

Government of Canada / Gouvernement du Canada

MEMORANDUM / NOTE DE SERVICE

To / À : "E" Division Deputy Criminal Operations Officer (Contract)

FROM / DE : OIC "E" Division Major Crime Section

DATE

2010-09-01

SUBJECT / DE : Reply to VPD Missing Women Investigation Review

#### Introduction

In writing this memorandum, I am well aware that in most investigations involving a serial killer, it would be accurate to state that there will be evidence or deficiencies identified after the fact that if understood earlier in the investigation could have resulted in minimizing the loss of life. Knowing now that PICKTON is a prime example of this observation and with the realization that he continued to kill innocent victims after information had been received identifying him as a suspect, I would like to express my concerns with the reports completed by Deputy Chief Constable Doug LEPARD entitled "Missing Women Investigation Review" and "Missing Women Investigation Review Summary Report" which are both dated August, 2010. The "Missing Women Investigation Review Summary Report" is an executive summary of the voluminous "Missing Women Investigation Review" and so I will restrict my comments to the larger document. I must state in the strongest of terms that I cannot accept all of the findings and conclusions reached by Deputy Chief LEPARD and made subject of this report. In order to produce a fulsome and objective report in which one can make sound decisions and offer credible conclusions, the reviewer must conduct a full, fair and impartial investigation and ensure that he or she has provided an

opportunity to seek comment from those persons who have played a role in areas in which one intends to offer insight or comment. To quote from page 52 of the review;

"It is important to note that this review did not extend to interviewing the majority of RCMP members involved in the missing Women investigation, as this was beyond the scope of the Review. Therefore, any information in this Review (such as statements by VPD members) that appears critical of the RCMP should be considered in context, i.e., the RCMP members involved have not had an opportunity to respond to any criticisms that may have been made."

While Deputy Chief LEPARD offers this caveat, he then continues to make sweeping observations based solely on the formal interviews of VPD members and one retired RCMP Constable. Further to this point, Deputy Chief LEPARD wrote on page 240;

"As stated earlier, questions around the length of time it took the RCMP to become involved in the Missing Women investigation are beyond the scope of this review, particularly since interviewing RCMP members with decision-making authority was not practicable for this review."

offers commentary that speaks to an overabundance of evidence supporting why PICKTON should have been caught earlier without providing the context of information obtained during the investigation which countered the contention that PICKTON should be considered the number one suspect. It is obvious that PICKTON was responsible for the murder of a large number of women and it is also patently obvious that he continued to kill street trade workers from the Downtown Eastside of Vancouver after the initial tips about PICKTON were received by the Vancouver Police Department and Coquitlam Detachment. To view this material in hindsight allows one to see so clearly today that which wasn't as obvious in the late 1990's.

I also find objectionable areas within the report

For

example, on Page 176 and under the heading PICKTON A SUSPECT IN SEXUAL ASSAULT, the following is stated;

"On October 10<sup>th</sup>, 2001, VPD Sexual Offence Squad members met with Staff Sergeant ADAM for the purposes of identifying women who had survived attacks where it appeared they were going to be killed. Staff Sergeant ADAM was informed that on August 3<sup>rd</sup>, 2001, a woman who had been drinking in the Downtown Eastside voluntarily entered the car of a man who offered her a beer. The suspect then violently sexually assaulted her, and claimed he was the one who had killed "the girls who are missing." The victim escaped only by jumping from the suspect's moving vehicle. Constable DICKSON learned of the assault and advised Detective Constable Jim SCOTT of the VPD Sexual Offence Squad that investigators should consider PICKTON as a possible suspect. PICKTON was eventually excluded on the basis of the victim's failure to identify him from a photographic line-up."

No weight relative to PICKTON's viability as a suspect should have been drawn from this event and a thorough and unbiased reporting of this incident would have made this clear distinction.

Inflammatory Comments and/or Factually Incorrect Statements Requiring a Response

- Pg 18; "The VPD passed on ALL information about Pickton to the RCMP when it received it, because the RCMP had jurisdiction over the investigation of information pertaining to crimes occurring in Coquitlam."
- Comment: The emphasis placed on the word "ALL" would lend one to believe that the VPD had provided all information relating to PICKTON when in fact, For example, Page 265 of the Report details information that Detective Constables did actually link PICKTON to Downtown Eastside sex trade workers yet this information was not passed on to other VPD investigators nor the RCMP.

Pg 19: "The RCMP accepted responsibility for investigating the Pickton information and led an investigation in Coquitlam. This investigation was intensely pursued until mid-1999, but was thereafter essentially abandoned by the RCMP, although the RCMP continued to explicitly assert authority over the investigation. RCMP management appears to have not understood the significance of the evidence they had in 1999 pointing to Pickton, and did not ensure it was collated in such a way as to allow a proper analysis."

Comment: To contend that the RCMP asserted authority over the investigation is to admit that the VPD were helpless to take any action in relation to PICKTON even though they suspected that he was responsible for abducting sex trade workers to be later killed at his residence.

Pg 19: "Notwithstanding the many deficiencies in the VPD investigation, they did not cause the failure of the investigation into Pickton because the RCMP had responsibility for that investigation while the VPD focused on other investigative avenues. If the VPD investigation had been better managed, however, the VPD could have brought more pressure to bear on the RCMP to pursue the Pickton investigation more vigorously."

Comment: This is the sixth key finding of the Review and serves no purpose other than to attempt to mitigate any responsibility that the VPD would have to investigate someone who they believed was responsible for killing Downtown Eastside sex trade workers.

Pg 36: "Due to a variety of internal and external factors, the VPD overall was chronically short of sworn officers and civilian support staff during the Missing Women investigation. In addition to its "routine" work, the VPD's Major Crime Section was also dealing with an alarming series of violent home invasions against very elderly victims, and a series of armed robberies of Asian citizens in their residential garages. In addition, the homicide rate spiked over 50% from 1998 to 1999, with several extraordinary cases. Prior to and during the operation of the MWRT, considerable resources were committed to these other investigations. This made it difficult to properly resource the MWRT, and all the officers interviewed for this Review reflected on the difficulty each had coping with inadequate resources provided to the Missing Women investigation.

However, while inadequate resources contributed to the MWRT's problems by causing managers to allocate resources to investigations only when absolutely necessary, they were not the root cause of its deficiencies. If VPD management had accepted the serial killer theory as being the most likely cause of the disappearances, it was within the VPD's capacity to create a task force to investigate the Missing Women as homicide victims (notwithstanding that a multi-agency team was necessary to give the investigation a reasonable chance of success). Furthermore, if a task force was deemed necessary to conduct a serial killer investigation, more pressure could have been applied to the RCMP and to the Attorney General to contribute resources."

Comment: Deputy Chief LEPARD offers as a partial excuse the competing priorities of a heavy criminal code workload and a lack of resources but fails to allow this same level of understanding for identical pressures experienced by Coquitlam RCMP.

Pg 37: "But with respect to an unwillingness to collaborate with other police departments, that was certainly not the case with the VPD. In fact, the opposite was true. The MWRT consulted widely and Sergeant Field made repeated efforts to involve the RCMP in the Missing Women investigation. Unfortunately, she was unsuccessful for too long, despite her resolve and well-founded determination that a JFO with the RCMP was necessary for the investigation to succeed. The RCMP should have become involved in a JFO much earlier than it was, and Sergeant Field's managers in the VPD should have done more to advance this agenda. The case had little chance of being solved without the RCMP's involvement, due to the volume of potential evidence located in RCMP jurisdictions, and the likelihood that a serial killer would dispose of victims' bodies in a rural location. Furthermore, the RCMP has a much greater capacity to marshal the extraordinary resources necessary for a serial murder investigation, as it demonstrated in February 2002."

Comment: This certainly is not the recollection of Insp Doug HENDERSON (Ret'd)

Pg 38: "Pickton was not arrested earlier than he was primarily because of failures in the RCMP's Port Coquitlam investigation from the summer of 1998 through to early 2000, when it essentially ended. Notwithstanding the problems in the Coquitlam RCMP's investigation and the need for a multi-

jurisdictional approach to the Missing Women investigation, the VPD investigation could have been improved in many respects. Although the end result may have been no different, that wasn't known at the time, and the VPD had a responsibility to properly manage the investigation."

Comment:

Pg 41: "When the Pickton case "broke" in February 2002, there was an intense media response that resulted in widespread condemnation of the VPD for allegedly failing to follow up on information about Pickton. The RCMP was characterized as having "rescued" the investigation, and of finding the information to solve the case during a review of VPD files. This was patently false. Despite many unfounded allegations made against the VPD, the RCMP chose not to issue a statement clarifying that the VPD had shared all information about Pickton, and that the RCMP had been in charge of the investigation into the Pickton information from the beginning. The lack of response by the RCMP was not in keeping with the finest traditions of that organization."

Comment:

Pgs 41-43: "The investigation of Pickton prior to February 2002 was inadequate and a failure of major case management. The amount of information pointing to Pickton was such that the investigation had to continue to either eliminate Pickton as a suspect, or gather evidence against him. There was, however, a lack of effective analysis of the information pointing at Pickton, and this prevented a full appreciation of its credibility. The investigators had (a) evidence of Pickton's violent attack on (vetted); (b) the informant information from Hiscox, (c) Ellingsen's denial to police that she'd described Pickton committing a murder to anyone, despite several informants independently and without collusion providing that information; (d) Pickton's interactions with sex trade workers in New Westminster; (e) Pickton's ability to dispose of bodies, and the informant information regarding Pickton's statements to that effect; and (f) Pickton's admission to having handcuffs, refusal to take a polygraph, and evasive answer as to the likelihood of victim DNA being found on his property. Taken together, the investigators clearly had sufficient information to justify an aggressive investigation into Pickton.

Instead, the Provincial Unsolved Homicide Unit investigators' conclusion

that information was not credible, combined with the transfer of Corporal Connor, effectively derailed the investigation and it languished. Corporal Connor's replacement, Constable did not have Corporal Connor's experience or influence within the RCMP, and she was unable to convince her superiors to apply adequate resources to the investigation, despite her clear understanding of what needed to be done. The January 2000 interview of Pickton conducted by Constables and was poorly conducted. Pickton was allowed to have a friend present, the interview wasn't properly planned or executed, and an evasive answer and his consent to search his property were not followed up. The failure of the RCMP to consult with the VPD or even advise that the interview was taking place is inexplicable.

After the interview there was very little investigation of Pickton by the Coquitlam RCMP, which Constable attributed to a lack of resources and a failure by the RCMP to give the investigation the appropriate priority.

There were many potential investigative avenues that could have been pursued had the resources been applied, including, but certainly not limited to: continuing to use as an informant, and possibly using him as an agent; making efforts to follow up on Pickton's offer and conduct a "consent" search to find evidence or develop grounds to obtain a search warrant; continuing to pursue co-operation from Ellingsen, who eventually did become a cooperating witness against Pickton; seeking information from other potential witnesses that could have assisted the investigation; conducting a second interview/interrogation of Pickton using a highly-skilled police interrogator; revisiting the potential for charges to be laid in the (vetted) incident; and, arresting Pickton and employing a sophisticated interview and interrogation strategy using a cellmate, preceded and/or followed by a well-planned interrogation.

Pickton should not have been excluded as a suspect in the Missing Women investigation just because he was not linked to the murders of Pipe, Younker and Olajide. It was an error to assume that only one serial killer could have operated in a geographical area as large as the Lower Mainland and Fraser Valley, over the span of time involved.

An obvious question is, why didn't the JFO target Pickton? There was considerable information available pointing to him, but it appears that despite the JFO's expertise, their understanding of the investigation of Pickton that had taken place was limited, which highlights the crucial need for mechanisms to ensure information is properly analyzed and effectively shared.

The Pickton investigation was extraordinary because, like the Missing Women case generally, it concerned an allegation of murder where there was no body or other concrete evidence to confirm a murder had actually occurred. Were there a body, no doubt the information would have been treated differently. But personality conflicts or opinions about credibility without supporting evidence should never have derailed a murder investigation. Decisions must be made based on careful analysis of the information, and in consideration of the nature of the investigation: the more serious the allegations and the greater the risk to lives, the greater the care that must be taken in making decisions about how those allegations will be investigated. The opinion of the Provincial Unsolved Homicide Unit investigators that the informant information was not credible was an opinion only. Neither that opinion nor the lack of resources in the Coquitlam RCMP detachment should have been sufficient to derail an investigation when the allegations were so serious. The information available was so compelling that it demanded a continued aggressive investigation."

Comment: These statements are examples of hindsight bias which are made without providing the context in which this information was considered in 1999 and without allowing the benefit of investigators and managers to provide appropriate context. Deputy Chief LEPARD must surely be aware of the absolute necessity to prove the veracity/credibility of individuals providing information if such information is to be acted upon and to offer that the PICKTON investigation was derailed as a direct result of personality conflicts and the opinion of Provincial Unsolved Homicide Investigators (one of which was a VPD member)

Pg 43: "Those in positions of authority in the Coquitlam RCMP and the Provincial Unsolved Homicide Unit must bear primary responsibility for the failure to effectively manage this investigation. The Provincial Unsolved Homicide Unit didn't believe in the veracity of the informant information and declined to assist, thereby derailing the investigation. The Coquitlam RCMP's investigation into Pickton was inadequate. The Coquitlam RCMP maintained control over the file, but did not treat it with the seriousness it demanded; after the summer of 1999, the only substantive work on the file was the inadequate interview of Pickton in January of 2000. Furthermore, after the summer of 1999, the RCMP did not seek assistance from the VPD, which had a vested interest in the success of the investigation. There was a lack of effective high-level communication between the RCMP and the VPD regarding the management of the Pickton investigation."



Comment: \_\_\_\_\_ comments that again could only be made with the taint of hindsight bias.

Pg 43: "Had the Coquitlam RCMP investigation into Pickton been successful, the future inadequacies of the VPD Missing Women investigation would have been moot because the case could have been solved within months of the MWRT beginning its work in the spring of 1999."

Comment: \_\_\_\_\_ statement that seeks to minimize VPD's role in this investigation by accentuating what Deputy Chief LEPARD views as a failure of the RCMP.

Pg 44: "Ironically, even had the VPD's MWRT been a model for investigative excellence, it would likely have made no difference in the absence of a proper investigation of Pickton by the RCMP in Coquitlam. The VPD passed on all information in its possession about Pickton and assisted the RCMP-led investigation in every way it could. That investigation failed because it was mismanaged by the RCMP. The VPD's mistake in the Pickton investigation was to not demand more forcefully, and at a more senior level, that the RCMP do more."

Comment: \_\_\_\_\_ statement made without a proper review being conducted.

Pg 55-56: "Extraordinary effort went into investigating the missing women from the Downtown Eastside, in the context of a missing persons investigation. However, at some point, it became clear that the possibility of a serial killer being responsible for the missing women was the most likely

explanation for so many women going missing without a trace. An investigative unit, the "Missing Women Review Team" (MWRT) was created and did have a focus on suspects for a time, but faced many challenges.

We know now, of course, that DNA or remains of 29 of the Missing Women (and three unidentified women) were found at the Port Coquitlam pig farm of Robert "Willy" Pickton, and that he has been charged with the murders of 27 Missing Women. A serial killer was indeed at work, and his victims were many of the women missing from the Downtown Eastside.

It must be recognized at the outset that the investigation into the Missing Women was extremely challenging for a number of reasons. First, while it is now known many of the women were murdered, during the investigation there were no bodies. As a result, at the outset it was not clear whether the investigation was a murder investigation or a missing persons investigation. Bodies also provide a large amount of forensic evidence that is a foundation for investigative strategies. Here there were no bodies, no "dump sites," no witnesses, and no forensic evidence of any kind. Second, many of the women were not reported missing for months and even years since they had last been seen. Determining exactly where and when they went missing was often impossible.

Compounding these challenges, the number of serious sexual predators in our communities at any given time is frightening. Traditional methods of narrowing down the list of suspects in a murder, such as establishing timelines of activity and investigating alibis for a particular date or location, were of no use in this case due to the considerable time that had typically elapsed between the last known sighting of the victims, and when they were reported missing. In addition, because sex trade workers have multiple contacts with strangers on a daily basis – and these "clients" were the most likely suspects – the traditional investigative strategy of starting the investigation by focusing on individuals known to the victim was of little utility.

Finally, the multi-jurisdictional aspect of the investigation presented further challenges. The Crown's theory on Pickton is that he "lured or procured the attendance of sex trade workers to his home...in Port Coquitlam" and killed them there. The Pickton farm, where it is believed many of the Missing Women from the Downtown Eastside were actually killed, is located in the jurisdiction of the Port Coquitlam RCMP. The Pickton investigation suffered as a result of the jurisdictional divide, due to a lack of continuity between the VPD and RCMP investigations, and serious mistakes that were made during the course of the RCMP's investigation.

There is also a question as to whether an investigation into a serial killer can be the responsibility of any single police department, considering the typically multi-jurisdictional aspect of the crime, the need to efficiently integrate information from many police agencies, and the level of resourcing required.

Understanding the challenges faced by the VPD investigators is critically important to balancing the bias of hindsight in a review of this nature. These challenges were compounded by a number of organizational and operational issues that functioned to hinder the effective investigation of the Missing Women between 1998 and 2002. These challenges are examined as well in the following discussion."

Comment: I find it remarkable that Deputy Chief LEPARD can apply such a level of understanding of the various compounding challenges that made this a difficult investigation for the VPD in order to provide balance to the bias of hindsight but refuses to allow any notion of balance when referring to the RCMP investigation.

Deputy Chief LEPARD also makes comment about the typical multi-jurisdictional aspect of this type of crime and comments how this aspect presented challenges to the investigation. This insight causes one to ponder the question as to why the VPD would continue to resist participation in the Integrated Homicide Investigation Team since this integrated Unit works across multi-jurisdictions and has demonstrated an ability to target serial killers as seen in the successes experienced relating to the investigations of (which included a Vancouver homicide) and

Pg 134: "Constable (who retired in 2001 and agreed to be interviewed for this Review) agreed that the Coquitlam RCMP did not put enough resources into the case after the Provincial Unsolved Homicide Unit investigators found the informant information not credible:

[an RCMP polygraphist] was very effective for the most part but he became very opinionated and he just thought we were little grunts from Coquitlam and he thought had the experience to read these people. But right from the point went to Ellingsen's door banging on it and calling her names, he was so arrogant about it and you just don't do that. He was so arrogant about things and we were just little nothings. I think this was the point that the file got sidelined because was believed. Connor was so passionate about it, and he had a lot of credibility in Coquitlam because of all his experience, but when he left the file he just washed his hands of it.

Unsolved Homicide didn't believe it, and so therefore those above us may have been disbelievers and also just didn't think they had enough to put resources into this file."

Comment: These are clearly unfair as to why he would not offer the courtesy to Coquitlam Senior Management, Sgt HUNTER (Ret'd) or Cpl HENLEY (Ret'd) to provide their perspective and especially with the recognition that this document would be made public?

Pg 142: "Sergeant Field later commented that the profilers advised her that "they talked to Gary Bass (about the Joint Forces Operation proposal) and were told that he wanted to help but didn't have the manpower."

Comment:

There is ample evidence on file to prove that Deputy Commissioner BASS was tremendously supportive

Pg 187: "As discussed in the Introduction to Part I of this Review, its purpose is to attempt to identify what went wrong in the investigation of the Missing Women, and to determine how the VPD – and other police agencies – can learn from those mistakes and do a better job in the future. Therefore, "Part II" of this Review provides a detailed analysis of the conduct of the investigation to identify the internal and external factors that contributed to a serial killer operating unchecked for so long.

There were a number of internal challenges in the VPD that hindered the effective investigation of the case, including a lack of resources; a lack of consistency and effectiveness in those in leadership and investigative positions; personality conflicts; and the command and control hierarchy. External challenges included the reluctance of sex trade workers to admit to their knowledge of Pickton and the absence of the bodies of the victims. Further, relations with the RCMP were sometimes characterized by a lack of cooperation, poor lines of communication, and a lack of consistency in the investigative activities of the RCMP. Other external challenges included the lack of continuity in leadership and line officers in the RCMP; the failure of the RCMP to share information in a timely manner; the difficulty in "getting the attention" of the Provincial Unsolved Homicide Unit; and the failure of the RCMP to capitalize on information provided by key informants (e.g., and Hiscox). The VPD had sole control over some of the internal challenges, but much less control over the external challenges.

In addition, the Review explores how the external challenges persisted partly because of internal difficulties within the VPD, e.g., an under-resourced investigative team and the failure of senior police managers to

pressure their RCMP counterparts. Further, the Analysis attempts to provide an understanding of why certain decisions were made, how the approach might be different in the future, and what factors should be given attention in order to ensure that the same errors are not repeated.

It should be noted that the VPD's MWRT did an incredible amount of good work (as did Corporal Connor in the RCMP), but the VPD investigation of the Missing Women certainly could have been improved. However, a variety of internal and external factors, and a poor investigation of Pickton by Coquitlam RCMP and the Provincial Unsolved Homicide Unit, resulted in Pickton not being arrested until his farm was searched in February 2002 by a junior RCMP constable investigating information about an illegal firearm. Had this serendipitous investigation not occurred, a person who may become Canada's, and North America's, most notorious serial killer may have escaped undetected. How the problems with the VPD's investigation fit into the larger issue of how Pickton was able to allegedly murder numerous women in the Lower Mainland before being caught is the subject of analysis in this Review.\*

Comment: These comments are unfair and appear to serve no purpose other than being editorial in nature.

Pg 232-233: "As discussed above, the VPD's willingness and ability to resource priority investigations, whatever the cost to the VPD as a whole, has been demonstrated on several occasions, particularly since 2003. Inadequate resources contributed to the problems by encouraging the status quo, and meant that VPD management was certainly not going to lightly establish a new task force. However, while insufficient resources were a significant contributing factor to the problems in the Missing Women investigation, they were not the primary cause of the root deficiencies.

It should be said, however, that the VPD's challenges have dramatically increased in the last decade. As summarized earlier, the reasons include significant increases in the city and region's population, and a dramatic increase in the complexity of criminal investigations, amongst other factors. Unfortunately, the VPD's staffing levels have remained essentially unchanged over the last decade. The mantra of some senior staff at the City of Vancouver that the VPD could continue with roughly the same staff it had a decade ago by simply becoming more efficient is specious. It

does not consider the impact of an increase in population over the last decade that is equal to that of the city of Delta, the challenges that are created by the core city phenomena, and the well-documented issue of the increasing complexity of police work, an issue that has had resonance in other cities. As stated in an internal analysis in 2000, the VPD concluded that:

[O]ne of the greatest stresses in an investigation is attempting to acquire and maintaining enough human resources...Whenever there is an extraordinary investigation such as that into the missing women in the Downtown Eastside or the home invasions of the elderly, investigators are borrowed from other squads whose workload is such that they can't be spared...This creates stress for the investigators, stress in the organization, and increased overtime whenever staff shortages are created. There are not enough investigators available to provide the flexibility to create short- and medium-term task forces when an extraordinary need arises.

Without significant increases in both sworn and civilian staffing in the VPD, the lack of resources will continue to be a significant obstacle to effectively investigating serious crimes in Vancouver, as well as addressing the many other demands on police services. (In 2005, in response to an independent consultant's report that determined the VPD needed an immediate increase of 92 police officers, Council acknowledged staffing shortages and approved 50 police officers and 57 civilian positions for 2005 and tentatively approved additional positions for 2006, subject to a report back on a variety of issues.)"

Comment: The VPD does not own a patent on human resource pressures and I would ask Deputy Chief LEPARD why he would not apply this consideration to the RCMP? Does he actually believe that human resource issues do not affect the RCMP as a whole and Coquitlam Detachment in particular,

Pg 234-235: Although a multi-jurisdictional approach was not employed from the outset, the VPD consulted and involved other police agencies throughout the investigation, and the need for a multi-jurisdictional operation was regularly discussed among investigators working in the VPD and in the RCMP. The issue of the timing of a multi-jurisdictional JFO eventually became the subject of media scrutiny.

For example, on September 21st, 2001, the *Vancouver Sun* published a major article on the Missing Women investigation. Chief Constable Blythe was interviewed regarding the timing of the JFO:

Blythe refrained from criticizing another police agency, but the RCMP only became directly involved in the case earlier this year. RCMP media relations

Constable Danielle Efford said the Mounties formed the review team as soon as they were asked, arguing it was a file that fell under Vancouver's jurisdiction until that point.

Constable Efford's statement that the RCMP became involved as soon as requested was incorrect. In fact, in addition to consulting frequently with the RCMP, the VPD had made several attempts at various levels to formally bring the RCMP (which is BC's provincial police force) generally, and the Provincial Unsolved Homicide Unit specifically, into the Missing Women investigation. The VPD also consistently made efforts to consult with other agencies with relevant experience. A summary of these efforts is set out below.

- On April 9th, 1999, Detective Constable Shenher, Deputy Chief Constable McGuinness, and Staff Sergeant Boyd met with the Attorney General and other public officials. Deputy Chief Constable McGuinness recalled that:

The purpose of that meeting was to try to get the Provincial Unsolved Homicide Unit involved in the case. It was very shortly before the AG got involved in offering the increased reward. The RCMP didn't want to get involved because they said it wasn't historical, and there was no evidence of a homicide. Everyone was looking saying this would be intensive, and no one had the resources. The AG didn't want to throw any money in except for the reward. At that time I think there were 31 women on the list. All that came out of that meeting was the AG came up with \$70,000 for the reward. The RCMP said if we got anything hard, or if we wanted them to review the file, they would. But that's all that came out of that. I think it was the AG that called the meeting. We said we wanted the Provincial Unsolved Homicide Unit, but they said "show us a body, you don't have a homicide." I'm sure they saw it as Vancouver trying to dump it on them and that they were missing from Vancouver, not the RCMP [jurisdiction]."

Comment: This is an area in which the recollection of RCMP members would be diametrically opposed to the opinions expressed here

Pg 238: "Clearly, there were extensive efforts made by the VPD to convince the RCMP to get involved in the Missing Women case. Understanding the RCMP's reluctance to get involved, despite the advocacy of some of their own members (e.g., Staff Sergeant Davidson) is an issue beyond the scope of this review. However, it should be underscored that the RCMP's own expert, Staff Sergeant Davidson, believed that the RCMP needed to become involved because of the likelihood that the victims' bodies would be found in rural RCMP jurisdictions. In addition, there was never any evidence to suggest that the Missing Women had been the victim of any crimes in the City of Vancouver relating to their disappearance, despite

their connection to the Downtown Eastside. What is now known is that Pickton's victims allegedly willingly visited his property, and were only victimized once there."

Comment: To state that the victims "allegedly willingly visited" PICKTON's property cannot be relied upon to be an accurate statement.

To also state that there was a "reluctance to get involved" is a misleading statement

Pg 243: "That was certainly the case in the Pickton investigation, where the VPD investigators (and some RCMP investigators) strongly believed there needed to be further investigation into Pickton. But the MWRT had to rely on the RCMP, because the alleged crime scene was in Port Coquitlam; the VPD had no control over the RCMP investigation. And the Port Coquitlam RCMP's Serious Crime Unit was too small to handle such an investigation so turned to the Provincial Unsolved Homicide Unit – an integrated team – for help. The Provincial Unsolved Homicide Unit, which had no vested interest in the investigation like the VPD or the Coquitlam RCMP, wouldn't agree to continue the investigation because they did not believe the informant information, so the investigation was derailed. As Constable [redacted] later explained, "I don't think IHIT would have changed anything, because you needed someone to recognize that the file needed to be worked on." Had the Coquitlam RCMP and the VPD been part of a regional force, it is conceivable that many of the jurisdictional obstacles to a successful investigation would have been reduced or eliminated."

Comment: [redacted] the role of the Unsolved Homicide Unit in this investigation as members of this Unit and the Serious Crime Unit were only provided to assist Coquitlam Detachment in this investigation and never took any decision-making roles. To espouse that they resulted in the derailing of the investigation when they only worked in an assistance capacity is unfair commentary.

Pg 297-299: "After the search warrants were executed on the Pickton property on February 5th and 6th, 2002, media scrutiny of the Pickton investigation was intense and sensational. Much of the reporting centred on criticism of the VPD for allegedly failing to conduct an adequate investigation into



the Missing Women case generally, and into Pickton specifically. Many allegations were made about the VPD doing nothing with information provided to it years earlier regarding Pickton. For example, the *Province* newspaper reported that despite the VPD being given a tape of Hiscox's conversation with Wayne Leng (in which Hiscox described to Leng the information he later provided to police) "[the VPD] did not investigate Robert "Willie" Pickton until February 5th, 2002, when RCMP got a search warrant." This was obviously incorrect.

The media coverage generally inappropriately blamed the VPD for the failure to adequately investigate Pickton, despite the involvement of the RCMP throughout and despite the fact that the Pickton investigation was under the jurisdiction of the RCMP. The RCMP were generally characterized as having rescued the VPD's investigation and the theme of many media articles was that the VPD was incompetent and worse. This was in no small part due to the actions of the RCMP's media spokesperson, Constable [redacted] who made misleading statements such as those broadcast November 2nd, 2002, on "Dateline Special," a popular NBC television program seen throughout North America and elsewhere. The Dateline episode was highly critical of the VPD, and included footage of a JFO media conference at which the VPD was not represented.

One of the main themes of the Dateline episode was, in summary, that the VPD was told about Pickton and his pig farm, but did not investigate and seemed not to care, probably because the victims were just "junkie prostitutes" and because most of them were aboriginal. Dateline incorrectly described the reason the RCMP became involved as follows:

The marches, the vigils, the reward, and the growing number of missing women all finally got the attention of politicians outside of Vancouver. The Royal Canadian Mounted Police was brought in.

This characterization of how the RCMP became involved was patently false. In the Pickton investigation specifically (i.e., the investigation in 1998 and 1999 into the information provided by Hiscox, [redacted] and others), the RCMP was involved and in command from the beginning. In the Missing Women investigation generally, the RCMP became involved because of the relentless efforts of Sergeant Field, later assisted by Inspector Spencer, not because "politicians outside Vancouver" brought them in.

Constable [redacted] was shown on the Dateline program stating, "I'm not in any position to make any comment with regard to the Vancouver Police Department investigation..." The narrator then states, "But Galliford acknowledged that the RCMP found ample information to go after Pickton

in the Vancouver Police Department's very own files." Constable is then shown saying, "Our investigators arrived at this conclusion based on a lengthy file review." The reporter then asked, "A file review of the Vancouver Police Department?" responded, "That's correct, and any further comment with regard to that will have to be made to Vancouver City Police." The narrator then intones, "But they were nowhere to be found."

The conduct of Constable was to cause many problems, from the VPD perspective, as the investigation progressed. For example, on many occasions, she violated the media policy agreed to by the VPD and the RCMP by agreeing to interviews outside of the scheduled press conferences. This undermined the VPD media spokesperson, who abided by the policy and consequently suffered the wrath of the media. This led to much consternation, and, according to former Chief Constable Blythe and others, led to high-level discussions between the VPD and the RCMP about removing from her assignment, although in the end she was not removed. Inspector Beach was part of the discussions and later explained:

Regarding the way the RCMP treats us, at the operational level, dealing with Don Adam, Larry Killaly, excellent relationship; we're treated like partners. At the corporate level, there's no question that the RCMP see us as bit players and they're the main act; they will do everything they can to protect the image of the RCMP and their failure to get rid of unless we got rid of Dreimel was an example of that; there was no way they were going to look like they'd lost on that issue.

The Dateline story was not factual, particularly with respect to the information leading to the search of the Pickton property and the arrest of Pickton coming as a result of the review of the VPD's files. In fact, as described in the chronology, all of the information regarding Pickton had been shared with the RCMP as it was received beginning in 1998, and throughout the intense investigation of Pickton during the summer of 1999. The Coquitlam RCMP led this investigation until it was derailed by the transfer of Corporal Connor, and after the Provincial Unsolved Homicide Unit formed the opinion that the informant information wasn't credible.

Further, the information leading to the search of the Pickton residence and the eventual arrest of Pickton was developed independent of the information in the VPD (and RCMP) files regarding Pickton. As described in the chronology, the RCMP-led JFO was not targeting Pickton, and the case was actually solved because a junior Coquitlam RCMP member, Constable Nathan Wells, obtained a search warrant for an illegal firearm alleged to be on the Pickton property, based on information he received

from an informant (——). JFO members only learned of this warrant the day before it was executed, and had no involvement in the investigation to that point.

The Dateline episode spawned intense condemnation of the VPD, and generated countless venomous emails from North America and Europe where the episode was shown. The RCMP made no public statement subsequent to the episode to correct the impression left by the show generally, and the comments of Constable [redacted] specifically. (This leads to the inevitable inference that Constable [redacted] original comments, or at least the RCMP's failure to correct the misinformation, were part of a planned media strategy at senior levels of the RCMP to focus criticism on the VPD and away from the RCMP.) This was extremely hurtful to the VPD, and particularly to the key VPD investigators.

The incalculable damage to the reputation of the VPD and individual members could have been at least partially mitigated if the RCMP had responded to the "character assassination" of the VPD in Dateline. The RCMP could have briefly stated that the show was inaccurate, and that the VPD had shared all information it received about Pickton in a timely manner, without discussing the investigation further. It did not do so. The lack of response by the RCMP was not in keeping with the finest traditions of that organization."

Comment: I find these comments [redacted] completely without merit.

Can Deputy Chief LEPARD confirm that he is aware that retired VPD [redacted] was present during the taping of the Dateline program and certainly should have been able to address the media at that time or at least offer some context as to how the taping transpired?

Next Steps

Since the unfortunate leak of an original draft of the VPD Review has nullified any opportunity to discuss and correct various contentious/inaccurate areas of Deputy LEPARD's report, a process is presently underway to scrutinize the complete report and offer comment where inaccuracies are found so as to provide a balanced and contextual record. I would suggest that upon completion of this report, it should be forwarded to the Province of British Columbia so that it can be utilized in whatever process is deemed most appropriate. As publically stated, the RCMP should remain committed to cooperating in whatever process the Province of British Columbia elects and I am certain that the final work product will offer a fulsome and accurate accounting.

Please advise if you require any further information or comment.

R.T. NASH, Superintendent  
Officer in Charge  
"E" Division Major Crime Section