Fourteen factors[1] to identify whether a crime may be motivated by bias, prejudice or hate

Who

<u>The victim</u>

1. Identity group
   a. The victim is a member of one or more identity groups (e.g. Black, Indigenous, Jewish, Muslim, member of the 2SLGBTQIA+ community) or may have been perceived to be a member of one or more identity groups by the suspect (e.g. based on the activities or conduct of the victim), or
   b. There was no identifiable individual victim, but an identity group was targeted (i.e. there was a targeted community)

2. The victim never met the suspect before the offence

3. The victim's identity group or targeted community are vulnerable to hate crimes (e.g. locally, provincially or nationally)

4. The victim believes it was a hate crime

<u>The suspect</u>

5. The suspect has a history of bias against the victim's identity group or targeted community (e.g. online or prior offences)

6. The suspect belongs to a hate group

7. The suspect possesses hate-related material, like hate literature

Where

8. There was selective targeting based on location
   a. The offence occurred at a location that has specific significance to the victim's identity group or targeted community (e.g. a mosque, cemetery,

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[1] Flow from *Hate Indicators: A Canadian Hate Crime Case Law Research Tool*

2SLGBTQIA+ gathering place) or is visited frequently by members of the victim's identity group or targeted community, or

b. Only the homes or properties associated with the victim's identity group were targeted

When

9. The offence occurred on or around a date of significance (e.g. religious or historical) for the suspect's group or victim's identity group

10. The offence occurred on or around a trigger event (e.g. domestic or international terrorism attack or political event)

What/How

11. The suspect said something derogatory linked to the victim's identity group or targeted community before, during or after the offence, including comments which display any of the "hallmarks of hate" from *Warman v Kouba*, 2006 CHRT 50 (CanLII)

12. The suspect used violence and:
    a. The victim did not provoke the suspect, or
    b. The violence was extreme or disproportionate

13. There were any of the following, which are associated with hate towards the victim's identity group or targeted community (see for example, the "hallmarks of hate" from *Warman v Kouba*, 2006 CHRT 50 (CanLII)):
    a. Symbols, graffiti or themes used or displayed
    b. Acts or gestures

Why

14. There is an absence of an alternative explanation or motivation (i.e. a motivation that is not about bias, prejudice or hate) given the presence of some or all the above-noted factors

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