

RACIST AND ANTI-SEMITIC GRAFFITI

Recommendation

The Community Equity and Diversity Committee recommends that following report of Councillor Shefman regarding Hate Graffiti dated October 2009 be received for information purposes.

Economic Impact

There is no economic Impact.

Communications Plan

N/A

Purpose

The purpose of this report is for Council to receive this report for information purposes.

Background - Analysis and Options

The Community Equity and Diversity Committee, at its meeting of November 4, 2009, approved the following:

- (1) that the following report (October 2009) from the Chair of the Committee, be received and referred to the City Manager for any appropriate action; and
- (2) that it be forwarded to City Council for information.

Report of Councillor Shefman regarding Hate Graffiti – October 2009

“At all times the City should act to display strong leadership, affirming its commitment to its diverse community. It is especially important for the City to take strong and decisive action when members of a definable group are under attack.

It is important, once an incident of hate graffiti is confirmed either through a police report or through other means, that the City acts as quickly as possible.

Dependent upon the severity of the hate graffiti incident, the response from the City may vary from ensuring the offending graffiti is removed to formal statements and the organization of community meetings. Each incident must be evaluated based upon the extent (the number of locations) of the hate graffiti, size of the offensive material, content of the graffiti, and advice of police, media coverage and public knowledge of the situation.

Where possible, the CEDC, through the Committee Chair, should be advised of an incident. The advice of the Committee should be considered in preparing a City of Vaughan response. The Committee or a sub-committee of the CEDC may be used to provide ongoing assistance in developing a response to an incident where appropriate.

Actions to be taken in preparation for a hate graffiti incident:

1. Designate an office or individual who will take the lead from a staff perspective when an incident is reported to the City or when an incident is reported to the police or in the media
2. Advise Access Vaughan where a call to report hate graffiti should be directed
3. Determine who will take responsibility to clean-up the hate graffiti, recognizing that after police are alerted and evidence is gathered, the graffiti should be covered and/or removed as soon as possible.
4. Define the role of By-law Enforcement in responding to an incident of hate graffiti
5. Identify key contacts in other public organizations, such as the school boards and the police to contact and work with in the case of an incident
6. Identify and make contact with leaders of communities most affected by incidents of hate graffiti in order to ensure that communication can be initiated when an incident occurs

Actions to be taken if an incident of hate graffiti occurs:

1. Dependent upon the nature of an incident, the Chair of the CEDC Committee and the Mayor should be prepared to make a statement condemning the act and advising the community on how the City is responding to the situation
2. Contact should be made with the appropriate individuals in the YRP regarding their knowledge of the incident and the actions they are taking
3. Contact should be made with other private or public sector organizations, dependent upon the location of the hate graffiti
4. Dependent upon the nature of the incident, a plan of action that might include consultation with the CEDC or a sub-Committee of the CEDC, community outreach and media comment be initiated.

Definitions:

Hate graffiti may be considered as hate propaganda

Hate propaganda is the public promotion or incitement of hatred against an identifiable group. Hate propaganda targets persons and/or property, based on such factors as colour, *race*, religion, or ethnic *origin* (Section 318 (4) of the Criminal Code of Canada). For the purposes of this guideline it also includes sex, sexual orientation and gender identification as additional factors.

Appendix – Definitions from different sources

Hate in Hamilton Report 2007

Hate graffiti is vandalism that incites hatred against any identifiable group; this definition is based on Section 319 of the Canadian Criminal Code:

319. (1) Every one who, by communicating statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace

However, the definition of an "identifiable group" as used in this report is broader than the meaning described in Section 318 (which also applies to Section 319):

(4) In this section, "identifiable group" means any section of the public distinguished by colour, race, religion, ethnic origin or sexual orientation.

http://www.porchlight.ca/~nberman/hih_report_2007.htm

City of Toronto

Hate propaganda can be any communication, poster and/or graffiti used by a person or group which promotes hatred based on race, religion, nationality or ethnic origin.

York Region Police

What is Hate Propaganda?

Hate propaganda is an offence in which genocide is advocated, or the hate of an identifiable group is publicly communicated. An identifiable group is defined by race, colour, religion or ethnicity.

Prepared by Alan Shefman, Chair
Community Equity and Diversity
Committee, City of Vaughan
Revised October 2010"

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council.

Regional Implications

N/A

Conclusion

The Community Equity and Diversity Committee requests that this report be received for information purposes.

Attachments

N/A

Report prepared by:

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Respectfully submitted,

Councillor Alan Shefman, Chair
Community Equity and Diversity Committee