental officials appointed by members of the JIC, plus a representative of the Canadian Association of Chiefs of Police, which oversees the work of the CCJS.

as assess the feasibility of on-going data collection. The information collected through the pilot survey would be from the calendar year 2001. The police departments, which were selected based on information gathered through the first phase of the study, are the following:

1. British Columbia Hate Crime Team – (all municipal police services and RCMP detachments)
2. Calgary Police
3. Edmonton Police
4. Halton Regional Police
5. Hamilton-Wentworth Regional Police
6. Hull Police[4]
7. Ottawa Police
8. Peel Regional Police
9. Regina Police
10. RCMP
11. RNC - St. John's
12. Sudbury Regional Police
13. Thunder Bay Police
14. Toronto Police
15. Waterloo Regional Police
16. Windsor Police
17. Winnipeg Police

Members of the NJSI also agreed that consultations should be held with key stakeholders in order to determine specific information needs for the pilot survey. As a result, a series of consultations were held with (1) Non Governmental Organizations (NGOs), members of various community organizations, academics, and other federal organizations that are not part of the NJSI; (2) members of the LOC; and (3) the 17 selected police departments.

3.   Summary Results of Consultations

The information contained in this document provides a summary of the consultations that were held between September 2001 and March 2002. The purpose of this summary is to highlight the major issues, questions and concerns raised during the course of the consultations. These consultations have assisted the CCJS in the development of a pilot survey and feasibility study on the collection of national police-reported hate crime statistics.

3.1 NGOs, Community Groups, Academics and Others

In developing the list of groups to be consulted, the CCJS drew on the Department of Canadian Heritage's previous efforts in their establishment of the Roundtable to Combat Hate and Bias Activity. (The goal of the Roundtable was to bring together representatives from government, community groups, police departments, academics, private sector business, and others, as a first step in developing a coordinated national anti-hate action plan.) The groups selected for the CCJS consultative process include some of those that attended Heritage Canada's February and June 2000 Roundtable meetings, as well as others. Consultations were also held with a number of large umbrella and national-level organizations.

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[4] *Effective January 2002, the municipality of Hull was amalgamated with a number of other surrounding communities to become the new city of Gatineau.*

The following academics, NGOs, and other federal government departments were contacted.[5]

a) Academics:

- Dr. Julian Roberts – Department of Criminology, University of Ottawa
- Dr. Scot Wortley – Centre of Criminology, University of Toronto
- Dr. Ellen Faulkner - Department of Sociology and Anthropology, University of Windsor

b) Non-Governmental Organizations:

- Canadian Race Relations Foundation – Toronto
- Canadian Anti-Racism Education and Research Society – Vancouver
- League for Human Rights of B'Nai Brith – Toronto
- Council of Canadians with Disabilities – Winnipeg
- Canadian Jewish Congress – Toronto / Ottawa
- Centre de recherche-action sur les relations raciales – Montreal
- Equality for Gays and Lesbians Everywhere – Ottawa
- Urban Alliance on Race Relations – Toronto Inuit Tapirisat of Canada – Ottawa
- Métis National Council – Ottawa
- Canadian Human Rights Commission – Ottawa
- Assembly of First Nations – Ottawa
- Canadian Ethno-cultural Council – Ottawa
- 519 Church Street Community Centre – Toronto

c) Other Government Departments:

- Department of Citizenship and Immigration
- The Metropolis Project
- Department of Canadian Heritage – Multiculturalism
- Status of Women Canada

3.1.1 Issues Discussed

The following issues and questions regarding the collection of police-reported statistics were raised in the first round of consultations with NGOs, community groups, academics and others:

a) Definition of hate crimes.
b) Objectives of a pilot survey.
c) Information needs – data requirements and content.
d) The consultation process and other relevant issues.

a) Definitional Issues

In 1998, the Canadian Association of Chiefs of Police (CACP) approved a definition of hate crime. However in 2000 when the CCJS hate crime report was written, only one police department adhered to this definition.[6] Due to a number of problems with the wording *"motivated by hate and not vulnerability"*, in March 2001, a new definition which is based on the sentencing enhancement provisions of the *Criminal Code* (S. 718.2) was proposed by the POLIS Committee. It was decided that a definition for the purposes of data collection should resemble the *Criminal Code* as closely as possible. The following is the new proposed definition:

> A criminal offence motivated by <u>hate</u>, <u>prejudice</u> or <u>bias</u> based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor.

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[5] *Based on comments and suggestions from these groups, other organizations were consulted. Please refer to section 3.1.1 of this document for further details.*

[6] *The 1998 CACP definition to be used by police in collecting data on "hate crimes" was the following:* "a crime motivated by hate, not vulnerability" which is to include all the groups outlined in section 718.2 of the Criminal Code, including an "other" category so as to not miss new, emerging types of hate crimes.

During the consultations community organizations were asked if they had any concerns or comments regarding the above definition. Although some community groups and NGOs use definitions that go beyond the sentencing enhancement provisions of the *Criminal Code*, the general consensus was that the definition appeared to be satisfactory for the purposes of data collection. Nonetheless, a number of issues concerning the definition were raised.

- The absence of the wording "in whole or in part". Many argue that the definition should be re-written to indicate that the criminal offence is "motivated in whole or in part by hate, prejudice or bias based on …".
- Many noted the need for specific definitional guidelines. These guidelines would serve to define the concepts and the identifiable groups within the definition, provide examples of hate crimes, and pave the way for a standardized method to collect national police-reported hate crime statistics. These guidelines would also help address issues related to police training.
- The current definition is based on the offender's state of mind and/or police interpretation of the motivation. More emphasis should be placed on the victim's interpretation/perception.
- Efforts must be made to ensure that "hate crime" is not applied too narrowly. Emphasis needs to be put on the entire wording of the definition to take into account "bias" and "prejudice" and not only "hate" motivation.

b) Objectives of the Pilot Survey

The groups consulted were provided with the following list of objectives, which defines the parameters of the pilot survey and the feasibility study.

1. Determine what type of information can be collected from police departments.
2. Assess the quality of the data being collected by police.
3. Assess the feasibility of on-going data reporting.
4. Collect detailed police-reported hate crime information.
5. Measure the extent of police-reported hate crime in selected jurisdictions.

When asked their opinions on these objectives for conducting the pilot survey, the following comments were raised.

- Many groups stressed the importance and the need for an on-going data collection strategy. There were some concerns that efforts of the hate crime study would end once PRI funding has elapsed. Specifically, some were concerned that the project would end with the pilot survey and the results would indicate that nothing could be done with respect to collecting police-reported hate crime statistics. Many groups wanted efforts to continue to collect hate crime statistics and improve the way they would be collected in the future.
- Some groups noted that the manner in which the objectives were presented had the appearance of a hierarchy of importance. Those consulted were assured that all objectives were equally important.
- Some suggested that the issue of under-reporting by police and victims should be an objective of the CCJS study. It was hoped that the pilot survey and the feasibility report would be able to shed more light on the issue of under-reporting.
- Linked to under-reporting is the issue of training. Those consulted hoped that the pilot survey would help address issues related to the training of police officers in order to assist them in properly identifying and recording hate crimes.
- An additional objective of the pilot survey raised during the consultations was the need to standardize the manner in which hate crime statistics are reported. The issue of standardization was often discussed in the context of police training and the definition of hate crimes.
- Groups felt that there was a need to have some documentation on the manner and methods by which police departments collect and record hate crime incidents. Many felt that this was an issue that should be part of the objectives of the pilot survey.
- With respect to data quality, many groups were concerned as to the criteria and/or methods that the CCJS would be using to assess data quality.

c)   Data Requirements and Content

The central message from NGOs, community groups and academics regarding data requirements and content was the need to establish indicators on hate crime. When asked about research and policy questions as well as specific data needs, the groups consulted indicated that there is a need for as much information as possible. A number of specific research questions were also raised and there is support to gather as much detail as possible on the incident, victim and offender. The importance of qualitative information such as police attitudes and operational procedures in reporting hate crime incidents was also stressed.

Although the groups consulted were reminded that the pilot survey will only capture police-reported information from occurrence reports and incident files, many groups outlined the need for information on outcomes of hate crimes. For example, the extent of the application of s. 718.2 of the *Criminal Code* by Crown prosecutors was raised in most of the consultations, as well as the number of convictions and any other sentencing information. In addition, many groups sought ways to measure other indicators of prejudice and discrimination within the context of the criminal justice system. Despite these valid concerns, those consulted were reminded that the CCJS special study on hate crimes is only one aspect of research that can address the overall issue of hate, bias and prejudice. Many of these questions and concerns would be best addressed through other initiatives and/or research projects.

Below is a list of specific questions that were highlighted during the consultations. Addressing these questions would help us establish indicators on hate crime:

- What is the extent and magnitude of hate crime and hate "incidents" across the country?
- How many hate propaganda offences are coming to the attention of the police?
- What types of offences are associated with hate crimes?
- How do police deal with hate crimes and what is the level of police discretion?
- Who are the targets? Who is at risk of victimization and offending?
    - What are the characteristics of the victim and the accused?
    - What is the exact motivation of the hate crime and the identifiable group that the victim belongs to?
- What is the relationship between victims and offenders?
- What is the extent of reporting and under-reporting?
- What is the social, economic, and political climate/context in which hate crimes occur?
- What are the impacts on victims and their corresponding communities?
- What are the views and perceptions of the victim regarding the motivation?
- What is the role of the Internet?
- What is the extent of organized hate activity and what are the characteristics of hate groups?
- What are the motivating factors and indicators as to why people commit hate-motivated and bias crimes?

In raising these specific research questions, many groups stressed the need for data that would assist in the production of periodic reports for public awareness campaigns, education, police training manuals, policy development, prevention and other best practices to respond to hate crimes.

Based on the consultations and the above summary list of information needs, the CCJS translated the data needs and requirements into a list of data elements. For various technical reasons and in order to coincide with current incident-based police reporting practices, the data elements have been organized under three different headings: Incident, Victim and Accused:

Incident level data needs

- Responding police department
- Urban / Rural
- Location of incident (e.g. school, residence, etc.)
- Nature of hate incident - criminal versus non-criminal
- *Criminal Code* violation(s)
- Whether hate crime was victim perceived hate crime or police determined
- Target of violation – person or place
- Weapon
- Group/gang related
- Extremist related/hate group
- Hate motivation (race/ethnicity, religion, etc.)
- Exact motivation (anti-Arab, anti-Jewish, anti-Black, anti-White etc)

- Date of incident
- Date reported
- Date reported as a hate crime
- Reported by whom
- Number of victims
- Number of suspects
- Time of incident
- City block

- Perceived motivation (e.g. anti-gay but victim not homosexual; anti-Arab but target Sikh temple)
- Motivating factor (e.g. fight, slurs, significant date, etc.)
- Internet related
- Narrative

Victim level data needs

- Age of victim
- Sex
- Characteristics of the victim that are related to the hate motivation:
- Race/ethnicity (includes Aboriginal status)
- Religion
- Sexual orientation
- Disability
- Language
- Type of injury
- Other impacts on victim

- Whether victim consulted help (e.g. friends, family, help group, counselor, etc.)
- Relationship of accused to victim
- Country of birth
- Employment status
- Education level
- Occupation
- Citizenship
- Immigrant status
- Mother tongue
- Other language spoken
- Income
- Number of dependants

Accused level data needs

- Age of accused
- Sex
- Characteristics of the accused which are related to the hate motivation:
- Race/ethnicity (includes Aboriginal status)
- Religion
- Sexual orientation
- Disability
- Language
- Country of birth
- Employment status

- Education level
- Occupation
- Citizenship
- Immigrant status
- Mother tongue
- Other language spoken
- Income
- Number of dependants
- Previous hate crime involvement
- Involvement in gang or extremist group

d) Consultation Process and Other Items

The groups consulted were generally satisfied with the consultation process. However, some indicated that more time and resources should have been allocated to the consultations. They noted that all member groups of their respective organizations should have been consulted. However, given time and budget constraints, the chosen approach was felt to be the most effective and efficient manner to receive input by affected communities and experts.

While these consultations gave affected groups the opportunity to voice their opinions and share their views on matters related to hate crimes, in some instances, the people involved in the consultations wished to clarify that the views expressed were not necessarily those of the entire organization. In addition, some groups suggested other organizations that should be included in the consultations.

From a list of 37 organizations, efforts were made to consult with the following groups: National Association of Friendship Centres, Native Women's Association of Canada, Congress of Aboriginal Peoples, Canadian Arab Federation, Council of Agencies Serving South Asians, and the Council for American Islamic Relations Canada.

Other items that were raised by many of the groups consulted included the following:

- An opportunity to review and provide comments on any forthcoming deliverables from the special study, such as the pilot survey instrument and results of the consultations.
- To be kept abreast of any developments of the hate crime project. This would help them with their own communications strategies.
- To promote awareness of the results of the study through a thorough dissemination strategy.
- The analysis of available data should include contextual and qualitative information to aid in their interpretation.

3.2 Members of the Liaison Officers Committee

The objectives of the consultations held with members of the LOC were to (1) present preliminary results of the consultations with NGOs, community groups, academics, and others; and (2) request input from the jurisdictions on hate crime information needs.

Through this second series of consultations the following questions were asked:

a) What are the research and policy questions that Initiative members would like answered with hate crime data?
b) What level of detail is required from such data?
c) Are there questions regarding the input provided by NGOs and others?

3.2.1 Issues Discussed

The consultations were organized to answer the above questions, however the outcomes addressed the following three areas: research and policy questions, definitional issues, and input from the consultations held to date.

a) Research and Policy Questions – Data Needs

Overall, few differences existed between the types of policy and research questions raised by members of the LOC and those raised by NGOs, community groups, academics and others. Specifically, Liaison Officers noted that data on hate crimes would be helpful to address questions related to the following.

- The extent and magnitude of hate crimes.
- Targets and risks of victimization.
- Typology of both the accused and the victim and the dynamics between victims and offenders.
- The extent of hate crime in schools and amongst youth.
- Risks of offending and re-offending.
- The extent of reporting and under-reporting.
- The social, economic, and political climate/context in which hate crimes occur (e.g. post September 11th effects).
- Impacts on victims.
- Aboriginal data needs.
- The views and perceptions of the victim regarding the motivation.
- The role of the Internet in promoting hate crimes and hate propaganda.
- The extent of organized hate activity and characteristics of hate groups.
- How hate groups are funded.
- How hate crime fits within the context of organized crime.
- Intervention mechanisms required to deal with hate crimes.

Answers to many of these questions would assist in:

- Improving policing practices and training.
- Promoting overall community development and crime prevention strategies.
- Changing legislation and policy (e.g. to support expansion of identifiable groups under Hate Propaganda provisions of the *Criminal Code* (s. 318-320)).

The question of how hate crimes are processed throughout the criminal justice system was raised in many of the consultations. Outcomes appear to be an important research and policy question, however as it was noted during the consultations with NGOs, obtaining courts and correctional information on hate crimes falls beyond the scope of the project. Since the introduction of the sentencing enhancement provisions in the *Criminal Code*, only a handful of known cases have been processed through the courts. Furthermore, the CCJS is unable to retrieve information on such court cases or the associated sentences.

Since the list of data needs raised from the previous consultations was quite exhaustive and overlapped with the list of information needs raised by LOC members, there were few additional variables to add. Some Liaison Officers outlined the need to obtain information on links to other criminal incidents and also whether there were any international elements present (e.g. terrorism, trans-national crime, and organized crime). With respect to the accused, in addition to previous hate crime involvement, it would also be important to find out information on any previous criminal involvement.

The issue of under-reporting and variability in reporting practices was a particular concern raised by a number of LOC members. This is an issue that all police-reported crime statistics are faced with; however, as indicated in the literature, hate crimes face a greater likelihood of being under-reported. With respect to the variability in reporting hate crimes, one Liaison Officer suggested that the 17 police departments could be presented with various hate crime scenarios. The objective of using hate crime scenarios would be to determine how different police departments might respond to particular hypothetical hate crime situations. It was felt that responses to these scenarios might help understand the variability in reporting practices.

Many Liaison Officers noted that although as much detailed information as possible is required; the quality of the data being gathered cannot be compromised. The scope and the content of the data collected must be limited to those elements for which reliable information is available.

b) Definitional Issues

During the discussions on data needs and research/policy questions, the definition of hate crimes was often raised. Obtaining much of the required information would be dependent on a clear understanding of concepts related to hate crimes (e.g. determining which identifiable group a victim or accused belongs to). As a result, the need for definitional guidelines was raised as an important issue by most members consulted.

c) Input on Consultations with NGOs, Academics and others

While members of the LOC were generally satisfied with the approach taken in the consultations with NGOs, community groups, academics and others, a couple of minor issues were raised.

- The list of data needs arising from the first series of consultations is exhaustive and it is unlikely that the police will be able to provide information to meet all of these needs. This is especially the case in trying to obtain detailed personal characteristics such as income, number of dependants, occupation, education level, etc. There is a need to refine the list of requested data needs. The inclusion of too many data elements may not produce reliable information and risks compromising the overall goal of the project.
- More representation from community groups and academics from the Atlantic region would have been preferred.

3.3 Police Departments

The last series of consultations were held with the 17 police jurisdictions that currently collect information on hate crimes.[7] The objectives of these consultations were to:

- Provide police with a clear understanding of the goals of the pilot survey.
- Establish a cooperative working relationship with data providers.
- Present preliminary results of the previous two series of consultations.

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[7] *The number of reporting agencies has been reduced to 16 jurisdictions. Although St. John's RNC was originally selected for the pilot, their current reporting system does not have the capability to collect such data. The other police jurisdictions consulted are British Columbia (Provincial Hate Crime Team); Calgary; Edmonton; Halton Regional; Hamilton-Wentworth Regional; Gatineau (formerly Hull); Ottawa; Peel Regional; Regina; RCMP; Sudbury; Thunder Bay; Toronto; Waterloo Regional; Windsor; Winnipeg.*

- Indicate the types of research questions and data needs raised during consultations.
- Examine the manner in which police departments currently collect data on hate crimes.
- Request input for the establishment of draft data requirements for the pilot survey.

3.3.1 Issues Discussed

The discussion topics during the consultations were based on the following questions:

a) What data elements on hate crimes are currently being collected or could be collected by your police department?
b) Are there any issues, constraints or barriers related to the collection of such variables?
c) How does your department currently collect data on hate crimes?
d) Does your department disseminate these data?
e) What is your assessment of the quality and reliability of these data?
f) What type of additional workload (if any) would the reporting of such data create?
g) Are there other issues that should be discussed or raised?

a) What data elements on hate crimes are currently being collected or could be collected by your police department?

A list of data needs that were drawn from the results of prior consultations with NGOs, community groups, academics and members of the LOC was presented to representatives of the participating police departments. The data needs were presented in the form of potential micro data elements at the incident, victim and accused level. The tables below provide summary information on what police departments are currently collecting or could potentially collect through a special survey.

CHART OF INFORMATION NEEDS - Incident

Information Need	Collected - Regularly	Could be collected through pilot	Not feasible to collect	Don't know if could be colleced
Police department	16	-	-	-
Urban / rural	6	4	6	-
Nature of incident - criminal or non-criminal	8	3	4	1
Violation(s)	16	-	-	-
Victim perceived hate crime / police determined hate crime	-	8	8	-
Date of incident	16	-	-	-
Date reported	14	2	-	-
Date cleared as a hate crime	-	3	12	1
Reported by whom	13	2	1	-
Number of victims	14	2	-	-
Number of suspects	15	1	-	-
Time	16	-	-	-
Location	15	1	-	-
City block	8	5	3	-
Target of violation – person or place	13	3	-	-
Weapon	13	3	-	-
Group/gang related	5	11	-	-
Extremist related/hate group	3	12	-	1
Hate motivation (race/ethnicity, religion, etc)	6	10	-	-
Exact motivation (anti-Arab, anti-Jewish, anti-Black, etc)	4	10	1	1
Perceived motivation (e.g. anti-gay but victim not homosexual; anti-Arab but target Sikh temple)	1	10	4	1
Motivating factor (e.g. fight, slurs, significant date, etc.)	2	13	1	-
International element	-	11	4	1
Links to other crimes	4	9	-	3
Narrative	15	1	-	-

CHART OF INFORMATION NEEDS - Victim

Information Need	Collected - Regularly	Could be collected through pilot	Not feasible to collect	Don't know if could be colleced
Age	15	1	-	-
Sex	16	-	-	-
Characteristics related to hate crime:				
race/ethnicity	3	13	-	-
religion	4	12	-	-
sexual orientation	3	12	1	-
disability	2	13	1	-
language	2	13	1	-
Type of injury	12	4	-	-
Other impacts on victim	2	7	7	-
Victim consulted help (e.g. friends, family, help group, counselor, etc.)	-	5	11	-
Relationship of accused to victim	13	3	-	-
Country of birth	1	5	10	-
Employment status	1	3	12	-
Education	-	-	16	-
Occupation	2	5	9	-
Citizenship	-	2	14	-
Immigrant status	-	-	16	-
Mother tongue	-	1	15	-
Other language spoken	-	-	16	-
Income	-	-	16	-
Number of dependants	-	-	16	-

CHART OF INFORMATION NEEDS - Accused

Information Need	Collected - Regularly	Could be collected through pilot	Not feasible to collect	Don't know if could be colleced
Age	15	1	-	-
Sex	15	1	-	-
Characteristics related to hate crime:				
race/ethnicity	4	12	-	-
religion	3	13	-	-
sexual orientation	2	12	2	-
disability	2	12	2	-
language	2	12	2	-
Country of birth	6	5	5	-
Employment status	5	6	5	-
Education	2	4	10	-
Occupation	5	8	3	-
Citizenship	6	4	6	-
Immigrant status	2	4	9	1
Mother tongue	-	3	13	-
Other language spoken	-	2	14	-
Income	-	-	16	-
Number of dependants	1	1	14	-
Previous criminal involvement	8	8	-	-
Previous hate crime involvement	2	12	2	-
Involvement in gang or extremist group	5	11	-	-

The results indicate that at the incident level, most suggested data elements are currently collected through regular reporting practices or could be collected through a special survey.[8] However, at the victim and accused level, many departments noted that the application of a special survey would also help to standardize and systematically track important data elements.

While some police departments that have electronic hate crime databases already collect many data elements on the incident, victim and the accused, populating these categories has sometimes proved to be difficult since fields are often "unknown". The analysis of the pilot survey data will inform data coverage, quality and utility assessment.

b) Are there any issues, constraints or barriers related to the collection of such variables?

Reporting information about an accused or a victim does not appear to be a major issue, as long as confidentiality is maintained. As noted above, many data elements that request specific information about the accused or the victim cannot be collected. These are especially evident when dealing with issues such as "income", "employment", "citizenship", "number of dependants", etc. Although some police departments may collect some of this information, the majority indicated that it is not feasible to do so. A number of departments expressed concerns that some of these variables appear to be intrusive and not relevant to the criminal incident.

With respect to constraints or barriers in collecting victim/accused characteristics related to hate crime such as "race/ethnicity" or "sexual orientation", the police generally felt that because of the unique nature of hate crime incidents, these data elements are important. However, the information has to be relevant to the specific incident. For example, if a crime that is motivated against one's sexual orientation is reported, then the race/ethnicity of the victim or accused is not relevant.

Determining information about those involved in hate crimes is a sensitive issue. For example, it was noted that obtaining some of the information about the accused could be problematic due to specific training requirements (and lack of training) for responding officers. Police departments that undertake special hate crime investigations may be better equipped to collect this information than departments where hate crime investigations are the responsibility of intelligence units or major crimes units.

Many respondents noted that senior officials from each department would need to review the data collection tool before it is applied. A few police departments further indicated that the final decision to report the information must be approved by high-ranking officials (i.e. chief or deputy chief). The CCJS and the police departments are already bound to a specific review process. [9]

c) How does your department currently collect data on hate crimes?

Hate crime statistics are gathered differently from one police department to the next. The only jurisdiction where a standard method is employed across police agencies is in British Columbia – through the Provincial Hate Crime Team. Four of the sixteen police agencies have specific hate crime electronic databases (British Columbia, Calgary, Toronto, and Ottawa), while all the other police departments manually collect information. As a result, many of the information items can only be determined based on the information gathered from the initial occurrence report and the accompanying narrative. The relevant hate crime information may be gathered from occurrence reports and stored in spreadsheet format, obtained through queries from the records management system, or by manually examining hard copies of occurrence reports. Much of the information is therefore not readily available. However, obtaining the required information would generally not be too onerous, since most of the departments that would be required to manually extract the required information from occurrence reports have fewer than 50 incidents per year. The RCMP (excluding the province of British Columbia) on the other hand has approximately 80 to 100 incidents per year.

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8 *Consultations with NGOs and the LOC identified Internet-related activity as an important data need, however, it was unintentionally omitted in the list provided to the police. It will be included as a data element on the pilot survey.*

9 *The CCJS has established a policy on Work-in-Progress reviews with all of its respondents. Any data stemming from the pilot survey would be subject to the same policy.*

As previously indicated, some police departments noted that the application of a data collection tool may help to keep track of or improve their own statistics on hate crimes. This could be the first step toward the standardization of police-reported hate crime statistics.

d)   Does your department disseminate these data?

Some departments such as Toronto and British Columbia release an annual report on hate crimes, while other departments only release information on a request basis or through liaison networks with various community groups.

Some police departments that collect/compile hate crime statistics do not publicly release hate crime data.

e)   What is your assessment of the quality and reliability of these data?

A number of issues with respect to coverage, quality and reliability were raised:

- The main issue is under-reporting and compliance. Almost every department indicated that under-reporting to and by the police is a significant issue.
- Related to the issue of under-reporting is training. Some departments have elaborate training programs to ensure that all front line officers are prepared to identify hate crimes, while others do not have specific hate crime training programs.
- In order to assure data quality, it was felt that standard guidelines are required:
- Until there are uniform and standard guidelines the provision of high-quality and reliable data will remain difficult.
- In addition, data coverage and quality would be much improved if standard scoring codes were introduced to the Uniform Crime Reporting Survey (UCR) or to their own records management systems.[10]
- One department that fully endorsed the pilot survey indicated that policing work is already "overcharged" and it would be difficult to expect front line officers to make judgement calls on hate crimes without pre-established codes.
- More resources (vis-à-vis training, victim services, etc.) would improve reporting by victims and by police and yield better statistics.

f)   What type of additional workload (if any) would the provision of such data create?

Many departments favour the introduction of an electronic form flow survey (similar to the CCJS Homicide Survey). However, while respondent burden would be an issue with some departments, others indicated that they could easily integrate the application of a new survey into their current duties:

- Although it is evident that some degree of additional work would be created with the application of a new survey, there was a lack of consensus regarding the efforts required to provide data.
- Workload and respondent burden will depend on how elaborate and how many data elements are part of the pilot survey.
- Similarly, some departments indicated that additional workload would only be created for the pilot survey while others indicated that respondent burden would only be a factor for ongoing data collection.
- While some respondents saw the need to keep different databases, others indicated that a separate database creates duplication of work and all hate crime statistics could be stored in their central reporting systems.
- *Police departments were clear in indicating that the survey needs to be simple – with clear instructions.*

g)   Are there other issues that should be discussed or raised?

Support for the pilot survey is evident, however many questions regarding workload/respondent burden and data quality remain partially answered. Data providers identified the need for adequate time to fill out and return the pilot survey.

Some respondents[11] noted that their current reporting system under *Versaterm* already has a hate crime reporting "screen", however this screen is not being used. The possibility of using this screen should be explored for on-going data collection efforts.

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[10] *The UCR, which collects aggregate police-reported crime statistics and the revised incident-based UCR2, which collects detailed information on the incident, accused and victim, have over 100 categories of criminal offences that police refer to when reporting crimes. Some police departments indicated that an additional "hate crime" code would facilitate the recording and reporting of such incidents.*

[11] *Current* Versaterm *users include: Vancouver, Ottawa - Gatineau , St. John's (RNC), and Windsor.*

As noted in the two previous series of consultations, some respondents want to make sure that the effects of September 11, 2001 are taken into consideration when analyzing the pilot data. This is important because the magnitude of hate crime reporting for late 2001 may not be representative.

Due to the different reporting practices and standards, many respondents cautioned that comparisons across departments should not be made using pilot data. The CCJS noted that no such comparisons would be made and that the main goal behind this exercise is to look at general characteristics of hate crime incidents, victims and offenders, and to assess the quality of the data. The results of the pilot survey will help assess the feasibility of on going national police-reported hate crime statistics.

3.4 Final Deliberations with NJSI

In March 2002, the POLIS Committee was presented with the results of the consultations with the participating police departments. Although many departments indicated that they do not currently collect many of the data elements, some members of the POLIS Committee suggested that all data elements be included in the pilot survey. At the May 2002 LOC meeting, Liaison Officers were presented with the complete list of data elements as well as a refined list. A discussion considered the scope of these data elements and it was agreed that the refined list would be the most appropriate for the pilot survey. The data elements chosen for the pilot survey are based on the following factors:

*   The number of departments that are collecting the item.
*   The number of departments that could collect the item.
*   Relevance of the data element.
*   Clarity of the data element.
*   Difficulty in collecting data – based on experiences with previous Statistics Canada surveys.
*   The need to minimize respondent burden.

As a result of this discussion, the following list of data elements will be included in the pilot survey which will gather hate crime incidents reported to police in 2001.[12]

INCIDENT:

*   Police department
*   Nature of incident - criminal or non-criminal
*   Violation(s)
*   Date of incident
*   Date reported
*   Reported by whom
*   Number of victims
*   Number of suspects
*   Time
*   Location
*   City block
*   Target of violation – person or place
*   Weapon
*   Group/gang related
*   Extremist related/hate group
*   Hate motivation (race/ethnicity, religion, etc.)
*   Exact motivation (anti-Arab, anti-Jewish, anti-Black, etc)
*   Perceived motivation (e.g. anti-gay but victim not homosexual; anti-Arab but target Sikh temple)
*   Motivating factor (e.g. fight, slurs, significant date, etc.)
*   International element
*   Links to other crimes
*   Narrative

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[12] *A complete data dictionary that defines each of these data elements will be available upon request.*

VICTIM:

- Age
- Sex
- Characteristics related to hate crime:
    - race/ethnicity
    - religion
    - sexual orientation
    - disability
    - language
- Type of injury
- Other impacts on victim
- Relationship of accused to victim

ACCUSED:

- Age
- Sex
- Characteristics related to hate crime:
    - race/ethnicity
    - religion
    - sexual orientation
    - disability
    - language
- Country of birth
- Employment status
- Occupation
- Citizenship
- Previous criminal involvement
- Previous hate crime involvement
- Involvement in gang or extremist group

4.0 Next Steps

With the help of work already accomplished by the Calgary Police, the CCJS is developing the pilot survey and the data processing system. This data collection tool will be finalized in the fall and sent out to participating police departments shortly after.

The pilot survey will be administered to participating police departments in the fall (2002) which will examine data for the year 2001. Once the pilot survey is implemented and data are gathered, a final report will provide available analysis as well as assess the feasibility of on-going data collection. This report is anticipated to be finalized for end of fiscal-year 2002/03.

The Canadian Centre for Justice Statistics wishes to thank all participants for their valued input.