

**AN AWKWARD SILENCE:  
MISSING AND MURDERED VULNERABLE WOMEN  
AND THE CANADIAN JUSTICE SYSTEM**

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## **ABSTRACT**

The murders and suspicious disappearances of women across Canada over the past forty years have received considerable national attention in the past decade. The disappearances and murders of scores of women in British Columbia, Alberta and Manitoba have highlighted the vulnerability of women to extreme violence. Girls and women of Aboriginal ethnicity have been disproportionately affected in all of these cases and have high rates of violent victimization. The current socio-economic situation faced by Aboriginal women contributes to this.

To provide publicly available data of missing and murdered women in Canada, a database was created containing details of 3,329 women, including 824 who are Aboriginal. There are key risk factors that increase the probability of experiencing lethal violence: street prostitution, addiction and insecure housing. The vast majority of sex workers who experience lethal violence are street prostitutes. The dissertation examines the legal status and forms of prostitution in Canada and internationally, as well as the individual and societal impacts of prostitution. A review of current research on violence and prostitution is presented. The thesis provides summaries from 150 serial homicide cases targeting prostitutes in Canada, the U.S., and the U.K. The trends and questions posed by these cases are identified.

The cases of the missing women of Vancouver and Robert Pickton are detailed. The key findings from the provincial inquiry into the missing women cases and an analysis of the most egregious failings of the investigations (Projects Amelia and Evenhanded) are discussed. Frequently encountered challenges and common errors, as well as investigative opportunities and best practices of police, and other initiatives and recommendations aimed at non-police agencies are evaluated. The three other RCMP-led projects, KARE, DEVOTE and E-PANA, which are large, dedicated units focused on vulnerable women, are assessed.

All Canadian women deserve to live free of violence. For women with vulnerable life histories, violence is a daily threat and a common occurrence. More must be done to prevent violence and to hold offenders responsible when violence has been done. This dissertation is a plea for resources and attention; to turn apathy into pragmatic, concrete action founded on solid evidence-based research.

Maryanne Pearce  
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I would also like to make note that there have been five significant deaths in my family since I began my LL.D. that should be marked; two humans, three pets.

- *Barbara Pearce*, my aunt, was like a grandmother and best friend in one amazing person. My children and my nephews called her Grandma Barb. Among her many gifts to me, she gave me her puffy lips and insomnia (and a ratchet set I still do not know what to do with). I miss her terribly; she was so supportive of me, my entire life;
- My father, *Daniel Pearce*, gave me two great gifts: my first typewriter at age nine when I said I wanted to be a writer, and my connection to animals. (I only wish he also granted me his ability to train dogs as well as to love them.) My dad died before he knew I started my LL.D. and I started dog rescue. I think he would have been more proud of the dog rescue work, but he would love to hear me referred to as Dr. Pearce;
- *Shakira Louise (Kira)* was my first dog as an adult; she was with me before Austin, before children. We were together for 16 years. I miss her always.
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loving Simon was such a gift. I know that hating *Jerry Bear* was the reason you lived the last two years, and I thank you for holding on. Every cat I save is done in your memory.

- *Forest* was abandoned at the local grocery store near Raven's Knoll in 2011; we adopted him and another one abandoned there a month later. In April 2013, as he and Poly were being carried into the house in a carrier, the crate broke and he escaped. Terrified, he would not return, and undoubtedly was killed by coyotes or fishers. My heart broke as I saw him run off into the woods.

## PERSONAL MUSINGS

In 2000, I was part of the Aboriginal children's health team at Health Canada, in Vancouver for a conference. My colleague and I went for a stroll on the Seawall at low tide. There, we found an eagle feather. And another. And another. In all, I gathered 75 eagle feathers as we walked along the tidal zone. These were not the long feathers used in ceremonies, but short, ragged, and about to be swept out to sea, lost forever. But they were still eagle feathers, still sacred. As it was my colleague's moon time, her tradition did not allow her to handle the feathers; they were meant for me. I packed the feathers in cedar, returned to Ottawa and called an Elder. He advised that the feathers were probably lost during a fight between two eagles. He did not know what it signified for me to have found so many, but said the reason would become clear in time.

Seven years later I sent an email to my mother and sisters about my acceptance to the LL.D. program and my research. Instantly, my sister *Janette* responded: "I always knew you would figure out what those eagle feathers were for." *Janette* has always been able to help me see the forest despite the trees. Like the feathers I found, many of the women I write about experienced violence, were a bit tattered, and may have disappeared without a trace, but they are still sacred.

In September of 2009, *Constance Backhouse* suggested I write this section, when she advised that I stop work on the database and focus on writing. I found it very difficult to stop adding to the database; these women's lives were important to me. I know their faces, names, facts about their deaths or disappearances, but also facts about their lives and families. I hear their voices in my nightmares.

Most of the cases are seared into my memory. Reading the court decisions, books and media articles, watching the *Missing Women Inquiry* every day for eight months, writing summaries of serial homicide ... it was very difficult to put out of my head. I felt powerless. The women had already disappeared or been murdered; there was nothing I could do. I was haunted by the violence; insomnia and nightmares were common.

During this time, I started rescuing dogs with the *Great Pyrenees Rescue* and *Hopeful Hearts*. It seems a bizarre leap from murdered women to dogs, but it was a concrete way I could make a change in the world. I just needed to save someone, even if that someone had a tail. My husband understood this. For five years, he has endured dozens of huge, hairy beasts that have destroyed carpeting, eaten couches, hats, shoes and books (a rather egregious sin in a house of book lovers), cried all night, were not house trained and were afraid of men. He endured this because he knew my spirit needed it.

I am not certain what to do with the nine crates of files on the individual cases of missing and murdered women in my dining room. I am not sure that I will stop collecting new cases and updates, even though the dissertation is now complete. I do know that I will continue to care about these women, and continue to fight for justice and change. The lyrics of *Warrior*, by Winnipeg band the Wyrld Sisters, speaks to me. I hope they will forgive me for using their song as my battle cry.

## *Warrior*

I was a shy and lonely girl  
with the heavens in my eyes  
and as I walked along the lane  
I heard the echoes of her cries

I cannot fight  
I cannot a warrior be  
it's not my nature nor my teaching  
it is the womanhood in me

I was a lost and angry youth  
there were no tears in my eyes  
I saw no justice in my world  
only the echoes of her cries

I cannot fight  
I cannot a warrior be  
it's not my nature nor my teaching  
it is the womanhood in me

I am an older woman now  
and I will heed my own cries  
and I will a fierce warrior be  
'til not another woman dies

I can and will fight  
I can and will a warrior be  
it is my nature and my duty  
it is the womanhood in me

I can and will fight  
I can and will a warrior be  
it is my nature and my duty  
it is the sisterhood in me

The Wyrdsisters<sup>1</sup>

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<sup>1</sup> Used with permission of The Wyrdsisters. Permission granted via e-mail by Kim Baryluk on April 24, 2013.

## **DEDICATION**

This dissertation is dedicated to:

- The memories of all the women and girls who have died violently. May justice be yours;
- All of the Jane Does. May your name be restored to you so you can be returned to your families;
- All of the missing women and girls. May you find your way home safely;
- The families and friends of the murdered and missing women and girls. May you find peace.

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## CHAPTER ONE

### INTRODUCTION

#### I. INTRODUCTION<sup>1</sup>

The murders and suspicious disappearances of women across Canada over the past forty years have received considerable national attention in the past decade. The Robert Pickton case in British Columbia brought to light this fact on a scale unseen before in this country. The disappearances and murders of scores of women in Northern B.C. along the Highway of Tears, in Edmonton, Calgary and Winnipeg have highlighted the vulnerability of women to extreme violence. Girls and women of Aboriginal ethnicity have been disproportionately affected in all of these cases. For almost a decade, the Native Women's Association of Canada (NWAC) has brought attention to the plight of Aboriginal women as victims of violence.<sup>2</sup> The general socio-economic status of Aboriginal women has resulted in crushing poverty, family dysfunction and addiction, both on-reserve and in urban settings. Throughout Canada's history Aboriginal people, particularly women, have been socially marginalized and undervalued, which continues to this day. Vulnerability and societal disinterest has placed Aboriginal women at higher risk for violence in all forms. In its 2004 report, Amnesty International stated that:

These acts of violence may be motivated by racism, or may be carried out in the expectation that societal indifference to the welfare and safety of Indigenous women will allow the perpetrators to escape justice.<sup>3</sup>

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> See Appendix A for a list of abbreviations.

<sup>3</sup> Amnesty International. *Stolen Sisters: A human rights response to discrimination and violence against Indigenous women in Canada* (2004) at 2.

Women of all ethnicities with vulnerable backgrounds and what police term “high-risk lifestyles” have also been victims. Women with high-risk lifestyles are largely street-entrenched, meaning that they have unstable housing, are homeless or are transient. Drug and/or alcohol addiction is also a component of high-risk lifestyles, as is participation in street sex work. Although police generally say prostitution or sex work without further explanation, it is street prostitution that is the most dangerous and requires women to be on the streets to ply their trade. High-risk can also refer to engagement in criminal behaviour such as thefts, robbery or illegal drug sales or being an associate of others involved in such criminal activities.

I am a woman of mixed Aboriginal and European background whose work for the federal government has included Aboriginal programming in health, policing, specific claims and economic development in four departments. Most recently I worked as an expert on violence against women (VAW) for the Status of Women Canada (SWC). For 12 years I have volunteered in approximately a dozen VAW shelters, drop-in centres and Aboriginal organizations preparing tax returns for low income people, 95% of whom are women. I have been a member of the board of Minwaashin Lodge Aboriginal Women’s Support Centre since 2007 and have been the treasurer for six years. I have long been concerned with issues of poverty, violence and the mental and physical health of women, with a particular emphasis on the most vulnerable: women who are homeless, addicted, suffering mental health issues, fleeing violence, involved in survival sex work or are of Aboriginal ethnicity.

The focus in both my paid and volunteer work on these issues has a personal component, as well as professional and academic. Like the women about whom I discuss within this dissertation, I experienced considerable physical and sexual violence in my youth, barely escaping death on several occasions. At 18, I dropped out of high school and moved

to B.C. where I worked multiple jobs, hitchhiked daily as the only mode of transport in Whistler, lived in my car and had a child at age 20. I have not engaged in sex work, struggled with addictions, mental health issues or been part of the child welfare system.<sup>4</sup> Thankfully, I had strong ties and support from family and friends who assisted me in leaving an abusive relationship. At 22, I began university as a single mother of an 18-month-old child. I married, my daughter was adopted by my husband, had a second child, and obtained a master's degree before entering the public service in 2000. My personal history is not intended to be a confessional but having trained first as an anthropologist, I know it is important for a researcher to provide an audience with one's personal starting point. The women who have been murdered, gone missing or are at risk of experiencing violence are not merely subjects of research but truly are my Sisters in Spirit.<sup>5</sup> There but the grace of the Gods go I, you, or any of us.

In 2007, the full horrors of the Pickton trial were becoming known publicly for the first time. In response, I decided to investigate the systemic racism that has made Aboriginal women so vulnerable and the violence resulting from vulnerability in the hopes of providing policy, research and investigative recommendations for government, police and society at large. I formulated a dissertation plan that focused solely on Aboriginal women. As there is a vast overrepresentation of Aboriginal women involved in street prostitution, an examination of prostitution was required. As research began I noticed trends that indicated that it is vulnerability that puts women in harm's way and makes them "easy prey" to predators intent on violence, regardless of ethnicity. Women with vulnerabilities are more likely to resort to

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<sup>4</sup> On my maternal side, my grandmother, two aunts and my mother all fostered children. As an Aboriginal family, social workers preferred to place Aboriginal children with us if possible; I personally had 12 foster siblings before age five.

<sup>5</sup> The term *Sisters in Spirit* is a reference to the NWAC reports and initiative.

survival street sex work as a means of making a living. The focus of the dissertation subsequently shifted to sex work in Canada and the associated negative impacts of this occupation, including violence.

In this introductory chapter an overview of the methodology applied is provided. A database was created for dissertation purposes in which 3,329 missing or murdered women across Canada were included. Risk factors were identified from available source material. Ethnicity is a factor in exploring the phenomena of missing and murdered women in Canada, therefore statistics regarding ethnicity were captured where available. These figures are provided in the Dissertation Database (DD). A second set of statistics were derived from the affidavits of women involved in sex work in the Downtown Eastside (DTES) of Vancouver. The affidavits were collected by the Pivot Legal Society (Pivot) and form part of its report calling for changes to Canada's prostitution laws. In order to provide context for the remainder of the dissertation, a discussion on the language of sex work, gender and age as related to sex work in Canada is presented.

Chapter Two is an overview of the socio-economic position of Aboriginal women in Canada today and historically-grounded attitudes that form the reality in which Aboriginal women live. A review of major government policies and the impacts on Aboriginal women follows. Finally, there is a discussion about Aboriginal women and crime in the Canadian milieu. Aboriginal women are overrepresented as both victims of violent crime and as offenders.

A discussion of sex work and the law is provided in Chapter Three, outlining the forms of prostitution found in Canada and the legal status of street and indoor prostitution. The recent challenges to the Canadian prostitution laws are reviewed. I then discuss trafficking in persons for the purposes of sexual exploitation and child sexual exploitation.

Using international examples I discuss the four major policy positions in the debate on prostitution: legalization, abolition, criminalization and decriminalization.

Chapter Four focuses on the individual, familial and societal impacts of prostitution. Issues of gender, race, ethnicity and poverty are raised. The DD allows for the creation of statistical snapshots of familial status, the prevalence of homelessness, the number of children born to missing and murdered sex workers and the involvement of the child welfare system for both themselves and their children. Mental and physical health and addiction is discussed, followed by crime and the exploitation of sex workers. Finally, there is a discussion of how vulnerabilities that can result in women engaging in survival sex work lead to further vulnerabilities. Aboriginal ethnicity is one risk factor for vulnerability. Other risk factors include addiction, homelessness, poverty, mental and physical disabilities, involvement in the child protection system through adoption, fostering, residential schools or group homes, sexual or physical abuse or neglect as a child, as well as reliance on hitch hiking as a mode of transportation. The DD contains publicly available information on each of the cases. Many of these vulnerabilities co-occur or are over-represented amongst Aboriginal women. Figure 4-7 provides a summary of these findings. This figure outlines the vulnerabilities or characteristics of the cases, illustrating the extreme vulnerability faced by the cases of Aboriginal victims, Pickton's victims and sex worker victims in comparison to all of the cases within the DD.

A discussion of violence and sex work is provided in Chapter Five. Canadian and international research has been unequivocal in illustrating the risk of violence faced by sex workers, particularly those involved in street prostitution. A review of current research is presented. This is followed by case summaries of serial homicide cases in Canada which the majority or all of the victims were prostitutes. Summaries for serial murders in the United



States and the United Kingdom are found in Appendix G. This chapter and Appendix G provide a context for the following three chapters in which trends and questions posed by these cases are identified.

Chapter Six presents the missing women of the DTES and the Pickton case. The scope and impact of the case is such that a fulsome examination is required. It begins with the increase of missing women and the Vancouver Police Department (VPD) response, the offering of a reward and the formation of Project Amelia. Tip information regarding Pickton as a person of interest came from sources that came forward to police beginning in 1998, four years before Pickton's arrest. The VPD and the Royal Canadian Mounted Police (RCMP) began a joint investigation, called Project Evenhanded, to investigate the missing women and seek at least two serial murderers targeting street prostitutes from the DTES. The search at the Pickton property in 2002 was the result of a search for illegal firearms unrelated to the missing women. Within an hour, evidence of two of the missing women was discovered and the largest serial murder investigation in Canadian history was launched. The Pickton trial and outcome is considered, followed by a discussion of the finger-pointing and attribution of blame by police agencies. The key findings from the Missing Women Inquiry (MWI) are included in this chapter and the next. In the last section, an analysis of the most egregious failings of the investigation is discussed.

Chapter Seven provides a discussion of the frequently encountered challenges of investigating serial murders of sex workers and the common errors of police agencies. This information is drawn from the cases outlined in Chapters Four to Six and Appendix G with the addition of further research. There are, however, investigative opportunities and best practices that have proven successful in Canada and internationally, which are also provided. The issue of missing and murdered women is not solely a police responsibility. All of

Canadian society has a stake in improving the safety of women. In the next section, other initiatives and recommendations aimed at the media, all levels of governments and non-profit organizations are covered, as well as proposed changes to the *Criminal Code of Canada*.

Police agencies across the country have learned from the DTES and the Pickton case. Evenhanded was the first of four large, multi-jurisdictional investigations into the disappearances and murders of women from high risk backgrounds, many of whom are Aboriginal. In Chapter Eight, summaries of the three RCMP-led projects, KARE, Devote and E-PANA, are provided. These projects are large, dedicated units committed to seeing a resolution in many cases, most of which are years or even decades old. Finally, I outline the key factors of these projects that are likely to lead to success, the criticisms against the progress to date, and recommendations for improving the initiatives.

In the concluding chapter, the themes of violence and vulnerabilities are summarized. All Canadian women deserve to live free of violence. For women with vulnerable life histories, violence is a daily threat and a common occurrence. More must be done to prevent violence and to hold offenders responsible when violence has been done. This dissertation is a plea for resources and attention; to turn apathy into pragmatic, concrete action founded on solid evidence-based research.

## **II. METHODOLOGY**

During the formulation of my dissertation strategy I planned to conduct formal and informal interviews with Canadian sex workers, social workers, Aboriginal organizations, police, policy makers, friends and families of victims, and attorneys. However, there were obstacles which reduced the number of interviews I was able to conduct. First, during the first year of the dissertation, I travelled extensively across Canada for work and could have

conducted interviews on my own time. However, I had not yet received Ethics Approval to do so. Second, shortly after Ethics Approval had been received in the fall of 2008, I had begun full-time French language training and ceased to travel for work. Third, my postings on numerous social media groups dedicated to missing or murdered women prompted several personal conversations; unfortunately, they did not take the form of a formal interview with proper consent forms so they could not be used for this purpose.

Fourth, especially once I began working as the lead on VAW at SWC, there was the potential for real or perceived conflicts of interest should I interview police, policy makers or the Crown, or in some cases, staff at Aboriginal organizations. I conducted interviews only where the informant did not have an on-going relationship with me in a government context. For instance, I interviewed a police officer and a social worker that I met at conferences. Finally, conflicts of interest were also possible in relation to my volunteer work in Ottawa. I am on the Board of Directors for Minwaashin Lodge and have been a volunteer tax preparer at approximately 12 women's shelters and centres in Ottawa since 2000. This could have put me in a position of authority with potential informants, especially Aboriginal women, sex workers or experiential women, homeless women, or the staff who worked at these organizations.<sup>6</sup>

However, I was able to conduct a few interviews and include some personal communications with people in Canada and abroad for dissertation purposes. I had the opportunity to travel to Europe in 2008, and conducted six interviews in Amsterdam, the Netherlands, and in Stockholm, Sweden. The interviews were open-ended questions about the informant's experience with prostitution, as an experiential woman, advocate, researcher,

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<sup>6</sup> See Appendix B for definitions. Words included in Appendix B are underlined the first time they appear in the dissertation.

police officer, social worker or health care provider. These interviews provided insight and context of a particular geographic area.

### III. THE DISSERTATION DATABASE

At the onset of the research for this dissertation, several statistical gaps were revealed. First, there was little current research on the number of women who had gone missing that could be substantiated and replicated. Second, information on the murders of sex workers dated largely from the early to mid-1990s. Finally, there was a lack of analysis regarding the various similarities among missing or murdered women, except for the use of the vague phrase “high-risk lifestyle.” There was information about the lives of these women in news articles and police files but it was not collected or available in a way which enabled the statistical information to be analyzed to identify trends or correlations. This dissertation examines in detail the vulnerabilities which may increase the risk of a person becoming a victim of homicide or going missing.

It should be noted that information of this type was being gathered and disseminated throughout the work on this dissertation. As part of the *Sisters in Spirit* research, policy, and awareness-raising initiative on missing and murdered Aboriginal women, NWAC began to track cases of missing and murdered Aboriginal women in 2005.<sup>7</sup> When my dissertation began in 2007, no information from *Sisters in Spirit* was available. In their September 2009 report, NWAC stated that, as of March 31, 2009, they had documented 520 cases of missing

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<sup>7</sup> See, “Sisters in Spirit” *Native Women’s Association of Canada (NWAC)*.

or murdered Aboriginal women.<sup>8</sup> At the conclusion of the SIS project in March 2010, the figure was 582.<sup>9</sup>

The majority of names and details in the NWAC database will not be made public and the figures cannot be independently verified. At the onset of my dissertation, the inability to substantiate the data reported by NWAC was thought to be a barrier to action by police and policy makers addressing the serious issue of violence against Aboriginal women. NWAC did share their information with police, and provincial and federal governments began to act on the information gleaned from *Sisters in Spirit* long before the conclusion of the project in 2010. NWAC has been rightly praised and credited for raising public awareness and creating the momentum for police and government to act on old cases and try to prevent future violence. NWAC's work was extremely important to my own research.

At the time my dissertation commenced, my focus was solely on Aboriginal women, although this changed and expanded during the course of the research phase. As research progressed, I realized there were commonalities and themes emerging regarding the cases of vulnerable women. As a result, I revised my research focus to include sex workers and non-Aboriginal women. Both as a result of a lack of available information, and the desire to have a source of information that was publicly available and that could be replicated and validated, I created the DD.

Research for the DD began in late August 2008 and continued until September 19, 2013. Using information gathered from websites, police files on the Internet, print and electronic newspaper articles, books, journals, theses, government and non-governmental

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<sup>8</sup> NWAC. (2009). *Voices of Our Sisters in Spirit: A research and policy report to families and communities*, 2<sup>nd</sup> ed. at 88.

<sup>9</sup> NWAC. (2010). *What their stories tell us*.

reports, missing women posters and other publicly available information, cases from 1946 until 2013 were collected, coded and analyzed. The date of 1946 was selected to be the oldest year to include because the killer, if 18 at the time of the murder, would be 85 in 2013.

For each individual who was mentioned in more than one source, a paper file was created. Each source was printed, coded and inputted into the DD. For each source, the bibliographical citation was carefully recorded. The printing of sources was necessary to preserve data integrity because websites change, become abandoned, and pages are deleted and updated, thus making verification of data very difficult. Individuals selected for inclusion in the database included:

- All women/girls listed as missing or murdered;
- All sex workers listed as missing or murdered (all genders);
- All missing women/girls in Canada;
- All murders of women/girls;
- All unidentified remains of women and girls, found in Canada;
- All unidentified remains of individuals whose sex and gender was not known, found in Canada.

The full list of names from the DD, with select details, is provided in Appendix F.

There exists, or has existed, many lists of missing and murdered people by name. Some are Aboriginal-specific, others are from a particular geographic area, and other lists contain information about individuals who worked in the sex trade, or were homeless. For example, provincial or municipal police sites list people expected to have died due to boating or plane accidents but whose bodies were never recovered. Children on reserve who were mauled to death by dogs were listed as “murdered” on an Internet site devoted to murdered and missing Aboriginal people. Coding was developed to be able to capture that the manner of death was not criminal in nature. These cases were put into a separate Validation Database (VD) in order to keep track of those who are listed among published lists of names. The VD

contains cases of women or girls that were listed as missing or murdered that were determined to be:

- Women/girls missing due to accidents;
- Women/girls who had been missing but were found alive;
- Women/girls who are categorized as murder victims by sources, such as those who died in police custody;
- Cases listed as being either missing or murdered without specification where no further information was found.

Many of the names in the DD during the onset of data collection eventually were moved to the VD as they were found alive or the circumstances of their death were revealed. The names within the VD are not provided.

In addition to newspaper articles, websites and decisions from court cases were the main source of information. There are numerous sites on the Internet dedicated to murdered and missing people in Canada produced by amateur members of the public and police services or various levels of government. Unlike the NWAC research, I did not conduct interviews with family members; only publicly available information is contained within the DD. Where available, decisions in trials were used, as often the information being sought was available, as well as the final outcome of the case. The main websites used are shown in Figure 1-1.

Information was sparse for some individuals, whereas other individuals were listed by multiple sources. Conflicting information about age, the dates of death, disappearance or identification of human remains and the details of their lives was common. In addition, multiple spellings of names, nicknames, street names and aliases needed to be tracked to avoid duplication of entries.

**Figure 1-1: Main Dissertation Database Sources**

| Police or Government Websites                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Alberta's Missing Persons and Unidentified Remains ( <a href="http://www.albertamissingpersons.ca">www.albertamissingpersons.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| British Columbia Minister of Public Safety and Solicitor General ( <a href="http://www.missing-u.ca/britishcolumbia.htm">www.missing-u.ca/britishcolumbia.htm</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Canada's Missing People ( <a href="http://www.canadasmissing.ca">www.canadasmissing.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Crimestoppers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| O.P.P.: Project Resolve ( <a href="http://www.missing-u.ca">www.missing-u.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| RCMP national and regional divisions ( <a href="http://www.rcmp-grc.gc.ca">www.rcmp-grc.gc.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| RCMP: Project KARE ( <a href="http://www.kare.ca">www.kare.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Saskatchewan Chiefs of Police ( <a href="http://www.sacp.ca">www.sacp.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Manitoba Chiefs of Police ( <a href="http://www.macp.mb.ca">www.macp.mb.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Provincial police forces:<br>Ontario ( <a href="http://www.opp.ca">www.opp.ca</a> )<br>Quebec ( <a href="http://www.suretequebec.gouv.qc.ca">www.suretequebec.gouv.qc.ca</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Government-based missing children agencies such as <i>Child Find Canada</i> ( <a href="http://www.childfind.ca">www.childfind.ca</a> ), <i>Our Missing Children</i> <sup>10</sup> and <i>Missing Children Canada</i> ( <a href="https://missingkids.ca/app/en/missing_children_database">https://missingkids.ca/app/en/missing_children_database</a> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Municipal police forces throughout Canada:<br>Barrie Police Service ( <a href="http://www.police.barrie.on.ca">www.police.barrie.on.ca</a> )<br>Belleville Police Service ( <a href="http://www.police.belleville.on.ca">www.police.belleville.on.ca</a> )<br>Chatham-Kent Police Service ( <a href="http://www.ckpolice.ca">www.ckpolice.ca</a> )<br>City of Miramichi ( <a href="http://www.miramichi.org">www.miramichi.org</a> )<br>City of Prince George ( <a href="http://www.city.pg.bc.ca">www.city.pg.bc.ca</a> )<br>Delta Police Department ( <a href="http://www.deltapolice.ca">www.deltapolice.ca</a> )<br>Durham Regional Police Service ( <a href="http://www.drps.ca">www.drps.ca</a> )<br>Edmonton Police Service ( <a href="http://www.edmontonpolice.ca">www.edmontonpolice.ca</a> )<br>Edmundston Police ( <a href="http://www.edmundston.ca">www.edmundston.ca</a> )<br>Halifax Regional Police ( <a href="http://www.halifax.ca/police/">www.halifax.ca/police/</a> )<br>Halton Regional Police Service ( <a href="http://www.hrps.on.ca">www.hrps.on.ca</a> )<br>London Police ( <a href="http://www.police.london.ca">www.police.london.ca</a> )<br>Medicine Hat Police Service ( <a href="http://www.medicinehatpolice.com">www.medicinehatpolice.com</a> )<br>New Westminster Police ( <a href="http://www.nwpolice.org">www.nwpolice.org</a> )<br>Niagara Regional Police Service ( <a href="http://www.nrps.com">www.nrps.com</a> )<br>Ottawa Police Service ( <a href="http://www.ottawa.ca">www.ottawa.ca</a> )<br>Peel Regional Police ( <a href="http://www.peelpolice.on.ca">www.peelpolice.on.ca</a> )<br>Prince Albert Police Service ( <a href="http://www.papolice.ca">www.papolice.ca</a> )<br>Québec Secours, online: ( <a href="http://sitequebecsecours.qc.ca">http://sitequebecsecours.qc.ca</a> )<br>Regina Police Service ( <a href="http://www.reginapolice.ca">www.reginapolice.ca</a> )<br>Saanich Police ( <a href="http://www.saanichpolice.ca">www.saanichpolice.ca</a> )<br>Saskatoon Police Service ( <a href="http://www.police.saskatoon.sk.ca">www.police.saskatoon.sk.ca</a> )<br>Strathroy Caradoc Police Service ( <a href="http://www.strathroy-caradoc.ca">www.strathroy-caradoc.ca</a> )<br>Toronto Police ( <a href="http://www.torontopolice.on">www.torontopolice.on</a> )<br>Vancouver Police Department ( <a href="http://vancouver.ca/police">http://vancouver.ca/police</a> )<br>Victoria Police Department ( <a href="http://www.vicpd.ca">www.vicpd.ca</a> )<br>Waterloo Regional Police Service ( <a href="http://www.wrps.on.ca">www.wrps.on.ca</a> )<br>Winnipeg Police Service ( <a href="http://www.winnipeg.ca">www.winnipeg.ca</a> )<br>York Regional Police ( <a href="http://www.police.york.on.ca">www.police.york.on.ca</a> ) |

<sup>10</sup> This site is now contained within the RCMP's National Centre for Missing Persons and Unidentified Remains website ([www.canadasmissing.ca](http://www.canadasmissing.ca)).



| Non-police or Government Websites, General                                                                                      |  |
|---------------------------------------------------------------------------------------------------------------------------------|--|
| Association of the Families of Persons Murdered or Disappeared ( <a href="http://www.afpad.ca">www.afpad.ca</a> )               |  |
| Avis de Recherche ( <a href="http://adr.tv">http://adr.tv</a> )                                                                 |  |
| BC Institute Against Family Violence ( <a href="http://www.bcifv.org">www.bcifv.org</a> ).                                      |  |
| Canadian Parents of Murdered Children and Survivors of Homicide Victims Inc. ( <a href="http://www.cpomc.ca">www.cpomc.ca</a> ) |  |
| Enfant-Retour Québec ( <a href="http://www.enfant-retourquebec.ca">www.enfant-retourquebec.ca</a> )                             |  |
| Federation of Saskatchewan Indian Nations ( <a href="http://www.fsin.com">www.fsin.com</a> )                                    |  |
| Giant Dwarf ( <a href="http://www.giantdwarf.com/id522.htm">http://www.giantdwarf.com/id522.htm</a> )                           |  |
| Highway of Tears ( <a href="http://www.highwayoftears.ca">www.highwayoftears.ca</a> )                                           |  |
| Homeless Nation ( <a href="http://homelessnation.org">http://homelessnation.org</a> ) <sup>11</sup>                             |  |
| I am Missing ( <a href="http://www.iammissing.ca">www.iammissing.ca</a> )                                                       |  |
| Missing Canadians ( <a href="http://www.missingcanadians.ca">www.missingcanadians.ca</a> )                                      |  |
| Missing or Unsolved Murders Of Indigenous Sisters ( <a href="https://crowdmap.com/welcome">https://crowdmap.com/welcome</a> )   |  |
| Missing People Net (Wayne Leng) ( <a href="http://www.missingpeople.net">www.missingpeople.net</a> )                            |  |
| Native Women's Association of Canada ( <a href="http://www.nwac.ca">www.nwac.ca</a> )                                           |  |
| No More Silence ( <a href="http://nomoresilence-nomoresilence.blogspot.ca">http://nomoresilence-nomoresilence.blogspot.ca</a> ) |  |
| North American Missing Persons Network ( <a href="http://www.nampn.org">www.nampn.org</a> )                                     |  |
| Ontario's Missing Adults ( <a href="http://www.missingadults.ca">www.missingadults.ca</a> )                                     |  |
| Prime Time Crime ( <a href="http://www.primetimecrime.com">www.primetimecrime.com</a> )                                         |  |
| Sex Professionals of Canada ( <a href="http://www.spoc.ca">www.spoc.ca</a> )                                                    |  |
| Sisters in Solidarity ( <a href="http://sisters-in-solidarity.com">http://sisters-in-solidarity.com</a> )                       |  |
| Stolen and Silent ( <a href="http://stolenandsilent.weebly.com">http://stolenandsilent.weebly.com</a> )                         |  |
| The Charley Project ( <a href="http://www.charleyproject.org">www.charleyproject.org</a> )                                      |  |
| The Doe Network ( <a href="http://www.doenetwork.org">www.doenetwork.org</a> )                                                  |  |
| The Last Link on the Left ( <a href="http://www.lastlinkontheleft.com">www.lastlinkontheleft.com</a> )                          |  |
| Unsolved Canada ( <a href="http://www.unsolvedcanada.ca">www.unsolvedcanada.ca</a> )                                            |  |
| Vanished Voices ( <a href="http://www.vanishedvoices.com">www.vanishedvoices.com</a> )                                          |  |
| Websleuths ( <a href="http://websleuths.com">http://websleuths.com</a> )                                                        |  |
| Winnipeg Homicides ( <a href="http://www.winnipeghomicide.org">www.winnipeghomicide.org</a> )                                   |  |
| Websites That are No Longer Available <sup>12</sup>                                                                             |  |
| Lost Souls                                                                                                                      |  |
| Missing and Murdered Native Women                                                                                               |  |
| Missing and Murdered (Native) Women                                                                                             |  |

As the proposal for this dissertation postulated that multiple interactions of variables of vulnerability increased the risk to women of going missing or being murdered, aspects of their lives were also tracked. Figure 1-2 shows the variables used in the DD and the VD.

<sup>11</sup> This site allows people to post information about people they are searching for or with whom they are estranged and may not be missing. Therefore, only names which can be verified as being missing elsewhere are included. Inclusion on this website does not necessarily mean the person is homeless.

<sup>12</sup> These sites are no longer active. Information used from these sites was printed out prior to the websites' closures.

**Figure 1-2: Dissertation and Validation Database Variables**<sup>13</sup>

| Variable                         | Description                                                                                                         | Notes                                                                                                                                                                                                                                                                               |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name</b>                      | The legal name of the person.                                                                                       | First and last names were recorded in separate columns. Middle names were not recorded.                                                                                                                                                                                             |
| <b>Other spelling(s) of name</b> | All spelling variations of the same name were recorded.                                                             |                                                                                                                                                                                                                                                                                     |
| <b>Street or nick-name(s)</b>    | Short forms, nicknames and street names.                                                                            |                                                                                                                                                                                                                                                                                     |
| <b>Aliases</b>                   | All known aliases.                                                                                                  | All known aliases were recorded. Jane, John and Person Does were given sequential numbers and recorded under the aliases section. If the actual name became known at some point, this was also recorded.                                                                            |
| <b>Age</b>                       | The age of the victim at the time of her disappearance/death, as stated in all sources.                             | In case of discrepancy, all ages were listed in separate columns. Estimated ages were also recorded separately. This occurred where a date of birth was provided but not the age at death or disappearance, or where the medical examiner had estimated the age from human remains. |
| <b>Year missing/murdered</b>     | Indicates the year the woman went missing or was last seen.                                                         | In case of discrepancy, all years were listed in separate columns.                                                                                                                                                                                                                  |
| <b>Status</b>                    | The status of the woman's case, at the conclusion of data collection.                                               |                                                                                                                                                                                                                                                                                     |
| <b>Information date</b>          | The last date of all sources used for an individual file.                                                           | Where the source is a website, the date indicates the "last updated" date of the website, not necessarily of the specific article. Where a website is undated, no information is recorded.                                                                                          |
| <b>Companion(s)</b>              | The name(s) of a person or people thought or known to be with the missing person or murder victim at last sighting. | This would include cases where the person was suspected to have run away or disappeared with another person. It also includes other homicide victims killed at the same time and location as the victim.                                                                            |

<sup>13</sup> See Appendix D for full coding manual for the DD and VD.

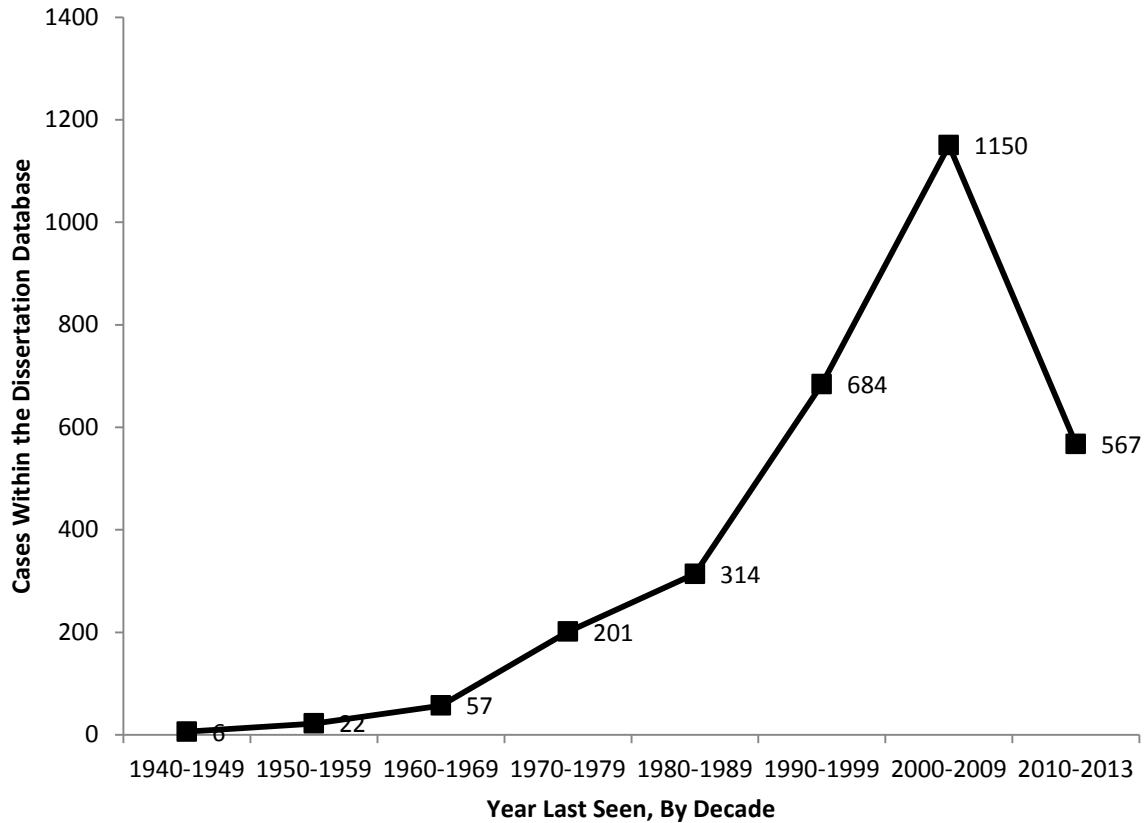
| Variable                                 | Description                                                                                                                                                                                 | Notes                                                                                                                                                                                                            |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Abductor(s)</b>                       | The name(s) of a person or people thought or known to have abducted the person.                                                                                                             |                                                                                                                                                                                                                  |
| <b>Suspect(s)/ perpetrator(s)</b>        | The name(s) of the person or people suspected, acquitted, convicted, or charged with the death of an individual.                                                                            |                                                                                                                                                                                                                  |
| <b>Estimated year of death</b>           | The estimated year of death when the exact date cannot be determined.                                                                                                                       |                                                                                                                                                                                                                  |
| <b>Found</b>                             | The year the person's fate was discovered by police.                                                                                                                                        | This variable distinguished between those found deceased, those whose DNA was found at the Robert Pickton farm, those found alive, those who were still missing or have been found but remain with their captor. |
| <b>Year found alive</b>                  | The year in which a person was found alive.                                                                                                                                                 |                                                                                                                                                                                                                  |
| <b>Year body found</b>                   | The year in which a person was found deceased.                                                                                                                                              |                                                                                                                                                                                                                  |
| <b>Year body identified</b>              | The year in which a deceased person's body was identified.                                                                                                                                  |                                                                                                                                                                                                                  |
| <b>Ethnicity</b>                         | This variable identifies the ethnicity of the victim by the reference (police, media, etc.)                                                                                                 | No assumptions of ethnicity were based on skin colour.                                                                                                                                                           |
| <b>Last location</b>                     | This identifies the province/territory where the woman was last seen alive.                                                                                                                 | Some sources included cases of Canadian women missing from outside of Canada. These were tracked as well, if included on Canadian lists or sites.                                                                |
| <b>Reward</b>                            | In some cases, a reward had been offered for information. If a reward was offered, the amount of the reward and who offered it was tracked (for example, government, family, private, etc.) |                                                                                                                                                                                                                  |
| <b>"Highway of Tears"</b>                | This indicates whether the case is from the area known as the Highway of Tears.                                                                                                             |                                                                                                                                                                                                                  |
| <b>Downtown East Side</b>                | This indicates whether the case is from the DTES.                                                                                                                                           |                                                                                                                                                                                                                  |
| <b>Missing women's task force poster</b> | This indicates whether the case is or was part of the official Missing Women's Task Force in DTES                                                                                           |                                                                                                                                                                                                                  |

| Variable                              | Description                                                                                                                                                                                               | Notes                                                                                                 |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
|                                       | (Evenhanded).                                                                                                                                                                                             |                                                                                                       |
| <b>Project KARE</b>                   | This indicates whether this case has been identified as part of Project KARE in Alberta.                                                                                                                  |                                                                                                       |
| <b>Project E-PANA</b>                 | This indicates whether the case has been identified as an official Project E-PANA in Northern B.C.                                                                                                        |                                                                                                       |
| <b>Project Devote</b>                 | This indicates whether the case has been identified as an official Project Devote in Manitoba.                                                                                                            |                                                                                                       |
| <b>Gender</b>                         | The gender identity of the person identified as the victim.                                                                                                                                               |                                                                                                       |
| <b>Sex work</b>                       | This indicates if the victim was identified as being or having been a sex worker                                                                                                                          |                                                                                                       |
| <b>Type sex work</b>                  | This identifies the type of sex work the person was involved in, or suspected to be involved in.                                                                                                          | More than one type may apply, thus the totals will not correspond to the total number of sex workers. |
| <b>Children</b>                       | This indicates whether or not the woman had given birth (live births only).                                                                                                                               | Children do not have to be alive at the time of the death/disappearance to be counted.                |
| <b>Children separated from mother</b> | This indicates the status of the legal/logistical relationship of the woman with her children.                                                                                                            |                                                                                                       |
| <b>Hitchhiking</b>                    | This indicates whether the woman was hitchhiking at the time she disappeared or was murdered, or had a history of hitchhiking regularly.                                                                  |                                                                                                       |
| <b>Addiction</b>                      | This indicates if the victim was identified as having a current or former substance addiction.                                                                                                            |                                                                                                       |
| <b>Foster care</b>                    | This indicates if the victim was raised at any time in a foster home, residential school or group home, including living with family members other than one or both of their natural or adoptive parents. |                                                                                                       |
| <b>Mental illness</b>                 | This indicates if the victim was identified as being mentally ill at the time of their going missing or being murdered.                                                                                   |                                                                                                       |

| Variable                                                   | Description                                                                                                                                                           | Notes                                                                                                                                                                                               |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Criminal history</b>                                    | This indicates if the victim was identified as having a criminal history or was known to police.                                                                      |                                                                                                                                                                                                     |
| <b>Physical disability or serious illness</b>              | This indicates if the victim was identified as having either a physical disability or a serious medical illness at the time of their going missing or being murdered. |                                                                                                                                                                                                     |
| <b>Special needs</b>                                       | This indicates if the victim had ever been identified as being special needs or having a learning disability.                                                         |                                                                                                                                                                                                     |
| <b>Homeless</b>                                            | This indicates if the victim was homeless or considered transient at the time of her disappearance/murder, or has a history of being so.                              |                                                                                                                                                                                                     |
| <b>Pregnant</b>                                            | This indicates whether or not the woman was pregnant at the time of her disappearance or death.                                                                       |                                                                                                                                                                                                     |
| <b>Runaway</b>                                             | This indicates whether the woman had a history of running away before age 18.                                                                                         |                                                                                                                                                                                                     |
| <b>Relationship to others in the Dissertation Database</b> |                                                                                                                                                                       | Some victims had family members also within the DD, or were murder victims as well. Where it was known, this was indicated.                                                                         |
| <b>File numbers</b>                                        | The file numbers (police, databases, etc.) assigned for the specific victim.                                                                                          | Each type of source has its own column and is recorded separately. Some sources list the police file numbers, and other sources have their own file numbers, such as the Doe Network or Lost Souls. |

### i. General Findings

At the time research for the DD ceased on September 19, 2013, the DD contained the names of 3,329 individuals. The majority of the cases were from 1990 to 2013, although 328 (9.9%) cases lacked information on the year the person was last seen. Figure 1-3 provides a breakdown of cases by decade the individual was last seen.

**Figure 1-3: All Cases, by Decade Last Seen, in the DD (N=3,001)<sup>14</sup>**

The DD includes 626 (18.8%) cases of people who remained missing at the conclusion of data collection. The remaining 2,703 people (81.2%) were homicides or suspicious deaths.<sup>15</sup> Figure 1-4 provides a summary of all the cases by status.

<sup>14</sup> Cases in which there was no information on when the person was murdered or went missing have been excluded from this figure.

<sup>15</sup> There are only five categories from which medical examiners can choose when determining the manner of death. These are: natural, accident, suicide, homicide and undermined. Stefan Timmermans. *Postmortem: How medical examiners explain suspicious deaths*. (Chicago: The University of Chicago Press, 2006) at 6.

**Figure 1-4: All Cases, by Status, in the Dissertation Database**

|                                                                                                      | Cases        | Percentage    |
|------------------------------------------------------------------------------------------------------|--------------|---------------|
| <b>Total</b>                                                                                         | <b>3,329</b> | <b>100.0%</b> |
| <b>Cases Involving Missing Persons</b>                                                               |              |               |
| Missing                                                                                              | 453          | 13.6%         |
| Foul play suspected                                                                                  | 108          | 3.2%          |
| Family abduction                                                                                     | 32           | 1.0%          |
| Non-family abduction                                                                                 | 10           | 0.3%          |
| Body not located. Police suspect victim to be dead due to suicide                                    | 9            | 0.3%          |
| Body not located. Homicide charges laid but case has not yet gone to trial                           | 9            | 0.3%          |
| Body/bodies not located. Police suspect murder / suicide                                             | 2            | 0.1%          |
| Located alive but remains with abductor                                                              | 3            | 0.1%          |
| <b>Total: Missing</b>                                                                                | <b>626</b>   | <b>18.8%</b>  |
| <b>Cases Involving Persons Deceased</b>                                                              |              |               |
| <b>Homicide Cases (Including Manslaughter)</b>                                                       |              |               |
| Unsolved                                                                                             | 721          | 21.7%         |
| Unsolved – (Acquittal)                                                                               | 39           | 1.1%          |
| Unsolved – (Charges Stayed, Wrongful Conviction)                                                     | 48           | 1.4%          |
| Unsolved – (Accused found NCR)                                                                       | 41           | 1.2%          |
| Conviction – Relationship not known                                                                  | 84           | 2.5%          |
| Conviction – Stranger                                                                                | 156          | 4.7%          |
| Conviction – Family member (not intimate partner or parent)                                          | 45           | 1.4%          |
| Conviction – Parent / Guardian                                                                       | 47           | 1.4%          |
| Conviction – Former or current intimate partner                                                      | 316          | 9.5%          |
| Conviction – Person known to victim                                                                  | 113          | 3.4%          |
| Charges laid; unknown outcome of trial                                                               | 475          | 14.3%         |
| Murder of victim/Suicide of killer                                                                   | 271          | 8.1%          |
| Unknown outcome/conflicting information                                                              | 92           | 2.8%          |
| Manner of death unknown/listed as “murdered”                                                         | 131          | 3.9%          |
| Suspicious circumstances surrounding death                                                           | 64           | 1.9%          |
| Suspect wanted by police for homicide charges                                                        | 16           | 0.5%          |
| Suspect died before charges laid or trial completed                                                  | 39           | 1.2%          |
| Police have ruled the case a murder-suicide but have not released which person was the victim/killer | 7            | 0.2%          |
| <b>Total: Death</b>                                                                                  | <b>2,703</b> | <b>81.2%</b>  |

Cases were distributed across Canada in roughly the same distribution as that of the general population except for Quebec.<sup>16</sup> In the DD there were significantly fewer cases than might be expected for Quebec given the proportion of the national population. This could be, in part, due to difficulties searching due to insufficient language skills. There are more cases in the DD for B.C., Saskatchewan and Manitoba than would be expected but this may also be

<sup>16</sup> Statistics Canada. *Population and dwelling counts, for Canada, provinces and territories, 2006 and 2001 censuses - 100% data (table), Population and dwelling count highlight tables, 2006 Census*, (Ottawa: Statistics Canada, 2008).

due to the proficient usage of police news releases and provincial missing person sites used by law enforcement and provincial governments in those provinces.

**Figure 1-5: Distribution of Cases in the DD versus the Population of Canada (N=3,311)<sup>17</sup>**

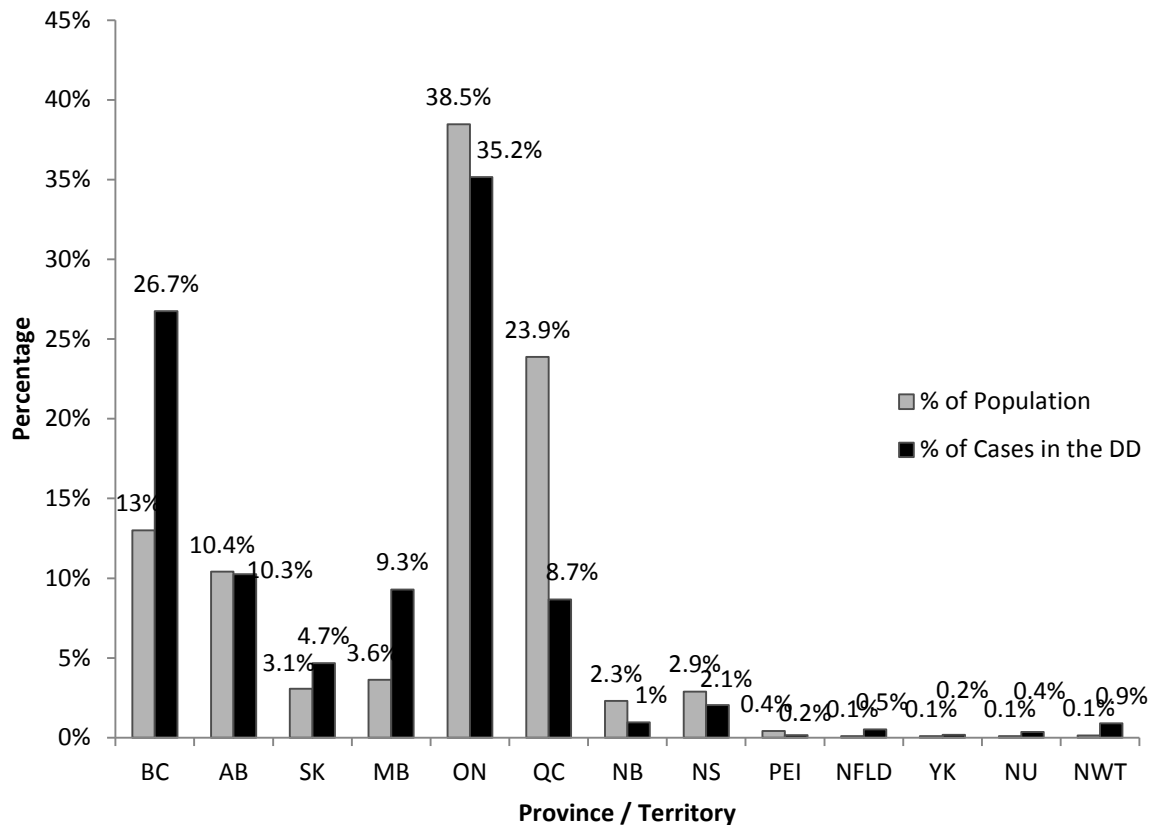


Figure 1-5 shows the distribution of cases in the DD by province or territory, in comparison to the provincial population. Figure 1-6 shows the number of cases of Aboriginal women in the DD, by province and by percentage of the overall DD.<sup>18</sup> Figure 1-7 shows the number of cases of Aboriginal women in the DD, by territory and by percentage of the overall DD.

<sup>17</sup> The 18 cases where information about the last known location of the individual is missing are not included in this figure.

<sup>18</sup> The separation of province and territory has been done to improve the readability of the figures, as the percentage of the territorial population is so much higher, it makes the figure very small.



**Figure 1-6: Distribution of Cases of Aboriginal Women in the DD, in Comparison to the Provincial Aboriginal Population and to all Cases in the DD, by Province**

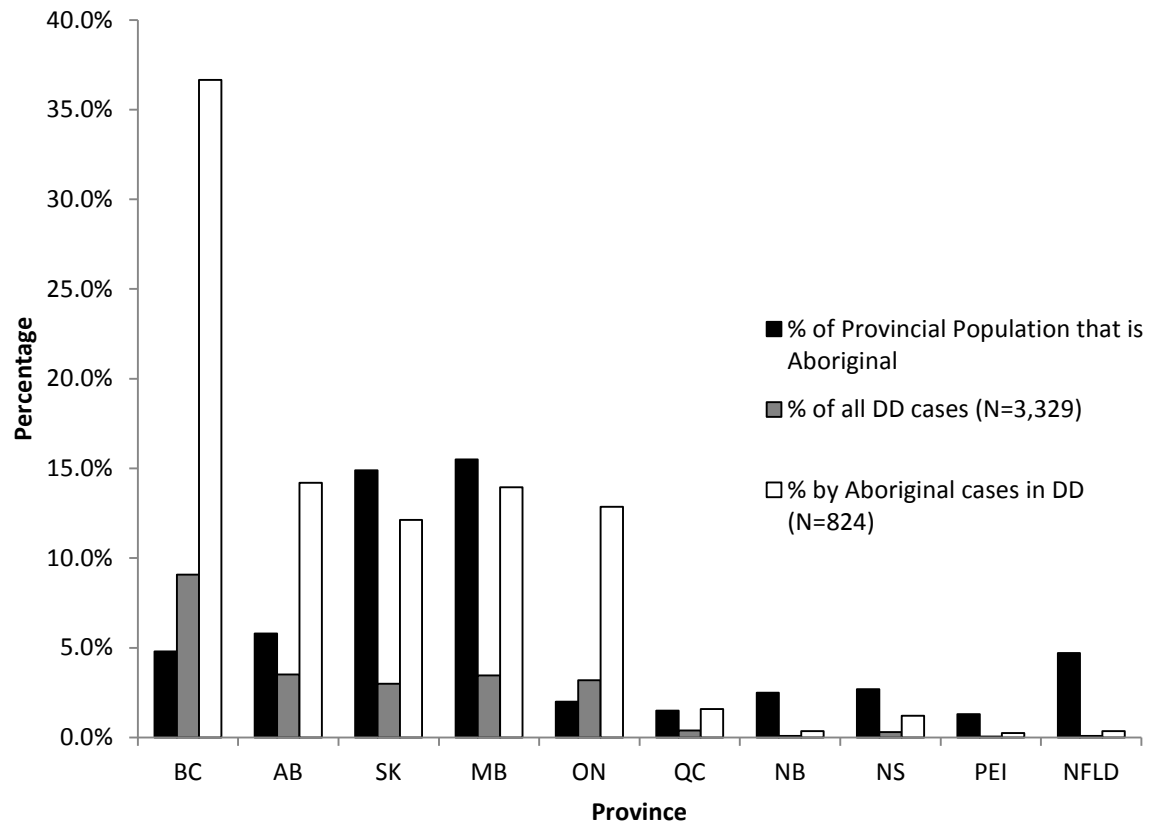
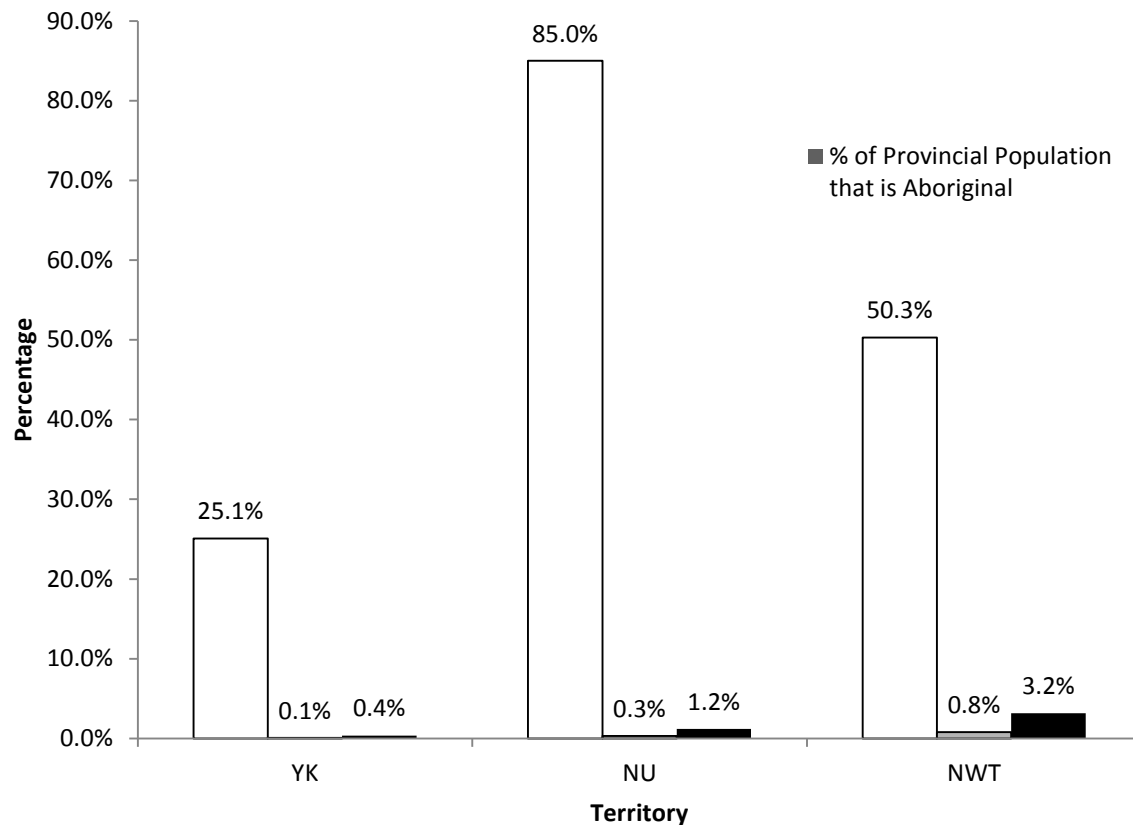


**Figure 1-7: Distribution of Cases of Aboriginal Women in the DD, in Comparison to the Territorial Aboriginal Population and to all Cases in the DD, by Territory**



Ethnicity could not be determined for 1,734 of the individuals (52.1%) within the DD. Assumptions from photographs or last names were not made to judge ethnic heritage because a person's ethnicity is much more complex than the colour of their skin or their names. Of the remaining individuals whose ethnicity was known, 824 (24.8%) were identified as Aboriginal. As European ancestry is the "norm" in Canadian culture, it is more likely that the "unknown" category would include an over-representation of people of European ancestry. Figure 1-8 compares the ethnicity of individuals contained in the DD with the ethnicity of the Canadian population.

**Figure 1-8: Cases in the DD versus the Population of Canada, by Ethnicity (N=2,457)<sup>19</sup>**

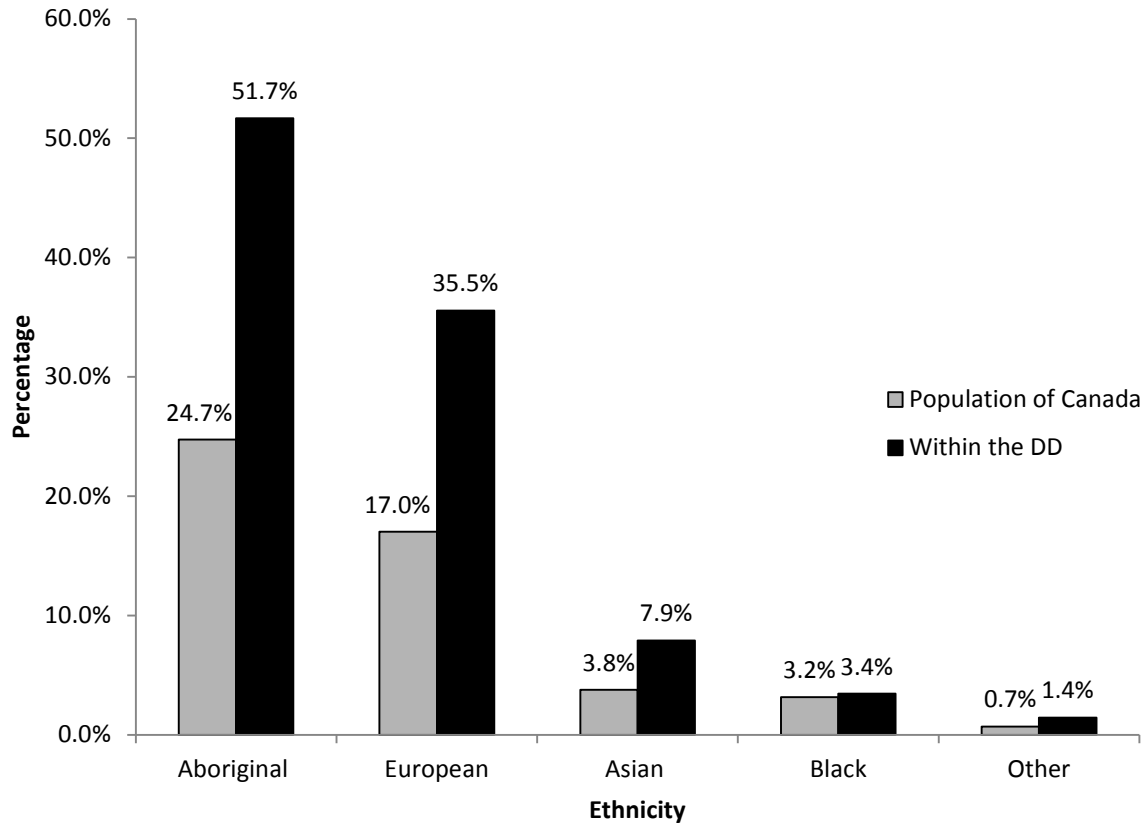
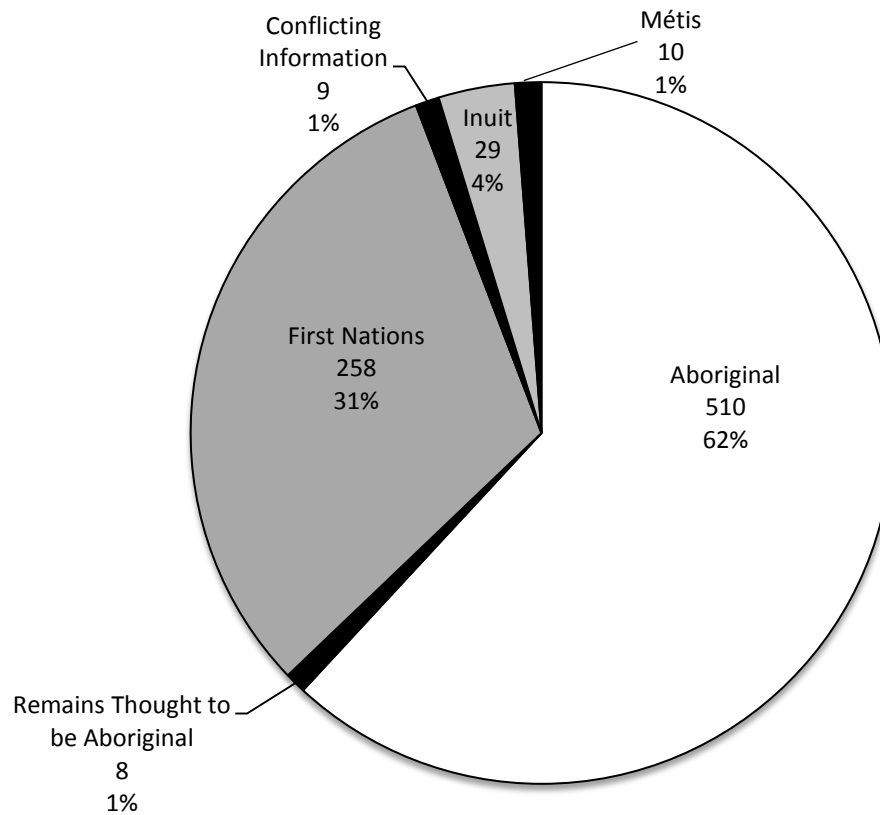


Figure 1-9 further details those individuals identified as Aboriginal. There were nine individuals (1.1%) listed as being of Aboriginal ancestry in some sources while others listed them as non-Aboriginal. Another eight (0.9%) were unidentified human remains where ethnicity has not been identified but analysis indicates that the individuals were likely to have been of Aboriginal heritage. Of the 806 remaining individuals, the majority, 510 (61.9%) were listed as simply being generically “Aboriginal” without specification as to whether they were of First Nations,<sup>20</sup> Métis or Inuit.<sup>21</sup>

<sup>19</sup> Cases of unknown ethnicity (1,734) have been removed from this chart.

<sup>20</sup> Within the DD, no distinction is made between status and non-status First Nation people.

**Figure 1-9: Cases in the Dissertation Database by Aboriginal Identity (N=824)** <sup>22</sup>

## ii. The Use of the Dissertation Database

Despite the large number of individual cases contained within the DD, it cannot be claimed as an exhaustive description of the entire population of women who have been murdered or have gone missing. There were definite challenges in data collection that require explanation.

First, access to internal police files was not possible. Thus, only cases that are publicly available through electronic or hard copy channels are included. There may be

<sup>21</sup> This includes the nine cases where there was conflicting information about whether a person was Aboriginal or not. It also includes nine cases in which human remains had not been identified but the medical examiner states that the remains are, or are likely to be, those of an Aboriginal person.

<sup>22</sup> Statistics Canada. *Population groups (28) and sex (3) for the population of Canada, provinces, territories, census metropolitan areas and census agglomerations, 2006 Census - 20% sample data (table)*, (Ottawa: Statistics Canada). Categories have been merged by the author.

hundreds of other unsolved murders and missing cases that are not listed in the public record. Information on unsolved murders is more plentiful for some provinces than others. For instance, the Ontario Provincial Police (OPP) and the Government of Nova Scotia have rewards for cold cases publicly listed, thus there are more listed cases of unsolved homicides and missing persons where foul play is expected from Nova Scotia than other Atlantic provinces.

Second, there is no consistent approach for police services to list missing persons. Winnipeg, Regina and Saskatoon police services issue media alerts for missing persons regularly. Other municipal police forces in large municipalities like Vancouver, Ottawa and Toronto do so only under specific circumstances. The “E” Division RCMP (B.C.) also issue missing person alerts frequently, but only for areas in their jurisdiction, not for Vancouver or Victoria. Thus, there is less information on missing women from Ontario and Alberta than from Quebec, B.C. and Saskatchewan. As a result, comparisons across provinces on the rate of missing persons are not possible.

Third, there are more cases originating from 1999-2013 than other decades within the DD but the conclusion that there are more missing people or murders from these decades cannot be made. The data collection methods themselves give rise to the higher number of cases in the last two decades. Not all newspaper articles from before the advent of the Internet are available electronically. Even newspapers that are available on-line may have limits on the number of times it can be accessed per month without a subscription. Newspaper archives and the National Archives of Canada were not consulted, but would have certainly resulted in additional cases. Further, not all police forces archive their news releases or allow access to missing person reports once the person is located safely.

Finally, although attempts were made to conduct daily media inquiries and review major police websites and amateur databases regularly, irregular update schedules may have resulted in some new cases and case updates being missed.

Data integrity was also a challenge. First, some data sources are managed by laypersons such as *Missing Sisters*, *Unsolved Canada*, *the Doe Network*, *Lost Souls*, and *Missing and Murdered Native Women*. Not all websites cite sources and the information provided did not always correspond to media reports or police advisories, or was not always updated. For example, one young Aboriginal girl, Jaylin (Summer) Bird, was still listed as being missing from 2007 on the *Missing and Murdered Native Women* site in March of 2009. However, during further research I located a subsequent missing persons report issued for her in 2009 by the Saskatoon Police, and a notification of her having been found safe.<sup>23</sup> Multiple sources were used to minimize this type of error and to locate the most up to date information on a case. Further, data entry errors were common, even on professional sites such as police sites. For instance, a person's age could be given twice, differently, in the same report. Attempts were made to collect, spot errors and discrepancies, and to logically clean the data in the DD. However, most errors could only be identified if conflicting information was found.

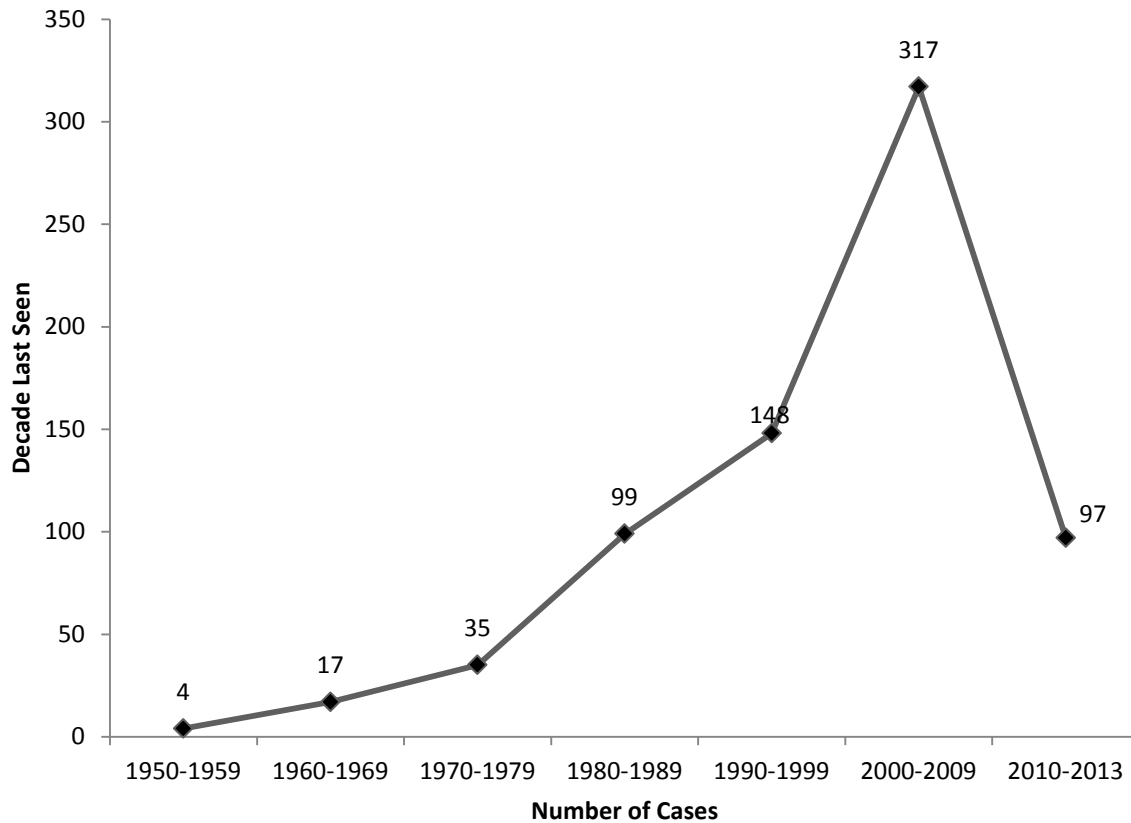
The DD has served its intended purpose, however, in that it is a repository of as many publicly available cases involving missing and murdered girls and women in Canada as possible. Although the focus of this dissertation is women the most vulnerable to violence, Aboriginal women and sex workers, the DD has future research applications. Amnesty

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<sup>23</sup> "Missing / Murdered Native Women in Canada" *Missing Native Women*; "Missing person – request for public assistance" *Saskatoon Police Service* (20 April 2009); "News releases" *Saskatoon Police Service* (29 July 2009).

International and NWAC have long said there are hundreds of cases of missing and murdered Aboriginal women, but details were not provided until 2009, after this dissertation commenced. One of the initial reasons for undertaking data collection was to be able to validate or refute the number of cases of missing or murdered Aboriginal women to the public, police and policy makers. Using the same type of sources available to NWAC, the DD was not only able to confirm this figure, but was able to locate substantially more cases. Of the individuals whose ethnicity was known, 824 (24.7%) were Aboriginal, which exceeds the NWAC figures by almost 50%. Figure 1-10 shows the distribution of the cases of Aboriginal women in the DD by the decade they were last seen. There are a few cases starting in the 1950s, but 661 (80.2%) are from 1980 to the present.

The DD also augments the discussion of vulnerabilities in Chapter Three. The DD provides information on the rate of certain risk factors such as mental illness, removal from a parental relationship before age 18, or addiction. Using the DD, rates of these risk factors amongst the population of missing and murdered women are available. This serves to illustrate how the most vulnerable women in Canadian society are those who have multiple risk factors, one of which is Aboriginal identity.

**Figure 1-10: Aboriginal Women in the DD, By Decade Last Seen (N=717)<sup>24</sup>**

### iii. Pivot Legal Society Affidavits

The Pivot Legal Society (Pivot) is based in the DTES of Vancouver. A non-profit legal advocacy organization, “Pivot’s mandate is to take a strategic approach to social change, using the law to address the root causes that undermine the quality of life of those most on the margins.”<sup>25</sup> Pivot’s focus includes sex work, addiction and health, child welfare, poverty, homelessness, and policing. As part of the work conducted in preparing a challenge to prostitution laws under the *Criminal Code*, Pivot swore 94 affidavits from current and former sex workers in the DTES, of which three were not able to be used. The remaining 91

<sup>24</sup> There are 107 cases where the date of the disappearance or murder is unknown; they are not included in this figure.

<sup>25</sup> “Pivot Legal Society” *Pivot Legal Society (Pivot)*.



affidavits were published as an appendix to the 2004 *Voices for Dignity: A call to end the harms caused by Canada's sex trade laws*.<sup>26</sup>

The majority of the affidavits contained demographic information about each of the sex workers, as the individuals answered the questions about their views on prostitution laws through personal narratives. It should be noted, however, that the “participants were self-selected and therefore are not representative of sex workers in general, or the sex trade as a whole. As a result, demographic information cannot be taken as statistically significant.”<sup>27</sup> The information in the affidavits, then, provides a snap shot of sex workers in the DTES, the same area in which Pickton's victims lived and worked. The information from the affidavits was coded similarly to the DD and the information within was used in this dissertation for comparison purposes to published research, as well as to provide personal voices about particular subjects.<sup>28</sup>

## IV. SEX WORK

### i. The Language of Sex Work

Samantha Smyth is a former Ottawa exotic dancer and member of Canadian National Coalition of Experiential Women (CNCEW). Leading an information session for social service providers, police, and Aboriginal community activists, she explained the preferred terminology of people currently or formerly involved in various forms of prostitution. Smyth explained that “whore is to prostitute is to sex worker in the same way that pig is to cop is to police officer.”<sup>29</sup> This statement reflects the difficulty arising from language; there are slang

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<sup>26</sup> Pivot. (2004). *Voices for Dignity: A call to end the harms caused by Canada's sex trade laws*.

<sup>27</sup> *Ibid.* at 19.

<sup>28</sup> See Appendix E for coding manual for the Pivot affidavits.

<sup>29</sup> Presentation by Samantha Smyth (11 April 2008). *Communities assisting Aboriginal sex trade workers day of learning*, Minwaashin Lodge, Ottawa. Attended by Maryanne Pearce.

and colloquial terms such as whore, hooker, street-walker, lady of the night and working girl, as well as the legal term prostitute and a variety of preferred terms used by academics, advocates and policy makers.

The *Criminal Code of Canada* does not provide a definition of prostitution. In section 212(1) on procuring, it refers only to “illicit sexual intercourse.”<sup>30</sup> Prostitution is defined in Black’s legal dictionary as “the act or practice of engaging in sexual activity for money or its equivalent; commercialized sex.”<sup>31</sup> The courts have “identified three main elements of the activity – the provision of sexual services, the essentially indiscriminate nature of the act, and the necessity for some form of payment.”<sup>32</sup> These definitions, however, do not cover the full spectrum of sexual activities, both legal and illegal, that are available for purchase in Canada.

Where both the purchaser and seller are both over the age of 18, legal sexual service activities include “adult” book and video stores selling pornography, both video and still photographs, telephone sex, “peep” shows, lap dancing and exotic dancing (stripping). Other legal activities such as body rubs, erotic massage and escort services are licensed by municipal governments. Despite their legal status, it is known by police, community members and municipal governments that such businesses are indoor venues for prostitution. Prostitution may also occur in strip clubs, also licensed by municipalities, but not all strip clubs have prostitution occurring on the premises.

Other sexual services are less clearly defined as legal or illegal. Domination and bondage services where there is normally no sexual touching may still be deemed as

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<sup>30</sup> 212(1)(a) and 212(1)(i). *Criminal Code of Canada*, R.S.C. 1985, c. C-46 [*Criminal Code*]. See Appendix C for full text of sections addressing prostitution: s. 210, s. 211 and s. 213.

<sup>31</sup> *Black’s Law Dictionary*. 8<sup>th</sup> ed., s.v. “prostitution”.

<sup>32</sup> Library of Parliament. *Prostitution* by James R. Robertson. (Ottawa: Library of Parliament, 2003) at 19.

prostitution due to the requirement for payment and the sexual gratification of the client.

Likewise, live Internet sex shows where a client pays to direct or watch live sex performed elsewhere is also a potential prostitution activity. There can be no sexual or physical contact with the client in this circumstance. Depending on the situation, however, such activities may still be deemed to be illegal. This could be either because it is deemed to be prostitution or because it is considered an indecent act or exhibition under sections 173(1) and 175(1)(b) of the *Criminal Code*.

Sex as a commodity or service to be bought, sold and exploited for commercial gain is not a new phenomenon. Both the illegal and legal forms and mediums of available commercial sex have greatly expanded through technologies such as the Internet.<sup>33</sup> There has also been a normalization of pornography and prostitution in popular culture. Terms such as “ho” (whore) and “pimp” are used in pop songs and television shows.<sup>34</sup> “Pimp and ho” themed parties have become popular for university-aged adults at night clubs, home parties and a replacement for “stag and doe” couple parties.<sup>35</sup> The terms sex trade or sex industry have become commonly used by academics, policy makers, politicians, the public and those engaged in this burgeoning “red collar” industry.<sup>36</sup> The framing of prostitution and other sex-related activities as sex work and those who offer the services as sex workers or sex trade workers reflects an increased acceptance of sex work as a profession and the sex trade as a

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<sup>33</sup> See e.g., Julie Cwikel and Elizabeth Hoban, “Contentious issues in research on trafficked women working in the sex industry: Study design, ethics, and methodology” (2005) 42 J. of Sex Research at 306.

<sup>34</sup> See e.g., *Pimp My Ride*, 2004, Television Show.

<sup>35</sup> “How to throw a pimp and ho party” *eHow*.

<sup>36</sup> Graham Scrambler, “Sex work stigma: Opportunist migrants in London” (2007) 41 Soc. at 1081; Gregor Gall, “Sex worker unionisation: An exploratory study of emerging collective organisation” (2007) 38 Industrial Relations J. at 71.

service industry. It does not, however, necessarily indicate acceptance or approval of the profession or trade by the general public, governments or academics.<sup>37</sup>

Scholarship on prostitution-related topics has generally positioned prostitution in one of three ways: as a form of deviant behaviour, patriarchal oppression or a type of work.<sup>38</sup> Regardless of the position taken, there is recognition that some terms are more respectful to those involved in the sex trade:

Over the past two decades, the 'sex work' paradigm has become increasingly popular among scholars. The focus on dimensions of work shifts attention away from the moral issues highlighted by the other two perspectives, but does not deny the continuing importance of mores and legal norms.<sup>39</sup>

It is, however, readily acknowledged that sex work is not the same as other types of labour and must be viewed in the larger context of social, gender and racial dynamics:

Since the 1990s, the debate about sex work has taken place against a backdrop of economic injustice and social inequity for women, who do not have the same opportunities for employment and self-support available to them as do men.<sup>40</sup>

In Canada, the term sex work is "widely used across the debate," but this is not so in other Western countries.<sup>41</sup>

The shift in terminology, however, is not universally accepted. Radical feminist writers such as Andrea Dworkin,<sup>42</sup> Catharine MacKinnon,<sup>43</sup> and Melissa Farley,<sup>44</sup> posit that

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<sup>37</sup> Joanna Brewis and Stephen Linstead, "The worst things the screwing" (2): Consumption and the management of identity in sex work" (2000) 7 *Gender, Work and Org.* at 168.

<sup>38</sup> Ronald Weitzer, "Prostitution as a form of work" (2007) 1 *Soc. Compass* at 143.

<sup>39</sup> *Ibid.* at 144.

<sup>40</sup> Lacey Sloan and Stéphanie Wahab, "Feminist voices on sex work: Implications for social work" (2000) 15 *Affilia* at 460.

<sup>41</sup> Jannit Rabinovitch and Susan Strega, "The PEERS story: Effective services sidestep the controversies" (2004) 10 *Violence against Women* at 141.

<sup>42</sup> See e.g., Andrea Dworkin. *Prostitution and male supremacy in life and death.* (New York: Free Press, 1997).

<sup>43</sup> See e.g., Catharine A. MacKinnon. *Women's lives, men's laws.* (Cambridge: Harvard University Press, 2005).

<sup>44</sup> See e.g., Melissa Farley, "'Bad for the body, bad for the heart': Prostitution harms women even if legalized or decriminalized" (2004) 10 *Violence against Women* at 1087.

prostitution is never voluntary, always constitutes violence against women and that language used should reflect this:

We do not refer to battered women as “battering workers.” And just as we would not turn a woman into the harm done to her (we don’t refer to a woman who has been battered as a “batteree”) we should not call a woman who has been prostituted, a “prostitute.” We suggest retaining her humanity by referring to her as a woman who is in prostitution, who was prostituted or who is prostituting.<sup>45</sup>

This is the view of the government of Sweden, which enacted a law on January 1, 1999, recognizing prostitution as sexual violence. The law criminalizes the purchaser, not the seller, of sexual services.<sup>46</sup> The preferred terminology of the Swedish government<sup>47</sup> and other Western abolitionist writers is *women in prostitution* or *prostituted women*. Similarly, women who have left the sex trade are referred to as *survivors of prostitution*.<sup>48</sup> Purchasers of sexual services are described as *prostitute-users*, *prostitute-buyers*, or as *buyers* or *purchasers of sexual services*.<sup>49</sup> No differentiation is made between women who enter prostitution for their own reasons and those forced into prostitution,<sup>50</sup> including human trafficking victims.<sup>51</sup>

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<sup>45</sup> Melissa Farley, “Prostitution and the invisibility of harm” (2003) 26 *Women & Therapy* at 247.

<sup>46</sup> Gunilla Ekberg, “The Swedish Law that prohibits the purchase of sexual services” (2004) 10 *Violence against Women* at 1187.

<sup>47</sup> For example: Ekberg is a special advisor, Division for Gender Equality, Government of Sweden and Kajsa Wahlberg is a detective inspector with the National Criminal Investigation Department, and the national rapporteur on human trafficking for the European Union.

<sup>48</sup> Jody Raphael and Deborah L. Shapiro, “Violence in indoor and outdoor prostitution venues” (2004) 10 *Violence against Women*, 126.

<sup>49</sup> See e.g., Janice G. Raymond, “Prostitution on demand: Legalizing the buyers as sexual consumers” (2004) 10 *Violence against Women* at 1165. See also, Ekberg, *supra* note 46 at 1205.

<sup>50</sup> A September 2009 call by the national office of the Salvation Army to conduct prayer walks in areas where adult entertainment businesses operate in order to bring awareness to human trafficking in the sex trade was criticized by Pivot. Especially controversial was the suggestion to dress mannequins in bloody, tattered dresses. Pivot insisted that the campaign was “fundamentally dishonest” as it does not recognize that only a small percentage of those in the sex trade are trafficked. See, “Human-trafficking fight draws criticism” *CBC News* (24 September 2009).

<sup>51</sup> Kajsa Wahlberg. *Summary of verbal submission to the OSCE*. (Presentation to the Organization for Security and Co-operation in Europe, Vienna, 21 May 2007).

The terminology of the abolitionist movement makes analysis and discussion difficult on many fronts. Consistent and concise use of sex work terms is important, not only to allow the reader to know which context is being referred, but also to ensure that issues specific to an element of prostitution are not lost within a more general discussion. Las Vegas sex work researcher Lynn Comella explains that “the presentation of sex workers as women who are universally exploited, trafficked, raped and coerced also plays perfectly into the commercial aspect of the media, which must sensationalize and oversimplify if they’re going to sell.”<sup>52</sup> Equating all prostitution with trafficking does not allow for individual women to have made a conscious choice to enter prostitution.<sup>53</sup> According to published studies, the majority of women who are trafficked are done so for the purpose of prostitution.<sup>54</sup> However, equating the two excludes those who have not been coerced and trafficked but entered prostitution willingly.<sup>55</sup> It obscures and dilutes the focus on serious issues related to the national and international trafficking of women and children for the purposes of prostitution to be fully understood and addressed:

The distinction between trafficking and prostitution is important because it pivots on individual agency. Trafficking, though variously defined, covers coercion, forced labour, and slavery. Prostitution describes the sale of sex, by no means necessarily without consent or with coercion. At a time when trafficking is increasing, as are international efforts to tackle it, it is critical to clarify the differences between the issues.<sup>56</sup>

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<sup>52</sup> Abigail Goldman, “Bewildered, academics pore over sex-trade hysteria” *Las Vegas Sun* (31 January 2008).

<sup>53</sup> See e.g., Farley, *supra* note 45 at 247; Melissa Farley, “Prostitution, trafficking, and cultural amnesia: What we must *not know* in order to keep the business of sexual exploitation running smoothly” (2006) *Yale J. Law & Feminism* at 109.

<sup>54</sup> United Nations (U.N.) Office on Drugs and Crime. *Global report on the trafficking of persons*. (Vienna: U.N., February 2009).

<sup>55</sup> Currently the *Criminal Code* differentiates between trafficking and procuring. However, some police forces have recommended the Crown bring trafficking charges rather than prostitution-related charges. The York Regional Police has led this trend. Thai Truong. Detective #1227, Organized Crime, Drugs and Vice, York Regional Police. Personal communication with Maryanne Pearce (29 November 2010), Ottawa, Ontario, Canada. See also, “Drugs & vice enforcement bureau” *York Regional Police*.

<sup>56</sup> Kate Butcher, “Confusion between prostitution and sex trafficking” (2003) 361 *The Lancet*, 1983.

Although trafficking is not the focus of this dissertation, it cannot be completely separated from a discussion of prostitution in Canada. The definitions used by the United Nations (U.N.) and by the Canadian government are relevant and applicable in the case of some of the women and children that are the focus of this dissertation:

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) “Child” shall mean any person under eighteen years of age.<sup>57</sup>

Similarly, assertions that pornography is filmed rape, and prostitution paid rape, fail to allow for the agency of sex workers.<sup>58</sup> Further, public concern regarding the prevalence of child sexual exploitation through pornography is separate from arguments about pornography in general. It has taken decades of feminist and legal struggles for “no means no” to be understood by the public. Childhood sexual and physical abuse and intimate partner abuse are now widely viewed as public concerns rather than private matters. The

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<sup>57</sup> U.N. *Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime*. (Vienna: U.N., 2000).

<sup>58</sup> See e.g., Farley, *supra* note 53 at 109; Janice Raymond, “Prostitution is rape that’s paid for” *Los Angeles Times* (11 December 1995) at B6.

right to control one's body has been central to these fights; rhetoric or language that counters these arguments do harm without meaning to, but harm nonetheless.

Feminism has fought long and hard for a woman's right to make choices concerning her body, sexuality, fertility and access to her body. Experiential women who talk about the reasons for entering prostitution claim that they are often silenced or dismissed as not being representative of "usual" sex workers or that they are "in denial."<sup>59</sup> Fundamental to the autonomy of the individual is the ability to make choices – good or bad. Removal of agency and choice renders a person helpless and passive. Those who enter prostitution because of coercion or as children truly are survivors of sexual exploitation. However, those who enter prostitution for their own, often complicated, reasons – whether or not those choices are later regretted – must be seen as autonomous individuals with control over their own lives.<sup>60</sup> A rejection of the abolitionist terminology, however, does not equate with the pro-sex position that sex work and/or prostitution are acts of liberation:

Few people would suggest that women who work as auxiliary nurses on geriatric wards are somehow liberated because they are changing the incontinence pads of strangers in return for cash rather than performing this task for their own relatives out of a sense of duty.<sup>61</sup>

For some women prostitution is an economic choice, while others believe they may not have options due to substance dependency and homelessness. For trafficked women or women "turned out" against their choice, prostitution is akin to slavery. Other women may find sex work a liberating career. As Chapkis noted, commercial sex is more complicated than any

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<sup>59</sup> Pye Jakobson, *Sex Workers and Allies in Sweden*. Interview with Maryanne Pearce (14 November, 2008) Stockholm, Sweden. See also, Dan Gardner, "Do some women really choose to be prostitutes?" *Ottawa Citizen* (09 June 2002). See especially, Priscilla Alexander, "Feminism, sex workers, and human rights" in Jill Nagle (ed.), *Whores and other feminists*. (New York: Rutledge, 1997) at 81.

<sup>60</sup> Michael Goodyear, John Lowman, Benedikt Fischer and Margie Green, "Prostitutes are people too" (2005) 366 *The Lancet* at 1265.

<sup>61</sup> Julia O'Connell Davidson, "The anatomy of 'free choice' prostitution" (1995) 2 *Gender, Work & Organization* at 9.



one position extols.<sup>62</sup> Thus, terminology within this dissertation has been chosen in order to be clear and respectful of the women involved.

As it is a general term for both legal and illegal activities, *prostitute* and *prostitution* are used when referring specifically to physical acts negotiated and agreed to between individuals in exchange for money, drugs or other goods or services. This delineation of terms based on the legality of sexual services is consistent with that of other Canadian academics and non-governmental organizations (NGOs) who also make a distinction between prostitutes (those engaged in activities prohibited under the *Criminal Code of Canada*) and sex workers generally.<sup>63</sup>

There are other respectful and neutral terms such as *sex seller* or *sex professional* that are not widely used in the literature;<sup>64</sup> these are not used except when quoting directly from a reference or interview.<sup>65</sup> Less respectful colloquial terms, such as *hookers*, *whores* or *working girls* are not used except where it is used in a quote from a reference. Similarly, male consumers of commercial sex, legal or illegal, are not referred to by colloquial terms such as *Johns*, *dates*, *tricks*, *punters*, or *curb (kerb) crawlers*, except where used in a quote from a respondent or reference. Within the academic and activist literature, terms such as *client*, *customer*, *sex buyer*, and *consumer* are commonly used. Client is used within this study to denote the male consumer of sexual services, legal or illegal.

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<sup>62</sup> Wendy Chapkis, (ed.). *Live sex acts: Women performing erotic labour*. (New York: Rutledge, 1997) at 5.

<sup>63</sup> See e.g., John Lowman, "Submission to the Subcommittee on Solicitation Laws of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness" (undated), at 1. See also, Canadian HIV/AIDS Legal Network. (2005). *Sex, work, rights: Reforming Canadian criminal law on prostitution*, at 2.

<sup>64</sup> Petra Östergren. Academic and writer on Swedish prostitution policy, feminism and social policy. Interview with Maryanne Pearce (13 November 2008), Stockholm, Sweden. See also, John Lowman and Chris Atchison, "Men who buy sex: A survey in the Greater Vancouver Regional District" (2006) 43 Cdn. Review of Soc. and Anth., 281.

<sup>65</sup> For example, Östergren uses the terms *sex buyer* and *sex seller* in a non-judgemental, factual way.

*Experiential woman* or *women* refers to current or former sex workers.<sup>66</sup> It is a non-judgemental term used primarily in North America by all sides of the prostitution debate, although less often by abolitionist authors.<sup>67</sup> The personal knowledge of experiential women is used to give voice to the debate and issues. This may be accomplished through their own advocacy or via researchers, social workers and other professionals who work with sex trade workers, but not in the sex trade themselves.<sup>68</sup> Some experiential women claim an understanding of the sex trade in a way non-sex workers cannot and thus are in the best position to reflect their own realities.<sup>69</sup> Not all agree. Swedish sex worker advocate Pye Jakobson explains: “Do you understand sex? Do you understand working? Well, then you understand sex work.”<sup>70</sup> Within this dissertation, the term *experiential women* is used only where both current and former sex workers are discussed, or where quoting or referencing a source.

Terms for women who are in the process of leaving the sex trade or who have already left are varied. The terms transitioned, former, ex- or exited sex worker, are widely used by researchers to describe a woman who has left the sex trade. Some researchers only use the term after a specified period of time, due to the prevalence of women who return to the sex trade. For instance, Canadian researchers Cecilia Benoit and Alison Millar used two years as

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<sup>66</sup> Although none use the term *experiential*, Christine Bruckert, Stephanie Wahub and Andrea Dworkin, all academics and former sex workers, have different positions on prostitution and sex work. Dworkin was well known as an abolitionist for close to thirty years; she is now deceased.

<sup>67</sup> See, Stephanie Wahub, “Creating knowledge collaboratively with female sex workers: Insights from a qualitative feminist and participatory study” 9 *Qualitative Inquiry*, 626. Cf., Andrea Dworkin. *Heartbreak: The political memoir of a feminist militant*. (New York: Basic Books, 2002). Cf., Chris Bruckert. *Taking it off, putting it on: Women in the strip trade*. (Toronto: Women’s Press, 2002). See also, “Experiential organizations and perspectives” *CIHS Toolkit: Community*.

<sup>68</sup> See, Teela Sanders, “Sexing up the subject: Methodological nuances in researching the female sex industry” (2006) 9 *Sexualities* at 459.

<sup>69</sup> “Coalition Statements” *Canadian National Coalition of Experiential Women*. See also, “Maggie’s Job Posting” *Maggie’s Toronto*. This job posting for an outreach worker, the deadline for which was February 20, 2009, specifies that sex work experience is required and “street sex work experience preferred.”

<sup>70</sup> Jakobson, *supra* note 59.

the minimum time to have left the sex trade before considering them to have exited, however, this is not a universal convention.<sup>71</sup> The classification based on time exited is useful for research, intervention and analysis purposes as there is wide-spread acknowledgement that “leaving the sex industry is a process, not an event.”<sup>72</sup> One study in the U.S. revealed that only 27% of the women who had left the sex trade remained so after three years. Within this dissertation, the use of the term transitioning sex worker is used to describe women in the process of exiting the sex trade, denoting the push/pull of sex work.<sup>73</sup> Following Benoit and Millar’s example, the term exited sex worker is used within to describe a woman who has left the sex trade completely for a minimum of two years.

The Pivot affidavits, shown in Figure 1-11, reveal considerable career length in the sex trade, with the average being 15.7 years of work.<sup>74</sup> Of the 82 women, 29% indicated they had not been solely employed in the sex trade, but had been in and out of sex work over time.

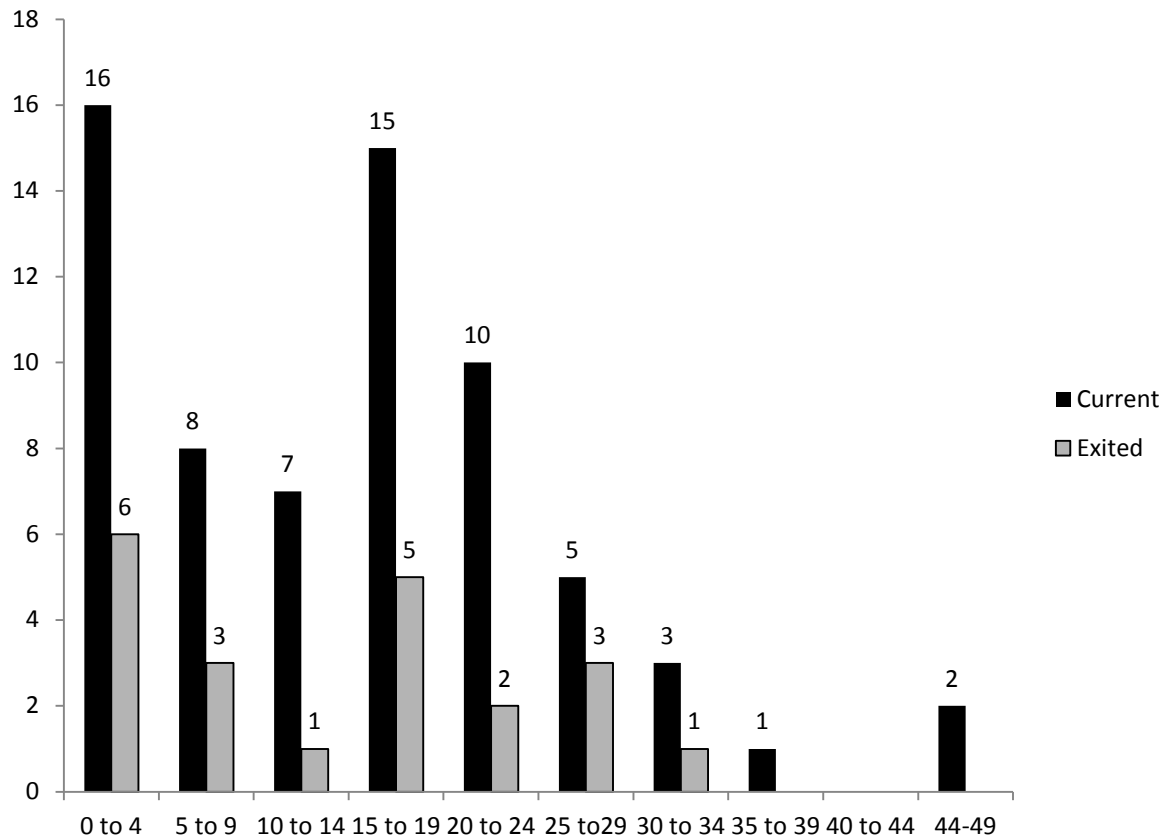
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<sup>71</sup> Cecilia Benoit and Alison Millar. (2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers* at 106.

<sup>72</sup> Rochelle L. Dalla, “‘You can’t hustle all your life’: An exploratory investigation of the exit process among street-level prostituted women” (2006) 30 *Psych. of Women Quart.* at 276. See also, “Exiting sex work” *CIHS Toolkit: Community*.

<sup>73</sup> See, “Coalition statements” *Canadian National Coalition of Experiential Women*. See also, Justice Canada, *Strolling away* by Susan McIntyre. (Ottawa: Department of Justice (DOJ) Canada, 2002) at 1.

<sup>74</sup> Pivot, *supra* note 26.

**Figure 1-11: Career Length of Sex Work, Pivot Respondents (N=88)<sup>75</sup>**

Pimp is a problematic term due to the widespread stereotypes and general usage in mainstream culture. A pimp is a broker, manager and/or agent for the sexual service work provided by others. Colloquially, pimps are known as *players* and pimping known as the Game.<sup>76</sup> The *Criminal Code* provides a definition of procuring but does not use the term pimp.<sup>77</sup> Abolitionists use the term to refer to any individual living off the avails of prostitution, regardless of whether prostitution occurs on the street or in a brothel, escort agency or other venue. This wider usage may be consistent with the *Criminal Code*

<sup>75</sup> There were three affidavits from which the length of career could not be determined. Two were from current and one was from a former sex worker. These three affidavits are not contained within the figure.

<sup>76</sup> Celia Williamson and Terry Cluse-Tolar, "Pimp-controlled prostitution: Still an integral part of street life" (2002) 8 *Violence against Women* at 1074; Carla Thompson, "Experts: Hottest hip hop glorifies pimping" *Women's Enews* (09 November 2003).

<sup>77</sup> John Lowman, "Violence and the outlaw status of (street) prostitution" (2000) 6 *Violence against Women* at 1009; Dan Gardner, "The hidden world of hookers (Part 1 & 2)" *Ottawa Citizen* (08 June 2002).

definition of procuring but there is a wide-spread usage of the term with specific connotations that make expansion of the term awkward. The commonly understood meaning of pimp in the Western world is of a man who coerces, controls and forces one or more (known as a stable) of women into drug addiction and prostitution on the street or out of a seedy motel, van or crack house. The description of popular true-crime writer Ann Rule exemplifies this stereotype:

I won't equivocate: I don't like pimps. They sit in cocktail lounges, wearing expensive leather jackets, big-brimmed hats, flashy clothes, and "bling," while their stables of young women stand out in the rain trying to make enough money to please them, or at least to avoid making them angry.<sup>78</sup>

Further confusing the issue, especially in North America, pimps are often stereotyped as black men, outlaw bikers or members of Russian, Italian or Asian organized crime. Yet women are also involved in procuring activities, including traditional pimp tactics of ensuring compliance through the use of threats, drugs or debt.<sup>79</sup> Increasingly, young women under age 18, some of whom have been sexually exploited themselves, are being charged with trafficking, procuring and living off the avails of prostitution.<sup>80</sup> Female pimps are often

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<sup>78</sup> Ann Rule. "It (ain't) hard out there for the pimps" in Ann Rule, *No regrets and other true cases* (New York: Simon & Schuster, 2006) at 216.

<sup>79</sup> U.N., *supra* note 54. See also, Steven Edwards, "Women top traffickers of other women: study" *Ottawa Citizen* (13 February 2009) A7.

For a Canadian example of trafficking of foreign women, see, "Richmond woman faces bawdy house charges" *CBC News* (15 February 2007).

For a Canadian example of trafficking and sexual exploitation of Canadian girls under the age of 18, see, "2 charged after teens allegedly drugged, forced into prostitution" *CBC News* (06 August 2008); "Gatineau couple charge in teen prostitution ring in court" *Ottawa Citizen* (07 August 2008); Geoff Nixon, "Woman charged again with recruiting prostitutes" *Ottawa Citizen* (28 August 2008), C3; Laura Payton, "Prostitute ring ran from court: witness" *Ottawa Citizen* (16 January 2009), C1; Tony Spears, "Co-accused in Gatineau sex trial denied bail" *Ottawa Citizen* (13 February 2009), F3; "Lawyer quits in prostitution ring case" *Ottawa Citizen* (27 February 2009), F3; Laura Payton, "Ottawa woman gets seven years in teen-luring case" *Ottawa Citizen* (10 April 2009), A1.

<sup>80</sup> Leonard Cler-Cunningham, in conjunction with Christine Christensen. (2001). *Violence against women in Vancouver's street level sex trade*, Prostitution Alternatives Counselling and Education Society (PACE) at 34.

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called madams, but this term is problematic as it generally meant to indicate a woman who operates an escort service or brothel.<sup>81</sup> This term is not used within this dissertation except where quoted or referenced. To minimize confusion, the common definition of a pimp indicating a man involved in the coercion and control of prostitutes is used within this dissertation, unless otherwise noted. Those who manage or own brothels, strip clubs, escort agencies or other sex trade establishments are referred to as *managers* or *owners*, as is the case, not as pimps, even where prostitution may occur within the establishment.

Prostitutes may also be controlled (or pimped) by organized criminal networks rather than by individuals; where this is the case, it is specifically noted. Further, organized crime may be involved in prostitution-related activities other than direct pimping. This may include extortion or “security” of individuals, strip clubs or massage parlours, or the division of various commercial sex markets between pimps, in exchange for payment.

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For an American example see, Devlin Barrett, “FBI rescues dozens of child prostitutes in countrywide sweep” *Canadian Press* (23 February 2009).

For an Ottawa case involving one 16-year-old and two 15-year-old girls charged in June 2012 with 74 offences, including human trafficking, creating child pornography and procuring for prostitution. The case involves nine young girls, ages 13 to 17, see: “Nude photos taken of alleged teen prostitution victim” *CBC News* (13 September 2013); “Youth, John testify as teen prostitution trial resumes” *CBC News* (09 September 2013).

<sup>81</sup> See e.g., Vito Pilioci, “Ottawa businesses turn to Mayflower Madam for tricks” *Ottawa Citizen* (26 January 2009), A1. See also, Tom Godfrey, “Hall of fame for Canada’s hookers” *Toronto Sun* (06 June 2000).

## ii. Gender, Sex and Ethnicity of Sex Workers

Of course, men and transgendered women also work in the sex trade.<sup>82</sup> Research indicates males constitute 10-25% of prostitutes in Canada.<sup>83</sup> Male sex work differs from that of females in many ways.<sup>84</sup> The general age of entry, reasons for entry, career longevity and sex work venues differ significantly. For instance, there is evidence that many sexually exploited male youths are runaways who have been rejected or who fear rejection by their families due to their sexual orientation. Further, the types, severity and prevalence of violence are significantly different against male sex workers, as it appears generally to be homophobic in nature.<sup>85</sup> Figure 1-12 shows the gender breakdown of all cases in the DD.

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<sup>82</sup> *Transgender* and *transsexual* are medical and psychological terms used to describe a person who has a gender identity which differs from their biological sex. A transsexual person may display the outward gender identity (dress, appearance, voice and mannerisms) of the opposite gender, often for short, discreet times, but retain a gender identity which corresponds to their biological sex. Transsexuals may have alternative personas in which they perform as the other gender for entertainment, as in the case of “drag queens,” or for their own (or partners’) sexual enjoyment.

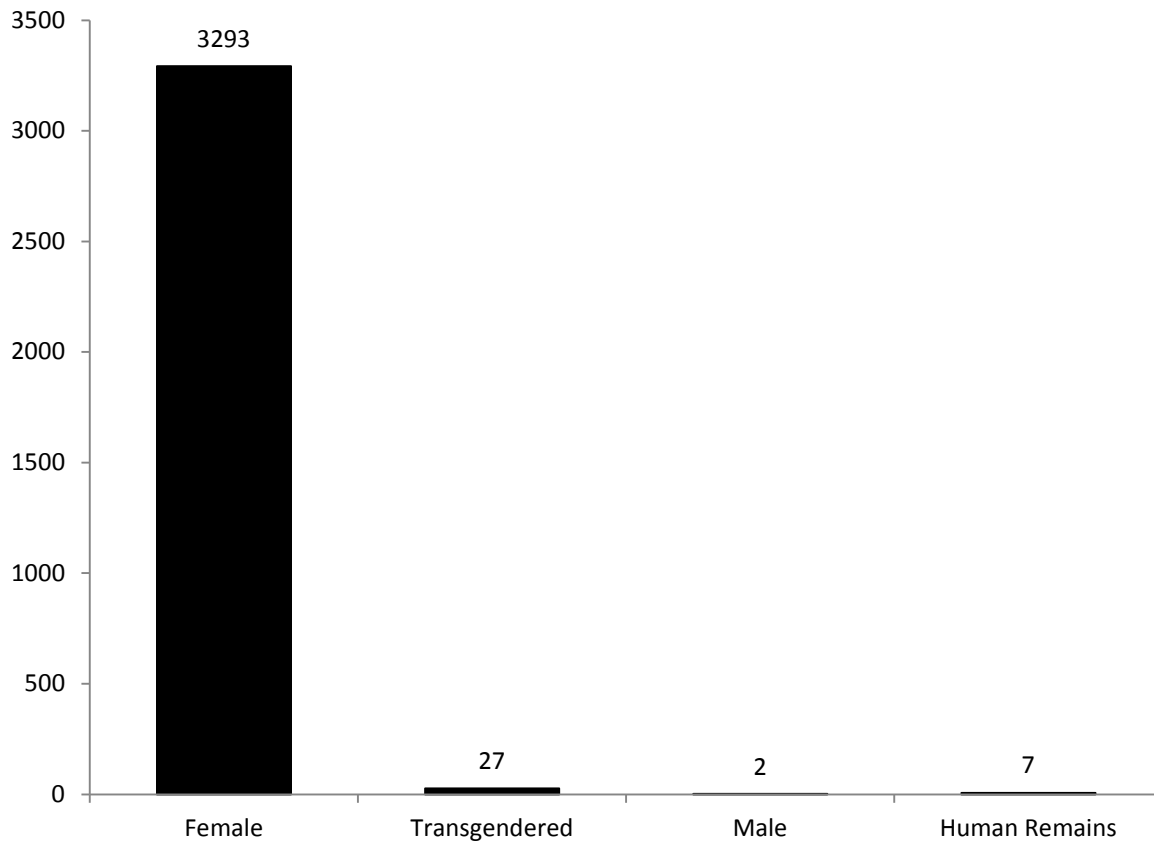
A transgendered person may be biologically male or female, although the majority of transgendered people are biologically male. It is not necessary to have sex reassignment surgery (commonly referred to as a *sex change*) in order to be transgendered. The terms *pre-op* or *post-op*, meaning before or after the sex reassignment surgery, are commonly used, but as not all transgendered people undergo surgery, these terms will only be used within this dissertation to describe a person who is in the process of having sex reassignment surgery (pre-op transsexual) or has completed surgical reassignment (post-op transsexual).

See, Friedemann Pfäfflin and Astrid Junge. *Sex Reassignment. Thirty years of international follow-up studies after sex reassignment surgery: A comprehensive review, 1961-1991*. Translated from German into American English by Roberta B. Jacobson and Alf B. Meier. (International Journal of Transgenderism, 1998).

<sup>83</sup> Kelly Gorkoff with Jane Runner. “Introduction: Children and youth exploited through prostitution” in Kelly Gorkoff and Jane Runner (eds.). *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 17.

<sup>84</sup> See generally, Sheri D. Weiser, Samantha E. Dilworth, Torsten B. Neilands, Jennifer Cohen, David R. Bangsberg and Elise D. Riley, “Gender-specific correlates of sex trade among homeless and marginally housed individuals in San Francisco” (2006) 83 *J. of Urban Health* at 736; Lisa A. Cubbins and Koray Tanfer, “The influence of gender on sex: A study of men’s and women’s self-reported high-risk sex behavior” (2000) 29 *Archives of Sexual Behavior*, at 229; Elizabeth Saewyc, Laura MacKay, Jayson Anderson and Christopher Drozda, (2008). *It’s not what you think: Sexually exploited youth in British Columbia*. Vancouver: University of British Columbia School of Nursing; Benoit and Millar, *supra* note 71; Jeffrey T. Parsons, “Researching the world’s oldest profession: Introduction” (2005) 17 *J. of Psych. & Human Sexuality* at 2; “Why people choose sex work” *CIHS Toolkit: Community*.

<sup>85</sup> See e.g., Justice Canada. *Youth involvement in prostitution: A literature review and annotated bibliography* by Steven Bittle. (Ottawa: Department of Justice, 2002).

**Figure 1-12: All Cases, by Gender, in the Dissertation Database (N=3,329)<sup>86</sup>**

Male sex workers also tend to be more independent.<sup>87</sup> Due to these differences, male sex work is not discussed in great deal in this dissertation. However, as I did wish to include all missing and murdered sex workers in the DD, two male street sex workers who were murdered are included in the sample.<sup>88</sup> Figure 1-13 outlines the number of cases of sex workers in the DD, by gender.

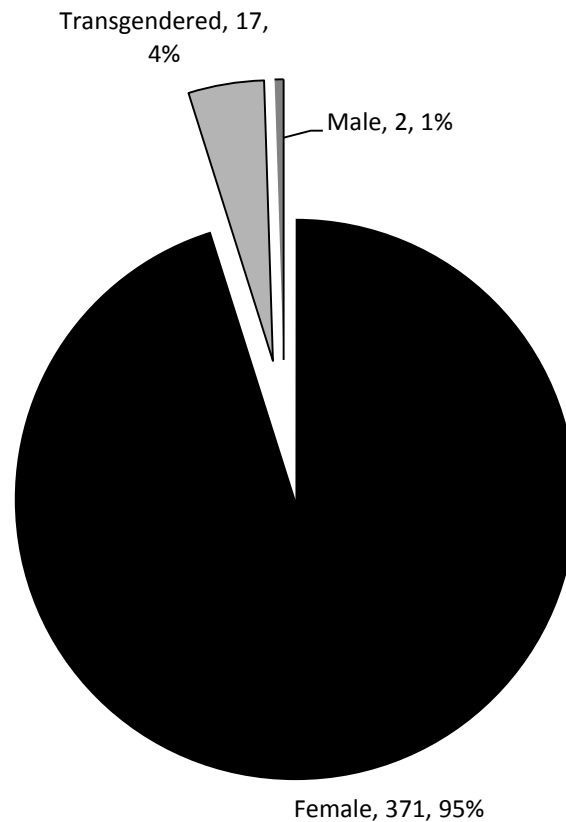
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<sup>86</sup> There are six cases of human remains where the sex has not been determined and one case of human remains where the individual has been determined to be male, but was wearing women's clothing at the time of death.

<sup>87</sup> Gorkoff, *supra* note 83 at 17.

<sup>88</sup> See also, Affidavits 77, 86, 88, 89, 90, 91 and 93. These affidavits were sworn by male prostitutes in the DTES. Pivot, *supra* note 26.



**Figure 1-13: Sex Workers in the Dissertation Database, By Gender (N=390)**

There is little North American literature or statistics on transgendered sex workers.<sup>89</sup>

Most researchers include transgendered women, due to their biological sex, as male for their purposes. However, organizations such as *Missing Native Women* include murder victims Diva (David) Boulanger and Faye (Fabian) Paquette and missing person Kellie (Richard)

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<sup>89</sup> But see, Richard A. Crosby, and Nicole L. Pitts, "Caught between different worlds: How transgendered women may be 'forced' into risky sex" (2007) 44 *J. of Sex Research*, at 43; G.P. Kenagy, "Transgender health: Findings from two needs assessment studies in Philadelphia" (2005) 30 *Health and Social Work*, 19; G.P. Kenagy, and C.M. Hsieh, "The risk less known: female-to-male transgender persons' vulnerability to HIV infection" (2005) 17 *AIDS Care*, 195; K. Clements-Nolle, R. Marx, R. Guzman and M. Katz, "HIV prevalence, risk behaviors, health care use, and mental health status of transgender persons: Implications for public health intervention" (2001) 91 *Am. J. of Public Health*, 915; Viviane, K. Namaste, "HIV/AIDS and Female to male transsexuals and transvestites: Results from a needs assessment in Quebec" (1999) 3 *Int. J. of Transgenderism*. See also, Douglas Victor Janoff. *Pink Blood: Homophobic violence in Canada*. (Toronto: University of Toronto Press, 2005).

Little in lists and numbers of missing and murdered Aboriginal women.<sup>90</sup> The joint VPD and RCMP task force (Project Evenhanded) always included Little in posters and briefings of the DTES missing women.<sup>91</sup> Male-to-female transgendered women are included in the numbers and statistics within this dissertation despite the infrequency of the situation, consistent with the approach of the police and women's organizations.<sup>92</sup> Regardless of the biological sex of a person, the individual is referred to by the pronoun *he* or *she* based on their gender identity.<sup>93</sup> Thus, a transgendered woman would be a person born biologically male but who identified as female. In cases of human remains in which gender could not be determined, it is coded as such.<sup>94</sup>

An analysis of statistics related to transgendered sex workers is impossible within the confines of this dissertation, due to the infrequency of the numbers in existing reports, statistics and research.<sup>95</sup> The 27 cases of transgendered women within the DD, 17 of who are sex workers, are included in all statistics and analysis of women unless otherwise noted. Although acknowledging that male sex workers do exist, within this dissertation *sex workers* refers to female and male-to-female transgendered adults involved in the legal and illegal sex

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<sup>90</sup> The original Missing Native Women site ([www.missingnativewomen.ca](http://www.missingnativewomen.ca)) began to migrate to a new domain ([www.missingnativewomen.org](http://www.missingnativewomen.org)) in late 2008. Both the content and format were updated in the migration. The woman managing these websites has since died. The website remained active to the end of December 2012, but it was not updated and there were many broken links. It is no longer available.

<sup>91</sup> There are many different versions of the posters. For examples, see, "Missing Women Task Force missing women poster" *RCMP* (Expiry December 12, 2008); "Missing Women Task Force missing women poster (Expiry December 31, 2007)" *RCMP*.

<sup>92</sup> Boulanger, Paquette and Little were all transgendered Aboriginal sex workers. Pivot affidavit #87 was taken from a First Nation transgendered sex worker who identified as a woman. Non-Aboriginal transgendered sex workers are also included within this dissertation. Pivot, *supra* note 26 at Affidavit 87.

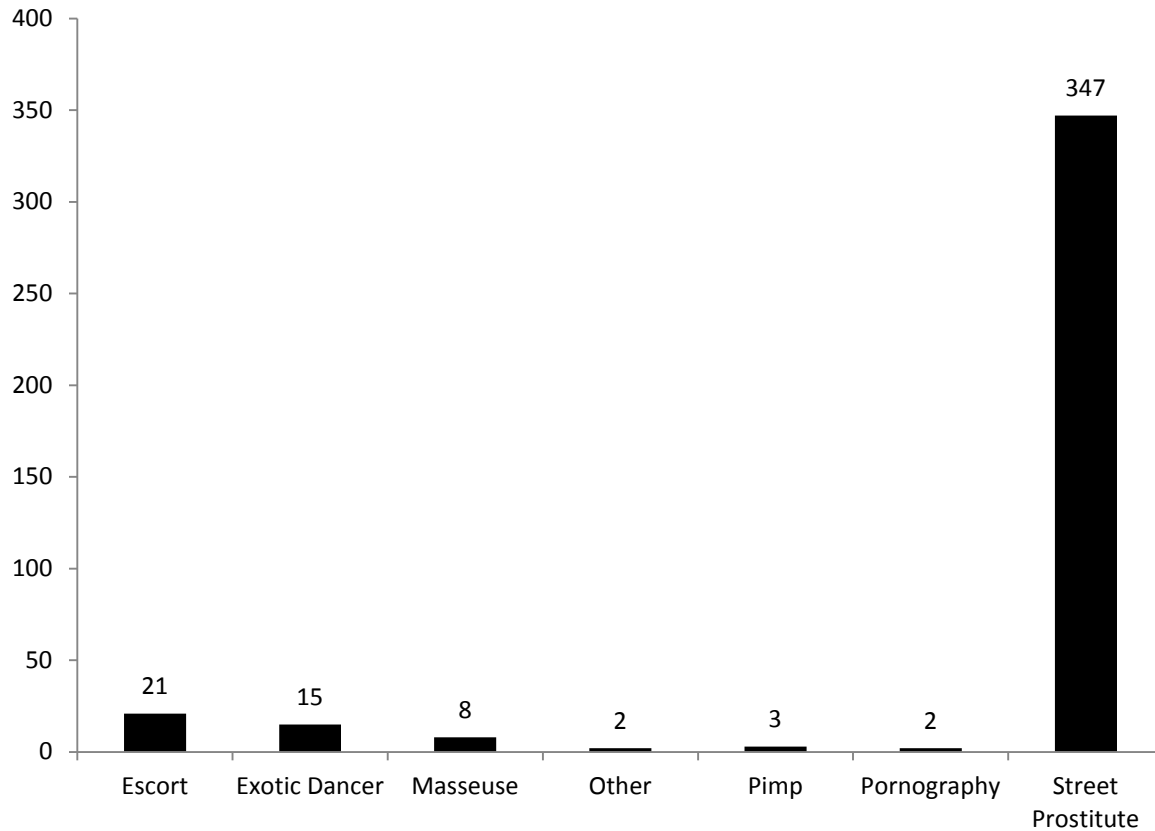
<sup>93</sup> The legal name of the individual is used throughout the dissertation, thus a male first name is used unless the woman has legally changed her name, with the preferred first name in brackets.

<sup>94</sup> In the one case of human remains listed as possibly being transgendered, the unidentified decedent was determined to be male but he is believed to have been wearing women's clothing at the time of his death.

<sup>95</sup> Transgendered sex workers are included in an analysis of homophobic violence in Canada. See, Janoff, *supra* note 89.

trade. Although male sex workers were not infrequently the victims of serial killers in the U.S. cases highlighted in Appendix G, the same was not found in Canada.

**Figure 1-14: Cases of Sex Workers in the DD, By Type of Sex Work (N=390)<sup>96</sup>**



There is a considerable body of work focused on the violence experienced by sex workers.<sup>97</sup> Although figures regarding the number of homicides of sex workers in Canada

<sup>96</sup> The category of “other” includes two cases. In the first case, Renee Sweeney was murdered in the adult video store where she was worked as a clerk. She was not involved directly in sex work. The second case involves Gracye Baxter, a transgendered (male-to-female) escort who specialized in domination. She is listed under both “other” and “escort.” The category “Massage” includes massage parlours, body-rub parlours and erotic massage services run out of ones’ own home. The category “Escort” includes both in- and out-call services and only used for indoor services that are not advertised as being massage or erotic massage.

<sup>97</sup> See especially, Lowman, *supra* note 77. See also, John Lowman, “Street prostitution” in Vincent F. Sacco, (ed.), *Deviance: Conformity and control in Canadian society*. (Toronto: Prentice Hall Canada, 1998); Barbara G. Brents and Kathryn Hausbeck, “Violence and legalized brothel prostitution in Nevada: Examining safety, risk, and prostitution policy” (2005) 20 J. of Interpersonal Violence, 270.

were available from Statistics Canada in 1997, only street prostitution was examined.<sup>98</sup> The data collected for this dissertation details 390 individuals who were known or suspected sex workers. Of these, 347 (89.0%) were involved in street sex work.<sup>99</sup> Figure 1-14 outlines the 390 sex workers in the DD by type of sex work performed.

In exploring the issue of missing and murdered women, it is apparent that the involvement of Aboriginal women in sex work requires examination. There is an abundance of research on sex work in general and many statistical analyses which illustrate that Aboriginal women are over-represented in sex work compared to the general population.<sup>100</sup> In the DD there was no publicly available information on ethnicity for 134 (34.4%) of the sex workers. However, of those whose ethnicity was known, 164 (42.1%) were Aboriginal. Figure 1-15 provides a breakdown of the ethnicity of sex workers in the DD.

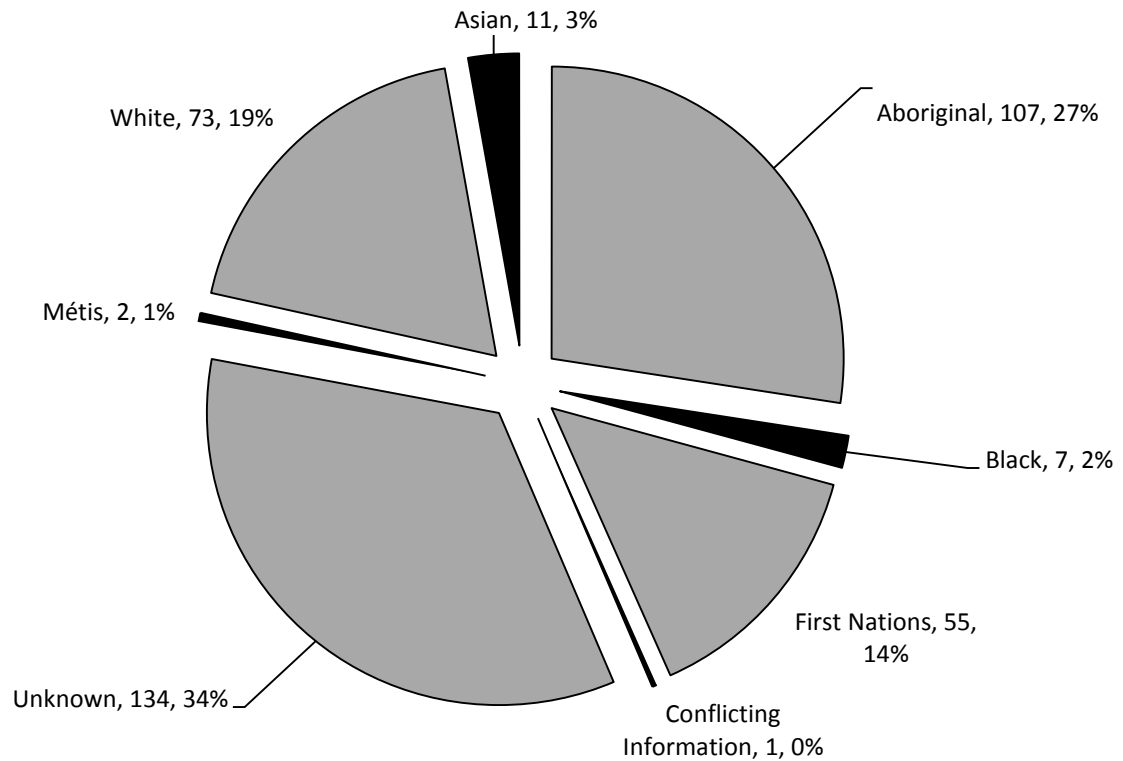
The February 2002, arrest of Pickton for the murders of two women was the commencement of the largest serial killer investigation in Canadian history. Over the next two years, as the murder charges against Pickton rose to 27, details emerged about the victims of Pickton and over 60 women who had gone missing from the Lower Mainland. It came to light that Pickton targeted sex workers from the DTES; a disproportionate number were Aboriginal. Of the 33 murdered women known or suspected to be victims of Pickton, over 13 (39.4%) were Aboriginal. There are two people whose ethnicity is unknown, including the woman known as “Jane Doe #1,” whose remains are unidentified.

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<sup>98</sup> Statistics Canada. *Street prostitution in Canada* by Doreen Duchesne (Ottawa: Minister of Industry, 1997).

<sup>99</sup> Several individuals participated in multiple types of sex work, thus the total does not equal 390.

<sup>100</sup> See, Benoit and Millar, *supra* note 71 at 18. See also, Cler-Cunningham, *supra* note 80 at 30.

**Figure 1-15: Sex Workers in the Dissertation Database, By Ethnicity (N=390)**

### iii. Child Sexual Exploitation through Prostitution

Although this dissertation deals primarily with female, adult prostitution, the *Criminal Code* specifically addresses prostitution-related offences regarding children under the age of 18 for those who procure<sup>101</sup> or purchase services and clients.<sup>102</sup> There are also general sexual offences that can be applied to either pimp or abuser, such as sexual interference, invitation to sexual touching and sexual exploitation of young people.<sup>103</sup> Often referred to in the media as child or youth prostitutes, these terms do not reflect the difference in agency and control over their lives in comparison to adults.<sup>104</sup>

<sup>101</sup> *Criminal Code*, *supra* note 30 at s.212(2) and 212,(2.1).

<sup>102</sup> *Ibid.* at s.212(4).

<sup>103</sup> *Ibid.* at s.151, 152, 153(1.1) and 153 (1.2).

<sup>104</sup> See e.g., Margret Melrose, “Young people abused through prostitution: Some observations for practice” (2004) 16 Practice at 17.

Many governments, academics and medical professionals understand sexual exploitation through prostitution, or the sexual exploitation trade,<sup>105</sup> to be sexual and child abuse: “Sexually exploited children and youth are victims of child abuse.”<sup>106</sup> This dissertation uses the terms sexually exploited child (age 11 and under), sexually exploited youth (12-17).<sup>107</sup> This stance has become more common in Canada in recent years, reflecting a change in how children and youths are seen to be victims and not criminals:<sup>108</sup>

A **prostitute** or **sex trade worker** is an *adult* who trades sex for money or goods. A child or youth—someone under the age of 18—who trades sex for money or goods is not a prostitute, but a **sexually exploited child or youth**. This is an extremely important distinction because it draws attention to the fact that children and youth usually don’t make a conscious decision to become involved in prostitution. They are forced or manipulated by others who want sex from them or want to profit from them. Children and youth may not have the skills or resources to resist this manipulation.<sup>109</sup>

The paradigm change has resulted in a reduction in prostitution charges against young offenders over the previous 20 years, as youths are frequently diverted to social service agencies.<sup>110</sup> Consistent with trends in other Western countries, it should be noted that a reduction in prostitution-related offences does not indicate that the same youths are not in conflict with the law for other offences.<sup>111</sup> Nor is this evidence that there is less sexual

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<sup>105</sup> Justice Canada. *Youth involvement in prostitution: A literature review and annotated bibliography* by Steven Bittle. (Ottawa: Department of Justice, 2002) at 9.

<sup>106</sup> Government of Alberta. *Protection of sexually exploited children and youth*. (Alberta: Alberta Children and Youth Initiative, 2004) at 1.

<sup>107</sup> This age breakdown is consistent with the definitions in the *Youth Criminal Justice Act* (2002, c.1).

<sup>108</sup> See e.g., Saewyc *et al.*, *supra* note 84.

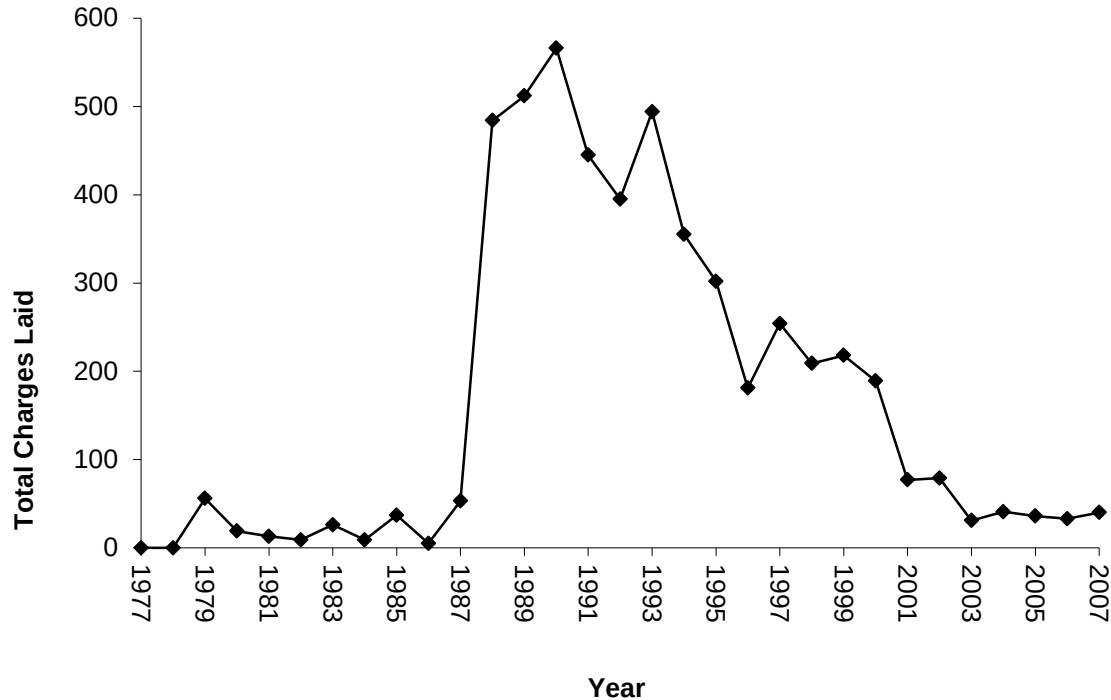
<sup>109</sup> Government of Alberta, *supra* note 106 at 1. Original emphasis.

<sup>110</sup> Statistics Canada, *supra* note 98 at 1.

<sup>111</sup> See e.g., David Barrett, “Young people and prostitution: Perpetrators in our midst” (1998) 12 *Int. Review of Law, Computers & Tech.*, at 475. See also, Holly Bell and Carol Todd, “Juvenile prostitution in a midsize city” (1998) 27 *J. of Off. Rehab.*, at 93.

exploitation of children and youths.<sup>112</sup> Figure 1-16 outlines youth prostitution charges between 1977 and 2007.

**Figure 1-16: Youth Prostitution Charges, 1977-2007**<sup>113</sup>



There is a significant spike in 1988. This is likely because the *Criminal Code* was amended in 1988 with section 212(2) and 212(4). These are the provisions which address living on the avails and the purchase or attempt to purchase the sexual services of those under age 18.

<sup>112</sup> Gorkoff, *supra* note 83 at 16.

<sup>113</sup> Statistics Canada. *Table 252-0014 - Adult and youth charged, by detailed offences for Canada, provinces and territories, annual numbers* (table), CANSIM (database). Data ordered August 15, 2008. Raw data is provided by Statistics Canada, at a charge. The user is responsible for all data manipulation and interpretations. Footnote 1 States: "As of 1992, data on Municipal By-Law incidents are not available. When comparing previous years to 1992 or later, Municipal By-Law data must be excluded. As of 1995, data on Provincial Statutes are not available. When comparing previous years to 1995, Provincial Statutes data must be excluded. As of 1997, counts for all respondents include Royal Canadian Mounted Police (RCMP) cases occurring within the respondent's jurisdiction. Prior to 1997, Woodstock, Vancouver and ten other municipal police forces in British Columbia were the only respondents reporting data that included RCMP counts."

The majority of people working in the illegal sex trade at any one time are over the age of majority. However, studies in Canada<sup>114</sup> and the U.S.<sup>115</sup> have repeatedly shown that a considerable proportion of adult sex workers entered the sex industry before turning age 18. Many Canadian cities have infamous kiddie strolls where children and youth are available to be abused.<sup>116</sup> Kiddie strolls provide one-stop shopping for men looking specifically for children and youths to abuse, as most female youths will be congregated in one area. Male

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<sup>114</sup> John Lowman, "Street prostitutes in Canada: An evaluation of the Brannigan-Fleischman opportunity model" (1991) 6 Cdn. J. of Law and Society at 146; "The disappeared" *The Guardian Unlimited* (05 August 2005); Kendra Nixon, Leslie Tutty, Pamela Downe, Kelly Gorkoff and Jane Ussel, "The everyday occurrence: Violence in the lives of girls exploited through prostitution" (2002) 8 Violence Against Women, 1016; Canadian National Coalition of Experiential Women. (May 2008) *Perpetrator intervention strategies to reduce commercial sexual abuse of children: A position statement* at 2. See also, Benoit and Millar, *supra* note 71 at 35.

<sup>115</sup> See e.g., John J. Potterat, Richard Rothenberg, Steven Muth, William Darrow and Lynanne Phillips-Plummer, "Pathways to prostitution: The chronology of sexual and drug abuse milestones. (1998) 35 J. of Sex Research at 333. See also, Mimi H. Silbert and Ayala M. Pines, "Early sexual exploitation as an influence in prostitution" (1983) 28 Social Work at 286; Maureen A. Norton-Hawk, "The counterproductivity of incarcerating female street prostitutes" (2001) 22 Deviant Behavior at 406.

<sup>116</sup> For the kiddie stroll in Vancouver, see: Trevor Greene. *Bad date: The lost girls of Vancouver's low track*. (Toronto: ECW Press, 2001) at 35. See also, Peg Campbell. *street kids*, 1985, VHS: (Montreal, Quebec: National Film Board of Canada, 1985); Rod Mickleburgh, "At 11, the youngest prostitute" *The Globe and Mail* (27 February 2001); Tara Shortt, "Childhood lost" *Georgia Straight* (06 August 1998); Lori Culbert, "Child prostitutes' pimps targeted" *Vancouver Sun* (04 May 1999); "Street kids younger, drugs harder" *CBC News* (04 December 2000).

For B.C. generally, see: Saewyc *et al.*, *supra* note 84.

Regarding Vancouver and Calgary, see: *Stolen lives: Children in the sex trade*, 1999, VHS: (Vancouver, B.C.: Still Water Pictures, 1999).

Regarding Calgary, see: Justice Canada, *supra* note 105.

Regarding Winnipeg, see: "Manitoba launches 'Stop sex with kids' campaign" *CBC News* (25 September 2006); "Stop sex with kids" *Stop Sex With Children*; "Group: protect kids from sex trade" *CBC News* (20 November 2000).

Regarding Toronto, see: Michelle Shephard, "At 14, Kimberly is a veteran of Toronto's sex trade" *Toronto Star* (11 February 1999).

Regarding Regina, see: "Looking for refuge for child prostitutes" *CBC News* (10 March 2000); "Young Prostitutes" *CBC News* (14 March 2000).



youths generally will generally be found on the boystown stroll with adult male prostitutes.<sup>117</sup>

Reports indicate that the clients of juvenile prostitutes are not generally individuals with a preference for sex with children but simply men who prefer to have sex with younger prostitutes. The issues of child sexual abuse does not enter their understanding of their behaviour.<sup>118</sup>

However, only an estimated of 5% to 20% of the commercial sexual exploitation trade is street level; indoor venues provide less visible opportunities for clients to abuse youths.<sup>119</sup> It is estimated that 90% of commercially sexually exploited youths are Aboriginal.<sup>120</sup>

A 2001 study of sex workers in the DTES by the Prostitution Alternatives Counselling Education Society (PACE) found that 13.8% were in the sexual exploitation trade before age 13. PACE found that the average age of entry was 17 years of age.<sup>121</sup> A 2001 study of

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<sup>117</sup> The Frank Kim case in B.C. illustrates the dangers and daily struggles of children and youth living on the street or without stable home lives, resorting to prostitution on the kiddie stroll in order to obtain the necessities of life. Kim was found guilty of sexually abusing nine girls ages 12 to 17, including videotaping the girls. See: *R. v. Kim* [2000] B.C.J. No. 1716; *R. v. Kim* [2000] B.C.J. No. 1109; *R. v. Kim* [2004] B.C.J. No. 244; *R. v. Kim* [1999] B.C.J. No. 1143; *R. v. Kim* [2002] B.C.J. No. 191; *R. v. Kim* [1999] B.C.J. No. 3154; *R. v. Kim* [2002] B.C.J. No. 349; *R. v. Kim* [2008] B.C.J. No. 580; *R. v. Kim* [2002] B.C.J. No. 327. See also: "Sex-trial accused appeals to jury" *Vancouver Province* (24 June 1999); Andy Ivens, "Crown sums up sex case" *Vancouver Province* (18 June 1999); Andy Ivens, "Man with good memory can't recall details" *Vancouver Province* (09 June 1999); Andy Ivens, "Teens-sex accused says he liked to party" *Vancouver Province* (08 June 1999); Andy Ivens, "Teen says choice was sex or death" *Vancouver Province* (16 May 1999); "Man convicted of sex assault" *Vancouver Sun* (28 June 1999); Chris Wood, "The Trial from Hell" *Maclean's* (31 May 1999).

Regarding the arrest of Kim and RCMP handling of the sexually exploited youths, including the release of three of the girls in the middle of night without adult supervision, parents or guardians, see: Kim Pemberton, "Nobody blamed for failing children" *Vancouver Sun* (10 February 1998); Kim Pemberton, "Family fears 12-year-old girl is being used for sex" *Vancouver Sun* (06 February 1998); Kim Pemberton, "Girl faced long walk in dark after release" *Vancouver Sun* (05 February 1998); Kim Pemberton, "'Glitch' blamed for children's 4 a.m. release" *Vancouver Sun* (04 February 1998); Kim Pemberton, "Officials baffled over release of three children" *Vancouver Sun* (03 February 1998); Stewart Bell, "RCMP says ministry failed to help girls" *Vancouver Sun* (31 January 1998); John Colebourn, "Girls' release under review" *The Province* (01 February 1998); Editorial, "RCMP was negligent in not looking after girls" *Vancouver Sun* (04 February 1998); Bob Gilson, "RCMP shouldn't have let girls go" *Vancouver Sun* (04 February 1998).

<sup>117</sup> Martin A. Monto and Norma Hotaling, "Predictors of rape myth acceptance among male clients of female street prostitutes" (2001) 7 *Violence against Women* at 276.

<sup>118</sup> *Ibid.*

<sup>119</sup> Cherry Kingsley and Melanie Mark. (2001). *Sacred lives: National Aboriginal consultation project*, at 20.

<sup>120</sup> Tamara Cherry, "Flesh trade targets natives" *Toronto Sun* (13 November 2008).

<sup>121</sup> Cler-Cunningham, *supra* note 80.

sexually exploited Aboriginal youths found that the average age of entry into the commercial sexual exploitation trade was 14.<sup>122</sup> Data from the 2003 and 2004 Pivot affidavits of sex workers in the DTES provide a different picture. Of the affidavits taken from female prostitutes, 30 women (38%) indicated entry into the sex trade in Canada before age 18, as seen in Figure 1-7. Of the 65 affidavits which detailed the age of entry for female prostitutes in the DTES, the average age of entry was 21.57 years old. This is likely due to the fact that nine individuals (11%) began sex work after age 35 as a way to earn money to support an addiction. Other Canadian studies have concluded that the average age for female prostitutes' entry into the sex trade is 16 years old, whereas Benoit and Millar found the majority of their female respondents in Victoria entered the sex trade at age 18.<sup>123</sup>

Sexual exploitation of youth has been a public concern since the late 1970s. In 1981, the Canadian government created the Committee on Sexual Offences Against Children and Youth (the Badgley Committee).<sup>124</sup> The 1984 report issued by the Badgley Committee provided 52 recommendations, including preventative criminalization of young offenders in order to avoid entrenchment in prostitution. The Badgley Committee also recommended an increase in the age of consent for anal and vaginal intercourse to 18, and 16 for other sexual activities.<sup>125</sup> A year later, the Special Committee on Pornography and Prostitution (the Fraser Committee) issued its recommendations. Both committees advocated the criminalization of the purchase of sexual services from youths. The Fraser Committee, however, disagreed with the criminalization of youths.<sup>126</sup>

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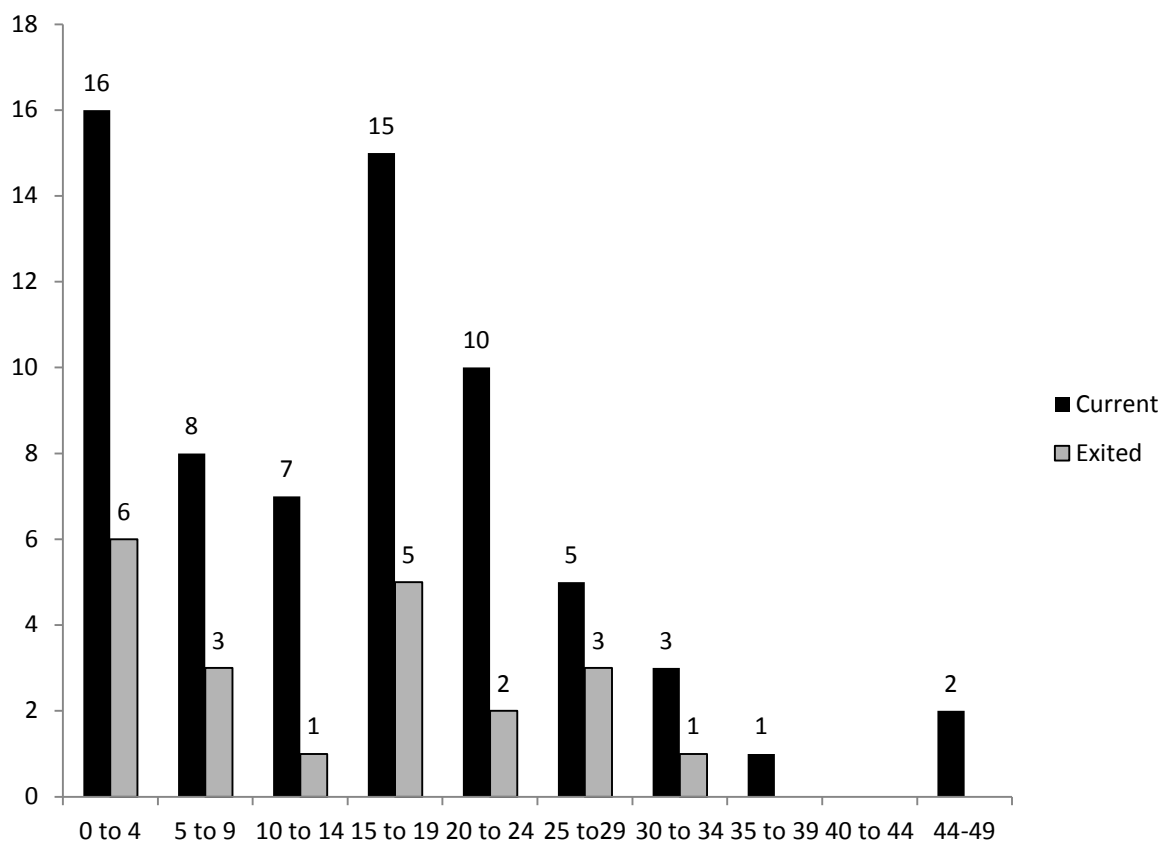
<sup>122</sup> Kingsley and Mark, *supra* note 119 at 33.

<sup>123</sup> "Stop sex with kids" *supra* note 116.

<sup>124</sup> Justice Canada, *supra* note 105.

<sup>125</sup> "Criminal Code Reform" *The Canadian Gay & Lesbian Archives*.

<sup>126</sup> Steven Bittle. *Reconstructing "youth prostitution" as the "sexual procurement of children": A case study* (Master's Thesis, Simon Fraser University, 1999) [unpublished] at 1.

**Figure 1-17: Age of Entry into Prostitution, Pivot Data<sup>127</sup>**

Stemming from these committees was Bill C-15, including section 212(4) of the *Criminal Code*, which formally criminalized, as a separate offence, the purchase or attempted purchase of sexual services from someone under the age of 18. The age of consent was not changed until 2008, when it was increased from 14 to 16 years of age, after being passed by the House of Commons in May, 2007.<sup>128</sup> The age of consent is the age when a youth has the legal right to consent to sexual activity, providing an age when sexual agency is recognized and legitimized.<sup>129</sup>

<sup>127</sup> Pivot, *supra* note 26.

<sup>128</sup> Bill C-22: *An Act to amend the Criminal Code* (age of protection) and to make consequential amendments to the Criminal Records Act by Robin MacKay. (Ottawa: Law and Government Division, 21 February 2007. Revised 02 August 2007). See generally, "Canada's age of consent raised by 2 years" *CBC News*.

<sup>129</sup> *Criminal Code*, *supra* note 30 at s.153.1(2).

Except for the offences of buggery and gross indecency, the age of consent for sexual activity has at no time been set higher than 14 in Canada, although prior laws did make men vulnerable to prosecution for sexual intercourse with a girl under 16, 18, or even 21 in certain qualified circumstances.<sup>130</sup>

However, youths do not have the right to consent to all sexual activity at 16. Anal intercourse continues to be prohibited for anyone under the age of 18 unless they are “husband and wife.”<sup>131</sup> As most activities associated with prostitution are offences under the *Criminal Code*, youths cannot consent to prostitution. The anal intercourse proscription is homophobic in nature both because of the identification of the specific act and because of the exception for heterosexual married people who may be under the age of 18.<sup>132</sup> However, the age differentiation between what is suitable for youths of 16 and 18 is not unique in Canadian law. For instance, youths can drive vehicles and quit school (in most provinces) at age 16. The ability to purchase tobacco products or join the armed forces, as well as being considered an adult, is restricted to those who are 18. Consumption of alcohol is restricted to those aged 18 or 19, depending on the province or territory. In general, youths can be employed in most (but not all) professions at age 16 but cannot enter into legal contracts until age 18.<sup>133</sup>

The addition of section 212(4) in 1988 and the increase in the age of consent in 2008 were intended to safeguard children. However, Canada still lacks coordinated effort and action towards preventing the continued sexual exploitation of children, youth, and those at

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<sup>130</sup> Library of Parliament. *Canada's legal age of consent to sexual activity* by Marilyn Pilon. (Ottawa: Law and Government Division, 25 January 1999. Revised 12 April 2001). See also, “A history of Canadian sexual assault legislation 1900-2000” *Constance Backhouse*.

<sup>131</sup> *Criminal Code*, *supra* note 30 at s.159.

<sup>132</sup> The definition of a “public place” is different for anal sex than other sexual acts. If more than two people participate or are present during the sexual act, it is deemed to have been a public act (*Criminal Code*, s.159). By comparison, generally a public place “includes any place to which the public have access as of right or by invitation, express or implied.” (See, *Criminal Code*, *supra* note 30 at s.150.)

<sup>133</sup> “Minimum age for employment in Canada” *Yukon Workers' Compensation Health & Safety Board*.

risk. Child welfare is a provincial jurisdiction. Legislation in all provinces and territories allows for the removal of a child who has been sexually exploited, abused, or is at risk from their home into provincial care. Prostitution is specifically identified in child welfare legislation in four provinces.<sup>134</sup> Of these, there are a variety of approaches to addressing child and youth sexual exploitation. Saskatchewan has an emergency order of protection provision. Alberta has the only fully implemented secure care legislation related specifically to prostitution.<sup>135</sup> Children and youth can be detained for their own protection, a measure that is not without controversy.<sup>136</sup> Several other provinces have drafted or introduced similar legislation aimed at protecting children and youth.<sup>137</sup>

The need to differentiate between sexual exploitation of children and youths and adult prostitution extends to analysis, interventions, policies, laws and programs. This dissertation makes a distinction between child and youth sexual exploitation, forced prostitution of adults through coercion, trafficking or procuring, and the choice of an adult to first enter the sex trade.<sup>138</sup> Making this distinction is not without its own rhetorical and philosophical dilemmas. If, as stated above, the majority of adult prostitutes became involved prior to the age of 18, when does “choice” enter into the equation?<sup>139</sup>

For example, is it realistic and effective to treat youth as victims and adults as non-victims? What does that mean to a seventeen-year-old youth prostitute?

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<sup>134</sup> British Columbia. *Child, Family and Community Service Act*, R.S.B.C. 1996, c.46; Alberta, *Child, Youth and Family Enhancement Act*, R.S.A. 2000, c. C-12; Saskatchewan. *Child and Family Services Act*, R.S.S. 1990, c. C-72; Prince Edward Island. *Child Protection Act*, R.S.P.E.I., Cap. C-5.1.

<sup>135</sup> Library of Parliament. *Prostitution in Canada: International obligations, federal law, and provincial and municipal jurisdiction* by Laura Barnett. (Ottawa: Library of Parliament, 2008).

<sup>136</sup> *Ibid.* at 22. See also, *Alberta v. K.B.* [2000] A.J. No. 876.

<sup>137</sup> Library of Parliament, *supra* note 135 at G.

<sup>138</sup> Joanna Brewis and Stephen Linstead, “The worst thing is the screwing” (1): Consumption and the management of identity in sex work” (2000) 7 *Gender, Work and Organization* at 85.

<sup>139</sup> See, Home Office. *Paying the price: a consultation paper on prostitution*. (London: The United Kingdom, July 2004) at 11.

Will she have access to social service supports for one year as a victim of child abuse, then become a public nuisance?<sup>140</sup>

This is also true for emancipated women who were formerly trafficked, coerced or otherwise forced into prostitution against their will, regardless of age, but then chose to return for whatever reason.<sup>141</sup>

In order to address these questions, the *Criminal Code* and jurisprudence provides direction. The *Criminal Code*, through section 212(4), makes the purchase of sexual services of a minor a separate offence, regardless of whether there is consent of the youth to the act. Until age 18, the law recognizes that “youth prostitution” is exploitation of children by the adult. This is so even if there is no coercion to enter the sex trade or if there is consent given to a specific transaction. After the age of 18, the same transaction becomes a summary offence for both the purchaser and prostitute. Gang affiliation or involvement in criminal activities as a young offender or young person will increase the likelihood of further criminal involvement subsequent to becoming a legal adult. This is also true of being sexually exploited as a young person. The courts, however, hold adults accountable for actions committed over the age of 18, regardless of how and when the activities commenced. Personal history may be a mitigating factor at sentencing but does not legally absolve one of responsibility for choices made.

Regardless of how carefully the choices on terminology are made, there will be those critical of the choices, likely from all sides of the prostitution debate. Nor will all choices be fully satisfactory, even to me. Thus, within this dissertation, the choices made have been

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<sup>140</sup> Gorkoff, *supra* note 83 at 15.

<sup>141</sup> For a thoughtful discussion of the problems with the dichotomy of “forced” and “voluntary” prostitution, see, Jo Doezema, “Forced to choose: Beyond the voluntary v. forced prostitution dichotomy” in Kamala Kempadoo and Jo Doezema, (eds.), *Global sex workers: Rights, resistance, and redefinition*. (New York: Routledge, 1998).

done so with the two-fold intention of first being clear and precise, and second, of being respectful to those people involved in sex work. To this end, it should also be remembered that those involved in sex work are far more than their jobs. As de Zalduno cautions, one must not:

address prostitution as if it was a trait (like height or religiosity) rather than as a response to perceived needs and constraints. Sex work is an occupation, engaged in by choice or perceived necessity: it is not an orientation or property of the individual.”<sup>142</sup>

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<sup>142</sup> Barbara de Zalduno, “Prostitution viewed cross-culturally: Towards recontextualizing sex work in AIDS intervention research” (1991) 28 *J. of Sex Research* at 337, quoted in Heather Montgomery. “Children, prostitution, and identity: A case study from a tourist resort in Thailand” in Kempadoo and Doezema, *supra* note 135 at 141.

## CHAPTER TWO

### ABORIGINAL WOMEN

#### I. INTRODUCTION<sup>1</sup>

The situation of Aboriginal people in Canada has received international condemnation.<sup>2</sup> On-reserve, in the North and in urban areas, the health, living conditions and income levels of Aboriginal people are far poorer than those of other Canadians. This chapter begins with a discussion of the historical views about Aboriginal women, followed by a brief overview of the socio-economic context of Aboriginal women. Considerable excellent research and statistics on Aboriginal women have been compiled by academics, governments, Aboriginal organizations and non-governmental agencies. This brief overview is intended to provide context for the overall dissertation and not to be a comprehensive examination of the complex socio-economic situation faced by Aboriginal women. Likewise, the section on Aboriginal women and government policies is an overview only, as much fine work has been done on this issue elsewhere. Finally, a discussion of Aboriginal women and crime is presented with a view of the intersection between race and gender.

#### II. A SOCIO-ECONOMIC OVERVIEW OF ABORIGINAL WOMEN

The last available census from 2006 indicates that 1,172,790 people identified as Aboriginal.<sup>3</sup> Of these, roughly 700,000 identified<sup>4</sup> as First Nations, 390,000 identified as

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> See e.g., "Amnesty International" *Amnesty International*; Andr  e Cazabon. *Third World Canada*. Documentary, DVD, 2010.

<sup>3</sup> Statistics Canada. *2006 Census: Aboriginal Peoples in Canada in 2006: Inuit, M  tis and First Nations, 2006 Census: Findings* (January 2008) (Ottawa: Statistics Canada, 2007).



Métis and 50,000 as Inuit.<sup>5</sup> Thus, using the last available data, roughly 4% of the population of Canada is Aboriginal.<sup>6</sup> There were fewer than one million people (976,305) self-identifying as Aboriginal in the 2001 census and only 799,010 in 1996.<sup>7</sup> The Aboriginal population has been growing faster than the non-Aboriginal population, both due to birth rates and an increase in self-identification of Aboriginal identity.

Of the total Aboriginal population, 600,695 were female. “In 2006, almost half (46%) of Aboriginal females were children and youth; 28% of the female Aboriginal population were under 15 years of age, and 18% were aged 15 to 24.”<sup>8</sup>

The Aboriginal population is much younger than the non-Aboriginal population. In 2006, the median age of Aboriginal females was 27.7 years, compared with 40.5 years for non-Aboriginal females, a gap of almost 13 years. ... Of the three Aboriginal groups, Inuit are the youngest. The median age of Inuit women and girls was 22.3 years, compared to 26.4 years for First Nations females, and 29.9 years for Métis females.<sup>9</sup>

There was a 45% increase between the 1996 and 2006 censuses, which was six times faster than the non-Aboriginal population.<sup>10</sup>

The Inuit population is also growing more rapidly than non-Aboriginal populations and First Nations and Métis populations. Whereas the median age of First Nations populations was 25 years and 30 for Métis populations, the median age for Inuit populations was 22.<sup>11</sup> Inuit women have a higher fertility rate than non-Aboriginal people:

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<sup>4</sup> Regarding the possibility of multiple answers to Aboriginal identity questions in the *Women in Canada* report, see: Statistics Canada. *First Nations, Métis and Inuit Women* by Vivian O'Donnell and Susan Wallace (26 July 2011), Footnote #1 at 5.

<sup>5</sup> Statistics Canada. *Aboriginal statistics at a glance* (21 June 2010) (Ottawa: Statistics Canada, 2007).

<sup>6</sup> Statistics Canada, *supra* note 3.

<sup>7</sup> Statistics Canada, *supra* note 5.

<sup>8</sup> Statistics Canada, *supra* note 5 at 15.

<sup>9</sup> Statistics Canada, *supra* note 4 at 15.

<sup>10</sup> Statistics Canada. *Aboriginal people living off-reserve and the labour market: Estimates from the labour force survey, 2008-2009* by Danielle Zietsma (Ottawa: Statistics Canada, May 2010).

<sup>11</sup> Statistics Canada, *supra* note 3.

Large percentages of Inuit are in the youngest age groups. In 2006, 12% of the Inuit population was aged 4 and under, more than twice the proportion of 5% among non-Aboriginal people. Similarly, 11% of Inuit were aged 5 to 9, compared with only 6% of non-Aboriginal people. While over one-half (56%) of all Inuit were aged 24 and under, about one in three non-Aboriginal people (31%) were in this age group.<sup>12</sup>

Life expectancy for the Inuit, however, is lower. Life expectancy in 2006 for the overall Canadian population was 77 for men and 82 for women. For First Nations and Métis people, life expectancy is lower than the Canadian average, with 73-74 for men and 78-80 for women.<sup>13</sup> For the Inuit, it was 63 for men and 72 for women.<sup>14</sup>

Findings showed that First Nations, Métis and Inuit adults were less likely to report excellent or very good health than non-Aboriginal adults, and were more likely to suffer from an activity-limiting condition. Furthermore, First Nations and Métis adults were more likely to be diagnosed with one of several chronic conditions than were non-Aboriginal adults, whereas Inuit adults were equally or less likely to be diagnosed with such conditions. Taking into account factors such as income and education minimized, but did not always eliminate, health disparities between Aboriginal and non-Aboriginal adults.<sup>15</sup>

In general, low income is associated with higher rates of mortality and a shorter life expectancy.<sup>16</sup>

More Aboriginal people now live in urban areas than on reserve. In 2006, the rate of urban living was 54%, up from 50% in 1996. Half of the urban Aboriginal population was First Nations, and 43% were Métis. The majority of Inuit live in rural and remote Northern areas. The 2006 Census found that 25% of the total Aboriginal population lived in nine

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<sup>12</sup> *Ibid.*

<sup>13</sup> Statistics Canada, *supra* note 5.

<sup>14</sup> *Ibid.*; Statistics Canada. *Remaining life expectancy at age 25 and probability of survival to age 75, by socioeconomic status and Aboriginal ancestry* by Michael Tjepkema and Russell Wilkins (04 December 2011) at 1.

<sup>15</sup> Statistics Canada. *The health of Inuit, Métis and First Nations adults living off-reserve in Canada: The impact of socio-economic status on inequalities in health* by Rochelle Garner, Gisèle Carrière, Claudia Sanmartin and the Longitudinal Health and Administrative Data Research Team (23 June 2010).

<sup>16</sup> Statistics Canada. *Health at a glance* by Lawson Greenberg and Claude Normandin (15 April 2011) (Ottawa: Statistics Canada, 2007).

Canadian cities. Some large cities and smaller urban areas had a significant percentage of the overall population who self-identified as Aboriginal: Thompson (36%), Prince Rupert (35%), Prince Albert (34%), Winnipeg (10%), Saskatoon (9%), Regina (9%), Edmonton (5%), Vancouver (2%), Calgary (2%), and Toronto (0.5%).<sup>17</sup> More status First Nations women (50%) lived off-reserve than First Nations men (45%).<sup>18</sup>

Geographically, the majority (80%) of Aboriginal people live in Ontario or in the Western provinces. The 2006 census “enumerated 242,495 in Ontario, 196,075 in British Columbia, 188,365 in Alberta, 175,395 in Manitoba and 141,890 in Saskatchewan.”<sup>19</sup> In Nunavut, there are more Aboriginal people than non-Aboriginal people, with 85% being Inuit. The percentage of Aboriginal population in the Yukon and Northwest Territories is 25% and 50% respectively.<sup>20</sup>

More Aboriginal people, especially in the Western provinces, live in crowded dwellings,<sup>21</sup> or those in need of major repair:

In particular, Aboriginal people living in Prince Albert, Regina, Saskatoon and Edmonton were four to eleven times more likely to live in crowded conditions than their non-Aboriginal counterparts. ... Across all major census metropolitan areas, Aboriginal people were two to three times more likely than the non-Aboriginal population to live in dwellings needing major repairs.<sup>22</sup>

Crowded homes can be a result of low income levels and poor on-reserve infrastructure, but can also be because the family size among Aboriginal people is often higher than non-

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<sup>17</sup> Statistics Canada, *supra* note 3.

<sup>18</sup> Statistics Canada, *supra* note 15. See also, Statistics Canada, *supra* note 4 at 9.

<sup>19</sup> Statistics Canada, *supra* note 3.

<sup>20</sup> Statistics Canada. *Aboriginal identity population by age groups, median age and sex, 2006 counts for both sexes, for Canada, provinces and territories - 20% sample data* (table), 2006 Census, (Ottawa: Statistics Canada, 2008).

<sup>21</sup> Statistics Canada defines crowded dwellings as “having more than 1 person per room. Not counted as rooms are bathrooms, halls, vestibules and rooms used solely for business purposes.” Statistics Canada, *supra* note 4 at 22.

<sup>22</sup> Statistics Canada, *supra* note 3.

Aboriginal families. Families of four or more children are more common among Aboriginal families. Among the Inuit, almost 30% of children under six lived in large families. One quarter of First Nations children and 11% of Métis children live in families of four or more children, compared to 8% among non-Aboriginal families.<sup>23</sup> Among the Inuit, the environment presents a particular challenge due to extreme weather conditions that make homelessness more dangerous. With few homeless shelters available, Inuit are more likely to stay with friends in already crowded dwellings. As a result, half of the homes in Nunavut are crowded.<sup>24</sup>

Although housing on-reserve is generally provided through the band, band membership does not necessarily equate with benefits such as housing. With approximately half of registered band members living off-reserve, many people would not have access to housing on-reserve if they returned.<sup>25</sup> In 2006, 193 First Nations communities had high-risk drinking water systems. The department of Aboriginal Affairs and Northern Development Canada (AANDC) began to address the serious infrastructure needs on reserves and the identified the number of high risk systems to be 49 in 2010.<sup>26</sup>

Family breakdown is also a reality for many Aboriginal families. Aboriginal children are over-represented in the foster care system across Canada. For example, in B.C., although only 8% of the overall provincial population is Aboriginal, Aboriginal children represent over half of the children in state care.<sup>27</sup>

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<sup>23</sup> Statistics Canada, *supra* note 5.

<sup>24</sup> Statistics Canada, *supra* note 4 at 22-23.

<sup>25</sup> Lori Coolican, "Grim life on streets for homeless: survey" *The StarPhoenix* (09 May 2009).

<sup>26</sup> Aboriginal Affairs and Northern Development Canada (AANDC), *First Nations water and wastewater action plan progress report April 2009 - March 2010* (Ottawa: AANDC, 2010). AANDC was formerly known as Indian and Northern Affairs (INAC).

<sup>27</sup> "Auditor: Foster care failing native children" *Toronto Star* (06 May 2008). See also, Cazabon, *supra* note 2;

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Aboriginal children under the age of 15 are more likely than their non-Aboriginal counterparts to live with their grandparents with neither of their parents present. The 2006 Census showed that 3% of First Nations children were living with their grandparents as well as 2% of Inuit children and 2% of Métis children. The proportion of non-Aboriginal children under the age of 15 years that lived solely with their grandparents was 0.4%.<sup>28</sup>

Fewer Aboriginal women are legally married, in comparison to non-Aboriginal women (30% versus 47%). However, more Aboriginal women live in common-law relationships (17% versus 10%).<sup>29</sup> Aboriginal women are also more likely to be lone parents, with 18% of Aboriginal women versus 10% of non-Aboriginal women.<sup>30</sup> Teen parenthood is also significantly higher for Aboriginal girls aged 15 to 19, with 8% being mothers compared to their non-Aboriginal counterparts at 1.8%.<sup>31</sup>

Aboriginal people fare worse socio-economically than their non-Aboriginal counterparts. The unemployment rate for both Aboriginal men and women is higher. Aboriginal people with low levels of education have lower employment rates and higher unemployment rates than those with the same education levels who are not Aboriginal.<sup>32</sup>

Average Aboriginal income is 64 percent of average total income. All Aboriginal identity groups have substantially lower incomes than the general population, but North American Indian incomes have the lowest incomes, at 58 percent of total income. On-reserve incomes are lowest of all, at 49 percent of total income.<sup>33</sup>

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Andrée Cazabon. *Wards of the Crown*. Documentary, DVD (Montreal, Quebec: National Film Board of Canada, 2005).

<sup>28</sup> Statistics Canada, *supra* note 5.

<sup>29</sup> Statistics Canada, *supra* note 4 at 19.

<sup>30</sup> *Ibid.* at 20.

<sup>31</sup> *Ibid.*

<sup>32</sup> Statistics Canada, *supra* note 10.

<sup>33</sup> Caledon Institute of Social Policy. (July 2006). *Aboriginal peoples and postsecondary education in Canada* by Michael Mendelson at 5.

The average income for Aboriginal women over 15 in 2005 was \$15,654, approximately \$5,000 less than non-Aboriginal women.<sup>34</sup> Education improves employment rates and income levels, but Aboriginal people do not have the same levels of education as other Canadians. In 2006, 33% of adult Aboriginal people (25 to 54 years of age) had less than a high school education. Among non-Aboriginal population, 13% had not completed high school. Non-Aboriginal people and Métis have the same proportion of college certificates (22%), whereas 18% of First Nations and Inuit people have college certificates. University education at the bachelor's level or above shows the greatest disparity between Aboriginal and non-Aboriginal attainment rates. Among non-Aboriginal adults, one quarter have a university degree, but only 9% of Métis, 7% of First Nations and 4% of Inuit have university degrees.<sup>35</sup>

### III. SQUAW OR INDIAN PRINCESS

In European culture, the widespread Madonna/whore concept defined women as either untouchable and virginal or loose and immoral.<sup>36</sup> Since European contact, there have also been two competing images of Aboriginal women: the quiet, wise and untouchable Indian princess or the promiscuous and largely disposable squaw.<sup>37</sup> The Madonna/whore concept as applied to Aboriginal women has a racial difference:

In the historical context, Indigenous women were stereotyped as good when European interests were furthered by some sort of liaison with Indigenous women. However, before a so-called good christian [sic] Whiteman could have relations with an Indian woman, she had to be elevated beyond an ordinary woman's status. In most historical references the Indian woman was

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<sup>34</sup> Statistics Canada, *supra* note 4 at 33.

<sup>35</sup> Statistics Canada, *supra* note 5.

<sup>36</sup> Spencer A. Rathus, Jeffrey S. Nevid and Lois Fichner-Rathus. *Human sexuality in a world of diversity* (Toronto: Allyn and Bacon, 1993) at 15.

<sup>37</sup> For a thorough examination, see Janice Acoose. *Iskwewak – Kah' Ki Yaw Ni Wahkomakanak (Neither Indian Princesses nor Easy Squaws)*. (Canada: Women's Press, 1995).

thus accorded the status of royalty. For example, Dona Marina, the Aztec Indian who liaised with Hernando Cortes, is described as the daughter of a “native” nobleman. Pocahontas, who supposedly saved John Smith from a torturous death, is described as Princess Pocahontas.<sup>38</sup>

Conversely, First Nations women were also seen as disposable, economic and sexual instruments for male profit. There were significant economic benefits, as well as sexual gratification for the European man. Indeed, “the bad Indigenous woman or squaw drudge image provided justification for imperialistic expansion and the subsequent explorers’, fur traders’, and christian [sic] missionaries’ specific agendas.”<sup>39</sup> Federal government Indian Agents, employed for the purpose of “protecting” their wards and the white settlers around the Indian reserves, would sometimes withhold rations in order to extort sexual access to women.<sup>40</sup> The subjugation and exploitation of First Nations women had practical and ideological benefits to the settler population:

Sexual violence towards Aboriginal women was an integral part of 19th century settler technologies of domination. ... While prior to 1885 there had been relative co-existence between fur traders and Aboriginal peoples, the rebellion of the Metis [sic] and general Aboriginal resistance to their spatial confinement, as well as the increasing presence of white women on the prairies, led to powerful negative images of Aboriginal women. The negative images of these women, portrayed as licentious and bloodthirsty, helped to justify the increasing legal regulation of Aboriginal women’s movement and their confinement to reserves.<sup>41</sup>

Relationships between French men and First Nations women became very common and crucial to the success of the fur trade. “Intermarriage, or ‘wintering in,’ between French trappers and First Nations women soon became common practice and was encouraged by

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<sup>38</sup> Janice Acoose. *Iskwekwak—Kah’ Ki Yaw Ni Wahkomaxanak: Neither Indian Princesses nor Squaw Drudges* (M.A. Thesis, University of Saskatchewan, 1992) [unpublished] at 27.

<sup>39</sup> *Ibid.* at 28.

<sup>40</sup> Sherene Razack, “Gendered racial violence and spatialized justice: The murder of Pamela George” (2000) 15 Cdn. J. of Law and Society at 98.

<sup>41</sup> *Ibid.* at 91.

French authorities who wanted to strengthen First Nations relations so that the fur trade would continue.”<sup>42</sup> Indeed, the Métis identity and population grew out of these relationships. The North-West Company (NWC)<sup>43</sup> recognized the importance of First Nations women to the success of the fur trade:

Under the NWC, there were trade practices that made marriage and family life more difficult. The yearly trips and the mobility of the work force were two such practises. All fur trade employees were subject to being moved to a different post or being sent as a courier at any time, without consideration of family. There was a fur trade ‘arrangement’ to take care of these problems called ‘turning off’. It was an arrangement by which a worker, knowing he would not return to the post where he had started a family, would “turn off” his wife and arrange for another man to take over as her spouse. Given such employment challenges, combined with the variety of marriage rules from multiple ethnic groups, it is not surprising that for some couples, sustaining family relations was very difficult.<sup>44</sup>

Contemporary authors assure that “[t]hese marriages between French men and Indian women were not meant to be exploitative; the relationships were stable, and the father was considered legally responsible for his wife and off-spring.”<sup>45</sup> In practice, however, it was unlikely that a First Nations woman whose winter husband did not return the next season would seek legal remedies through the European legal system.

Large numbers of men in one location, with goods and money to trade or spend often results in a concentration of prostitution. Indeed, prostitution was common during the fur

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<sup>42</sup> James S. Frideres and Lilianne Ernestine Krosenbrink-Gelissen. *Native peoples in Canada: Contemporary conflicts*, 4<sup>th</sup> ed. (Scarborough: Prentice Hall Canada, 1993) at 16.

<sup>43</sup> The NWC would later become the *Hudson’s Bay Company*, then *The Bay* and is currently known as *HBC*.

<sup>44</sup> Heritage Community Foundation. *Country wives/Summer wives*, (no date).

<sup>45</sup> Frideres and Krosenbrink-Gelissen, *supra* note 42 at 16.



trade. First Nations families would leave reserves in search of work in towns.<sup>46</sup> First Nations men would sometimes return with men from the towns wishing to pay for sexual services.<sup>47</sup>

As settlement followed the fur trade, sexual exploitation of the Indian women became commonplace among tribes that came into contact with the white men. The practice of Indians squatting with the families around trading posts and selling the services of their wives and daughters for pennies with which to buy booze is a well-documented fact of American history.<sup>48</sup>

After the whiskey sellers were driven out, the prostitution of First Nations and Métis women continued. “In 1886, traffic [sic] of Indian women became a national scandal which involved employees of the Indian Affairs Department.”<sup>49</sup>

The historical equation of Aboriginal women as prostitutes or concubines easily abandoned or transferred to other men has continued to present time. Aboriginal women are over-represented in the street sex trade where violence and risk are endemic. Where men seek out women to abuse, Aboriginal women are seen to be an easy target and low risk. Additionally, societal racism and stereotypes held by police officers can create an atmosphere of mutual distrust and ineffectual investigations when Aboriginal women are abused, go missing or are murdered.

The 1996 murder of Pamela George illustrates how race, gender and violence are portrayed in the media and public view, silencing the victim and her personhood in favour of stereotypes and marginalization. George was an Aboriginal woman and single parent who occasionally resorted to prostitution to supplement her social assistance.<sup>50</sup> She was murdered

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<sup>46</sup> At the turn of the last century, immigrant families in the Prairies were also under economic pressure which resulted in teenage daughters being forced to leave school and enter domestic service jobs or prostitution. James H. Gray. *Red Lights on the Prairies*. (Toronto: Macmillan of Canada, 1995) at 26.

<sup>47</sup> *Ibid.* at 19.

<sup>48</sup> *Ibid.* at 13.

<sup>49</sup> *Ibid.* at 14.

<sup>50</sup> See generally, “Missing / Murdered First Nations (Native) Women” *Missing Native Women*; “Missing / Murdered Native Women in Canada” *Missing Native Women*; “Aboriginal groups angry about appeal court

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by two white university students, Alex Ternowetsky and Steven Kummerfield, who referred to her as “Indian trash” and a “squaw slut.”<sup>51</sup> In his instructions to the jury, Justice Ted Malone reminded them that she was “indeed a prostitute.”<sup>52</sup> In her paper on the George case, Sharene Razack contended that a feminist analysis alone cannot be used to understand what occurred in Pamela George’s murder trial:

My argument is in the first instance an argument about race, space, and the law. I deliberately write against those who would agree that this case is about an injustice but who would de-race the violence and the law’s response to it and label it more generically as patriarchal violence against women, violence that the law routinely minimizes. While it is certainly patriarchy that produces men whose sense of identity is achieved through the brutalizing of a woman, the men’s and the court’s capacity to dehumanize Pamela George derived from their understanding of her as the (gendered) racial Other whose degradation confirmed their own identities as white – that is, as men entitled to the land and the full benefits of citizenship. In the same vein, I race [sic] the argument made by some feminist scholars that women working as prostitutes are considered in law to have consented to whatever violence is visited upon them.<sup>53</sup>

Pamela George was not alone in the media’s treatment of her; murdered and missing women from Vancouver were similarly marginalized in the media coverage of their cases.<sup>54</sup>

The Vancouver missing women’s cases involved over 60 women, mostly missing from the

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ruling” *CBC News* (03 March 1998); “Full parole granted to man who killed Regina prostitute” *CBC News* (10 November 2000); “Justice slaughtered: Indians” *The Province* (22 December 1996); “Killers’ sentencing fuels native protest” *The Province* (31 January 1997); “Kummerfield released on parole” *The Leader-Post* (11 November 2000); “Prostitute killer released in Vancouver” *Vancouver Sun* (11 November 2000); “Slaying case mistrial declared” *Vancouver Sun* (25 September 1996); Betty Ann Adam, “Judge accused again of bias” *The Star Phoenix* (21 February 1997); Sandra Cordon, “Murder victim’s family angry” *Vancouver Sun* (31 January 1997); Barb Pacholik, “Appeal launched: Sentencing instruction contested” *The Leader-Post* (01 March 1997); Aaron Fox, “Editorial wrong, lawyer wants to set record straight” *The Leader-Post* (11 February 1997); David Roberts, “Natives scorn killers’ sentences” *The Globe and Mail* (31 January 1997); David Roberts, “Pair guilty in slaying of Regina prostitute” *The Globe and Mail* (21 December 1996).

<sup>51</sup> Amnesty International. *Stolen Sisters: A human rights response to discrimination and violence against Indigenous women in Canada* (2004) at 45.

<sup>52</sup> *Ibid.* at 45.

<sup>53</sup> Razack, *supra* note 40 at 93. See also, *R. v. Kummerfield* (1997) S.J. No. 149 (Q.B.C. No 1).

<sup>54</sup> Jean McDonald, “Hyper exposed and virtually anonymous: Vancouver’s missing women in prime time news.” (2003) 1 *J. for the Arts, Sciences, and Tech.* at 4.

DTES of Vancouver, B.C. since 1978.<sup>55</sup> Media coverage of the missing women focused on their ethnicity, involvement in the sex trade and addictions.<sup>56</sup> Fifty-five percent of the women listed as missing in 2002 were Aboriginal, “[y]et Aboriginality remained a persistent, though undercurrent, theme throughout the coverage”<sup>57</sup> which was both explicit and implicit. For instance, the articles might note the large number of Aboriginal women missing, or there may be mention of a sweat lodge, healing ceremony or smudge that families of the missing women were holding, thus situating the identity of the women for the reader.<sup>58</sup>

The women fail to appear as active agents or are silenced as victims. Conditions influencing their lives or their movement from reserves to urban neighbourhoods are scarcely recounted in a manner that is reflective of Canada’s colonial past and its neo-colonization of Aboriginal peoples. .... These strategic silences contribute to representations of Aboriginal women who are sex workers as deserving of violence, as evident in the case of Pamela George. ... Their visibility stems from their race, class, and gender, which become the signifiers of their deviance.<sup>59</sup>

It is not only the media coverage of cases that is noteworthy; so too is the silence.

Journalist Stevie Cameron discussed the lack of media coverage of the Pickton trial, the public’s insistence that “we do not need to know this” and the media’s self-censorship.<sup>60</sup> Following the conclusion of the Pickton trial, Cameron lamented that not one

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<sup>55</sup> Advocates for the families of the missing and murdered women prefer the use of the term “Murdered Women’s Trial” rather than the “Robert Pickton Trial” to put the focus on the 33 women whose physical remains or DNA were found on the Pickton farm. However, to avoid confusion with the several investigations, units and the Missing Women Inquiry (MWI), the Pickton case or trial is used throughout this dissertation. See, Norma Parr and Carolyn Sinclair. “Mass Victimization” (Panel discussion, delivered at National Victims of Crime Awareness Week Federal Symposium, Ottawa, Ontario, 14 April 2008) [unpublished].

<sup>56</sup> Although Pickton was convicted of the death of six women, and the remains of a total of 33 women were found on his farm, women remain unaccounted for in the DTES. Although Pickton is suspected of killing 49 women, he is not thought to be responsible for all the women missing in the DTES. See e.g., “Women still missing from Vancouver amid Pickton convictions” *CBC News* (December 9, 2007).

<sup>57</sup> Yasmin Jiwani and Mary Lynn Young, “Missing and murdered women: Reproducing marginality in news discourse” (2006) 31 *Cdn. J. of Comm.* at 898.

<sup>58</sup> *Ibid.* at 907.

<sup>59</sup> *Ibid.* at 899.

<sup>60</sup> Stevie Cameron. “Prologue” in *The Pickton File* (Toronto: Knopf Canada, 2007). For an example of debate, see “Pickton trial - Your view: How much coverage is too much?” *CBC News* (January 23, 2007).

newspaper assigned a reporter to be present for the entire trial.<sup>61</sup> Cameron was often the only media representative to attend daily sessions of the *voir dire*, preliminary trial or the trial itself.<sup>62</sup>

Several authors have noted that the lack of public and media interest of the multiple murder trial of John Crawford is striking in comparison to that of the Paul Bernardo trial, which occurred in close proximity to each other. Crawford was convicted in 1996 of one count of first degree murder and two counts of second degree murder. His victims were young Aboriginal women all of whom worked in the sex trade, at least sometimes, if not habitually.<sup>63</sup> Bernardo was convicted of first degree murder of two teenage girls in 1995. The media coverage and public sympathy were vastly different. Bernardo was seen and discussed internationally, with Canadians accessing American websites due to the publication ban imposed by Justice LeSage.<sup>64</sup> The Crawford case was not reported far beyond Saskatoon.<sup>65</sup>

The Crawford case was another example of the media setting a different standard when it came to a significant story involving Native people, this time as victims. In the end, they became “just another dead Indian” to most of us. We may have thought the story sad, but after all, hadn’t they brought it on themselves to some degree? What could we have done about it?<sup>66</sup>

A distinction was made in the media reporting and the public outrage between the “innocent victims” of Bernardo and those of Crawford whose innocence was seen to be long

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<sup>61</sup> Stevie Cameron. “Mass Victimization” (Panel discussion, delivered at National Victims of Crime Awareness Week Federal Symposium, Ottawa, Ontario, 14 April 2008) [unpublished].

<sup>62</sup> It should be noted that there was a publication ban preventing disclosure of the information prior to the trial.

<sup>63</sup> Crawford had previously been convicted and served time for manslaughter of an Aboriginal woman, also a sex trade worker.

<sup>64</sup> Note, however, that there was a public debate about news coverage in the Bernardo case as well. The debate, however, was centered on the need to respect the families of the victims and protect them from the pain of having the horror of their children’s last days made public due to the sexual torture they endured. The debate in the Pickton case is largely related to the protection of the public from hearing the gruesome details, not the families of the victims. See, “Pickton Trial...,” *supra* note 60.

<sup>65</sup> Warren Goulding. *Just another Indian: A serial killer and Canada’s indifference* (Calgary: Fifth House Ltd, 2001), at 215; Chris Purday, “Serial killer who roamed Saskatoon met with indifference by police, media” *The Edmonton Journal* (26 November 2003).

<sup>66</sup> Goulding, *supra* note 65 at 215-6.

lost and whose deaths were deemed to have been an inevitability of their lives.<sup>67</sup> The invisibility of racialized victims is not unique to Canada, nor is it unknown to the public. On occasion, some journalists will write stories which result in concrete action being taken by police or other journalists, as in the case of *Vancouver Sun* journalist Lindsey Kines and the Vancouver Missing Women.<sup>68</sup> However, the majority of racialized victims continue to be relegated to back pages and quietly forgotten. White, middle-class “innocent, girl- next-door” victims receive front page daily coverage for extended periods of time. Indeed, this phenomenon has been labelled the “Missing White Woman Syndrome.”<sup>69</sup>

#### IV. ABORIGINAL WOMEN AND GOVERNMENT POLICIES

Government interventions also created significant changes in traditional culture, family structure and the way of life for Aboriginal people. The *Indian Act*<sup>70</sup> has affected women differently than men since its creation in 1876.<sup>71</sup> Until the amendments in 1985, under the section 12(1)(b) of the *Indian Act*, First Nations women lost their status upon marriage to non-status men.<sup>72</sup> Any future children from these marriages would not be eligible for Indian status. Men who married non-status women did not lose their status; in fact, non-status women and any resulting children were granted Indian status.

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<sup>67</sup> McDonald, *supra* note 54 at 5.

<sup>68</sup> “How Lindsay Kines and Sun reporters broke missing women story” *Vancouver Sun* (06 November 2002).

<sup>69</sup> Tom Foreman, “Diagnosing ‘Missing white woman syndrome’” *Anderson Cooper 360 Blog* (14 March 2006).

<sup>70</sup> The *Indian Act* (R.S.C., 1985, c. I-5) regulates only registered First Nations men and women, not Métis or Inuit people. Prior to the *Indian Act* was the 1869 *An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act 31st Victoria, Chapter 42*, S.C. 1869, c. 6, 1869.

<sup>71</sup> Ann McGrath and Winona Stevenson, “Gender, race, and policy: Aboriginal women and the state in Canada and Australia” (1996) 38 *Labour History* at 37.

<sup>72</sup> There is a common understanding, including amongst Aboriginal people, that marriage to a “white man” caused loss of status. However, marriage to a non-status Indian man would have also caused a woman to lose her status. It would not be uncommon for bands that live close to the U.S. border to have many women lose status because of marriage to an American Indian.

The result was a major disruption of traditional kinship systems, matrilineal descent patterns, and matrilocal post-marital residency patterns. Furthermore, it embodied and imposed the principle that Indian women and their children, like European women and their children, would be subject to their fathers and husbands. In 1951 this regulation was made more stringent by denying women the right to band membership and band annuities upon marriage to a non-Indian.<sup>73</sup>

Although amended in 1985 by Bill C-31, its retroactivity did not restore status to the majority of women, children and their descendants who lost status in the 117 years prior to amendments.

The material, cultural, and psychological consequences were grave. Upon such a marriage, the woman lost her band membership and could no longer live, own property, or be buried with her ancestors. Her children were also not recognized as Indian. Unless she subsequently married a member of her reserve, the loss of status and rights was permanent, even if she became divorced or widowed.<sup>74</sup>

Only the woman who originally lost her status and her children would be eligible for reinstatement while her grandchildren and future descendants would be permanently prevented from receiving status.<sup>75</sup> Further, the women and children affected by Bill C-31 did not necessarily have their band membership restored regardless of their Indian status, as band membership has been generally managed by Chief and Council.<sup>76</sup>

Aboriginal women have challenged the gender discrimination of the *Indian Act* through court actions. The first to do so were Jeannette Lavell (née Corbiere) and Yvonne Bédard in the early 1970s.<sup>77</sup> Lavell argued that the deletion of her name from the Indian

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<sup>73</sup> McGrath and Stevenson, *supra* note 71 at 41.

<sup>74</sup> Evelyn Zellerer, "Aboriginal women's struggles for justice in Canada" in Sharon Pickering and Caroline Lambert, (eds.), *Global issues: Women and justice* (Sydney: The Sydney Institute of Criminology, University of Sydney Faculty of Law, 2004) at 183.

<sup>75</sup> My own great-grandmother lost her status due to marriage to an Englishman after her first husband died. As a result, her first son had status but her subsequent children did not. No members of my family were eligible for reinstatement of status following the 1985 amendments.

<sup>76</sup> Zellerer, *supra* note 74 at 192.

<sup>77</sup> Lavell served as the president of the Native Women's Association of Canada (NWAC) from 2009 to 2012.

Registry after her marriage to a non-Indian man was contrary to section 1(b) of the *Canadian Bill of Rights*. Lavell appealed the decision of the Registrar of the Department of Citizenship and Immigration to the Ontario Court. Justice Grossberg ruled that section 12(1)(b) of the *Indian Act* was not rendered inoperable by the *Bill of Rights*.<sup>78</sup> Lavell appealed to the federal court where Justice Thurlow agreed that the provision under the *Indian Act* afforded different outcomes to male and female registered Indians.<sup>79</sup>

Bédard's case centred on the Band Council ordering her off reserve and out of the home bequeathed to her by her mother. Bédard had married a non-Indian man; after separating, she and her children returned to the reserve. Bédard had sought an injunction to prevent her removal from the reserve. Justice Osler agreed with Bédard's arguments, finding s.12(1)(b) to be inoperative with the *Bill of Rights* and all orders of the Band Council to be without effect. He cited the recent Lavell case:

Regardless of the larger question of whether virtually the entire Indian Act, which is plainly based upon a distinction of race and has no other reason for its existence, may be said to be a valid exercise of the powers of Parliament and may remain in force despite the Canadian Bill of Rights, it is abundantly clear that under various provisions of the Act there follows "a different result with respect to the rights of an Indian woman who marries a person other than an Indian, or an Indian of another band, from that which is to obtain when a male Indian marries a person other than an Indian, or an Indian who is a member of another band."<sup>80</sup>

Both judges cited the case of *R. v. Drybones*, in which the Supreme Court of Canada (SCC) found that section 94(b) of the *Indian Act*, that of being intoxicated off reserve, was inoperable as it was in violation of the *Bill of Rights*.<sup>81</sup>

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<sup>78</sup> *Lavell v. Canada (Attorney General)* [1971] O.J. No. 1785 at 7.

<sup>79</sup> *Lavell v. Canada (Attorney General)* [1971] F.C.J. No. 28.

<sup>80</sup> *Bedard v. Isaac et al.* [1971] O.J. No. 1906 at 5.

<sup>81</sup> *R. v. Drybones* [1970] S.C.R. 282.

The Lavell and Bédard cases were both appealed to the SCC and were heard together. The majority rejected the claimants' arguments. There were three main points raised as the reason for their decision:

1. That the Bill of Rights is not effective to render inoperative legislation, such as s. 12(1)(b) of the Indian Act, passed by the Parliament of Canada in discharge of its constitutional function under s. 91(24) of the B.N.A. Act, to specify how and by whom Crown lands reserved for Indians are to be used;
2. that the Bill of Rights does not require federal legislation to be declared inoperative unless it offends against one of the rights specifically guaranteed by section 1, but where legislation is found to be discriminatory, this affords an added reason for rendering it ineffective;
3. that equality before the law under the Bill of Rights means equality of treatment in the enforcement and application of the laws of Canada before the law enforcement authorities and the ordinary courts of the land, and no such inequality is necessarily entailed in the construction and application of s. 12(1)(b).<sup>82</sup>

The SCC ruled that "Equality before the law under the Bill of Rights means equality of treatment in the enforcement and application of the laws of Canada and no such inequality is necessarily entailed in the construction and application of s.12(1)(b)."<sup>83</sup> Equality did not mean freedom from legal discrimination.

The *Canadian Charter of Rights and Freedoms* (the *Charter*) would change the legal landscape.<sup>84</sup> Section 15 of the *Charter* eliminated the "equal discrimination" allowed by the *Bill of Rights*.

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

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<sup>82</sup> *Lavell v. Canada (Attorney General)* [1973] S.C.J. No. 128 at 20.

<sup>83</sup> *Ibid.* at 2.

<sup>84</sup> *Canadian Charter of Rights and Freedoms*, 1982.



(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

The *Charter* would have significant changes for Aboriginal people.

Sharon McIvor began her fight in 1985, when she was a law student. Both of McIvor's grandmothers were Indian but neither of her grandfathers was Indian.<sup>85</sup> The changes in Bill C-31 in 1985 were intended to eliminate gender discrimination, although it was not retroactive beyond one generation. McIvor's case endeavoured to seek historical redress and reclaiming of Indian status beyond the one-generation limitation. McIvor sought Indian status for herself and her children; she was granted status but her children were denied. In 1987, McIvor requested a review of the decision, which was also denied, prompting her to take the case to the B.C. Supreme Court. It took 17 years for her case to be heard, by which time her son, Charles [Jacob] Grismer, had become a co-claimant.<sup>86</sup>

The Applicants McIvor and Grismer did not challenge the Second Generation Cut-off per se. They maintain, however, that it is discriminatory to assign s. 6(2) to persons born prior to April 17, 1985. The complaint here was that Mr. Grismer's children would have Indian status if his Indian status had been transmitted to him through his father rather than through his mother. This ongoing discrimination, they submitted, was on the basis of sex, which contravenes s. 15 of the Charter. The Respondents (Respondent Canada) defended the legislation.<sup>87</sup>

In 1987 Justice Ross ruled in favour of McIvor and Grismer:

The registration provisions of the Act continued to prefer descendents who traced their Indian ancestry along paternal lines over those who traced their Indian ancestry along maternal lines. The provisions preferred male Indians who married non-Indians and their descendents, over female Indians who married non-Indians and their descendents. This differential treatment

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<sup>85</sup> "The long, hard road of Sharon McIvor" *Vancouver Sun* (09 November 2007).

<sup>86</sup> *Ibid.*

<sup>87</sup> *McIvor v. Canada (Registrar, Indian and Northern Affairs)* [2009] S.C.C.A. No. 234 at 2.

constituted discrimination on the basis of sex and marital status contrary to s. 15 and s. 28 of the Charter.<sup>88</sup>

The federal government requested two years to find a remedy; Ross J. denied this request.<sup>89</sup>

The federal government appealed, citing its concern “that it would be unable to implement such a broad and imprecise remedy and appealed the decision to the Court of Appeal for British Columbia.”<sup>90</sup> The B.C. Court of Appeal upheld the decision that section 6 of the *Indian Act* infringed on the right to equality guaranteed by the *Charter*, but on narrower grounds.

The Court of Appeal found that the unconstitutionality is not in relation to the descendants of all woman [sic] who lost status when “marrying-out” any time since 1869. Instead, the Court of Appeal ruled that the Charter violation was limited to the beneficial treatment of persons in the male line previously subject to the transitional provisions relating to the Double-Mother rule, which was introduced in 1951.<sup>91</sup>

The federal government announced it would not appeal. The court gave a one-year time limit, until April 6, 2010, to allow the government to make the necessary changes.<sup>92</sup>

McIvor sought to appeal the decision to the SCC. In November 2009, the SCC dismissed the application.<sup>93</sup> An extension to the time limit was granted until January 31, 2011.<sup>94</sup>

Amendments to the *Indian Act* were introduced through the parliamentary process and assent was granted on December 15, 2010.<sup>95</sup> Although McIvor was partly successful in her challenge, full gender equality was not found through the courts. Essentially, status was only extended for an additional generation; the historical inequities were not addressed and many

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<sup>88</sup> *McIvor v. Canada (Registrar, Indian and Northern Affairs)* [2007] B.C.J. No. 1259 at 2.

<sup>89</sup> “The long, hard road...,” *supra* note 85.

<sup>90</sup> AANDC, *McIvor v. Canada* (no date).

<sup>91</sup> AANDC, *Background - McIvor: an Overview* (no date).

<sup>92</sup> AANDC, *supra* note 90.

<sup>93</sup> *McIvor v. Canada*, *supra* note 87.

<sup>94</sup> *McIvor c. Canada (Registrar of Indian and Northern Affairs)* [2010] B.C.J. No. 1309.

<sup>95</sup> *An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act 31st Victoria, Chapter 42, S.C. 1869, c. 6, 1869.*

descendents of Aboriginal women who lost status remain without status. In November 2010, McIvor presented her petition to the United Nations.<sup>96</sup> Canada responded, arguing that McIvor and Grismer could not demonstrate that they were victims of a violation of the *International Covenant on Civil and Political Rights*, that allegations involved facts that pre-date the *Covenant* and involved harm that cannot be attributed to State actors, and that they could not substantiate their claim that a lack of remedy exists.<sup>97</sup> Both parties have submitted additional arguments;<sup>98</sup> there has been no response from the U.N. as of January 2013.<sup>99</sup>

The *Indian Act* also had serious detrimental effects on First Nations women who did not lose their status. Marital breakdown on-reserve has significant economic and security implications for women and children. The division of Marital Real Property (MRP) on-reserve is not governed by provincial family law acts but by the *Indian Act*. MRP is not covered by equality laws that protect non-Aboriginal women in the event of family breakdowns, including divorce, common-law split and death of a spouse.<sup>100</sup> This is the result of subsection 91(24) of the *Constitution Act*,<sup>101</sup> which “specifies that the Parliament of

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<sup>96</sup> Sébastien Grammond, “Discrimination in the rules of Indian status and the *McIvor* case,” online: University of Ottawa, Faculty of Law (Civil); *McIvor c. Canada (Registrar of Indian and Northern Affairs)*, 2009 BCCA 153; “The long, hard road...,” *supra* note 85; “Sharon McIvor takes her fight to the United Nations” *CNW Group* (12 November 2010). The petition can be found at: *Sharon McIvor and Jacob Grismer v. Canada*, Communication submitted for consideration under The First Optional Protocol to the International Covenant on Civil and Political Rights, presented to the United Nations Human Rights Committee Petitions Team Office of the High Commissioner for Human Rights United Nations Office (24 November 2010).

<sup>97</sup> *Sharon McIvor and Jacob Grismer v. Canada*, Canada’s Response to the Petition (22 August 2011).

<sup>98</sup> *Sharon McIvor and Jacob Grismer v. Canada*, Petitioner Comments in Response to State Party’s Submission on the Admissibility and Merits of the Applicants’ Petition to the Human Rights Committee (05 December 2011); *Sharon McIvor and Jacob Grismer v. Canada*, Further Submission of the Government of Canada on the Admissibility and Merits of the Communication to the Human Rights Committee of Sharon McIvor and Jacob Grismer Communication No. 2020/2010 (28 February 2012).

<sup>99</sup> *Sharon McIvor and Jacob Grismer v. Canada*, Further Submission of the Government of Canada on the Admissibility and Merits of the Communication to the Human Rights Committee of Sharon McIvor and Jacob Grismer Communication No. 2020/2010 (28 February 2012).

<sup>100</sup> For more information, see: NWAC. (January 2007). *Reclaiming our way of being: Matrimonial Real Property solutions position paper*.

<sup>101</sup> *Constitution Act*, 1867.

Canada has exclusive legislative authority with respect to ‘Indians and Lands reserved for the Indians,’ provincial laws do not apply to the division of real property on reserve lands.”<sup>102</sup>

This was upheld by the SCC in 1986 in *Derrickson v. Derrickson*.<sup>103</sup> Changes to MRP were introduced in the House of Commons three times between 2008 and 2010, but failed to pass when Parliament closed for elections.<sup>104</sup> Bill S-2, *An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves* was re-introduced for a fourth time in September 2011; it was passed by the Senate in December 2011.<sup>105</sup> It received first reading in the House of Commons the same month.<sup>106</sup> In November 2012, Bill S-2 began second reading. Bill S-2 the Act received Royal Assent on June 19, 2013.

The impacts of losing Indian status and MRP are profound on communities, families and affected women.<sup>107</sup> However, the *Indian Act* alone was not responsible for the isolation and stigmatization of Aboriginal women. The residential school system systematically withdrew Indian children from their parents to be sent to a church-run school.<sup>108</sup> The last

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<sup>102</sup> Library of Parliament. *Legislative Summary of Bill S-2: Family Homes on Reserves and Matrimonial Interests or Rights Act* by Marlisa Tiedemann (24 January 2012) at 1.

<sup>103</sup> *Derrickson v. Derrickson* [1986] S.C.J. No. 16.

<sup>104</sup> Anita Olsen Harper, “Is Canada peaceful and safe for Aboriginal Women?” (2007) 25 Cdn. Women’s Studies at 33; AANDC, *On-Reserve Marital Real Property*, (no date).

<sup>105</sup> The short title is the *Family Homes on Reserves and Matrimonial Interests or Rights Act*.

<sup>106</sup> AANDC. *Legislation protecting Matrimonial Interests and Rights on reserve introduced in the Senate* (Ottawa, AANDC, 28 September 2011); Library of Parliament, *supra* note 102.

<sup>107</sup> See, Status of Women Canada (SWC). *First Nations Governance, the Indian Act and Women’s Equality Rights*, by Judith F. Sayers, *et al.* (Ottawa: SWC, 2001); SWC. *Human Security and Aboriginal Women in Canada*, by Connie Deiter and Darlene Rude. (Ottawa: SWC, 2005); SWC. *North American Indian, Métis and Inuit Women Speak about Culture, Education and Work* by Carolyn Kenny. (Ottawa: SWC, 2002); SWC. *Aboriginal Women in Canada: Strategic Research Directions for Policy Development* by Madeleine Dion Stout, and Gregory D. Kipling (Ottawa: SWC, 1998).

<sup>108</sup> For more information on the residential school system, see e.g., Anastasia M. Shkilnyk. *A poison stronger than love*. (Westford: Yale University Press, 1985). See also, Aboriginal Healing Foundation (AHS). *Reclaiming connections: Understanding residential school trauma among Aboriginal people* by Deborah Chansonneuve. (Ottawa: AHS, 2005); AHS. *Historical Trauma and Aboriginal Healing* by Cynthia C. Wesley-Esquimaux and Magdalena Smolewski. (Ottawa: AHS, 2004).

residential school closed in 1996.<sup>109</sup> Other widespread policies of apprehension of Aboriginal children by child welfare agencies resulted in thousands of children being placed in largely white foster and adoptive families. The most prevalent period of such policies is often referred to as the “Sixties Scoop.”

Both the residential schools and foster system exposed children to horrific mental, spiritual, physical and sexual abuse.<sup>110</sup> The consequences of the removal of so many children from their families for extended periods of time and long-term abuse has been a multi-generational trauma, loss of parenting skills, culture, attachment and traditional family support systems. Not surprisingly, addiction, violence, and poverty are rampant in Aboriginal communities, both on- and off-reserve.<sup>111</sup>

## V. WOMEN AND CRIME

### i. Aboriginal Women and Victimization

Although women’s roles have changed throughout the last century, women as passive, gentle nurturers remains a dominant vision in the Canadian public’s mind of what constitutes proper behaviour for women. Aboriginal women, and other racialized women, have both gender and racial stereotypes to contend with and the intersection of race and gender has a significant impact on a woman charged with a violent offence. As feminist criminologist Meda Chesney-Lind notes, “Something is going on, and it is not just about race or gender; it is about both—a sinister synergy that clearly needs to be carefully documented

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<sup>109</sup> AHS [2005], *supra* note 108 at 34.

<sup>110</sup> See generally, *Ibid.*; Anastasia M. Shkilnyk, *supra* note 108.

<sup>111</sup> AHS [2004], *supra* note 112.

and challenged.”<sup>112</sup> Julie Stubbs and Julia Tolmie, feminist researchers looking at Aboriginal women in Australia and New Zealand, stress the importance of looking at the intersection of race and gender, particularly when looking at male violence against intimate partners:

The position of Aboriginal women who experience violence at the hands of male intimates requires an analysis that recognizes that both racism and sexism structure and limit Aboriginal women’s opportunities in specific ways. The violence within Aboriginal communities cannot be seen apart from the historical practices of colonization and the shifts in the gender relations that have accompanied colonization. The options that Aboriginal women have in dealing with violence also must be read in the context of the connections they have with their communities, the economic and social disadvantages they experience and the racism of the wider community.<sup>113</sup>

Aboriginal women experience frequent violence from intimate partners. The 1999 General Social Survey, conducted by Statistics Canada, found that Aboriginal women reported three times the rate of spousal violence reported by non-Aboriginal women.<sup>114</sup> These figures remained the same when the survey was repeated five years later.<sup>115</sup> Additionally, the spousal violence experienced by Aboriginal women was more likely to take extreme, violent and life-threatening forms, “including being beaten or choked, having had a gun or knife used against them, or being sexually assaulted.”<sup>116</sup> Not surprisingly, the rate of spousal homicide of Aboriginal women was eight times that of non-Aboriginal women.<sup>117</sup> Aboriginal people, both male and female, are more likely to be murdered by someone they know.<sup>118</sup>

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<sup>112</sup> Meda Chesney-Lind, “Patriarchy, crime, and justice: Feminist criminology in an era of backlash” (2006) 1 *Feminist Crim.* at 5.

<sup>113</sup> Julie Stubbs and Julia Tolmie, “Gender, race and the battered woman syndrome: An Australian case study” (1995) 8 *Cdn. J. of Women and the Law* at 131.

<sup>114</sup> Statistics Canada. *Measuring violence against women* by Holly Johnson. (02 October 2006) (Ottawa: Statistics Canada) at 62.

<sup>115</sup> *Ibid.* at 63.

<sup>116</sup> *Ibid.* See also, Statistics Canada. *Victimization and offending among the Aboriginal population in Canada* by Jodi-Anne Brzozowski, Andrea Taylor-Butts and Sara Johnson (2006) at 6

<sup>117</sup> Statistics Canada, *supra* note 114 at 67.

<sup>118</sup> Statistics Canada, *supra* note 116 at 6.

It is not only spousal violence that more severely affects Aboriginal women. “The rate of violence for Aboriginal females was 3.5 times higher than that for non-Aboriginal females (343 versus 96 incidents per 1,000 females).”<sup>119</sup> For the period of 1997-2000,<sup>120</sup> Aboriginal women were victims of homicide at the rate of “5.4 per 100,000 population, compared to 0.8 per 100,000 for non-Aboriginal victims (almost seven times higher).”<sup>121</sup> In an urban setting, racialized women may turn to gangs for protection, which increases their chances of being in conflict with the law, being forced into prostitution, and of victimization by their own gang members.<sup>122</sup>

## ii. Incarcerated Women

Rates of women’s incarceration in Canada continue to rise.<sup>123</sup> This is especially true of Aboriginal women and other racialized women.<sup>124</sup> The “Canadian prison female inmate population is rising, largely comprised of Aboriginal and minority women, as well as women who have mental health problems or women living in poverty.”<sup>125</sup> The female offender population has increased by 40% in the past 10 years.<sup>126</sup> Crime statistics from Statistics Canada, however, indicate that the severity and extent of women’s crime is far from the

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<sup>119</sup> *Ibid.* at 1.

<sup>120</sup> It should be noted that during the same period, the rate for homicide among Aboriginal men was 12.2 per 100,000 versus 1.8 for non-Aboriginal men, which is more double that of Aboriginal women. See, Statistics Canada, *supra* note 4 at 43.

<sup>121</sup> *Ibid.*

<sup>122</sup> Jody Miller, “Gender and victimization risk among young women in gangs” (1998) 35 *J. of Research in Crime and Delinquency* at 429.

<sup>123</sup> Statistics Canada. *Female Offenders in Canada* by Rebecca Kong and Kathy AuCoin (2008) at 1. See also, Statistics Canada. *Women and the Criminal Justice System* by Tina Hotton Mahon (01 April 2011) (Ottawa: Statistics Canada) at 22.

<sup>124</sup> Kim Pate, “Labelling young women as violent: Vilification of the most vulnerable” in *Violence against Women: New Canadian Perspectives*. (Toronto: Inanna Publications and Education Inc., 2002) at 81.

<sup>125</sup> Kim Pate, “Advocacy, activism and social change for women in prison” (2006) 25 *Cdn. Woman Studies* at 81.

<sup>126</sup> Laura Stone, “Violence spikes in cramped women’s prisons” *Calgary Herald* (12 October 2011).

“epidemic” portrayed in the media. Women account for a small proportion of the overall number of offenders; 28% of youth and 22% of adult accused were women in 2009.<sup>127</sup>

The highest representation of females was found in cases of prostitution (31%), fraud (31%) and theft (30%). Females also accounted for one in five cases involving the charges of failure to appear in court or other administration of justice offences, drug trafficking, possession of stolen property, and assault level 1 and major assault.<sup>128</sup>

When women offend, the majority are charged with theft,<sup>129</sup> common assault, bail violations and fraud.<sup>130</sup> Researchers also note that “women are infrequently repeat offenders and, for those who are, their crimes tend not to escalate in severity.”<sup>131</sup>

While still quite low compared to male youth, the rate of “serious violent crime” among female youth has more than doubled since 1986 growing from 60 per 100,000 to 132 per 100,000 in 2005. Among female adults, the rate has also grown from 25 to 46 per 100,000.<sup>132</sup> However, the increase in women charged with serious violent crime has not extended to homicide; the number of women charged with homicide decreased over the past decade.<sup>133</sup>

Women who commit homicide are extremely rare in Canada; they also present a different profile from their male counterparts. For instance, women who are charged with homicide are less likely than men to be considered under the influence of drugs and/or alcohol at the time of the incident (65% versus 71%), more likely to be suspected by the police of suffering from a mental health or mental development disorder (20% versus

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<sup>127</sup> Statistics Canada, *supra* note 123 at 19.

<sup>128</sup> *Ibid.* at 27.

<sup>129</sup> Note that “theft” in this instance does not include motor vehicle theft. Statistics Canada [2008], *supra* note 123 at 1.

<sup>130</sup> *Ibid.*

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*

<sup>133</sup> Statistics Canada, *supra* note 123 at 22.



12.5%), and less likely to have a criminal record (50% versus 70%).<sup>134</sup> Women are also more likely to stab or beat their victims; firearms were generally only used on intimate partners.<sup>135</sup>

The case of Jamie Gladue resulted in the application of s. 718.2(e) of the *Criminal Code* regarding the sentencing of Aboriginal offenders in Canada, although it did not affect her own sentence. Gladue, an Aboriginal woman, pled guilty to manslaughter; she had stabbed her common-law husband, Reuben Beaver, on her 19<sup>th</sup> birthday in 1995. At her sentencing in 1997, the judge took into account mitigating factors, such as that Gladue had a conviction for impaired driving but otherwise had no criminal record. She was a mother who had a supportive family. However, Gladue was not afraid of Beaver, had made specific threats against him, and stabbed him the second time as he was attempting to flee. The judge rejected the defence's suggestion of a suspended or conditional sentence and sentenced Gladue to three years in prison. "He noted that there were no special circumstances arising from the aboriginal status of the accused and the victim that he should take into consideration. Both were living in an urban area off-reserve and not 'within the aboriginal community as such.'"<sup>136</sup> The SCC noted that Part XXIII of the *Criminal Code* requires a judge to consider the circumstances of Aboriginal offenders. Section 718.2(e) recognizes the unique circumstances of Aboriginal people, and directs the judge to consider:

- (a) the unique systemic or background factors which may have played a part in bringing the particular aboriginal offender before the courts; and
- (b) the types of sentencing procedures and sanctions which may be appropriate in the circumstances for the offender because of his or her particular aboriginal heritage or connection.<sup>137</sup>

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<sup>134</sup> Frideres and Krosenbrink-Gelissen, *supra* note 42 at 10.

<sup>135</sup> *Ibid.*

<sup>136</sup> *R. v. Gladue* [1999] 1 S.C.R. 688 at 2.

<sup>137</sup> *Ibid.* at 3.

These provisions are an attempt to address the historic over-representation of Aboriginal people in the criminal justice system. Justices Cory and Iacobucci wrote that an Aboriginal community is not restricted to reserves; networks of support in urban settings must be considered. Even if the Aboriginal person has no support networks in the urban Aboriginal community, the judge must still consider alternative options to incarceration. Despite the errors made by the sentencing judge, the SCC dismissed the appeal because the sentence was appropriate for the seriousness of the crime.<sup>138</sup>

At the time the SCC delivered its decision in 1999, Gladue had already been released from prison. She had been granted day parole in August of 1997; the following February, she had been granted full parole. Gladue had spent six months of her three-year sentence in prison.<sup>139</sup> Although Gladue's sentence was not affected because she had already been released, the decision was important for Aboriginal offenders in the future. Aboriginal ethnicity itself would require judge's to consider s.718.2(e) when sentencing offenders. Offenders do not have to have grown up or be living on reserve at the time of their arrest. Half of Aboriginal people currently live off-reserve and many Aboriginal children have been adopted into non-Aboriginal homes or reside in foster care. This decision ensures that all Aboriginal offenders receive consideration of their background at the time of sentencing.

Increased incarceration of women, especially racialized women, has profound, multigenerational and familial ramifications.<sup>140</sup> Incarceration removes a woman from her immediate situation, but does not help address the issues that might have led her to be charged with violent crimes at a later time. In fact, research indicates "that most of the

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<sup>138</sup> *Ibid.* at 4.

<sup>139</sup> *Ibid.* at 2, 37.

<sup>140</sup> Beth E. Richie, "Challenges incarcerated women face as they return to their communities: findings from life history interviews" (2001) 47 *Crime & Delinquency* at 368.

women who are released from jail or prisons are likely to return to the same disenfranchised neighbourhoods and difficult conditions without having received any services to address their underlying problems.”<sup>141</sup> Not only are women removed from their support networks, but the children of incarcerated women lose their mothers.

The reasons why women end up in conflict with the law are varied, but a history of abuse increases a woman’s (or girl’s) likelihood of incarceration. Research in the U.S. identified six pathways, which sometimes overlap, that put abused women and girls at risk for incarceration:

The process of criminalization is most evident in the lives of (1) abused and runaway girls; (2) women forced to live and work on the streets; and (3) women addicted to substances. The process of entrapment affects the above three groups of women but also applies to (4) women arrested for economic crimes, sometimes coerced by batterers; (5) women arrested for harm to children or abusers; and (6) women affected by enforcement of discriminatory and coercive welfare, immigration and corrections policies. Once abused and socially harmed women become labeled as offenders they are even more at risk for repeated victimizations and entrapments that keep women imprisoned literally and figuratively.<sup>142</sup>

Aboriginal women are over-represented in both provincial and federal correctional systems.

In 2008 and 2009, 19.5% of adult women serving sentences in provincial institutions and 28.9% of federal offenders were Aboriginal.<sup>143</sup>

The representation of Aboriginal people in custody is even greater for women than men. This is apparent across Canada, albeit more pronounced in the western provinces and in the territories.

In 2008/2009, Aboriginal women comprised more than 85% of admissions of women to adult provincial sentenced custody in Saskatchewan and Manitoba and just over half in Alberta. Yet in 2006 Aboriginal adults represented only 11%, 12%, and 5% of these provincial populations respectively. Although

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<sup>141</sup> *Ibid.* at 370.

<sup>142</sup> National Research Centre on Domestic Violence. *Women’s experiences of abuse as a risk factor for incarceration* by Mary E. Gilfus (2000).

<sup>143</sup> Statistics Canada, *supra* note 123 at 34.

Aboriginal people make up a larger proportion of the populations in the territories, they remain over-represented in territorial correctional facilities. In 2008/2009 Aboriginal women accounted for 89%, 93% and 98% of admissions to custody in Yukon, Nunavut and the Northwest Territories.<sup>144</sup>

The average Aboriginal offender has indeed faced multiple vulnerabilities of those described above as the pathways to incarnation. The average Aboriginal woman in a federal correctional institution is 27 years old, with two children, limited education, and a history of abuse and poverty.<sup>145</sup> In addition, research has shown that the risk of being a victim of more than one violent crime is increased for “young people, Aboriginals, single people, those involved in a large number of evening activities and who consumed alcohol.”<sup>146</sup>

Unfortunately, many Aboriginal women have all of these risk factors, which seriously increase their risk of being victimized.

## VI. CONCLUSION

Aboriginal people have survived a legacy of colonization, racism and devastating policies and practices that tore apart families and destabilized and devalued Aboriginal cultures and languages. Survival has not been easy. In cities and on-reserve, there is widespread poverty and familial breakdown with their accompanying issues, such as addiction and crime, among Aboriginal communities. Aboriginal people, both male and female, are over-represented in the criminal justice system, both as offenders and as victims. The rates of violence against Aboriginal people, and women in particular, illustrate that crime and violence are gendered and racialized.

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<sup>144</sup> *Ibid.* at 36.

<sup>145</sup> Correctional Service of Canada (CSC). *Profile of an Aboriginal Woman serving time in a federal institution* by Norma Green (29 August 2000).

<sup>146</sup> Canadian Centre for Justice Statistics (CCJS). *Multiple Victimization in Canada, 2004* by Samuel Perreault, Julie Sauvé and Mike Burns. (Ottawa: Minister of Industry, 2009) at 6.

## CHAPTER THREE

### SEX WORK AND THE LAW

#### I. INTRODUCTION<sup>1</sup>

This chapter explores prostitution in the Canadian context, examining the legality of prostitution and the debate over whether prostitution should be abolished, legalized or decriminalized. The legal status of prostitution is discussed, as well as the *de facto* legalization of some forms of sex trade services through municipal licensing. This is augmented with recent court cases and challenges from Canada. The sex trade industry encompasses legal and illegal activities, both of which can be regularly found at the same time and location. It is common for sex trade workers to shift the types and venues of sex work within one time period or over their career. Each type or venue of sex work has its own economic, health and safety implications for sex workers. A discussion of the different forms of prostitution found in Canada, as well as types proposed for Canada, is provided.

Prostitution is colloquially called the “world’s oldest profession” and indeed it has been found throughout the ages and across the globe in many forms. Today, prostitution is neither uniform nor universal throughout the world; stakeholders wrestle with different issues depending on the circumstances.<sup>2</sup> In South East Asia, the main areas of concern are the sexual exploitation of children and the trafficking of women and children through sex tourism.<sup>3</sup>

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> Sherene Razack, “Race, space, and prostitution: The making of the bourgeois subject” (1998) 10 Cdn. J. of Women and the Law, at 370. See also, “Humanitarian sexploitation” *Weekly Standard* (24 February 2003).

<sup>3</sup> The first Canadian charged with sex crimes against children outside of Canada was Donald Bakker of Vancouver. Bakker was charged with physical assaults against adult street prostitutes in Vancouver. Police

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In European Union (E.U.) countries, there are competing priorities. The trafficking of Eastern European women into Western E.U. countries for prostitution is more pressing for police, governments and some activists than are labour rights.<sup>4</sup> European sex worker organizations are also eager to have issues of human trafficking addressed. For these organizations and advocates, debates around prostitution must be effectively separated from issues of coercion and trafficking. Labour rights, health protection and the impact of the stigma of prostitution, even where prostitution is legalized, are of paramount concern for such organizations in Europe and elsewhere. However, these concerns are overshadowed by trafficking in persons (TIP).

This dissertation focuses on the Canadian experience. However, the debates surrounding prostitution are often informed by the experience of other Western countries. There are four main positions in this debate: *legalization*, *abolition*, *criminalization* and *decriminalization*. This chapter provides a discussion of this debate, utilizing the legal, social and economic status of prostitution in seven other Western countries: New Zealand, Australia, the U.S. (specifically, the State of Nevada), Germany, the U.K., Sweden and the Netherlands.

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searched his home, where videotapes showing his crimes against children overseas were found. See, "Sex tourism case begins in Vancouver" *CTV News* (07 September 2004); "Vancouver man pleads guilty to overseas sex charges" *CBC News* (02 June 2005); Elaine O'Connor, "Neighbours shocked by alleged crimes: More charges expected today against Bakker" *The Province* (19 January 2004); "Sex assault suspect could face more charges" *Unknown Paper* (19 January 2004); Jane Armstrong, "Torture tapes stun B.C. investigators" *Globe and Mail* (19 January 2004); "Trail of a sex tourist: Canada's limited success in pursuing pedophiles" *W-Five* (07 March 2009); Yasmin Jiواني and Mary Lynn Young, "Missing and murdered women: Reproducing marginality in news discourse" (2006) 31 *Cdn. J. of Comm.*, at 908; Pivot Legal Society (Pivot). (2004). *Voices for dignity: A call to end the harms caused by Canada's sex trade laws (Short Report)*; Vancouver Police Department (VPD). *Missing Women Investigation Review* by Doug LePard. (Vancouver, August, 2010) at 364.

<sup>4</sup> United Nations (U.N.) Office on Drugs and Crime. *Global report on the trafficking of persons*. (Vienna: U.N., February 2009). See also, Phelim McAleer, "Happy hookers of Eastern Europe" *The Spectator* (05 April 2003).

The literature is augmented with interviews from the Netherlands and Sweden which have opposite prostitution policies. In Amsterdam, the Netherlands, interviews were held with the chief of vice for the Amsterdam police, a public health nurse and social worker at a prostitution health centre, and with an experiential woman/advocate. Additionally, field research in the red-light district,<sup>5</sup> including a tour with the Prostitution Information Centre (PIC), was undertaken.<sup>6</sup> In Stockholm, Sweden, an interview was held with a sex worker/advocate and an academic. Interviews were conducted in October and November 2008.

Both in Canada and abroad, Western academics, health professionals, advocates, politicians, policy makers and sex workers make arguments for and against different policy models. The main areas at issue can be summarized as being health, violence, human trafficking, economic exploitation and prostitution as a form of work, which is discussed further in Chapter Four.

Trafficking in persons for the purposes of sexual exploitation is a concern worldwide. In Europe, the trafficking of women who hold E.U. membership into Western E.U. countries is a prominent concern among academics, politicians and health professionals. There is anecdotal evidence that within Canada, First Nations women and girls are trafficked from reserves to urban centres by organized crime networks.<sup>7</sup> Research conducted with 25

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<sup>5</sup> The term did not originate in the Netherlands, nor is it specific to the area. It has been in use since the late nineteenth century.

<sup>6</sup> Oxford Dictionary. "red light district." See also, James H. Gray. *Red Lights on the Prairies*. (Toronto: Macmillan of Canada, 1995) at xv.

<sup>7</sup> Personal communication, Constable Helen Goodman, formerly of the National Aboriginal Policing Services, Royal Canadian Mounted Police. Discussion held with Maryanne Pearce, Ottawa, Ontario, Canada (May 2007).

informants in the Prairies suggests that Aboriginal women and girls are often coerced or forced (i.e., trafficked) or introduced to prostitution by family members.<sup>8</sup>

## II. PROSTITUTION IN CANADA

Sex work has many forms and occurs in many places. Sex workers themselves are not a homogenous group. As a starting point to understand prostitution in Western countries, a review of the motivation or reason for entering sex work is useful. To that end, Graham Scrambler's classification of sex work by entry or motivation is provided in Figure 3-1.

**Figure 3-1: A Typology of Sex Work Careers, By Entry**<sup>9</sup>

| Career       | Paradigmatic Example                |
|--------------|-------------------------------------|
| Coerced      | Abducted, trafficked                |
| Destined     | Family, peers in [sex] trade        |
| Survivors    | Drug users, single parents, debtors |
| Workers      | Permanent job                       |
| Opportunists | Project financing                   |
| Bohemians    | Casual, without need                |

The motivation to enter, re-enter or remain in the sex trade is generally consistent for each individual, although they may change the type of sex work performed several times. As has been documented in the U.K.,<sup>10</sup> Canada<sup>11</sup> and in the U.S.,<sup>12</sup> people move in and out of different types of sex work at different times during their life and can be involved in more than one type at a single time period. However, this mobility is generally a lateral labour move:

such as between stripping and a massage parlour. Escort agency employees sometimes decide to leave and become independent call girls, in order to

<sup>8</sup> Anette Sikka. (2009). *Trafficking of Aboriginal Women and Girls in Canada*. Ottawa: Institute on Governance, online: Institute on Governance <[www.iog.ca](http://www.iog.ca)>.

<sup>9</sup> Graham Scrambler, "Sex work stigma: Opportunist migrants in London" (2007) 41 Soc. at 1080.

<sup>10</sup> See e.g., *Ibid.*

<sup>11</sup> See e.g., Cecilia Benoit and Alison Millar. (2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers* at 69.

<sup>12</sup> See e.g., Adele Weiner, "Understanding the social needs of streetwalking prostitutes" (1996) 41 Social work at 97.



maximize both their freedom and income. It is rare for workers to experience substantial upward or downward mobility, such as moving from street work to escort work or vice versa. Occasionally, an upscale worker whose life situation changes (e.g., because of aging, drug addiction) is no longer able to work in that stratum and gravitates to the street. Most sex workers, however, remain at one echelon for the duration of their career.<sup>13</sup>

Affidavits of sex workers, largely street prostitutes, in the DTES of Vancouver illustrate this movement. Of the 82 female sex workers, 54 specified the types of sex work performed during their careers. This sample is taken from affidavits collected by Pivot Legal Society from sex workers in the DTES, which were sworn by current or exited street prostitutes. This is not a representative sample of prostitution in general, but of a population from the same area as Pickton's victims. Below, in Figure 3-2, the number of different types of sex work in which each respondent has engaged over their career is provided. In Figure 3-3, the types of sex work engaged in by each respondent over their career are identified.

Australian HIV/AIDS researchers Christine Harcourt and Basil Donovan created a typology of international forms of prostitution. They categorized 25 direct and indirect types of prostitution for the purposes of identifying different levels of risk.<sup>14</sup> Direct prostitution is defined as a sex-for-fee scenario. Indirect prostitution refers to scenarios where prostitution is not the primary source of income or occupation. This typology is a useful starting point for describing the methods and venues of solicitation, as well as the defining features of each type of prostitution. However, the descriptions and geographic distribution information do not necessarily correspond to those provided below, as the authors were concerned with sexually infectious diseases, not broader issues of prostitution. Thus, the titles of the

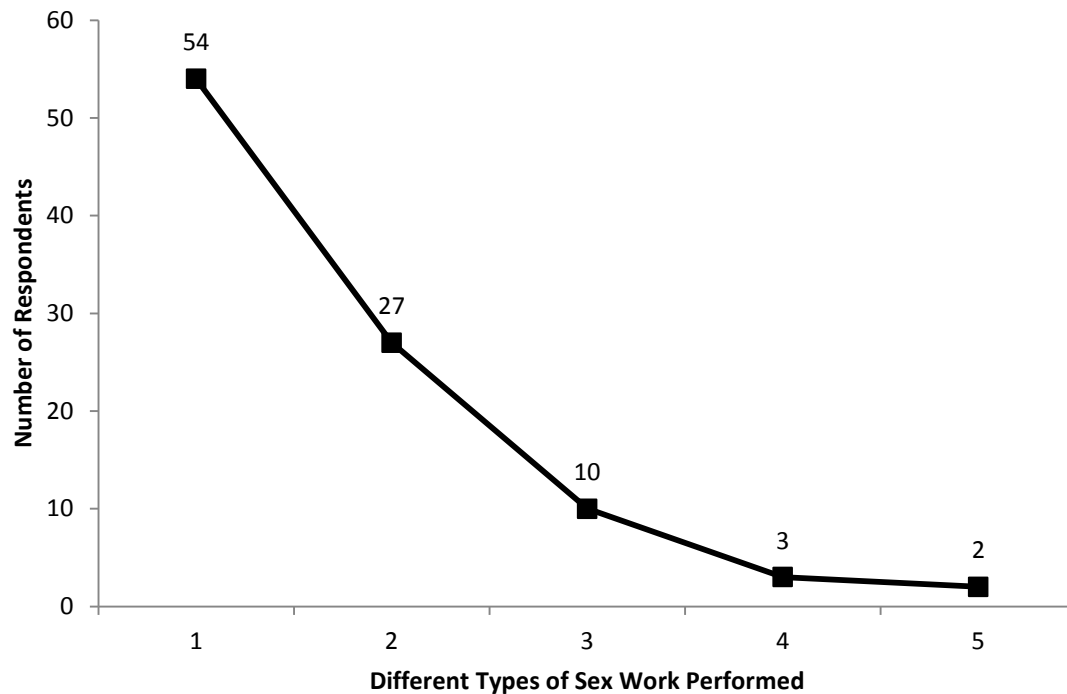
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<sup>13</sup> Ronald Weitzer, "Prostitution as a form of work" (2007) 1 *Sociology Compass* at 147.

<sup>14</sup> Christine Harcourt and Basil Donovan, "The many faces of sex work" (2005) *Sexually Transmitted Infections* at 202-3.

categories and descriptions have been modified to suit a more social scientific, rather than medical perspective and the terms direct and indirect are not used.<sup>15</sup>

**Figure 3-2: Number of Different Types of Sex Work Performed, Pivot Data (N=54)**<sup>16</sup>



The types of prostitution discussed below are:

1. Street prostitution
2. Brothels or bawdy-houses
3. Escorts
4. Bell desk, hotel and bar prostitution
5. Transport prostitution
6. Exotic dancing clubs
7. Massage / body rub parlours
8. Opportunistic prostitution
9. Individual arrangements

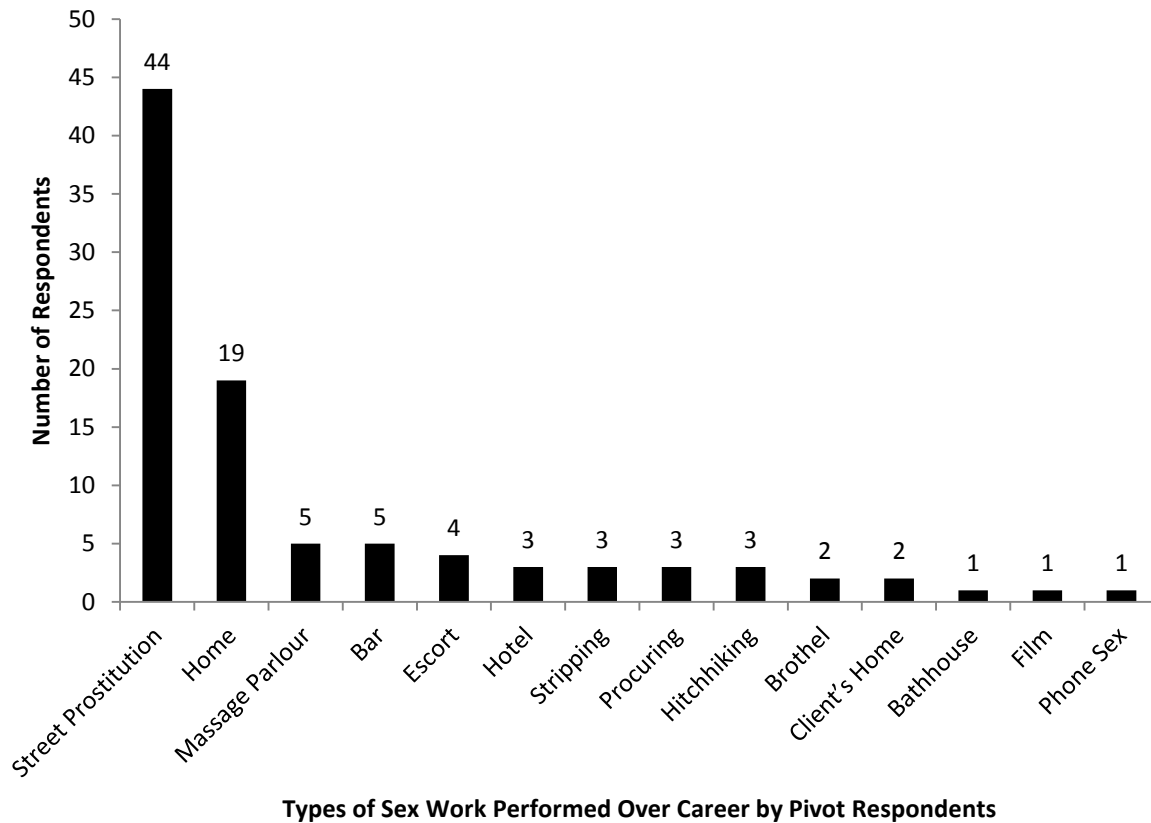
<sup>15</sup> Five of the types in the Harcourt and Donovan list (Door knock / hotel prostitution, Private, Other, Bondage and discipline, CB radio) have been amalgamated into other categories. Four categories were added (Bell desk or hotel prostitution, Pornography, Confinement and Sporting Events). Other types of sex work such as peep shows, phone and internet sex are not included in this list, as it does not involve direct sexual contact for a fee (prostitution). Names of several categories have been modified from Harcourt and Donovan's list. (See *Ibid.*) These terms are also found in Appendix B: Definitions.

<sup>16</sup> Pivot, *supra* note 3.

10. Prostitution during confinement
11. Swingers or sex clubs
12. 'Sex for drugs'
13. Survival sex
14. Other all-male venues
15. Sporting events
16. Pornography
17. Window prostitution

Forms of prostitution that are not relevant to the Canadian experience have been excluded, with the exception of window prostitution. Window prostitution is only found in the Netherlands and parts of Germany but is referred to widely by Canadians and in the Western literature. A description of the forms of prostitution and associated health, safety and demographic issues is provided below.

**Figure 3-3: Types of Sex Work Performed Over Career by Pivot Respondents (N=54)<sup>17</sup>**



### III. FORMS OF PROSTITUTION

#### i. Street Prostitution

Street prostitution or *street walking* is a form of prostitution found worldwide, and is the most visible and well known type of prostitution.<sup>18</sup> Hollywood movies *Pretty Woman* and *Leaving Las Vegas* both featured street prostitution, albeit very different portrayals.<sup>19</sup>

<sup>17</sup> Forms of prostitution identified by Harcourt and Donovan that are not found in Canada, other than window prostitution, include: *Travelling entertainers, Beer girls, Street vendors and traders, Femme libre* and *Geisha*. Male prostitution aimed at female clients, coined *Beachboys, bumsters, and gigolos* by Harcourt and Donovan, although likely available in Canada, is not covered by this dissertation. Harcourt and Donovan, *supra* note 14 at 202.

<sup>18</sup> *Ibid.*

<sup>19</sup> *Pretty Woman*, 1990, DVD, (Beverly Hills, Calif.: Buena Vista, 2005); *Leaving Las Vegas*, 1995, DVD, (MGM Home Entertainment, 2000).

Street prostitutes are most likely to face charges in Canada and in other Western countries, despite the fact that other types of prostitution are far more prevalent.<sup>20</sup> Street prostitution accounts for approximately 20% of Canada's sex trade. It is the most visible form of prostitution and causes the majority of complaints from the community; as a result, it is also the most heavily policed, which is also true in other Western countries.<sup>21</sup>

Both men and women work as street prostitutes, although the majority of such sex workers are women. Sexually exploited children and youth also work on the streets, both in Canada and abroad.<sup>22</sup> Areas in which prostitutes work the street are known as strolls. Strolls are generally referred to by street location or by the type of prostitutes who work that area, such as *Boystown*,<sup>23</sup> *Tranny Alley*<sup>24</sup> (or the *Tranny Stroll*)<sup>25</sup> and the *Kiddie Stroll*.<sup>26</sup> Potential

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<sup>20</sup> Michael Bloor, Alastair Leyland, Marina Barnard and Neil McKeganey, "Estimating hidden populations: A new method of calculating the prevalence of drug-injecting and non-injecting female street prostitution" (1991) 86 *British J. of Addiction*, at 1478; Scambler, *supra* note 9; Graham Scambler, Rita Peswani, Adrian Renton and Annette Scambler, "Women prostitutes in the AIDS era" (1990) 12 *Soc. of Health & Illness* at 267.

<sup>21</sup> See, Dan Gardner, "How cities 'license' off-street hookers" *The Ottawa Citizen* (16 June 2002); Scambler, *supra* note 9 at 1081. See especially, John Lowman, "Submission to the Subcommittee on Solicitation Laws of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness" (undated).

<sup>22</sup> See especially, Justice Canada. *Strolling Away* by Susan McIntyre. (Ottawa: Department of Justice (DOJ) Canada, 2002).

<sup>23</sup> *Boystown* or *boys town* is the name given to the area in major cities frequented by male prostitutes, not necessarily all of whom are under 18. See generally, John Lowman, "Violence and the outlaw status of (street) prostitution" (2000) 6 *Violence against Women* at 992; Jacqueline Lewis, Eleanor Maticka-Tyndale, Frances Shave and Heather Schramm, "Managing risk and safety on the job" (2005) 17 *J. of Psych. & Human Sexuality* at 155; Leonard Cler-Cunningham, in conjunction with Christine Christensen. (2001). *Violence against women in Vancouver's street level sex trade*. Prostitution Alternatives Counseling and Education Society (PACE) at 35.

For Toronto's Boystown, see, Michael Kealy, "Taken before their time: Three people whose dreams will never be realized" *XTRA!* (06 June 1996); Gareth Kirkby, "Prostitutes fear for safety" *Xtra West* (01 October 1998).

For Vancouver Boystown, see Tara Shortt, "Childhood lost" *Georgia Straight* (06 August 1998); Jeremy Hainsworth, "Back when the West End had sex worker strolls" *Xtra* (18 June 2009).

<sup>24</sup> *Tranny Alley* is a common name to the stroll frequented by male to female transgendered and transvestites.

<sup>25</sup> See, Philip Mascoll, Theresa Boyle and Peter Edwards, "Accused triple killer arrested in Halifax: Suspect in Metro prostitute slayings found outside hotel" *Toronto Sun* (02 June 1996); Hainsworth, *supra* note 23; Lewis, *et al.*, *supra* note 23 at 155.

<sup>26</sup> Cler-Cunningham, *supra* note 23 at 35.

clients of street prostitutes can, in some cities, turn to the Internet to find the unofficial red-light districts and reviews of individual prostitutes.<sup>27</sup>

Street prostitutes are the most vulnerable of sex workers for sexual<sup>28</sup> and physical violence<sup>29</sup> and illness.<sup>30</sup> They are much more likely to be drug dependent than other sex workers.<sup>31</sup> “In general, they tend to be a more ‘desperate’ population than those in other types of prostitution. Many are terribly poor, usually with dependents, or drug addicted, or both.”<sup>32</sup> Street prostitutes, at the bottom of the hierarchy of sex workers, are often members of a visible minority community.<sup>33</sup> Several Canadian studies have shown that Aboriginal sex workers are over-represented as street prostitutes, few of whom ever work in indoor venues

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<sup>27</sup> One sex worker sued for libel and defamation for postings made on such a board, resulting from a contract dispute unrelated to sex work. According to the Sex Professionals of Canada (SPOC) website, the sex worker, her suit and the defendant, named as Mark C. Robins, has apologized. Robins’ website is also listed. See, “On-street” *Brassers*. See also, “Undesirable Clients” *Sex Professionals of Canada*.

<sup>28</sup> See, Marie A. Barnard, “Violence and vulnerability: Conditions of work for streetwalking prostitutes” (1993) 15 *Soc. of Health & Illness* at 687; Nancy Romero-Daza, Margaret Weeks and Merrill Singer, “‘Nobody gives a damn if I live or die’: Violence, drugs, and street-level prostitution in inner-city Hartford, Connecticut” (2003) 22 *Med. Anth.* at 247; Benoit and Millar, *supra* note 11 at 51; Weiner, *supra* note 12 at 100; Hilary L. Surratt, James A. Inciardi, Steven P. Kurtz and Marion C. Kiley, “Sex work and drug use in a subculture of violence” (2004) 50 *Crime & Delinquency*, 43; Ann Cotton, Melissa Farley and Robert Baron, “Attitudes toward prostitution and acceptance of rape myths” (2002) 32 *J. of Applied Social Psych.*, 1790.

<sup>29</sup> See, Barnard, *supra* note 28 at 684; Romero-Daza, *et al.*, *supra* note 28 at 248; John R. Belcher and Steven Herr, “Development of grounded theory: Moving towards a theory of the pathways into street prostitution among low-income women” (2005) 16 *J. of Add. Nursing* at 118; Scott A. Anderson, “Prostitution and sexual autonomy: Making sense of the prohibition of prostitution” (2002) 112 *Ethics* at 749; Benoit and Millar, *supra* note 11; Sarah E. Romans, Kathleen Potter, Judy Martin and Peter Herbison, “The mental and physical health of female sex workers: A comparative study” (2001) 35 *Australian and New Zealand J. of Psych.*, 75; Surratt, *et al.*, *supra* note 28.

<sup>30</sup> Anita Raj, Debbie M. Cheng, Rachel Levison, Seville Meli and Jeffrey H. Samet, “Sex trade, sexual risk, and nondisclosure of HIV serostatus: Findings from HIV-infected persons with a history of alcohol problems” (2006) 10 *AIDS and Behavior*, 147.

<sup>31</sup> Lenore Kuo. *Prostitution policy: Revolutionizing practice through a gendered perspective*. (New York: New York University Press, 2002) at 76. See also, Douglas Victor Janoff. *Pink Blood: Homophobic violence in Canada*. (Toronto: University of Toronto Press, 2005) at 86; Surratt, *et al.*, *supra* note 28; Scambler, *supra* note 9.

<sup>32</sup> Kuo, *supra* note 31 at 76.

<sup>33</sup> *Ibid.*; Razack, *supra* note 2 at 339.

as escorts or exotic dancers.<sup>34</sup> This has been found to be the case in the U.S. with women of colour.<sup>35</sup>

Street prostitutes may be self-employed, work for a pimp or for an organized criminal gang. A study of prostitutes in the lower mainland of B.C. found that over 80% of street prostitutes and 70% of off-street prostitutes did not have pimps.<sup>36</sup> Despite the higher dangers involved in street prostitution, street prostitutes have more control over their working hours, sexual activities performed and clientele, as well as retain more of their income, than do prostitutes working in massage parlours, escort agencies or brothels due to the fees taken by management and pimps.<sup>37</sup>

The cost of sexual services from a street prostitute is generally low in comparison to other types of sex workers, from one-half to one-tenth the cost of the indoor commercial sex trade.<sup>38</sup> Street prostitution is a “no frills” type of sexual encounter, often performed in alleys, cars, parks, parking lots and parkades, but not necessarily outdoors. Street prostitutes may bring clients to their own residence, the home of clients, hotels, single-room occupancy (SRO) hotels or other indoor locations once contact has been made on the street.<sup>39</sup> Rented hotel rooms, flop houses, squats and SROs are referred to as trick pads.<sup>40</sup> Desk clerks at SROs or hotels may require a payment to allow the woman to use the room as a trick pad. Their presence can also offer some protection from clients as all involved know that the

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<sup>34</sup> See, Benoit and Millar, *supra* note 11 at 18. See also, Cler-Cunningham, *supra* note 23 at 30; Cherry Kingsley and Melanie Mark. (2001). *Sacred Lives: National Aboriginal Consultation Project* at 37.

<sup>35</sup> Stéphanie Wahab, “Tricks of the trade” (2004) 3 Qualitative Social Work at 152.

<sup>36</sup> Cler-Cunningham, *supra* note 23 at 33.

<sup>37</sup> Benoit and Millar, *supra* note 11 at 45-47.

<sup>38</sup> “‘John’ speaks out on john school” *The West Ender* (19 March 1998).

<sup>39</sup> Celia Williamson and Terry Cluse-Tolar, “Pimp-controlled prostitution: Still an integral part of street life” (2002) 8 *Violence against Women*, at 1074.

<sup>40</sup> Justice Canada. *Victimization of Prostitutes in Calgary and Winnipeg* by Augustine Brannigan. (Ottawa: Department of Justice Canada, 1994) at 4.

room is being used for this purpose.<sup>41</sup> Prostitutes may also work out of bars or hotels on occasion.<sup>42</sup> Door knock or hotel prostitution is a form of street prostitution where individual men are approached entering, exiting, or in hotel rooms or boarding houses.<sup>43</sup> Hitchhiking is also used as a way to attract clientele and as a defence against police or community scrutiny.<sup>44</sup> In both hitchhiking and street prostitution, women get into cars with strangers after only seconds of contact. As discussed further in Chapter Five, this leaves women extremely vulnerable to assault, robbery, abduction, and homicide.

There is a hierarchy in Western countries among prostitutes, with street prostitutes operating on the lowest rung.<sup>45</sup> In Canada, there is also a second tiered hierarchy among street prostitution, known as the low track and the high track.<sup>46</sup> Street prostitutes on the low track are more likely to work in remote, industrial or dangerous areas of cities. Few prostitutes working on the low track have pimps as there is less money to be made from prostitutes with severe drug addictions. Addicted prostitutes often have very obvious skin infections, “track marks” from injection drug use, loose and missing teeth; they cannot

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<sup>41</sup> See, Elizabeth Hudson. *Snow Bodies: One woman's life on the streets*. (Edmonton: NeWest Press, 2004).

<sup>42</sup> See, Benoit and Millar, *supra* note 11 at 4; Dan Gardner, “The hidden world of hookers (Part 1 & 2)” *Ottawa Citizen* (08 June 2002).

<sup>43</sup> Harcourt and Donovan, *supra* note 14 at 202. See e.g., Benoit and Millar, *supra* note 11 at 66; “Woman offers sex for sale door-to-door” *The West Ender* (12 March 1998).

<sup>44</sup> It is sometimes referred to as “hitchhooking.”

<sup>45</sup> See, Scambler, *supra* note 9 at 1080; Romero-Daza, *et al.*, *supra* note 28 at 237; Weiner, *supra* note 12 at 98; Lewis, *et al.*, *supra* note 23 at 149; Hilary L. Surratt, Steven P. Kurtz, Jason C. Weaver and James A. Inciardi, “The connections of mental health problems, violent life experiences, and the social milieu of the ‘stroll’ with the HIV risk behaviors of female street sex workers” (2005) 17 *J. of Psych. & Human Sexuality* at 25.

<sup>46</sup> See, Trevor Greene. *Bad date: The lost girls of Vancouver's low track*, (Toronto: ECW Press, 2001); Gardner, *supra* note 42; Razack, *supra* note 2 at 340; Cecilia Benoit and Frances M. Shaver, “Critical issues and new directions in sex work research” (2006) 43 *Cdn. Review of Soc. and Anth.* at 245; Lowman, *supra* note 23 at 992; Renata D’Aliesio, “Rashmi’s choice: life or the street” *The Edmonton Journal* (17 June 2005); Justice Canada, *supra* note 40 at 5.



charge as much as more attractive, healthy-looking women. Additionally, money earned is often spent immediately on drugs. Essentially, drugs are the pimp.<sup>47</sup>

The stereotype of prostitution is that of a drug abusing streetwalker, despite the fact that most prostitution does not occur on the streets. It is true, however, that street prostitutes are far more likely to have serious addiction issues than indoor sex workers. Addiction impacts the cost of sexual services on the street, as addicted prostitutes often charge only enough to be able to buy their next hit (dose of drugs).<sup>48</sup> Additionally, addicted prostitutes may not exercise the same caution as those without because “caution is a luxury they simply can’t afford when they’re feeding an addiction and focused on attracting clients to satisfy it.”<sup>49</sup> The link between intravenous drug use and street prostitution is found in many Western countries, regardless of the legality of prostitution.<sup>50</sup>

## ii. Brothels or Bawdy-Houses

Brothels are referred to as *bawdy-houses* under Canadian law. A bawdy-house is colloquially known as a *bordello*, *cat-house*, *whore-house* or *house of ill repute/fame*. These are distinct from clubs or exotic dance bars, which provide adult entertainment but not explicit sexual services. There are no legal bawdy-houses in Canada. A personal residence,<sup>51</sup> gang house, abandoned building, or the back of a legitimate business such as a hair salon, may be used as a bawdy-house, as well as more obvious locations such as massage

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<sup>47</sup> Lowman, *supra* note 23 at 994; Williamson and Cluse-Tolar, *supra* note 39 at 1081.

<sup>48</sup> Cler-Cunningham, *supra* note 23 at 33.

<sup>49</sup> Mike McIntyre, “Fear of death all in a night’s work: Reporters McIntyre, Giroday spend night in Winnipeg’s ‘low-track’” *Winnipeg Free Press* (08 September).

<sup>50</sup> See, Barnard, *supra* note 28 at 687; Romero-Daza, *et al.*, *supra* note 28 at 236; Weiner, *supra* note 12 at 97-8; Bloor, *et al.* *supra* note 20 at 120; Scambler, *supra* note 9 at 1081.

<sup>51</sup> See e.g., “Child sex ring uncovered in Winnipeg, police allege” *CBC News* (02 November 2005).

parlours.<sup>52</sup> In addition, street prostitutes may bring clients to a location (trick pad), such as a house, rooming house, hotel or SRO hotel; such a location could be deemed a bawdy-house by the courts even if the communication for prostitution occurs on the street.

Many North Americans are familiar with the idea of brothels from popular culture. The movie *Best Little Whorehouse in Texas*, a musical starring Dolly Parton and Burt Reynolds, is centred on the Chicken Ranch, an infamous brothel in La Grange, Texas. More recently, the HBO series *Cathouse*, featuring the Moonlight Bunny Ranch, is a reality show set in a Nevada brothel.<sup>53</sup> In some jurisdictions, such as Nevada, brothels are licensed by authorities and prostitutes may also be subject to health inspections.<sup>54</sup>

Even illegal brothels offer sex workers more security than street prostitution. Both legal and illegal brothels can be run by organized crime or traffickers which put prostitutes at risk from their “employers” as well as clients. Lenore Kou’s 2002 study of Nevada brothels found that prostitutes had few concerns about violence from clients, but assault and sexual abuse by staff and management were common.<sup>55</sup>

Staff and management are also responsible for economic exploitation of prostitutes at both illegal and legal brothels.<sup>56</sup> Prostitutes are often charged for expenses such as laundry,

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<sup>52</sup> See e.g., “Prostitution” *Child Exploitation*. See also, Leanne Yohemas-Hayes and John Chilibeck, “Out of the shadows: child prostitutes speak out” *Capital News Online*.

<sup>53</sup> See, “The world famous historic Chicken Ranch” *The Chicken Ranch; Best Little Whorehouse in Texas*, 1982, DVD, (Beverly Hills, Calif.: Universal Studios, 2003); “Cathouse” HBO; “Moonlight Bunny Ranch” *Moonlight Bunny Ranch*.

<sup>54</sup> There are no legal brothels in Nevada with male prostitutes to service male clients. In 2005, Heidi Fleiss (the infamous “Hollywood Madam”) announced she planned to open the first brothel with male prostitutes to service female clients in 2009, to be called the Stud Farm. In 2009, Fleiss announced that she had abandoned the plans for brothel, See, “The Stud Farm” *Heidi Fleiss*; “Heidi Fleiss gives up on plan for brothel for women” *Las Vegas Review Journal* (10 February 2009).

<sup>55</sup> Kuo, *supra* note 31 at 84.

<sup>56</sup> The same is true for most indoor sex markets, including massage/body rub parlours, strip clubs and hotels. The risk of violence is reduced but the risk of economic exploitation is much higher than on the street, with the exception of women working for pimps. See, Teela Sanders and Rosie Campbell, “Designing out vulnerability, building in respect: Violence, safety and sex work policy” (2007) 58 *The Brit. J. of Sociology* at 3.

medical exams, rent, administration and late fees, in addition to the percentage of the fee per service paid by the client and required “tips” to staff.<sup>57</sup>

The types of services provided and cost per service may be set by the owners.<sup>58</sup> Alternatively, prostitutes may work as “independent contractors” who set their own prices and control what services they provide.<sup>59</sup> At both legal and illegal brothels, whether a prostitute can refuse a customer depends on the house rules. Management may have rules on safe sex practices beyond condom use, which may include prohibiting some services. For additional fees, however, even condom use may be waived.<sup>60</sup>

On February 5, 2008, the West Coast Cooperative of Sex Industry Professionals (WCCSIP) filed incorporation papers for the first cooperative brothel, as well as non-sex work businesses for alternative work options for exiting sex workers.<sup>61</sup> WCCSIP acknowledged the controversial nature of the project, and it has not progressed beyond the planning stage, to date. However, they are working on other projects aimed at exiting sex workers and improving the safety of sex workers.<sup>62</sup>

### iii. Escorts

In Canada, approximately 80% of the sex trade business is conducted through escort services, independent escorts and within massage parlours.<sup>63</sup> Escort services are a form of prostitution that can involve independent prostitutes advertising via the Internet or

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<sup>57</sup> See, Teela Sanders and Rosie Campbell, “What’s criminal about female indoor sex work?” in K. Williams, *et al*, eds., *Sex as Crime* (Devon: Willan, 2007); Kuo, *supra* note 31 at 78-9, 83, Elizabeth Bernstein, “Sex work for the middle classes” (2007) 10 *Sexualities* at 478; Benoit and Millar, *supra* note 11 at 43.

<sup>58</sup> Teela Sanders. *Sex work: A risky business*, (Devon: Willan, 2004) at 13.

<sup>59</sup> “FAQ” *Moonlight Bunny Ranch*.

<sup>60</sup> Kuo, *supra* note 31 at 84.

<sup>61</sup> Trina Ricketts (a.k.a. Annie Temble), “Canada’s first sex worker cooperative: Working towards a safer industry” *\$pread* (2008) Volume 4, Issue 1 at 42.

<sup>62</sup> “Current Projects” *West Coast Cooperative of Sex Industry Professionals*.

<sup>63</sup> See e.g., Dan Gardner “Courting death (Part 2)” *Ottawa Citizen* (15 June 2002).

newspapers, or women working through an agency.<sup>64</sup> Escort services are a legal business in Canada. Individual or company escorts advertise companionship or dating services but are known to be fronts for prostitution.<sup>65</sup> Escort companies are generally licensed by municipal governments.<sup>66</sup> The percentage taken by an escort service agency ranges from an average of 22% in one British Columbia study,<sup>67</sup> to 33% in a London study,<sup>68</sup> to claims of 50% by other escorts.<sup>69</sup> The costs of escorts vary, but are generally considerably higher than those of street prostitutes, as well as offering specialities such as couples, the “Girl Friend Experience” (GFE), sado-masochism (S&M), domination, or role-playing.<sup>70</sup>

During an in-call, the client meets the escort at her residence or other place of work. At an out-call, the escort goes to a pre-arranged location such as the client’s home or hotel.<sup>71</sup> Escorts who offer in-calls generally operate their home-based enterprise independently.<sup>72</sup> In major cities in the U.K., a variation is flat prostitution in which an apartment is rented by two or more prostitutes for work purposes, but it is not used as a residence. Flat prostitution is also known in the U.K. as being a working premise or private prostitution.<sup>73</sup> In the Netherlands, such an operation is referred to as a co-operative brothel regardless of how many prostitutes work from this location.<sup>74</sup> This also occurs in Canada and the U.S. but does not have a specific title as in the U.K. and the Netherlands.

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<sup>64</sup> Kevin Wilson, “Sun screws hookers and takes their cash” *NOW Magazine* (08 April 1999).

<sup>65</sup> Harold Levy, “Agency owner denies prostitution” *Toronto Star* (20 October 1999).

<sup>66</sup> See, “Charges laid in bawdy house probe” *The Mississauga News* (7 August 2008); Gardner, *supra* note 21.

<sup>67</sup> Benoit and Millar, *supra* note 11 at 43.

<sup>68</sup> Scambler, *supra* note 9 at 1080. See also, “Lien Pham – 2003 Toronto ON” *Unsolved Murders / Missing People Canada*.

<sup>69</sup> Benoit and Millar, *supra* note 11 at 44.

<sup>70</sup> S&M and role-playing are also services that may be found at brothels or in the home of individual prostitutes.

<sup>71</sup> “Be a good date” *Sex Professionals of Canada*; “Unsolved Murders / Missing People Canada” *Unsolved Murders / Missing People Canada*.

<sup>72</sup> Sanders, *supra* note 76 at 18.

<sup>73</sup> *Ibid.* at 17.

<sup>74</sup> Kuo, *supra* note 31 at 93-4.

Colloquially, escorts are called *call girls*, *high-class call girls* or *high-class hookers*. Both men and women work as escorts, with the vast majority being women. Youth are also sexually exploited through escort services.<sup>75</sup> Hollywood movies are cultural representations of the sex industry, but are rarely realistic. *Risky Business* and *Leaving Las Vegas* featured escorts, although the prostitute in the latter film also worked in street prostitution.<sup>76</sup> Other movies such as *American Gigolo* and *The Wedding Date* suggest that female clients are not uncommon despite the relatively low number of male prostitutes for female clients.<sup>77</sup> Increasingly, however, heterosexual couples are employing the services of escorts for three-way sexual encounters.<sup>78</sup> This has become a speciality niche.<sup>79</sup> Many Internet advertisements indicate if an escort will accept couples as clients.<sup>80</sup>

The Internet has made finding escorts much easier. Agencies and individual escorts set up their own websites or advertise on free Internet sites such as backpage, kijiji or Craigslist.<sup>81</sup> Some Canadian cities have websites with links to the prostitutes' home pages. Clients can rate their experience with escorts; escorts can reply or challenge bad reviews. Discussion boards allow past clients to discuss their prostitution experiences with individual

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<sup>75</sup> See e.g., Gardner, *supra* note 21.

<sup>76</sup> *Risky Business*, 1983, DVD, (Beverly Hills, Calif.: Warner Home Video, 1999); *American Gigolo*, 1980, DVD, (Beverly Hills, Calif.: Paramount, 2000); *The Wedding Date*, 2005, DVD, (Beverly Hills, Calif.: Universal Studios, 2007).

<sup>77</sup> See, "Erotic Services" *Craigslist*.

<sup>78</sup> For an example of a couple calling an escort, which resulted in assault, arson and injury, see Chapter Five.

<sup>79</sup> For an account of a couple buying sexual services at a Nevada brothel, see, Veronica Monét, "No Girls Allowed at the Mustang Ranch" in Jill Nagle, *Whores and other feminists* (New York: Routledge, 1997).

<sup>80</sup> See e.g., an Ottawa escort advertising on backpage in September 2013, as well as her own website: "Lovely Nathalie" (<http://lovely-nathalie.com>).

<sup>81</sup> Craigslist stopped advertising erotic services in Canada in late 2010, after pressure from federal and four provincial attorneys general and ministers of justice. Craigslist also stopped advertising erotic services in the U.S. in 2010. See, "Prostitution ads remain on Craigslist" *CBC News* (20 December 2010); "Craigslist pulls prostitution ads in Canada" *CBC News* (18 December 2010); "Ont. peeved Craigslist sex ads still online" *CBC News* (11 November 2010); "Craigslist erotic ads must go: Canada" *CBC News* (04 November 2010); "Alberta demands ban on Craigslist erotic ads" *CBC News* (23 October 2010); "Sask. joins call to curb Craigslist sex ads" *CBC News* (18 October 2010); Lisa Kelly and Heidi Matthews, "Sex, sin and Craigslist" *The Globe and Mail* (30 December 2010); Ed Pilkington, "Craigslist removes sex ads after campaign by anti-prostitution lobby" *The Guardian* (05 September 2010).

escorts. Clients can also discuss their desires, pet peeves, and other issues with each other. Potential clients can “flirt” with escorts, who advertise, post photos and offer “specials” in the Internet forums.<sup>82</sup> Clients refer to themselves as *hobbyists* and to engaging the services of escorts as *hobbying*.<sup>83</sup>

Free and inexpensive on-line classified services offer a cost-effective venue to escorts for offering sexual services.<sup>84</sup> There are generally separate links for erotic services and for personal ads. Advertisements for erotic services are generally explicit commercial sexual services, including photographs, general descriptions of activities, and prices. Some advertisements provide less explicit descriptions, such as offering exotic dancing, private lap dances or erotic massage.<sup>85</sup> Job postings for escorts are also available, which make clear that sexual services are part of the job.<sup>86</sup>

Increasingly, however, law enforcement uses the Internet as a tool to locate bawdy-houses,<sup>87</sup> to lay prostitution charges, and to locate trafficked women and children.<sup>88</sup> In the

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<sup>82</sup> See, Teela Sanders. *Paying for Pleasure: Men Who Buy Sex*, (Devon: Willan, 2007) at 63; Bernstein, *supra* note 57 at 480. See also, “Field Reports” *PunterNet*; “Escort reviews” *Escort Ireland*; “Escort agencies” *Brassers*; “Pacific escort review board” *Pacific Escort Review Board*.

<sup>83</sup> “A history of the Toronto escort scene 1982-2000: (A client’s point of view)” by Oagre, *Sexwork Cyber Resource Centre*. See also the client reviews on an escort website which refer to themselves as hobbyists at “Lovely Nathalie,” *supra* note 80.

<sup>84</sup> In both Canada and the U.S., the website backpage has become the biggest venue for escort service advertisement. Unlike kijiji and Craigslist, backpage charges for advertising. See, “Free classified ads” *kijiji Canada*; “Craigslist” *Craigslist*; *Selling the Girl Next Door*, (20 February 2011), Documentary.

<sup>85</sup> James Bone, “‘Craigslist Killer’ suspect innocent, fiancée says” *Ottawa Citizen* (22 April 2009), A10.

<sup>86</sup> See e.g., “Abracadabra\_Escorts hiring more... Very busy!!! - w4m - 20 (Ottawa - Gatineau)” *Craigslist Ottawa* (15 May 2009); “New Ottawa agency now hiring ladies for companionship” *backpage Ottawa* (27 March 2011).

<sup>87</sup> “Charges laid in...,” *supra* note 66.

<sup>88</sup> For an example of teenage girls being sexually exploited on Craigslist in B.C., see: “North Vancouver high school girls forced to see sex-online: RCMP” *CBC News* (29 June 2009).

U.S. there has been a push by law enforcement to monitor and change policies around on-line adult personal ads to ensure prostitution is not being promoted.<sup>89</sup>

#### **iv. Bell Desk, Hotel and Bar Prostitution**

In large cities or resort areas, hotel bell captains or bartenders will refer patrons to specific prostitutes (known as *bell girls*), typically in exchange for 40% of the fee.<sup>90</sup> The prostitute maintains favour with the bell captain or bartender through generous tips or free sexual services. This type of prostitution is safer, both for the prostitute and the client, than street prostitution.<sup>91</sup> However, hotel owners and staff risk being charged for living off the avails of prostitution, or even trafficking charges, for allowing prostitution to occur on the premises.<sup>92</sup>

In less populous centres, hotel workers, door operators, bell hops or concierges may refer patrons to areas of the city to find a prostitute or “companionship” without expectation of recompense from the prostitute. Clients may tip, however, for the information and discretion. Cab drivers are also asked where to locate street prostitutes, strip clubs and (legal or illegal) brothels, often receiving a tip from the prospective client and/or the owner of the establishment.<sup>93</sup>

Prostitutes may also find clients in drinking establishments, such as bars, pubs and nightclubs.<sup>94</sup> The sexual act may take place on the premises (in the bathroom, back room, etc.) or in another location. Bartenders may refer bar patrons to prostitutes, or telephone

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<sup>89</sup> “U.S. sheriff trying to force Craigslist to block sex-for-money listings” *Ottawa Citizen* (06 March 2009), A9.

<sup>90</sup> Kuo, *supra* note 31 at 76.

<sup>91</sup> *Ibid.*; Gardner, *supra* note 63.

<sup>92</sup> David Carrigg with Lena Sin, “Vancouver the proposed ‘testing ground’ for co-op brothel” *The Province* (23 September 2007); Dan Gardner, “Courting death (Part 1)” *The Ottawa Citizen* (15 June 2002).

<sup>93</sup> Melissa Farley, “Prostitution, trafficking, and cultural amnesia: What we must *not know* in order to keep the business of sexual exploitation running smoothly” (2006) *Yale J. Law & Feminism* at 110.

<sup>94</sup> See the quote from exited sex worker in Victoria, B.C., in Benoit and Millar, *supra* note 11 at 4; Gardner, *supra* note 91.

prostitutes for patrons who inquire. Prostitutes may also work on the street or work primarily out of bars.<sup>95</sup> In addition to posting Internet classified advertisements on local sites, out of town prostitutes will also hand out or leave business cards in bars.<sup>96</sup>

#### **v. Transport Prostitution**

Transport prostitution, found worldwide, includes prostitution centered around ports, shipyards, truck stops, bus and train stations. Prostitutes may independently arrive or be brought to the transport location to either service the crew or passengers, or to find clients. Unique to North America, prostitutes (called “lot lizards”) use CB radios to advertise their availability to truck drivers.<sup>97</sup> Clients are serviced at truck stops or parking areas in clients’ trucks.<sup>98</sup>

#### **vi. Exotic Dancing Clubs**

There are vastly more exotic dancing establishments (also known as strip clubs) for male clients, both heterosexual and homosexual, than for females. Both women and men work in exotic dancing and sex clubs. Exotic dancing is a sex trade business, even if sexual acts are not sold. As such, exotic dancers are generally called sex workers, whether or not they engage in prostitution.<sup>99</sup>

Clubs are typically licensed by municipal governments and may be subject to fees and zoning bylaws specific to sex-trade and adult entertainment businesses.<sup>100</sup> Individual dancers may be required to be licensed by the municipality. Recent prostitution convictions

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<sup>95</sup> See e.g., Benoit and Millar, *supra* note 11 at 66.

<sup>96</sup> “deadmonton 2006 – theresa merrie innes” *Last Link on the Left*.

<sup>97</sup> “Truck stop prostitution” *TurnTo23* (30 March 2009); “Truck stop prostitution part #2” *TurnTo23* (31 March 2009).

<sup>98</sup> Harcourt and Donovan, *supra* note 14 at 202.

<sup>99</sup> Pivot. (2006). *Beyond decriminalization: Sex-work, human rights and a new framework for law reform*; “Why people choose sex work” *CIHS Toolkit: Community*.

<sup>100</sup> Chelse McKee, “Did Winnipeg give the green light to the red light district?” 95 *The Manitoban* (12 September 2007); Gardner, *supra* note 21.



can prevent someone from being able to obtain or renew a licence.<sup>101</sup> Generally, dancers must be 18 to dance legally within clubs, but youths younger than 18 have been found working in exotic dancing establishments in Western countries, despite laws to the contrary.<sup>102</sup>

Although prostitution may occur within exotic dancing clubs, this is not universally true. Some clubs expressly prohibit and monitor for illegal activity, including drug trafficking and prostitution.<sup>103</sup> Where prostitution does exist, it is generally with management's knowledge, consent or instruction. Management may charge a fee to allow prostitutes into the bar, knowing that they are soliciting for clientele.<sup>104</sup>

Exploitation of exotic dancers is common. Classified by club owners as independent contractors, most dancers must pay fees to work in clubs. Dancers can also be denied access to shifts at the whim of management. It is routine that dancers are charged fines for anything from wearing the wrong costume, being late, or parking in the wrong place. Income, after paying the shift fee to the club, is made from tips, payment for lap dances or through sexual services.<sup>105</sup> The fees imposed by the clubs compel dancers to charge lower rates for sexual services in order to attract more clients. Fees, fines and penalties charged to dancers were

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<sup>101</sup> Lewis, *et al.*, *supra* note 23 at 156.

<sup>102</sup> See, Pivot. (2004). *Voices for dignity: A call to end the harms caused by Canada's sex trade laws*, at Affidavit 58. This individual began prostituting at age 14 from within an exotic dancing club.

<sup>103</sup> See e.g., Benoit and Millar, *supra* note 11 at 49. See generally, Romero-Daza, *et al.*, *supra* note 28 at 241. See also "Strip club owners face bawdy house charges" *The Hamilton Spectator* (07 November 2007); "Off-street" *Brassers*.

<sup>104</sup> Gardner, *supra* note 43.

<sup>105</sup> See, Suzanne Bouclin. "Exploited employees or exploited entrepreneurial agents? A look at erotic dancers" (2004) 23: 3/4 Cdn. Woman Studies at 132. See generally, Chris Bruckert. *Taking it off, putting it on: Women in the strip trade*, (Toronto: Women's Press, 2002) at 78. See also, Lewis, *et al.*, *supra* note 23 at 149. Kamala Kempadoo. "The exotic dancers alliance: An interview with Dawn Passar and Johanna Breyer" in Kamala Kempadoo and Jo Doezema, (eds.), *Global sex workers: Rights, resistance, and redefinition*. (New York: Routledge, 1998).

cited by an advocacy group in San Francisco as being the reason dancers engaged in prostitution at clubs. To be competitive, fees are now lower than in the past.<sup>106</sup>

In Western countries in the 1990s, exotic dancing clubs increasingly began to offer lap-dancing.<sup>107</sup> Lap dances are conducted in either private rooms or curtained off areas known as V.I.P or champagne rooms, or within the club in view of other patrons and staff.<sup>108</sup> Lap dancing has blurred the lines between dancing and prostitution.<sup>109</sup> Municipal bylaws prohibiting or regulating lap dancing are commonplace.<sup>110</sup>

In 1991, undercover police officers charged the owner and managers of a Toronto exotic dance club under s. 167(1) of the *Criminal Code*, which prohibits indecent theatre performances. Lap dancers at the Toronto club were described by Justice Hachborn in the 1994 case, *R. v. Mara*:

The conduct of each dancer with the customer is clearly detailed in the evidence, and includes; (a) being nude except for wearing an open shirt or blouse, (b) fondling her own breasts, buttocks, thighs and genitals while close to the customer, (c) sitting on a customer's lap and grinding her bare buttocks into his lap, (d) sitting on a customer's lap, reaching into his crotch and apparently masturbating the customer, (e) permitting the customer to touch and fondle her breasts, buttocks, thighs and genitals, (f) permitting the customer to kiss, lick and suck their breasts, (g) permitting what appeared to be cunnilingus.<sup>111</sup>

Citing two cases from 1993 involving pornographic videos<sup>112</sup> and a sex club act,<sup>113</sup>

Hachborn J. ruled that lap dancing was not an indecent act.<sup>114</sup> This was overturned by the

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<sup>106</sup> Ann Harrison, "San Francisco sex workers demand legal protection" *Agence France Presse* (21 December 2003).

<sup>107</sup> Jenn Clamen, "Sex in the city" *The Guardian* (09 July 2002).

<sup>108</sup> Katherine Frank, "Exploring the motivations and fantasies of strip club customers in relation to legal regulations" (2005) 34 *Archives of Sexual Behavior* at 493.

<sup>109</sup> Bouclin, *supra* note 105 at 132.

<sup>110</sup> *Ontario Adult Entertainment Bar Assn. v. Metropolitan Toronto (Municipality)* [1997] O.J. No. 3772; *Ontario Adult Entertainment Bar Assn. v. Metropolitan Toronto (Municipality)* [1995] O.J. No. 3219.

<sup>111</sup> *R. v. Mara* [1994] O.J. No. 264 at 3.

<sup>112</sup> *R. v. Hawkins, Jorgensen, Ronish and Ronish, and Smeenck* [1993] 15 O.R. (3d) 549.

Ontario Appeals Court in 1996.<sup>115</sup> The next year the SCC upheld the appellate court's decision that lap dancing constituted an indecent theatre performance. The Court also found that "the physical contact between patron and dancer and the public nature of the activity are the central points distinguishing this case from *Tremblay* and *Hawkins*"<sup>116</sup> which Hachborn J. had relied upon. For a short time after the ruling, police raids on exotic dancing establishments followed.<sup>117</sup> However, lap dancing continues to be widespread, despite the ruling and continued prohibitions by municipal bylaws, so long it does not take place in view of other patrons.<sup>118</sup>

### **vii. Massage / Body Rub Parlours**

As with escort services, massage parlours are fronts for prostitution that are licensed by cities and generally subject to fees and zoning bylaws specific to sex trade and adult entertainment businesses. In North America, such establishments are often defined in municipal laws as body rub parlours but known colloquially as rub and tugs.<sup>119</sup> These massage parlours rarely have spa services other than "erotic" massage, which is a precursor to further sexual activity aimed at relaxing clients. In the U.K., this type of prostitution is

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<sup>113</sup> *R. v. Tremblay* [1993] 2 S.C.R. 932.

<sup>114</sup> *R. v. Mara*, *supra* note 111. See also, Dale Brazao, "Lap dancing ban hailed as 'victory for women'" *Toronto Star* (10 February 1996).

<sup>115</sup> *R. v. Mara* [1996] O.J. No. 364. See also, Kirk Makin, "Lap dancing rule illegal in Ontario" *The Globe and Mail* (10 February 1996); Bill Desmond and Peter Edwards, "Lap dancing indecent, high court rules" *Toronto Star* (13 March 1997).

<sup>116</sup> *R. v. Mara* [1997] S.C.J. No. 29. See also, Desmond and Edwards, *supra* note 115; "Lapdancing outlawed by Canada's highest court" *Vancouver Sun* (13 March 1997); Kirk Makin, "Lap dancing an indecent act, top court rules" *The Globe and Mail* (13 March 1997).

<sup>117</sup> Timothy Appleby and Sara Jean Green, "Arrests total 115 in prostitution-related raids" *The Globe and Mail* (12 September 1998); Pat Conroy, "Dozens arrested in raids on strip bars" *Toronto Star* (11 September 1998).

<sup>118</sup> Michael Hanlon, "Lap dancing still hot issue" *Toronto Star* (10 August 1998).

<sup>119</sup> See, Gardner, *supra* note 21.

known as a *licensed sauna* or *sauna* and may in fact have limited spa services, as well as sexual services, available for purchase.<sup>120</sup>

For those who are unaware, a typical sauna or brothel can be characterized by televisions showing hard-core pornography, pornographic magazines, sex toys, domination equipment, a menu of sexual services on offer, an explicit photographic gallery of the women who are available and other sex paraphernalia. This environment can be distasteful at best but is often violently shocking and disturbing.<sup>121</sup>

North American and U.K. parlours are generally located in commercial areas such as strip malls. Massage parlours are essentially brothels that are municipally licensed and not used as a residence.<sup>122</sup> The imposition of fines and fees, sexual and physical assault by management and staff, and loose rules for health and safety of sex workers are common. Whether a massage worker can refuse a client, decide on which services are offered and the fees charged, is dependent upon the “house rules” and management. So, too, is the acceptability of drug and alcohol use on the premises or while working.<sup>123</sup>

As with other indoor prostitution venues, enforcement of the bylaws and prostitution charges is rare, unless there are complaints.<sup>124</sup> Bylaw inspections do occur, however, and can lead to requests for police investigations if there are suspicions raised, as in the case of *Vishva Juneja* in Calgary.<sup>125</sup> Bylaw officers can also levy fines for infractions such as for

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<sup>120</sup> Teela Sanders, “Becoming an ex-sex worker” (2007) 2 Fem. Crim., at 75. See also, Sanders, *supra* note 76 at 16.

<sup>121</sup> Teela Sanders, “Sexing up the subject: Methodological nuances in researching the female sex industry” (2006) 9 Sexualities at 457.

<sup>122</sup> *1515545 Ontario Ltd. v. Niagara Falls (City)* [2006] O.J. No. 70.

<sup>123</sup> Kuo, *supra* note 31 at 84; Scambler, *et al.*, *supra* note 20 at 263.

<sup>124</sup> Melissa Farley, “Prostitution harms women even if indoors: Reply to Weitzer” (2005) 11 Violence against Women at 955.

<sup>125</sup> See below, this chapter, for a discussion of the *Vishva* case.

massage parlour workers not wearing underwear or having “inappropriate attire” such as a skirt being “askew.”<sup>126</sup>

### **viii. Opportunistic Prostitution**

Opportunistic prostitution is often a spontaneous decision. Harcourt and Donovan describe it as “a person approached in a social venue may occasionally choose to charge for sexual favours if the client appears wealthy enough.”<sup>127</sup> The 1993 Hollywood movie *Indecent Proposal* featured such an arrangement.<sup>128</sup>

### **ix. Individual Arrangements**

Individual arrangements differ from opportunistic type of prostitution seen above. Neither party is likely to characterize the arrangement as prostitution. An example of this type of arrangement would be “sugar daddies” who “keep” women by paying their expenses. It would also include situations such as “the single mother who may have sex with her landlord in place of rent.”<sup>129</sup>

### **x. Prostitution during Confinement**

Women confined to institutional settings such as prisons or mental wards may barter sex with other inmates or staff in exchange for freedoms, treats, cigarettes, privileges or safety.<sup>130</sup> It must be noted that this type of situation is characterized by a power differential, and sex may not be voluntary, even if payment is provided.

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<sup>126</sup> “Massage gals rush to dress as cops charge in” *Canoe Canada* (21 December 2003).

<sup>127</sup> Harcourt and Donovan, *supra* note 14 at 203.

<sup>128</sup> *Indecent Proposal*, 1993, DVD, (Beverly Hills, Calif.: Paramount, 2002).

<sup>129</sup> Harcourt and Donovan, *supra* note 14 at 203.

<sup>130</sup> See, Pivot, *supra* note 102 at Affidavit 73.

**xi. Swingers or Sex Clubs**

As discussed below, the SCC has found that private swinger or sex clubs do not violate bawdy-house or public indecency laws due to the relatively private nature of the location.<sup>131</sup> The purpose of sex clubs is to allow sexually liberal people to meet and participate in consensual activities; prostitution is not generally expected to occur. However, there are often more men than women members. To avoid disappointed members, some clubs will quietly pay prostitutes to participate in the activities as if they are guests.<sup>132</sup>

**xii. “Sex for drugs”**

Drug addiction may be the reason that some people, both men and women, enter or remain in prostitution or perform other criminal activities. Addicted street prostitutes often turn tricks for the price of their next dose of drugs, below “market value.”<sup>133</sup> Prostitution as a way to earn money to pay for a drug addiction differs from those engaged in “sex for drugs” arrangements, as the latter may not be otherwise engaged in the sex trade. Addicts of all ages and genders may trade sex directly to drug dealers or to clients who pay only in drugs.<sup>134</sup>

**xiii. Survival Sex**

Some advocates argue that all prostitution is survival sex as this is how individuals earn money. Others postulate that low track street prostitution, fuelled by drug addiction, is

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<sup>131</sup> *R. v. Tremblay*, *supra* note 113.

<sup>132</sup> Harcourt and Donovan, *supra* note 14 at 203.

<sup>133</sup> Lois A. Jackson, Barbara Sowinski, Carolyn Bennett and Devota Ryan, “Female sex trade workers, condoms, and the public-private divide” (2005) 17 *J. of Psych. & Human Sex.* at 94.

<sup>134</sup> See, Belcher and Herr, *supra* note 29 at 119. See also Romero-Daza, *et al.*, *supra* note 28 at 239. See generally Weiner, *supra* note 12.

survival sex.<sup>135</sup> However, in this dissertation, this type of prostitution is distinguishable from other forms as it involves the direct exchange of sexual services for food, shelter or security, or for money to purchase food or other immediate needs. It is conducted intermittently, as the need arises.<sup>136</sup> Survival sex occurs when immediate economic circumstances leave a person little choice but to prostitute to survive. Survival sex may be carried out for the benefit of the individual or their dependants. This type of prostitution is conducted by both genders and all ages and typically involves those without shelter, such as the homeless in Western countries and refugees in developing countries.<sup>137</sup>

Sexually exploited as a youth herself, Cherry Kingsley writes about the “silent sex trade” which occurs in many Aboriginal communities.<sup>138</sup> “Survival sex is not the same as prostitution where sex workers clearly do exercise choice.”<sup>139</sup> Advocates for the poor often point out that women on social assistance may engage in prostitution for a few days at the end of the month to be able to provide food for their dependants.<sup>140</sup>

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<sup>135</sup> See e.g., Carolynne Burkholder, “‘Survival sex work’ in BC’s North” *The Tyee*. See also, Dan Gardner, “Do some women really choose to be prostitutes?” *The Ottawa Citizen* (9 June 2002). See generally, Pivot, *supra* note 3.

<sup>136</sup> Scambler, *supra* note 9 at 1083. See also, Belcher and Herr, *supra* note 29 at 117. See generally, Brahmani Houston, “Survival sex: Why many homeless youth barter sex for necessities” *The Portland Mercury*; Yohemas-Hayes and Chilibeck, *supra* note 52.

<sup>137</sup> Debra Kalmuss, “Nonvolitional sex and sexual health” (2004) 33 *Archives of Sex. Behavior* at 201.

<sup>138</sup> Patricia Brooks, “Trapped in the silent sex trade” *Halifax Chronicle Herald* (21 February 2000).

<sup>139</sup> Lowman, *supra* note 22 at 9.

<sup>140</sup> This was the case of Pamela George, a Saulteaux mother who was murdered in Regina in April, 1995. George was killed by two young white men, Steven Kummerfield and Alex Ternowetsky. George was said to resort to prostitution twice a month to provide for her two surviving children. (George lost a son at age two in a drowning accident.) See Chapter Two for further discussion of the Pamela George case. See, David Roberts, “Pair guilty in slaying of Regina prostitute” *The Globe and Mail* (21 December 1996). See especially, Sherene Razack, “Gendered racial violence and spatialized justice: The murder of Pamela George” (2000) 15 *Cdn. J. of Law and Society* at 91. See also, “Stolen Sisters” *Amnesty International Canada*; *R. v. Kummerfield* [1997] S.J. No. 149; *R. v. Kummerfield* [1998] S.J. No. 165.

**xiv. Other All-Male Venues**

Prostitution is found wherever an all-male or a mostly-male venue is set up for any period of time, such as in “barbershops, bathhouses, saunas, ... mining camps”<sup>141</sup> or military bases.<sup>142</sup> Sexual acts may be performed on site or in a separate location.

**xv. Sporting Events**

Large multi-day sporting events such as World Cups,<sup>143</sup> the Pan Am Games<sup>144</sup> or the Olympics Games<sup>145</sup> become draws for prostitutes, pimps and a variety of sex trade businesses.

**xvi. Pornography**

Pornography is still camera or video recording of nudity or sexual acts. Pornography is not generally considered a form of prostitution, hence its quasi-legal status in Western countries. However, as the sexual acts are negotiated and performed for compensation, it is, for the purposes of this dissertation, a form of prostitution. This approach is consistent with that of abolitionist feminists who recognize that “pornography is the documentation of

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<sup>141</sup> Harcourt and Donovan, *supra* note 14 at 202.

<sup>142</sup> See generally, Kuo, *supra* note 31 at 72. See also, Razack, *supra* note 140 at 353; Scambler, *et al.*, *supra* note 20 at 264; John Auville and Jason Bishop. *Interview with Dennis Hof and Summer Verona*. WJFK Radio Washington, D.C. 106.7 FM (8 February 2008).

<sup>143</sup> See below for discussion of World Cup soccer and prostitution in Germany. For information on the World Cup of rugby and prostitution, see: “Australia desperately seeking dominatrix as Rugby World Cup arrives” *Agence France Presse* (02 October 2003).

<sup>144</sup> “Winnipeg police expect prostitutes will try to cash in on Pan Am Games” *CBC News* (21 June 1999).

<sup>145</sup> For information on the 2004 Olympics in Greece and prostitution, see: “Athens and its prostitutes declare truce in brothel row” *Agence France Presse* (06 August 2003); “Athens prostitutes on strike to protest crackdown on brothels” *Agence France Presse* (04 August 2003); “Danish IOC member tells regional governments to stay out of Greek brothel flap” *Associated Press* (28 July 2003); “Denmark accuses Sweden of meddling in Athens’ Olympic brothels plans” *Agence France Presse* (24 July 2003); “Church accuses Athens of promoting sexual tourism” *Agence France Presse* (30 June 2003); “Feminists versus prostitutes: 1-0” *Agence France Presse* (04 December 2003); “Greek prostitutes march to save brothels during Olympics” *Associated Press* (08 December 2003).



prostitution. It is a technologized form of prostitution – prostitution at one remove.”<sup>146</sup>

Women working in strip clubs are recruited for pornographic movies. “Porn stars” may also work as prostitutes when not filming.<sup>147</sup> Live sex acts can also be ordered, customised and be “interactive” on the Internet.<sup>148</sup>

Pornography is easily accessed in Canada. Vast amounts of pornography are available on the Internet, both for free and by subscription. Adult Only and “XXX” video stores are found in major cities. Speciality channels are available on Canadian satellite and cable packages. Some regular movie channels show explicit pornography without additional fees on weekend evenings. Canadian Radio-television and Telecommunications Commission (CRTC) regulations for a new adult film channel require the company to have 50% Canadian content.<sup>149</sup>

## **xvii. Window Prostitution**

The prostitution policies of the Netherlands are often discussed and advocated in other Western countries as a model to emulate. Many types of prostitution exist but it is the infamous windows in the red -light districts that typify prostitution in the Netherlands for many. It is unique to the Netherlands and Hamburg, Germany.<sup>150</sup>

Window prostitution is oft-mentioned as a safe alternative to street prostitution. The red-light districts are designated and defined areas, usually in downtown or central areas. Red light bulbs illuminate the windows indicating that sex is sold within, hence the name.

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<sup>146</sup> Rebecca Whisnant. “Confronting pornography: Some conceptual basics” in Christine Stark and Rebecca Whisnant, (eds.), *Not for sale: Feminists resisting prostitution and pornography*. (North Melbourne: Spinifex Press, 2004) at 19.

<sup>147</sup> Farley, *supra* note 93 at 128. See also, “Moonlight Bunny Ranch”, *supra* note 53.

<sup>148</sup> Levy, *supra* note 65.

<sup>149</sup> Glen McGregor, “Stop porn channel, family group says” *Ottawa Citizen* (22 August 2008), A3.

<sup>150</sup> See especially, Mariska Majoor. *When sex becomes work*. English Edition. (Amsterdam: Stichting Prostitution Information Centre (PIC), 2002) at 11.

The women are displayed in three-quarter or full length window facing the street. Only one woman per window is allowed. Each prostitute must show her E.U. passport to officials in order to rent the room but they are not registered with the health agencies or police.<sup>151</sup> It is legal to live off the avails of prostitution and to act as an agent, manager or owner of a sex trade business in the Netherlands; however, coercion is not legal. Each woman must provide her own passport and rent the room herself.<sup>152</sup>

Women rent spaces for eight to 12 hours from room rental companies. Bedding is not changed between clients and may not be changed at all during the shift. A luxury room including a double bed in a room separate from the window room costs €150 (approximately \$211 Cdn.) for eight hours in 2008.<sup>153</sup> Basic windows, including bedding and a room cleaning between rentals, started at €75 (approximately \$105 Cdn.).<sup>154</sup> Each room is equipped with at least one panic button in case of a problem with a client. The Prostitution Information Centre (PIC) advises that it is rare to hear an alarm; when there is one, it is often hit by accident.<sup>155</sup>

Once a client has entered, the curtains are drawn and the sex act is carried out either in the same window where the prostitute was displayed, or in a separate back room. Prices were raised in recent years due to inflation and taxes; a typical commercial sexual encounter

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<sup>151</sup> PIC. (No date). *The most frequently asked questions about Amsterdam's Red Light District*. Amsterdam: Stichting PIC.

<sup>152</sup> Harold Van Gelder. Inspector, Vice Squad, Politie Amsterdam (Vice Squad). Interview with Maryanne Pearce (04 November 2008) Amsterdam, the Netherlands.

<sup>153</sup> Berna Meijer. Prostitution Information Centre. Tour of the Red-light District by Maryanne Pearce (01 November 2008) Amsterdam, the Netherlands.

<sup>154</sup> PIC, *supra* note 151.

<sup>155</sup> While on a two-hour tour of the red-light district, the author visited a luxury room equipped with two panic buttons. One was on the wall near the door and the other near the bed. On the tour, both alarms were almost accidentally activated by myself or my husband, as they resembled North American light switches. The next evening, an alarm did go off; it is extremely loud and could be heard from at least a block away from the source; it was accidentally activated.

is now €60 (approximately \$84 Cdn.) for 15 minutes.<sup>156</sup> Prices are very consistent in the red-light districts of the Netherlands.<sup>157</sup> Price-cutting is rare and very much frowned upon by other sex workers.<sup>158</sup>

There are no male prostitutes working in windows in the Netherlands, although some of the women may be pre- or post-op transsexuals. Male prostitutes occupying window brothels was attempted in 1995 but was not successful.<sup>159</sup> Male prostitutes for male clients can be found as escorts, on the street, in clubs and private brothels. There are a few male escorts for female clients but no clubs, brothels or windows offering this type of service. Female clients occasionally will engage a woman in a window, but more often a woman entering a window is doing so with her male partner, normally to watch rather than participate.<sup>160</sup> Escorts who offer services to couples as well as male clients are common, as in Canada.<sup>161</sup> Figures 3-4 and 3-5 are photos of a luxury bedrooms in window brothels in Amsterdam.<sup>162</sup> Taking photos of women working in the windows is discouraged and can result in seizure of the camera or assault by the sex worker if one is noticed doing so. The guide books warn against taking photos.<sup>163</sup> Hence, I posed for the photos myself.

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<sup>156</sup> Meijer *supra* note 153.

<sup>157</sup> PIC. (No date). *Pleasure Guide*. Amsterdam: Stichting PIC.

<sup>158</sup> Meijer *supra* note 153.

<sup>159</sup> Meijer commented that it was thought that the stigma of homosexual sex prevented men from publicly entering the windows. *Ibid*.

<sup>160</sup> *Ibid*.

<sup>161</sup> See advertisements: Visitors Guide. (2008). *Visitors Guide: Amsterdam 2008*. Amsterdam: Yellow Pages Netherlands.

<sup>162</sup> Figure 3-3 (Left): Author in front room at the window. (01 November 2008) Oudezijds Achterburgwal, Amsterdam, the Netherlands. (Photo credit: Austin Lawrence). Figure 3-4 (Right): Luxury bedroom, window brothel (01 November 2008) Oudezijds Achterburgwal, Amsterdam, the Netherlands. (Photo credit: Austin Lawrence).

<sup>163</sup> Meijer *supra* note 153; Visitors Guide, *supra* note 161.

**Figures 3-4 and 3-5: “Luxury” Window Brothel, Amsterdam**



#### **IV. THE LEGAL STATUS OF SEX WORK IN CANADA**

Prostitution in Canada is legal. The physical act of exchanging money for sex is legal in Canada yet it is virtually impossible for either prostitutes or clients to engage in prostitution without violating a law. Indeed, the terminology in the *Criminal Code* is vague, saying only that “‘prostitute’ means a person of either sex who engages in prostitution.”<sup>164</sup> Although prostitution is not defined by the *Criminal Code*, case precedents have defined it as the act of engaging in sexual activity, in exchange for money or other negotiated compensation.<sup>165</sup>

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<sup>164</sup> *Criminal Code of Canada*, R.S.C. 1985, c. C-46 [*Criminal Code*], s. 210-213.

<sup>165</sup> *Black’s Law Dictionary*. Abridged Eighth Edition. Bryan A. Garner, Editor in Chief, (St. Paul: Thomson/West, 2005), “prostitution.”

The *Criminal Code* has four sections related to prostitution: s. 210 and s. 211 (Bawdy-houses), s. 212 (Procuring), and s. 213 (Offence in Relation to Prostitution), commonly called the *communicating law*. Whereas the communicating law is largely focused on street prostitution, the bawdy-house laws focus on off-street prostitution. Procuring and living off the avails of prostitution laws can be applied to both indoor and street prostitution. Cases from the past decade, below, illustrate the complexity of enforcing these laws, as well as the working conditions of indoor sex trade workers.

Regardless of the public and police focus on street prostitution, approximately 80% to 90% of the prostitution in Canada occurs indoors, away from the public eye.<sup>166</sup> Exotic dance clubs and massage parlours often have prostitution occurring within them, but it has to be sought out. Police, legislators and the general public know that prostitution occurs in legal massage parlours and strip clubs. Likewise, there are no illusions that escorts are dinner companions, but are selling sex.<sup>167</sup> Police generally do not engage in sweeps of escort agencies unless there are complaints of underage girls or trafficking,<sup>168</sup> or to ensure that escorts and companies are properly licensed.<sup>169</sup>

Indeed, little effort is made to hide the purpose of these businesses. Advertisements for erotic massage and escort services are found in most daily newspapers across the country, on Internet sites such as backpage, business cards found in public areas and the yellow pages.<sup>170</sup> Some advertisements are subtle, with little more than the name and phone number

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<sup>166</sup> Christine Bruckert, on, Anna Maria Tremonti. *Pickton Verdict: Part 2* (10 December 2007).

<sup>167</sup> Michael Platt, "Detective admits escorts left alone" *Calgary Sun* (02 November 2005).

<sup>168</sup> See, e.g., Shelley Knapp, "Cop links escorts, hookers" *Calgary Herald* (08 December 2005); Doug Ward, "Morality takes back seat to violence" *Vancouver Sun* (03 May 2003); Gardner, *supra* note 21; "Judge mulls sentence for bawdy house operator" *CBC News* (09 November 2009); "Prostitutes allegedly offered at Calgary hair salon" *CBC News* (02 December 2009).

<sup>169</sup> "Escort sting brings \$134,000 in fines" *CBC News* (26 November 2009).

<sup>170</sup> Ward, *supra* note 168.

of the business. Others, especially those on the Internet, are far more explicit. Before it pulled its erotic service advertisements, the majority on Craigslist across Canada included photographs of escorts in lingerie, topless or simulating fellatio on sex toys. Sex acts were not always specified, but the rate per hour and any “specials prices” were generally listed. These type of advertisements can now be found on backpage, which is where erotic service advertisements moved after Craigslist disallowed them.

Notwithstanding the prohibitions in the *Criminal Code*, commercial sex businesses are licensed and controlled through municipal bylaws, resulting in a *de facto* regulation of prostitution. Municipalities routinely charge substantially higher fees for adult entertainment or erotic service businesses than for non-sex work businesses. For example, the annual licence fee in 2004 for a sex work business in Winnipeg was \$4,000 compared to \$305 for a slaughterhouse.<sup>171</sup> Municipalities commonly restrict sex work businesses to certain areas of the city. Sex work businesses may also need to be a minimum distance away from schools or churches or have other restrictions on location.

In addition to the licensing fees and revenue from fines levied, many municipalities require licences for individual escorts, dancers and massage parlour workers.<sup>172</sup> Some municipalities use the fees generated from sex trade businesses to fund social and health programs for sex trade workers.<sup>173</sup> In 2003, Vancouver city council amended a bylaw allowing a zoning change to include sex trade businesses, allowing people to work from their

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<sup>171</sup> Steven A. Kohm and John Selwood. (2004). *Sex work and city planning: Winnipeg's red light district committee and the regulation of prostitution* at 1. See also, Lowman, *supra* note 22 at 14.

<sup>172</sup> See generally, McKee, *supra* note 100; *R. v. Juneja* [2009] ABQB 243; Karen Kleiss, “Sex-trade workers describes Atla. massage parlour” *Calgary Herald* (26 January 2009).

<sup>173</sup> “Business-licence fees to aid sex-trade workers” *The Province* (08 May 1997).

homes in the downtown core's "live/work" zone. Council reversed that decision days later, after complaints from residents.<sup>174</sup>

Municipal governments have attempted a variety of strategies to address the problems associated with street prostitution. In 1995, Toronto city council requested that the federal government decriminalize prostitution in the *Criminal Code* and allow municipalities to license prostitution.<sup>175</sup> Then-justice minister Allan Rock did not agree with the proposed changes.<sup>176</sup> Without the authority from within the *Criminal Code* some municipalities nevertheless attempt to move known sex work businesses to particular areas.<sup>177</sup> These *zones of tolerance* or *bubble zones* become unofficial red-light districts that sex workers, clients and the police understand will be largely left alone unless there are disturbances or sex workers leave the area.<sup>178</sup> Other municipalities take the opposite approach by conducting *sweeps* aimed at arresting street prostitutes.<sup>179</sup> Although not common, some police forces, such as York Regional Police, target pimps and traffickers but do not arrest prostitutes.<sup>180</sup>

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<sup>174</sup> Rod Mickleburgh, "Vancouver council okays residential sex" *The Globe and Mail* (12 September 2003); "City moves to make prostitution safer" *CBC News* (11 September 2003); Frances Bula and Amy O'Brian, "Escorts okayed to operate in live/work zones" *Vancouver Sun* (12 September 2003); "New bylaw fuels fears of home-based prostitutes" *Vancouver Province* (12 September 2003); Jon Ferry, "Wish them prostitutes for neighbours – that'll wake 'em up" *Vancouver Province* (12 September 2003); Frances Bula, "Council retreats on home-based escort zone" *Vancouver Sun* (13 September 2003).

<sup>175</sup> Gay Abbate, "Green light sought for red-light district" *The Globe and Mail* (17 March 1999).

<sup>176</sup> Nate Hendley, "Home hooking" *Eye Magazine* (11 March 1999); Alison Appelbe, "Feds to give green light to red-light district study" *Vancouver Courier* (13 April 1997).

<sup>177</sup> Ann Sullivan, "'Move sex trade to Shaughnessy'" *Vancouver Courier* (01 June 1997); Royson James, "Brothel good idea, Rae says" *Toronto Star* (06 December 1999).

<sup>178</sup> Kim Pemberton, "Prostitute policy upsets citizens" *Vancouver Sun* (19 February 1997); Kim Pemberton, "Policy not to arrest prostitutes first in Canada" *Vancouver Sun* (18 February 1997); Mike Bell, "The wrong kind of education" *Vancouver Echo* (26 February 1997); Ian Austin, "No-go zone for hookers sought" *The Province* (02 March 1997); Clarissa Penfold, Gillian Hunter, Rosie Campbell and Leela Barham, "Tackling client violence in female street prostitution: Inter-agency working between outreach agencies and the police" (2004) 14 *Policing and Society* at 377.

<sup>179</sup> Penfold, *et al.*, *supra* note 178 at 367; Lowman, *supra* note 23 at 992. See also, Deborah R. Brock. *Making work, making trouble: Prostitution as a social problem*. (Toronto: University of Toronto Press, 1998).

<sup>180</sup> Thai Truong. Detective #1227, Organized Crime, Drugs and Vice, York Regional Police. Personal communication with Maryanne Pearce (29 November 2010), Ottawa, Ontario, Canada.

Also uncommon, still other police forces have targeted clients and pimps, but not prostitutes, in an effort to control prostitution.<sup>181</sup>

### **i. On-Street Prostitution**

Section 213 of the *Criminal Code*, known as the *communicating law*, prohibits communication for the purpose of prostitution, including stopping or impeding traffic flow. It is this law that addresses the public nuisance of prostitution on the streets.<sup>182</sup> The 1978 SCC decision *R. v. Hutt* concluded that soliciting required “pressing and persistent” conduct, beyond merely offering sexual services for a price.<sup>183</sup> As street prostitutes rarely did more than to offer a service and price, Canadian police forces had largely stopped enforcement of the law by 1981. Section 213 replaced the soliciting law in 1985.<sup>184</sup>

Prosecution of licensed, indoor sex trade businesses is uncommon. Generally, police do not interfere unless there are complaints from the public, suspicions of human trafficking or the involvement of minors.<sup>185</sup> Street prostitution is more visible, receiving the most public and police attention.

In neighbourhoods where street prostitution is common, community groups argue that other crimes such as robberies, assaults, drug dealing and graffiti are a direct result. Home owners in some areas may have difficulty obtaining home insurance for their homes or face reduced property values. There are also the risks associated with increased traffic,

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<sup>181</sup> Robert Matas and Miro Cernetig, “Vancouver police target sex customers” *The Globe and Mail* (19 February 1997).

<sup>182</sup> Kohm and Selwood, *supra* note 171 at 1.

<sup>183</sup> *R. v. Hutt* [1978] 2 S.C.R. 476 at 2.

<sup>184</sup> Lowman, *supra* note 22 at 4. See also, Kevin Orr, “Prostitution squeeze moves nation-wide” *The Body Politic* (July 1982); Danny Cockerline, “Anti-soliciting amendment stalled” *The Body Politic* (September 1983).

<sup>185</sup> Gardner, *supra* note 21; Patrick Dare, “Massage therapist must keep licence: lawyer” *Ottawa Citizen* (20 January 2009), C3; “Moncton massage parlour owner pleads guilty to bawdy house charge” *CBC News* (10 April 2007).



harassment and solicitation of non-prostitute women and children by clients, and discarded needles and condoms. Quality of life issues are also noted, including increased noise, car danger and pollution from traffic.<sup>186</sup>

Individuals, business owners and organizations occasionally take matters into their own hands. In addition to recording personal information of clients, street prostitutes may be “shooed” away by the public.<sup>187</sup> “Vigilante justice” in the form of violence against clients or pimps, as well as harassment, assaults or items thrown out of cars at prostitutes may be advocated or carried out.<sup>188</sup> Street sex prostitutes in the DTES have reported that police officers would identify someone as a prostitute, photograph her without her consent and demand identification, even if there was no reason for detention.<sup>189</sup> Police were alleged to name them to passersby and residents as prostitutes, even when they were not working.<sup>190</sup>

Some community organizations have recommended their local municipalities create red-light districts for all types of adult entertainment outside of residential neighbourhoods.<sup>191</sup> In 1998, the “revulsion” and inconvenience of residents of the

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<sup>186</sup> Erin Gibbs Van Brunscho, “Community Policing and ‘John Schools’” (2003) 40 Cdn. Review of Soc. & Anth. at 218. See especially, Hintonburg Community Association, Inc. (2001). *Street-level prostitution: Dispelling the myths*. Ottawa: Hintonburg Community Association, Inc. See also, Robin Benger, *East Side Showdown*, 1998, VHS: (Montreal, Quebec: National Film Board of Canada, 1998); “Winnipeg residents want johns long gone” *CBC News* (08 September 2000); “An inner city in turmoil” *The Star Phoenix* (10 September 1998).

<sup>187</sup> Lindsay Kines, “Abbotsford waits for johns to be named” *Vancouver Sun* (08 July 1997); “Childhood-prostitution article sparks debate” *Georgia Straight* (13 August 1998); Helen Sanderson, “Working the street” *North Coast Journal* (10 February 2005).

<sup>188</sup> Frances Bula, “Council hears threats of war on prostitution” *Vancouver Sun* (23 January 1998); Alison Appelbe, “Prostitution too tough to control” *Vancouver Courier* (25 January 1998); Gardner, *supra* note 63; Lewis, *et al.*, *supra* note 23 at 157; Sanders and Campbell, *supra* note 56 at 2; Justice Canada, *supra* note 40 at 114; Kendra Nixon, Leslie Tutty, Pamela Downe, Kelly Gorkoff, and Jane Ussel, “The everyday occurrence: Violence in the lives of girls exploited through prostitution” (2002) 8 Violence against Women at 1031; Nixon and Leslie M. Tutty, “‘That was my prayer every night – just to get home safe’: Violence in the lives of girls exploited through prostitution” in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 77.

<sup>189</sup> Pivot, *supra* note 76 at 24.

<sup>190</sup> *Ibid.*

<sup>191</sup> “Group wants red-light district for Moncton” *CBC News* (07 June 2006).

Cabbagetown area of Toronto were ruled to be relevant in the sentencing of drug and prostitution-related crimes. As a result, street prostitutes and drug dealers were banned from the neighbourhood, even if the offender lived in the area.<sup>192</sup>

Figure 3-6 is a comparison of the prostitution related charges in Canada over a 10-year period. It shows that 75% to 90% of all prostitution-related charges are under s.213.<sup>193</sup> Further, approximately 95% of prostitution charges are street-based.<sup>194</sup> Prior to the replacement of the soliciting law in 1985, only 36% of the charges were laid against men. “Between 1986 and 1995, almost half (47%) of all persons charged with communicating were male.”<sup>195</sup> This is due to a change in enforcement practices, but also is due “to the specific nature of the summary offence law. Arrests under the communicating law are usually made on the basis of undercover or *sweep* operations in which police officers pose as either prostitutes or customers.”<sup>196</sup> It takes significantly more resources to undertake a sweep where a female police officer poses as a prostitute, due to the safety risks for the female officer entering a vehicle. Sweeps are often undertaken due to public complaint, but it is understood that the interruption will be temporary in nature, although prolonged police

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<sup>192</sup> Richard Foot, “Taking back a neighbourhood” *Vancouver Sun* (17 April 1998); Ricketts, *supra* note 61 at 42. See also, Bengier, *supra* note 186. The article by Richard Foot states that the decision was released in January 1998 but does not provide the name or any other particulars. However, numerous searches in Quicklaw and on-line searches have been unsuccessful in identifying the case.

<sup>193</sup> CCJS. *Juristat: Crime Statistics in Canada, 2007* by Mia Dauvergne. (Ottawa: Minister of Industry, 2008).

<sup>194</sup> See especially, Lowman, *supra* note 22 at 7. See also, Gardner, *supra* note 21.

<sup>195</sup> CCJS. *Street Prostitution in Canada* by Doreen Duchesne. (Ottawa: Minister of Industry, 1997) at 1.

<sup>196</sup> Benedikt Fischer, Scot Wortley, Cheryl Webster and Martin Kirst, “The socio-legal dynamics and implications of diversion: The case study of the Toronto ‘John School’ for prostitution offenders” (2002) 2 *Criminal Justice*, at 389. See also, Gardner, *supra* note 92; Gibbs Van Brunscho, *supra* note 186 at 222. See e.g., in the Atlantic region: “Codiac RCMP arrest 7 men on prostitution charges” *CBC News* (01 September 2009); “Six arrested in Moncton prostitution sting” *CBC News* (19 December 2006); “8 men arrested in Moncton-area prostitution crackdown” *CBC News* (10 June 2008).

See e.g., in Ontario: “Ottawa jail spilled over after prostitution sweep: group” *CBC News* (27 August 2008); “Nine arrests made in prostitution sweep” *Ottawa Citizen* (29 July 2009), C7; “Danforth sex trade targeted by police” *CBC News* (22 October 2009).

See e.g., in the Prairies: “30 men arrested in sex-trade sweep” *CBC News* (17 November 2009).

action in one area may cause it to move to another area of town, to a different neighbourhood, or to an isolated or industrial area.<sup>197</sup>

**Figure 3-6: Prostitution Charges in Canada, 1997-2007, by Charge**<sup>198</sup>

|                   |        | 1997  | 1998  | 1999  | 2000  | 2001  | 2002  | 2003  | 2004  | 2005  | 2006  | 2007  |
|-------------------|--------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Bawdy-house s.210 | Adults | 715   | 679   | 926   | 465   | 345   | 244   | 226   | 222   | 219   | 150   | 171   |
|                   |        | 12.6% | 11.8% | 19.0% | 12.0% | 9.8%  | 6.8%  | 6.6%  | 5.8%  | 6.5%  | 4.4%  | 5.5%  |
|                   | Youth  | 7     | 4     | 4     | 4     | 0     | 1     | 0     | 1     | 1     | 0     | 1     |
|                   |        | 3.2%  | 2.1%  | 5.2%  | 5.1%  | 0.0%  | 2.4%  | 0.0%  | 3.0%  | 2.5%  | 0.0%  | 4.8%  |
| Procur-ing s.212  | Adults | 293   | 300   | 264   | 204   | 177   | 247   | 172   | 184   | 170   | 190   | 196   |
|                   |        | 5.2%  | 5.2%  | 5.4%  | 5.2%  | 5.0%  | 6.9%  | 5.0%  | 4.8%  | 5.0%  | 5.6%  | 6.3%  |
|                   | Youth  | 13    | 12    | 4     | 9     | 7     | 8     | 6     | 2     | 7     | 4     | 1     |
|                   |        | 6.0%  | 6.3%  | 5.2%  | 11.4% | 22.6% | 19.5% | 16.7% | 6.1%  | 17.5% | 18.2% | 4.8%  |
| Comm-unicat-ing   | Adults | 4656  | 4782  | 3690  | 3221  | 3003  | 3092  | 3019  | 3423  | 3002  | 3061  | 2726  |
|                   |        | 82.2% | 83.0% | 75.6% | 82.8% | 85.2% | 86.3% | 88.4% | 89.4% | 88.5% | 90.0% | 88.1% |
|                   | Youth  | 198   | 173   | 69    | 66    | 24    | 32    | 30    | 30    | 32    | 18    | 19    |
|                   |        | 90.8% | 91.5% | 89.6% | 83.5% | 77.4% | 78.0% | 83.3% | 90.9% | 80.0% | 81.8% | 90.5% |
| Total Charges     | Adults | 5664  | 5761  | 4880  | 3890  | 3525  | 3583  | 3417  | 3829  | 3391  | 3401  | 3093  |
|                   |        | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  |
|                   | Youth  | 218   | 189   | 77    | 79    | 31    | 41    | 36    | 33    | 40    | 22    | 21    |
|                   |        | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  | 100%  |

Clients in major North American cities often have the option of paying for a diversion program, colloquially known as a John School.<sup>199</sup> Upon completion of the program and satisfaction of any other conditions, the client would not have a criminal record. San Francisco opened the first John School in 1995; in Canada, the first such program opened in 1996 in Toronto.<sup>200</sup> Today, John Schools exist in Ottawa, Toronto, Hamilton, Winnipeg,

<sup>197</sup> Penfold, *et al.*, *supra* note 178 at 367; Lowman, *supra* note 23 at 992. See also, Brock, *supra* note 179.

<sup>198</sup> CCJS, *supra* note 193.

<sup>199</sup> "John School a Start" *The Province* (August 1996); Stéphanie Wahub, "Navigating mixed-theory programs: Lessons learned from a prostitution-diversion project" (2005) 20 *Affilia*, at 203. Gibbs Van Brunscho, *supra* note 186 at 220. See also, Victoria Zunitch, "Experts now focusing on demand-side of sex trade" *Women's Enews* (17 October 2003); "Letters – John School is no solution" *The West Ender* (01 August 1996); Kimberly Daum, "'John school' would let offenders off the hook" *The Georgia Straight* (August 1996); "'John' speaks out..." *supra* note 38; Tom Zillich, "Sex-buying johns sent to classroom" *The West Ender* (02 July 1998); Tom Zillich, "City considers sending johns back to school" *The West Ender* (25 July 1996); "Study shows 'guy next door' using prostitutes" *CBC News* (07 December 2000).

<sup>200</sup> John Lowman and Chris Atchison. "Men who buy sex: A survey in the Greater Vancouver Regional District" (2006) 43 *Cdn. Review of Soc. and Anth.* at 283.

Edmonton and Vancouver.<sup>201</sup> Although the requirements for entry, curriculum and processes of John Schools across North America differ, generally in Canada a man charged with a s.213 offence may choose to enter John School to avoid a criminal conviction if he is a first-time offender.<sup>202</sup> He must also plead guilty, pay a tuition fee and participate in the day-long program.<sup>203</sup> As wealthier clients generally frequent indoor sex businesses, sweeps generally result in the arrest of men of the lower social strata and minorities.<sup>204</sup>

In 1999, Manitoba laws were changed to allow police to seize and impound the cars of the clients of prostitutes.<sup>205</sup> This included taxis taking clients to a sex worker or unofficial red-light areas known for prostitution.<sup>206</sup> The Manitoba law initially resulted in the aimed-for reduction of traffic and street prostitution; however, the police suspected that the sex trade had moved to indoor venues.<sup>207</sup> Saskatchewan<sup>208</sup> and Alberta<sup>209</sup> followed with similar legislation. In all three provinces, the vehicles would be returned:

if the accused is either acquitted of the prostitution-related offence or attends a “john school” to learn about the ramifications of prostitution and its effect on its victims. However, in Manitoba and Saskatchewan, only first-time offenders are offered the option of attending john school, and in

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<sup>201</sup> Alexis M. Kennedy, Carolin Klein, Boris B. Gorzalka and John C. Yuille, “Attitude change following a diversion program for men who solicit sex” (2005) 40 J. of Off. Rehab., 42; Charlie Smith, “Critics say school for johns doesn’t make the grade” *The Georgia Straight* (July 1996); Julie Fortier, “Putting help on hold” *Ottawa (X)Press* (02 September 2004).

<sup>202</sup> For example, in Salt Lake City, John schools are 10 weeks long, whereas Canadian programs are generally a one day event. See, Wahub, *supra* note 199 at 218.

<sup>203</sup> Fischer *et al.*, *supra* note 196 at 385; Lowman and Atchison, *supra* note 200 at 283; Scot Wortley, Benedikt Fischer and Cheryl Webster, “Vice lessons: A survey of prostitution offenders enrolled in the Toronto John School diversion program” (2007) 44 Cdn. J. of Crim. at 373; “Halifax undercover police clamp down on prostitution” *The Globe and Mail* (04 May 2000); Jason Proctor, “The John Patrol” *Vancouver Province* (21 March 1999). Devon D. Brewer, John J. Potterat, Stephen Q. Muth and John M. Roberts Jr., “A large specific deterrent effect of arrest for patronizing a prostitute” (2006) 1 PLoS ONE 1 at 1.

<sup>204</sup> Gibbs Van Brunscho, *supra* note 186 at 226.

<sup>205</sup> Manitoba. *The Highway Traffic Act*.

<sup>206</sup> “‘Johns’ could lose their cars” *CBC News* (27 February 1999); “Manitoba police seize prostitution customers’ cars” *CBC News* (01 March 1999); “Police crack down on prostitutes and johns” *CBC News* (18 November 1999).

<sup>207</sup> “New Johns law too good?” *CBC News* (23 April 1999).

<sup>208</sup> Saskatchewan. *Traffic Safety Act* (2007).

<sup>209</sup> Alberta. *Traffic Safety Act*, R.S.A. 2000. See also, “You cruise you lose” *Edmonton Police Service*.

Saskatchewan those charged with offences under ss. 212(2.1) or 212(4) of the *Criminal Code*, repeat offenders, and offenders with serious criminal records are also precluded from this alternative. Further, in Manitoba and Saskatchewan, if an accused does not complete or fully comply with the john school conditions, his or her driver's licence is suspended. Finally, in all three provinces, if the accused is convicted of the prostitution-related offence, he or she will forfeit the vehicle or deposit to the police. In addition to providing for the impounding of vehicles, s. 270 of Saskatchewan's *Traffic Safety Act* also specifies penalties for those who repeatedly drive or park their car in areas frequented by prostitutes.<sup>210</sup>

Despite announcements by then-Attorney General Jim Flaherty and requests from Toronto city council, similar legislation did not pass in Ontario.<sup>211</sup> In addition to vehicle seizure through traffic acts, Manitoba,<sup>212</sup> Yukon,<sup>213</sup> Nova Scotia<sup>214</sup> and Saskatchewan<sup>215</sup> have also enacted laws aimed at assisting property owners with closing buildings or properties that are "habitually used for activities related to prostitution."<sup>216</sup>

Police and community groups have several "*Shame the Johns*" tactics which are aimed at education and "harassment" of prostitutes and their clients or potential clients.<sup>217</sup> This may be accomplished through street-based rallies in which community members with placards approach cars, chant or pass out information about the impact of street prostitution on the neighbourhood.

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<sup>210</sup> Library of Parliament. *Prostitution in Canada: International obligations, federal law, and provincial and municipal jurisdiction* by Laura Barnett. (Ottawa: Library of Parliament, 2008) at 15.

<sup>211</sup> Antonella Artuso, "Bill to protect child hookers" *Toronto Sun* (20 December 2000); Hendley, *supra* note 176; Robert Matas, "Vancouver to get help in fight against child prostitution" *The Globe and Mail* (01 May 1999); Gloria Galloway, "Ottawa won't introduce car-seizure law for johns, despite provinces' urging" *National Post* (07 April 1999).

<sup>212</sup> Manitoba. *The Safer Communities and Neighbourhoods Act*, 2001.

<sup>213</sup> Yukon. *Safer Communities and Neighbourhoods Act*, 2006.

<sup>214</sup> Nova Scotia. *Safer Communities and Neighbourhoods Act*; "NS Johns may face new penalties" *CBC News* (28 March 2000); "Government targets prostitution" *CBC News* (07 November 2000); "Prostitutes' clients risk cars under bill" *The Globe and Mail* (07 November 2000); "Tough anti-prostitution laws for Nova Scotia" *CBC News* (10 June 1999); "Tories target prostitution" *CBC News* (10 June 1999); "Ottawa eyes new weapon against street prostitution" *CBC News* (06 April 1999).

<sup>215</sup> Saskatchewan. *Safer Communities and Neighbourhoods Act*.

<sup>216</sup> Library of Parliament, *supra* note 210 at 15.

<sup>217</sup> "Edmonton mails Dear Johns letters to cut prostitution" *Vancouver Sun* (06 May 1992).

An effective but controversial tactic is the recording of licence plates by police or community members, after which “community safety letters” are sent to the licensed drivers.<sup>218</sup> Police may also send community safety letters to men arrested for communication, including John school attendees.<sup>219</sup> Police do not deny that one aim of the community safety letters is to disrupt the personal, romantic or professional lives of clients.<sup>220</sup>

The names or licence plate numbers of known or suspected clients of prostitutes,<sup>221</sup> videos of prostitutes, clients, their cars and any interaction between the two, may be posted on the Internet.<sup>222</sup> Still other communities have required John School clients to pick up discarded condoms and needles from the streets where prostitution occurs.<sup>223</sup> Poster campaigns are also used to target the men who purchase the services of street prostitutes.<sup>224</sup> High profile men have been publicly shamed through media announcements of their arrests, although they received no criminal record due to their participation in a John School.<sup>225</sup>

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<sup>218</sup> Neco Cockburn, “Police to keep sending ‘john’ letters” *Ottawa Citizen* (23 January 2009), F1; Ariel Troster, “Sex work: our struggle” *Capital XTRA!* (20 February 2008), 16.

<sup>219</sup> Zillich [1996], *supra* note 199.

<sup>220</sup> “Cops see red over johns who cop out” *Vancouver Province* (20 April 1998); “Union balks at suspensions for paramedics facing prostitution charges” *CBC News* (16 October 2009); Justice Canada, *supra* note 40 at 62.

<sup>221</sup> “Winnipeg residents want johns long gone” *CBC News* (08 September 2000); “Alberta: Tattling web site behind firing of six johns” *The Globe and Mail* (14 August 1999); “Parkdale residents use Internet to fight prostitution” *CBC News* (11 January 2000).

<sup>222</sup> “Ferry Street hookers have merchants upset” *Niagara Falls Review* (2009).

<sup>223</sup> “Big bad johns” *The Province* (18 July 1995); Greg Middleton and Wendy McLellan, “Blitz on johns sham, prof believes” *The Province* (23 July 1995).

<sup>224</sup> “Anti-prostitution campaign begins this summer” *CBC News* (23 May 2000).

<sup>225</sup> Regarding the case of Ontario conservative Member of Provincial Parliament (MPP), Bill Vankoughnet, in 1996, see: Robert Benzie, “MPP to enrol in John School? Vankoughnet could avoid criminal conviction” *Toronto Sun* (06 June 1996); Robert Benzie, “MPP to enrol in John School?” *Toronto Sun* (06 June 1996); Wendy Darroch, “MPP off to John School” *Toronto Star* (06 June 1996); Jeff Harder, “Go to John School, MP told” *Toronto Sun* (07 June 1996).

Regarding the case of Dr. Wilbert Keon, founder and director general of the University of Ottawa’s Heart Institute and senator: “Heart surgeon resigns over ‘inexcusable conduct’” *CBC News* (17 December 1999); “Keon drops bomb!” *CBC News* (16 December 1999); Carrie Buchanan, with Jeremy Mercer and Mike Woloschuk, “Senator Keon quits director’s job at Heart Institute” *Ottawa Citizen* (16 December 1999).

The Edmonton and Winnipeg police departments offer an Internet form for residents to “report a John.”<sup>226</sup> Information about the time, date, location and vehicle is requested. A drop-down menu allows residents to report the activities of concern. A separate form is available for reporting street prostitutes.<sup>227</sup>

Although a few diversion programs for women (*Jane Schools*) do exist, prostitutes normally are faced with fines or jail.<sup>228</sup>

In adult courts, women convicted of communicating tend to be sentenced more severely than men, perhaps because they are more likely to have had previous convictions, or cases involving multiple charges. For example, 39% of women convicted in 1993 or 1994 were imprisoned, compared with only 3% of men. Among the latter, the most severe penalty was usually a fine (in 56% of cases); in contrast, 32% of women received fines.<sup>229</sup>

Thus, there is also a gender division in the number of people receiving criminal records for prostitution-related offenses.<sup>230</sup>

Municipalities have attempted to address on-street prostitution through bylaws. In a case involving the municipal bylaws of the city of Calgary, the SCC found that the city had overreached and that its bylaws interfered with federal jurisdiction. “However desirable it may be for the municipality to control or prohibit prostitution, there has been an overreaching in this present case which offends the division of legislative powers.”<sup>231</sup>

As will be seen in Chapter Five, it is from the street prostitution trade that the majority of murdered and missing women work. Escorts, exotic dancers, pornography

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<sup>226</sup> “Report a John” *Edmonton Police Service*; “deadmonton 2008 – brianna danielle torvalson” *Last Link on the Left*; “Prostitution complaint form” *Winnipeg Police Service News*.

<sup>227</sup> “Report a prostitute” *Edmonton Police Service*.

<sup>228</sup> Wahub, *supra* note 199 at 204. See also, Hendley, *supra* note 176; Julie Fortier, “Putting help on hold” *Ottawa (X)Press* (02 September 2004).

<sup>229</sup> CCJS, *supra* note 195 at 1.

<sup>230</sup> A prostitution sweep in Ottawa in 2008 charged more than 20 women, resulting in overcrowding of the local detection centre. “Ottawa jail spilled over after prostitution sweep: group” *CBC News* (27 August 2008).

<sup>231</sup> *R. v. Westendorp* [1983] S.C.J. No. 6 at 10.

workers and exotic masseuses do not face the same physical dangers, despite engaging in the same physical acts as street prostitutes.

## **ii. Off-Street Prostitution**

### **1) Bawdy-houses, Procuring and Living off the Avails of Prostitution**

The *Criminal Code* defines a common bawdy-house as a place that is “(a) kept or occupied, or (b) resorted to by one or more persons for the purpose of prostitution or the practice of acts of indecency.”<sup>232</sup> A bawdy-house may have other purposes than prostitution-related ones, legitimately or as a front for illegal behaviour. For instance, it could be the back of a store, an apartment, trailer, or parking lot that clients go directly to engage in prostitution or in acts of indecency.<sup>233</sup> Courts have interpreted this to mean that any defined space is capable of being a bawdy-house, from a hotel, to a house, to a parking lot.<sup>234</sup> To be so designated, there must first be frequent or habitual use of it for the purposes of prostitution or for the practice of acts of indecency.<sup>235</sup> Secondly, the premises must be controlled or managed by prostitutes or individuals with a right or interest in that space.<sup>236</sup> Further, the test used to determine whether an act is indecent is a community standard of tolerance. Within this framework, the interpretation of indecency will depend on context, taking into account factors such as consent, the composition of any audience and the level of privacy of the room, community reputation of the place, and any harm caused.<sup>237</sup>

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<sup>232</sup> *Criminal Code*, *supra* note 164 at s. 196.

<sup>233</sup> Library of Parliament, *supra* note 210 at 6.

<sup>234</sup> *Ibid.*

<sup>235</sup> *R. v. Patterson* [1968] S.C.R. 167 at 1.

<sup>236</sup> *R. v. Corbeil* [1991] S.C.R. 830 at 3.

<sup>237</sup> *R. v. Tremblay*, *supra* note 113 at 4.



In 1998, the “Bondage Bungalow” or “Madame de Sade” case centered on Terri-Jean Bedford.<sup>238</sup> Bedford was a former prostitute who began working as an S&M dominatrix from her home in Thornhill, Ontario. The home had been turned into a dungeon and speciality fetish suites were available. Bedford was charged with running a bawdy-house in 1994 following an undercover investigation.<sup>239</sup> Two Toronto undercover officers testified they had repeatedly asked for sexual services and were consistently told that such services were not provided. They did not witness any sexual activity.<sup>240</sup> Bedford and her co-accused were initially acquitted of the charges when the Court declared the charges were too vague.<sup>241</sup> The decision was overturned and new trials ordered.<sup>242</sup> Bedford was convicted and fined \$3,000. The Crown had asked for a nine-month jail sentence for Bedford to “express society’s abhorrence of her crimes.”<sup>243</sup> Bedford appealed her subsequent conviction unsuccessfully, with the Court finding that: “Genital contact was not necessary to establish prostitution. The services offered were sexual in nature, involved sexual gratification, and were habitual and frequent.”<sup>244</sup>

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<sup>238</sup> *R. v. Bedford* [1998] O.J. No. 4033. Terri-Jean Bedford is one of three plaintiffs in a suit against the federal government claiming prostitution laws increase the danger of violence for prostitutes. See below for discussion.

<sup>239</sup> The search of the house was subject to question by the courts and media. See articles on the case, below. See especially, *Ibid.*

<sup>240</sup> Hollie Shaw, “Dominatrix’s trial presents ‘difficult’ legal challenge” *Vancouver Sun* (20 April 1998); Hollie Shaw, “Will judge restrain suburban dominatrix?” *The Globe and Mail* (09 October 1998); Harold Levy, “Madame guilty in sado-sex trial” *Toronto Star* (10 October 1998); Harold Levy, “Madame slapped with fine of \$3,000” *Toronto Star* (17 October 1998); Harold Levy, “Crown, defence square off as dominatrix trial nears end” *Toronto Star* (01 September 1998); Harold Levy, “‘Treat me like a fly,’ client told dominatrix” *Toronto Star* (21 August 1998); Harold Levy, “Sex isn’t S&M goal, prof says” *Toronto Star* (28 July 1998); Harold Levy, “Lawyer tries to bloc video of dominatrix” *Toronto Star* (23 July 1998); Harold Levy, “Thrashing made me ‘shudder,’ officer testified” *Toronto Star* (22 July 1998); Paul Cantin, “Real sex cheaper than S&M: Experts” *Toronto Sun* (29 July 1998); Dick Chapman, “Dominatrix a liar, Crown says” *Toronto Sun* (01 September 1998); “Dominatrix vows to continue ‘practice’ despite conviction” *Vancouver Sun* (10 October 1998); Brenda Cossman, “Proof of penis play” *Xtra West* (10 December 1998).

<sup>241</sup> Shaw, *supra* note 204.

<sup>242</sup> *R. v. Bedford* [1996] O.J. No. 2837 at 3.

<sup>243</sup> Levy, *supra* note 236.

<sup>244</sup> *R. v. Bedford* [2000] O.J. No. 887 at 2.

In a 2005 decision, the SCC held that the conviction of Jean-Paul Labaye should be quashed.<sup>245</sup> Labaye was the owner of the Montreal sex club, L'Orage. He had been charged and convicted for keeping a common bawdy-house for the purposes of acts of indecency under s. 210(1). At L'Orage, couples and singles paid an annual fee to the club and admittance was strictly monitored to ensure only members and their guests entered. Participation in, or observation of, group sexual activity occurred in Labaye's third floor apartment, accessible only with the code to a combination lock. On appeal, the majority of the Court found that regardless of the commercial nature of the club and the membership fee, the sexual activity was not purchased.<sup>246</sup>

Courts have also held that to be found guilty of keeping a common bawdy-house a person must have some degree of control over the care and management of the premises and must participate to some extent in the illicit activities involved there – although this does not necessarily mean participating in sexual acts.<sup>247</sup>

The Court held that the club was not a public space, thus the sex acts could not be considered criminal indecency as they were conducted in relative privacy.<sup>248</sup>

The procuring law, s.212(1), has several subsections regarding procurement of adults both inside and outside of Canada.<sup>249</sup> These laws are designed to protect people from sexual exploitation by pimps or organized crime, and from being forced into prostitution against their will, whether in Canada or abroad. Procuring can occur in both street prostitution and off-street prostitution venues.

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<sup>245</sup> *R. v. Labaye* [2005] S.J. No. 728 at 2.

<sup>246</sup> *Ibid.* at 20.

<sup>247</sup> Library of Parliament, *supra* note 210 at 6.

<sup>248</sup> *R. v. Labaye*, *supra* note 245 at 20. See also, *R. v. Kouri*, [2005] 3 SCR 789 at 3.

<sup>249</sup> Sections 212 (2)(2.1) and 212(4) of the *Criminal Code* deal specifically with individuals under the age of eighteen. *Criminal Code*, *supra* note 164 at s. 212 (2)(2.1) and 212(4).

Women already under the control of a pimp, organized crime or human traffickers are often used to lure unsuspecting women and girls into prostitution through befriending runaways or other vulnerable women or girls, as well as to enforce compliance.<sup>250</sup> It is also common, however, for independent sex trade workers to teach and assist the entrance of other women or girls into prostitution.<sup>251</sup> Sex workers often refer potential clients to other sex workers, sometimes for a fee. There are a variety of reasons for doing so: she may not perform the requested service, she may have left the sex trade, she may not like the client or does not have time available.<sup>252</sup> Training of new prostitutes and referrals are both prohibited under the *Criminal Code*. Sexually exploited youth can themselves face procuring charges if they begin to coerce, force or entice other youths to enter the sexual exploitation trade. Although rare, police have identified children as young as 11 years old forcing or enticing peers into participation into prostitution.<sup>253</sup> In the Pivot affidavits, 13 individuals asserted that they had begun in the sex trade between age 8 and 13.<sup>254</sup>

Despite licensing by municipalities, charges can be laid against owners, managers, inmates and clients of massage parlours or exotic dance clubs which are deemed to be

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<sup>250</sup> See, Pivot, *supra* note 102 at Affidavits 51, 65. Rochelle L. Dalla, "Exposing the 'Pretty Woman' myth: A qualitative examination of the lives of female streetwalking prostitutes" (2000) 37 J. of Sex Research at 344.

<sup>251</sup> See, Pivot, *supra* note 102 at Affidavits 15, 66, 83 and 84. See also, Maggie de Vries. *Missing Sarah*. (Toronto: Penguin Canada, 2003) at 80. See also, Hudson, *supra* note 41.

<sup>252</sup> See, Pivot, *supra* note 102 at Affidavits 7, 8, 15, 51, 69, 83, 88, 89 and 93.

<sup>253</sup> Cler-Cunningham, *supra* note 23 at 34. See also, Carla Thompson, "Experts: Hottest hip hop glorifies pimping" *Women's Enews* (09 November 2003). For details on one Toronto case, see: Michelle Shephard, "Teen prostitute escapes from CAS group home" *Toronto Star* (27 May 1999); Michelle Shephard, "Hooker, 14, pleads guilty to breach of probation" *Toronto Star* (19 February 1999); Michelle Shephard, "At 14, Kimberly is a veteran of Toronto's sex trade" *Toronto Star* (11 February 1999); Michelle Shephard, "72-hour rescue for child prostitutes" *Toronto Star* (18 April 1999). For details on Manitoba and Saskatchewan cases, see: Mike McIntyre. (20 February 2007). *Hundreds of kids in sex trade*, International Child and Youth Care Network (CYC-NET).

<sup>254</sup> Pivot, *supra* note 102 at Affidavits 14, 17, 21, 24, 33, 40, 43, 45, 52, 83, 84, 92 and 93.

operating as bawdy-houses.<sup>255</sup> Critics of the bawdy-house restrictions postulate that the partner or housemate of a prostitute who operates from her home could face a two-year jail term simply by nature of their common residence.<sup>256</sup> A prostitute who operates from her home also faces the far more serious offence of operating a bawdy-house, rather than a communication charge, which is an offence punishable on summary conviction.

Section 212(1)(j) prohibits living on the avails of prostitution. Without evidence to the contrary, s.212(3) presumes a person who lives with a prostitute is living on the avails of prostitution. Hence, friends, partners and housemates could face charges solely by the nature of their relationship, regardless of whether it is exploitative in nature.<sup>257</sup>

A 2009 Edmonton case describes the recruitment, working conditions and expectations of women licensed by the city as “holistic practitioners” employed in *Hustler’s Men’s Massage* and *Just for Men* massage parlours.<sup>258</sup> Vishva Juneja was the owner of two of the 335 licensed Edmonton massage parlours. Forty-two other massage parlours were suspected of being fronts for prostitution by police.<sup>259</sup> He was convicted of keeping a common bawdy-house, procuring and living off the avails of prostitution.<sup>260</sup>

Testimony from four women he had employed at his two downtown locations, as well as photographic police evidence, provide a glimpse of the working conditions.<sup>261</sup>

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<sup>255</sup> See e.g., “Prostitution, bawdy house charges laid” *CBC News* (05 September 2009); “Wolseley home used as brothel, ex-prostitute confirms” *CBC News* (10 September 2009).

<sup>256</sup> See especially, Pivot, *supra* note 102; Pivot, *supra* note 99. See also, Library of Parliament, *supra* note 210 at 6.

<sup>257</sup> *Criminal Code*, *supra* note 164, s. 212(1)(j) and 212(3).

<sup>258</sup> *R. v. Juneja* [2009] A.J. No 452 at 6.

<sup>259</sup> Ryan Cormier, “Massage parlours raised bylaw officer’s suspicions” *The Edmonton Journal* (20 March 2009).

<sup>260</sup> *R. v. Juneja*, *supra* note 258 at 20.

<sup>261</sup> See: *Ibid*; Kleiss, *supra* note 172; Karen Kleiss, “Edmonton driving school instructor’s trial begins” *The Edmonton Journal* (26 January 2009); Cormier, *supra* note 259; Ryan Cormier, “Cop tells court of sex negotiation” *The Edmonton Journal* (10 March 2009); Laura Drake, “Driving instructor ran brothels” *The Edmonton Journal* (17 April 2009); Laura Drake, “Edmonton man guilty of running two brothels” *The*

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Employees were charged for condoms, in addition to the minimum \$50 room fee paid to Juneja for each client, depending on the time spent in the room. There were fines for being late, for absences, for displeasing a customer and for “failing to properly groom their genitalia.”<sup>262</sup> The women testified that they had been advised they would be fined by the municipality if they spoke to bylaw or police officers who came on-site. Juneja insisted on being masturbated by employees and had mandatory “evaluations” of their sexual services. He also offered optional “training” sessions. Employees were permitted to do drugs and drink alcohol on the premises during their shifts. In both massage parlours, there were client rooms, all of which contained a bed. In some cases there was a massage bed and in others a regular bed. In one room there were two beds. One room had a Jacuzzi tub and two of the rooms had a television and DVD player.

Justice R.P. Marceau heard the case alone and issued his judgement in April, 2009. In his ruling, he noted that the fines were “a thinly veiled attempt to obtain more than the room fee from the workers” and that the room fee was a fee to cover advertising, heat, room rental, power, showers, oils and condoms.”<sup>263</sup> There was, he said, little doubt that the accused was guilty of the bawdy-house charges.

The three procuring charges placed at issue whether Juneja had procured women by advertisements or through his other job as a driving instructor. In the charges related to S.V.D., he was found not guilty. S.V.D. had responded to an advertisement having already decided to accept the job as a sex worker, if an offer of employment was made to her, before

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*Edmonton Journal* (17 April 2009); “Defence rests in case of alleged brothel owner” *The Edmonton Journal* (01 April 2009).

<sup>262</sup> Karen Kleiss, “Sex worker’s boss asked her to ‘train’ with him” *The Edmonton Journal* (29 January 2009); Karen Kleiss, “Studios called ‘grime of Edmonton’” *The Edmonton Journal* (27 January 2009).

<sup>263</sup> *R. v. Juneja*, *supra* note 258 at 7.

her first meeting with Juneja. In regards to C.B., he was found guilty of procuring because he had “enticed her with the ad, explained to her that she could work as a prostitute and this was the first time she was paid for sex so he procured her to be a prostitute.”<sup>264</sup> He was also found guilty of attempting to procure an undercover police officer.

Both C.B. and S.V.D. worked for Juneja, were over the age of 18, and had consented voluntarily to work in the massage parlour. However, Juneja was only found to be recruiting women (the officer and C.B.) from his job as a driving instructor. These were women who had not previously been involved in the sex trade and who had not found him through their own actions, such as S.V.D. On September 18, 2009, Juneja was sentenced to 30 months in prison. “The fact that Juneja was abusing his position of trust as a driving instructor was a major aggravating factor in sentencing, Marceau said, noting teenage girls could take lessons at the driving school.”<sup>265</sup>

## 2) Escort Services

In the past 30 years, prostitution has moved from off-street to the street and back off again. In the mid-1970s across Canada, crack downs of massage parlours and strip clubs began. Prostitutes increasingly began to work on the streets or out of bars and hotels due to lack of available indoor spaces. Shortly after the crack downs began, escort services began to appear.<sup>266</sup> As with massage parlours, escorts may be required to be licensed by the city, have a police check or be fingerprinted.<sup>267</sup> The activities of the agencies are known to the municipalities. For instance, the City of Calgary’s licensing process includes an interview in

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<sup>264</sup> *Ibid.* at 13.

<sup>265</sup> “Brothel owner gets 30 months in prison” *CBC News* (18 September 2009).

<sup>266</sup> See generally, Brock, *supra* note 179.

<sup>267</sup> Editorial, “Definitely not your opera date” *Calgary Herald* (09 November 2005).

which one of the official questions is: “Are you aware of the sexual nature of the industry you are entering?”<sup>268</sup>

In 2007, the SCC rejected the appeal of Kenneth Downey, a Calgary escort agency owner.<sup>269</sup> The case revealed that the escort company charged an introduction fee from the client for each “date.” The fee was turned over entirely to the agency, but any payment for sexual activity negotiated between the escort and client was retained by the sex worker. Sexual activity occurred on 85-90% of dates. Downey had been found guilty of living off the avails of prostitution and appealed. He argued that the provision under s.195(2) was an infringement of s.11(d) of the *Canadian Charter of Rights and Freedoms*, which provides that a person has the right to be considered innocent unless proven otherwise.<sup>270</sup> The four-to-three decision held that although there was an infringement under the *Charter*, it was both minimal and justifiable.<sup>271</sup>

Former Calgary firefighter, Douglas Eastaugh, was charged on a number of prostitution-related charges in 2002 and 2003.<sup>272</sup> The charges included living off the avails of prostitution of an underage person, procuring, being a bawdy-house keeper, as well as threats to cause death or bodily harm and failing to comply with provisions of his release.<sup>273</sup> A 15-year-old girl was apprehended during the investigation.<sup>274</sup>

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<sup>268</sup> Valerie Fortney, “Courtroom ‘dramedy’ shows just how blind city officials choose to be” *Calgary Herald* (09 November 2005).

<sup>269</sup> *R. v. Downey* [1992] 2 S.C.R. 10.

<sup>270</sup> *Criminal Code*, *supra* note 164 at s.195(2) stated: Section 195(2) provides that “[e]vidence that a person lives with or is habitually in the company of prostitutes ... is, in the absence of evidence to the contrary, proof that the person lives on the avails of prostitution.”

<sup>271</sup> *R. v. Downey*, *supra* note 269 at 3.

<sup>272</sup> *R. v. Eastaugh* is an unreported case. Three requests were made via email and by phone to the law offices of Patrick Fagan, the defense lawyer, but the judgment was not provided.

<sup>273</sup> “Former firefighter to remain in jail” *CBC News* (29 January 2003).

<sup>274</sup> Michael Platt, “Lawyer defends escort biz” *Calgary Sun* (01 November 2005).

During the trial, secretaries and escorts testified to the daily business of the Liaisons Escort Agency. Eastaugh was reported to have falsified records to avoid paying taxes,<sup>275</sup> tried to have sex with his employees and assaulted customers who failed to pay.<sup>276</sup> One escort also claimed he had instructed his employees to “engage in unsafe sexual practices to justify a fee increase”<sup>277</sup> and covertly videotape clients and escorts engaged in sex acts which occurred at his home.<sup>278</sup> Several escorts went to the police to complain, sparking the initial investigation, which was expanded following the suicide of a 26-year-old escort he sent to work in Vancouver in 2002.<sup>279</sup>

Eastaugh’s lawyer, Patrick Fagan, argued that the licensing process, bylaws and lack of enforcement by police led Eastaugh to believe that the escort business was legal. Fagan argued that the licensing legitimized the sex trade.<sup>280</sup> Eastaugh was found guilty of four of the 15 charges. However, he was not sentenced to additional prison time, as the days spent in pre-trial incarceration satisfied the sentence for operating a bawdy-house.<sup>281</sup> Justice Sullivan of the Court of Queen’s Bench of Alberta found that the City of Calgary had “erroneously induced the accused to reasonably believe that deriving an income from an escort agency, where escorts are engaged in sex for money, was not contrary to the criminal code.”<sup>282</sup>

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<sup>275</sup> Shelley Knapp, “Secretary details escort agency operation” *Calgary Herald* (03 November 2005).

<sup>276</sup> Michael Platt, “Hooker says city fireman bad pimp” *Calgary Sun* (04 November 2005).

<sup>277</sup> Shelley Knapp, “Escort urged to have unsafe sex” *Calgary Herald* (04 November 2005).

<sup>278</sup> Shelley Knapp, “Accused says he concluded sex for money legal in Calgary” *Calgary Herald* (18 November 2005).

<sup>279</sup> Shelley Knapp, “Woman recounts call after escort’s suicide” *Calgary Herald* (10 November 2005); Shelley Knapp, “Student tells of sex with Calgary escort” *Calgary Herald* (15 November 2005); Kevin Martin, “Prostitute’s last known john talks” *Calgary Sun* (23 November 2005).

<sup>280</sup> Shelley Knapp, “Escort’s death sparked rearrest [sic] of Eastaugh” *Calgary Herald* (08 November 2005).

<sup>281</sup> Kevin Martin, “Cop says escorts not pressured” *Calgary Sun* (17 November 2005); Shelley Knapp, “Accused claims prostitution legal” *Calgary Herald* (18 November 2005); “Pimping suspect’s trial adjourned until 2006” *Calgary Sun* (19 November 2005); Shelley Knapp, “Final arguments in pimping trial delayed” *Calgary Herald* (19 November 2005); Shelley Knapp, “Alleged pimp to argue no crime done” *Calgary Herald* (21 November 2005); Kevin Martin, “Accused claims prostitution legal” *Calgary Sun* (18 November 2005).

<sup>282</sup> Sullivan, J., quoted in “Ruling raises doubts on escort law” *Calgary Herald* (22 February 2006).



This case was widely thought to have broad implications for the sex trade in Calgary and across Canada.<sup>283</sup> In the years since *R. v. Eastaugh*, however, little has changed in Calgary or elsewhere. Police interventions continue to be rare, unless there are complaints from clients of underage women, suspicion of human trafficking, procuring of women not already engaged in the sex industry or complaints from rival businesses or escorts.<sup>284</sup> When there are arrests, the names of clients and escorts may be published by the media, disclosed by police or protected by the judge, depending on the policy of the municipality and view of the presiding judge.<sup>285</sup>

### iii. Challenges to the Canadian Prostitution Laws

Legal challenges to the constitutionality of Canada's prostitution laws have been launched in Ontario and B.C. "The Bedford Challenge" was brought forward by three current and exited sex-trade workers, Terri-Jean Bedford, Valerie Scott and Amy Lebovitch.<sup>286</sup> Bedford had been a street prostitute for over a decade before becoming a dominatrix, partly due to the dangers involved in street prostitution. She has not worked in the sex trade business since her conviction for keeping a bawdy-house. Scott worked in the sex trade for almost 30 years. Although exited now, Scott is the executive director for the Sex

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<sup>283</sup> See e.g., "Escort rules thrown into question" *CBC News* (22 February 2006).

<sup>284</sup> See e.g., regarding an escort agency, Jennifer Ludbrook, "Alleged U of C escort recruiter arrested by Calgary police" *Gauntlet* (07 November 2002). See also, regarding a bawdy house, "Brothel bust exposes video camera" *Toronto Star* (14 September 1999).

<sup>285</sup> Nick Pron and Ariel Teplitsky, "Judge refuses to name names in escort case" *Toronto Star* (09 October 1999); Ariel Teplitsky, "Escort client list may become public" *Toronto Star* (07 October 1999); Jane Gadd, "Escort agency knew women were HIV-positive" *The Globe and Mail* (06 October 1999); Lindsay Kines, "Abbotsford police censured for plan to issue names of johns" *Vancouver Sun* (09 July 1997); Lindsay Kines, "Abbotsford waits for johns to be named" *Vancouver Sun* (08 July 1997).

<sup>286</sup> Janine Benedet and Thea Hoogstraten. (28 June 2008) *A critical explanation of the new legal challenges to Canada's prostitution laws*. Vancouver: Vancouver Rape Relief and Women's Shelter.

Professionals of Canada (SPOC). Lebovitch is a current sex worker, presently working from her home, after first working on the street.<sup>287</sup>

Alan Young is counsel for Bedford, Scott and Lebovitch.<sup>288</sup> Young argued that the constitutional rights of his clients were violated and their health and security were at risk due to current prostitution laws.<sup>289</sup> Sections 210 (bawdy-house), 212(l)(j) (living on the avails) and 213 (1)(c) (communication) were specifically challenged. The applicants argued these sections violated section 7 of the *Charter of Rights and Freedoms*. It was further argued that s. 213(l)(c) was as a violation of s. 2(b) of the *Charter*. In their opinion, the current laws prevented “hookers from properly screening clients, hiring security or working in the comfort and safety of their own homes or brothels.”<sup>290</sup>

The Christian Legal Fellowship, REAL Women of Canada and Catholic Civil Rights League had asked for leave to intervene as friends of the Court. In a July 2, 2009, ruling, Justice P. Theodore Matlow of the Ontario Superior Court of Justice dismissed their motion.<sup>291</sup> The Ontario Court of Appeal overturned this decision on September 22, 2009, granting the parties intervener status.<sup>292</sup>

The Ontario Court of Appeal delivered its decision in the Bedford Challenge on September 28, 2010. Justice Himel found for the applicants, agreeing that the current prostitution laws placed prostitutes in danger and should be struck down:

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<sup>287</sup> *Bedford v. Canada (Attorney General)* (20 March 2007) Notice of Amended Application, Court File No. 07-CV-329807PD1.

<sup>288</sup> Omar El Akkad, “Prostitutes launch constitutional challenge” *The Globe and Mail* (22 March 2007), A15.

<sup>289</sup> “Sex-trade laws infringe on rights: lawyer” *Ottawa Citizen* (08 October 2009), A3; “Sex-trade workers to fight Canada’s prostitution laws” *CBC News* (05 October 2009); “Prostitutes set to challenge sex laws” *Ottawa Citizen* (06 October 2009), A4; Natalie Alcoba, “Women’s lawsuit challenges Canada’s prostitution laws” *Winnipeg Free Press* (07 October 2009).

<sup>290</sup> “Throw out ‘bizarre’ prostitution laws, court told” *CBC News* (06 October 2009).

<sup>291</sup> *Bedford v. Canada (Attorney General)* [2009]. O.J. No. 2739 at 2.

<sup>292</sup> *Bedford v. Canada (Attorney General)* [2009] O.J. No. 388 at 2.

The conclusion I have reached is that three provision[s] of the Criminal Code that seek to address facets of prostitution (living on the avails of prostitution, keeping a common bawdy-house and communicating in a public place for the purpose of engaging in prostitution) are not in accord with the principles of fundamental justice and must be struck down. These laws, individually and together, force prostitutes to choose between their liberty interest and their right to security of the person as protected under the Canadian Charter of Rights and Freedoms.<sup>293</sup>

Then-Minister of Justice, Rob Nicholson, immediately expressed his displeasure with the ruling.<sup>294</sup> The following day, Nicholson announced that Canada would appeal.<sup>295</sup> The decision was subject to a 30-day stay.<sup>296</sup> On December 2, 2010, Justice Rosenberg extended the stay of proceedings, ensuring that the current prostitution laws would not be changed until April 2011, or until the Ontario Court of Appeal could hear the case.<sup>297</sup>

The Ontario Supreme Court began hearing arguments on June 13, 2011. The federal government position was that:

sex workers should have no expectations of being safe when they choose to enter into an illegal trade, one that is rife with crime, drugs and violence. Furthermore, the dangerous conditions surrounding the underground industry are a result of their efforts to evade the law, and should not justify those laws being changed.<sup>298</sup>

It was widely expected that the case would ultimately be appealed to the SCC.<sup>299</sup> In March 2012, the decision was released; the appeal was allowed in part. All of the appeal judges

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<sup>293</sup> *R. v. Bedford* [2010] O.N.S.C. 4264 at 5.

<sup>294</sup> *Statement by Justice Minister Rob Nicholson following the Ontario Superior Court of Justice decision on the Bedford prostitution challenge* (Ottawa: Department of Justice Canada, 28 September 2010).

<sup>295</sup> "Ottawa to appeal prostitution ruling" *CBC News* (29 September 2010).

<sup>296</sup> "O'Brien denounces prostitution ruling" *CBC News* (29 September 2010); "Prostitution laws struck down by Ont. court" *CBC News* (28 September 2010).

<sup>297</sup> *R. v. Bedford* [2010] O.N.C.A. 814. See also, Kirk Makin, "Stay extension keeps prostitution laws in legal limbo" *The Globe and Mail* (02 December 2010); Justice Canada, *Statement by Justice Minister Rob Nicholson following the Ontario Court of Appeal stay decision on the Bedford prostitution challenge* (Ottawa: Department of Justice Canada, 02 December 2010).

<sup>298</sup> Linda Nguyen, "Court battle set on key prostitution case" *Ottawa Citizen* (13 June 2011), A4.

<sup>299</sup> *Ibid.*; Linda Nguyen, "Women's rights groups face off in appeals court" *Ottawa Citizen* (17 June 2011), A4; Linda Nguyen, "Laws against prostitution 'unethical,' court told" *Ottawa Citizen* (16 June 2011), A7; Linda

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agreed with Himmel J. that the prohibition regarding bawdy-houses and living on the avails of prostitution was unconstitutional and should be struck down. However, the majority ruled that the prohibition on communication is not unconstitutional. A one-year period was granted to allow the government to redraft these prohibitions.<sup>300</sup> Justices MacPherson and Cronk did not agree with the majority opinion regarding the communication law: “The application judge was correct in finding that the effects of the communicating provision are grossly disproportionate to the goal of combating social nuisance. The communicating provision violates s. 7 of the Charter and is therefore unconstitutional.”<sup>301</sup> The appeal was heard in June of 2013 but as of October 3, 2013, the decision has not yet been released

In B.C., a challenge was launched by a group of current and exited sex workers, the Sex Workers United Against Violence (SWUAV) in the DTES represented by the Pivot Legal Society.<sup>302</sup> Sheri Kiselbach, an exited sex worker with 30 years of experience in street prostitution, led the challenge. The SWUAV argue that their Charter rights are violated because those “sex workers who live in poverty, are of aboriginal descent, are homosexual or transgendered, face health challenges/addictions, or who work on the street rather than indoors feel adverse and disproportionate effects of the Prostitution Laws.”<sup>303</sup> The group further argues that their freedom of expression and freedom of association has been infringed upon.<sup>304</sup> The arguments were similar to the Bedford Challenge:

The plaintiffs sought a declaration that various sections of the Criminal Code dealing with prostitution violated s. 2(b), s.2(d), s. 7 and s. 15 of the Charter

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Nguyen, “Prostitution a choice, appeal court hears” *Ottawa Citizen* (15 June 2011), A6; Linda Nguyen, “Prostitution not a right, court told” *Ottawa Citizen* (14 June 2011), A3.

<sup>300</sup> *Bedford v. Canada (Attorney General)* [2012] 109 O.R. (3d) 1 at 10.

<sup>301</sup> *Ibid.* at 4.

<sup>302</sup> Pivot. *Sex worker charter challenge denied: Supreme Court rules sex workers cannot challenge prostitution laws.*

<sup>303</sup> Benedet and Hoogstraten, *supra* note 286.

<sup>304</sup> *Ibid.*

and were therefore of no force and effect. The central thesis of the action was that the impugned provisions of the Criminal Code deprived sex workers, whose work itself was lawful, of the ability to conduct their work safely.<sup>305</sup>

In October 2008, the B.C. Supreme Court heard arguments on standing.<sup>306</sup> In December 2008,<sup>307</sup> Justice Ehrcke ruled the plaintiffs did not have the legal right to bring a *Charter* challenge forward<sup>308</sup> because Kiselbach was no longer an active sex worker and was not herself facing prostitution-related charges.<sup>309</sup> An appeal of the issue of standing was filed the following month.<sup>310</sup> In May 2009, the Trial Lawyers Association of B.C. (TLABC) requested legal intervener status,<sup>311</sup> as did the B.C. Civil Liberties Association (BCCLA), which were granted later that month.<sup>312</sup> In a two-one decision, the Court overturned the decision and granted Kiselbach public interest standing.<sup>313</sup> On March 31, 2011, the SCC granted leave for the federal government to defend the current prostitution laws, but denied the applicant's request to be heard.<sup>314</sup> The appeal was heard in January 2012, but the appeal was dismissed in September 2012.<sup>315</sup>

In a novel case, Leslie Blais of B.C. is believed to be the first client of a prostitute to challenge the prostitution laws. After being arrested for communication with an undercover police officer, Blais chose to fight the charge, saying that the current laws violate the *Charter*

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<sup>305</sup> *Downtown Eastside Sex Workers United Against Violence Society (DTESUAVS) v. Attorney General (Canada)* [2010] B.C.J. No. 1983 at 2.

<sup>306</sup> *DTESUAVS v. Canada* [2008] BCSC 1726.

<sup>307</sup> *DTESUAVS v. Canada* [2008] B.C.J. No. 2447.

<sup>308</sup> Pivot. *Background on Charter Challenge to the Criminal Laws Relating to Adult Prostitution*.

<sup>309</sup> "Former Vancouver prostitute and allies challenge prostitution laws" *CBC News* (09 March 2009).

<sup>310</sup> *DTESUAVS v. Canada*, Notice of Appeal, Supreme Court File No. S075285 (12 January 2009).

<sup>311</sup> *DTESUAVS v. Canada*, Memorandum of Argument and Authorities on an Application for Leave to Intervene, Court of Appeal No. CA036762 (14 May 2009).

<sup>312</sup> *Ibid.*

<sup>313</sup> *DTESUAVS v. Canada*, *supra* note 305 at 20. See also, "Former sex worker challenges prostitution laws" *CBC News* (21 January 2010).

<sup>314</sup> Suzanne Fournier, "Court ruling denying women voice 'will endanger sex-trade workers'" *The Province* (01 April 2011).

<sup>315</sup> *DTESUAVS v. Canada* [2012] SCC 45.

rights of sex workers.<sup>316</sup> “Counsel argues, compendiously, that the section is ‘killing people.’”<sup>317</sup> Blais subpoenaed criminology professor John Lowman, who did not wish to testify. Justice Gill quashed the subpoena.<sup>318</sup> Upon appeal, the B.C. Court of Appeal agreed with the B.C. Supreme Court decision, agreeing that Lowman, who is part of the B.C. and Ontario challenges, is not required to testify on prostitution laws in the Blais case.<sup>319</sup>

As of October 2013, these cases continue to move through the judicial system.

## V. TRAFFICKING IN PERSONS

Human trafficking, or trafficking in persons, is the term used to describe the activities around a form of slavery found all over the world.<sup>320</sup> “Traffickers recruit, transport, harbour or control the movement of persons in order to exploit them by causing them to provide their services or labour because they fear for their own safety or even the safety of someone close to them.”<sup>321</sup> Victims may be sexually exploited for the purposes of prostitution, forced labour such as manual or domestic work, or for their organs.<sup>322</sup> Women and children are more likely to be forced into prostitution than are men.<sup>323</sup> Although adult men are also victims of human trafficking, the U.N. and governments all over the world have recognized that women and

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<sup>316</sup> Chad Skelton, “B.C. john challenges Canadian prostitution laws” *Canwest News Service* (03 October 2008).

<sup>317</sup> *R. v. Blais* [2008] B.C.J. No. 1868 at 4.

<sup>318</sup> *R. v. Blais* [2007] B.C.J. No. 300 at 2.

<sup>319</sup> *R. v. Blais*, *supra* note 317.

<sup>320</sup> In my position as Strategic Policy Manager at the Status of Women Canada, I was responsible for the TIP file. I sat on the interdepartmental working group and attended and assisted in the training of police, Crown attorneys and border guards, specifically in the identification of Aboriginal victims of TIP. No information related to my work is included in this dissertation unless it is a publicly available document.

<sup>321</sup> Justice Canada. *An overview of trafficking in persons and the Government of Canada’s efforts to respond to this crime: 2009-2010* (Ottawa: DOJ, 2010).

<sup>322</sup> In Canada, the first trafficking charges related to forced labour were laid against twelve members of a Hamilton, Ontario, family. Of the 19 Hungarian victims, 18 were men. All previous TIP cases involved women being sexually exploited for the purposes of prostitution. See: Tamara Cherry, “Hamilton family behind slavery: Cops” *Toronto Sun* (08 October 2010).

<sup>323</sup> See especially, Susan W. Tiefenbrun, “Sex sells but drugs don’t talk: Trafficking of women sex workers and an economic solution” (2001) 24 *Thomas Jefferson Law Review*, 190.

children are the primary victims of trafficking. As a result, a specific emphasis has been placed on women and children.<sup>324</sup>

The U.S. Department of Justice (DOJ) estimates that one million girls and women are trafficked worldwide for the purposes of prostitution,<sup>325</sup> where other estimates range from 700,000 to 2 million,<sup>326</sup> 2.5 million,<sup>327</sup> and up to 4 million victims per year.<sup>328</sup> The U.S. State Department believes that 50,000 to 100,000 trafficking victims are transported into the U.S. each year.<sup>329</sup> The Government of the Ukraine estimates 100,000 Ukrainian women were victims of human trafficking in the 1990s, with Canada being one of the popular destinations for trafficked women.<sup>330</sup> This “shadow economy” is estimated to be worth between \$7 billion<sup>331</sup> and \$32 billion<sup>332</sup> U.S. a year, worldwide.

Trafficking in persons (TIP) became a separate crime in Canada through legislation enacted in 2002. Sections 279.01, 279.02 and 279.03 of the *Criminal Code*<sup>333</sup> came into force in November, 2005. In addition to the new *Criminal Code* offences, sexual exploitation of children or prostitution-related charges may also be applied in cases of human trafficking.<sup>334</sup> There were no charges laid between 2002 and 2006; 13 charges were laid between March 2007 and February 2008.<sup>335</sup> As of June 2013, there were 45 cases under s.279.01 or related convictions, resulting in convictions against 69 individuals. The “related

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<sup>324</sup> U.N., *supra* note 4.

<sup>325</sup> National Institute of Justice (N.I.J.). *The “Natasha” Trade: Transnational Sex Trafficking*, by Donna M. Hughes, (Washington: National Institute of Justice Journal, January 2001) at 9.

<sup>326</sup> Julie Cwikel and Elizabeth Hoban, “Contentious issues in research on trafficked women working in the sex industry: Study design, ethics, and methodology” (2005) 42 J. of Sex Research at 306.

<sup>327</sup> Psychologists for Social Responsibility. *Human trafficking and prostitution*, by Melissa Farely at 1.

<sup>328</sup> Cwikel and Hoban, *supra* note 326 at 306.

<sup>329</sup> N.I.J., *supra* note 325 at 9.

<sup>330</sup> *Ibid.* at 10.

<sup>331</sup> N.I.J., *supra* note 325 at 9.

<sup>332</sup> Psychologists for Social Responsibility, *supra* note 322 at 1.

<sup>333</sup> See Appendix C for the full text of *Criminal Code*, *supra* note 164 at Sections 279.01, 279.02 and 279.03.

<sup>334</sup> Justice Canada, *supra* note 321.

<sup>335</sup> U.N., *supra* note 4 at 41.

convictions” were identified as forcible confinement, sexual assault, procuring, conspiracy, participating in a criminal organization.<sup>336</sup> In addition, there were 34 domestic cases of TIP, and two international cases at this time, although exact figures are difficult to establish because “the numbers change regularly due to a variety of reasons, such as charges being withdrawn or guilty pleas being entered throughout the court process”.<sup>337</sup>

There is a lay understanding of TIP which involves a stereotype of foreigners smuggled across international borders. Certainly this type of human trafficking does occur within Canada. “Foreign women and children, primarily from Asia and Eastern Europe, are trafficked to Canada for commercial sexual exploitation, but victims from Africa, Latin America, and the Caribbean also have been identified.”<sup>338</sup> However, victims do not need to be foreign women or children; Canadian citizens can be – and are – trafficked within Canada.<sup>339</sup> Justice Canada defines human trafficking as “the movement of people *across or*

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<sup>336</sup> Department of State (U.S.). *Trafficking In Persons Report 2009*. (Washington, D.C.: United States of America, June 2009) at 99. “Quick Facts (Human Trafficking)” *RCMP* (June 2013).

<sup>337</sup> “Quick Facts...” *supra* note 336.

<sup>338</sup> Department of State, *supra* note 336 at 98.

<sup>339</sup> See generally, Daphne Bramham, “Canada a hotspot for sex tourism” *Ottawa Citizen* (27 June 2009). See also, Leslie Tutty and Kendra Nixon. ““Selling sex? It’s really like selling your soul”: Vulnerability to and the experience of exploitation through child prostitution” in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 36.

See e.g., a case in the Ottawa-Gatineau region: “2 charged after teens allegedly drugged, forced into prostitution” *CBC News* (6 August 2008); “Gatineau couple charge in teen prostitution ring in court” *The Ottawa Citizen* (7 August 2008); “Abduction, forced prostitution case discussed at Ottawa shelters: worker” *CBC News* (08 August 2008); “Woman faces human trafficking charge in forced prostitution case” *The Ottawa Citizen* (12 August 2008); “4th victim, new charges in Gatineau forced prostitution case” *CBC News* (27 August 2008); “Man gets 14 months in jail on prostitution charges” *Ottawa Citizen* (18 December 2009), C4.

See also, a Winnipeg, Manitoba case: Carol Sanders, “Kids describe life in mom’s crack house in Winnipeg” *Winnipeg Free Press* (23 May 2008); “Police say 30 kids involved in Winnipeg sex ring” *CTV News* (3 November 2005); “Child sex ring...,” *supra* note 51.



within borders; threats or use of force, coercion and deception; and exploitation, whether forced labour, forced prostitution, or other forms of servitude (emphasis added).”<sup>340</sup>

Human smuggling differs from human trafficking.<sup>341</sup> Smugglers have the consent of, and have been paid by, individuals to gain entry to the country by way of illegal means. There is no further relationship once entry has been accomplished.<sup>342</sup> “Smuggled migrants are usually free once they arrive at their destination; trafficking victims are not.”<sup>343</sup>

An example of TIP for the purposes of sexual exploitation of migrant women was seen in Edmonton. Charges of human trafficking and living off the avails of prostitution were laid against two women and one man following a raid at a massage parlour. Three women, all in Canada legally, had answered job ads to work in the massage industry. Upon arrival in Canada, however, their identification papers were confiscated. The women lived in the massage parlour and were expected to work around the clock. Although told they were free to leave (without their identification, apparently), the women were informed their families would be told about their involvement in prostitution should they do so.<sup>344</sup> The trafficking charges were eventually stayed during plea agreements.<sup>345</sup>

Reciting a very similar story, a woman formerly from Hungary who was sexually exploited in Toronto, explained:

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<sup>340</sup> Justice Canada, *supra* note 321. See also, N.I.J. *Sex Trafficking: Identifying Cases and Victims*, by Robert Moosy, J.D., (Washington: National Institute of Justice Journal, March 2009).

<sup>341</sup> See, *R. v. Ng* [2006] BCPC 0111 at 8. “The first is the presence of force, coercion, fraud or deception as part of the process of organizing entry into Canada. In the case of smuggling it is implicit (that) the person being smuggled may be a willing participant in the scheme to gain entry but once entry has been affected there may be no further relationship between the person organizing the entry and the person being smuggled. In contrast, human trafficking, involves the use of force, fraud or deception, to compel a person to participate in the scheme to gain entry. The second critical difference is that in the case of trafficking there is a continuing relationship with the person organizing entry after entry into Canada.”

<sup>342</sup> See especially, Penelope Saunders, “Traffic violations: Determining the meaning of violence in sexual trafficking versus sex work” (2005) 20 J. of Interpersonal Violence, 343.

<sup>343</sup> Justice Canada, *supra* note 321.

<sup>344</sup> “Human trafficking charges laid in Edmonton” *CBC News* (10 September 2009).

<sup>345</sup> “Edmonton human trafficking charges dropped” *CBC News* (16 February 2011).

It could happen to anyone. You don't have to be a foreign person. You could be living in your mom's house. All you have to do is answer a stupid ad. Or go with a guy who tells you he loves you. They'll take you to another city and you have no way of coming back.<sup>346</sup>

Once freed from their pimps and traffickers, sexually exploited women and girls from abroad are often faced with deportation from Canada and other Western countries. Programs from the federal and provincial/territorial governments and non-governmental organizations (NGOs) do exist, which include medical interventions, counselling and Temporary Resident Permits (TRPs).<sup>347</sup> For the most part, however, trafficked women return to their countries of origin.<sup>348</sup> Having suffered abuse by clients and traffickers does not necessarily translate into care by the state for psychological or long term medical problems resulting from their abuse, nor to refugee claims or social assistance. Deportation as criminals, rather than aided as victims, is common after a "rescue" from bondage. Advocates for foreign victims of trafficking argue that "simply deporting the women for violating the conditions of their visitors' visas will do little to solve their problems" and may also result in them being trafficked again.<sup>349</sup> In some counties, women face prosecution for prostitution-related offences, despite being victims of human trafficking or having gone to the police for help.<sup>350</sup>

A B.C. "madam," Zhe Nai Xu (also known as Pinky), ran several bawdy-houses in the Lower Mainland area of Vancouver. Her fortified brothels generated over \$1 million per year. Although Xu was "accused of exploiting young Korean women just off the plane," the

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<sup>346</sup> "Former sex slave tells her story" *CBC News* (18 September 2009).

<sup>347</sup> Justice Canada, *supra* note 321.

<sup>348</sup> See especially, Ric Esther Bienstock. *Sex Slaves*, 2006, Documentary: (Boston, Mass.: Frontline, 2007). See also, Jon Silverman, "Sex workers say 'let us stay'" *The Guardian* (18 February 2003); "Sex and slavery" *The Observer* (23 February 2003).

<sup>349</sup> Lindsay Kines, "Bawdy house linked to ring of people smugglers" *Vancouver Sun* (03 March 1998).

<sup>350</sup> See especially, N.I.J., *supra* note 325.

women were arrested and charged with prostitution-related offences and deported.<sup>351</sup> In another case in the same area of the province a decade earlier, eight young women were found to have been forced into sexual slavery and forcibly injected with heroin until addicted.<sup>352</sup> Although the women were free to leave the premises for food, they did not try to escape because their traffickers were an Asian organized crime syndicate which also supplied heroin.<sup>353</sup>

Despite these convictions and the international communities' general approval of Canada's anti-TIP regime, there is an apparent disconnect between police forces who arrest and policy makers who craft the laws. In a 2009 case, Tyrone Dillon of Toronto, was charged with exercising control, forcible confinement, assault, threatening death, procuring illicit sex and living on the avails of prostitution. The victim was allegedly forced into prostitution after her toddler was taken by Dillon.<sup>354</sup> University of British Columbia law professor and TIP expert, Benjamin Perrin, asserted that this was a situation which called for human trafficking charges, rather than strictly prostitution-related offences.<sup>355</sup>

In another case from the Greater Toronto Area, however, Joshua Owusu-Ansah had human trafficking charges laid in addition to prostitution-related charges, regarding two teenaged girls, by the Peel Regional Police.<sup>356</sup> Police forces such as Peel and York actively target pimps, and have a policy in place to do so.<sup>357</sup> Detective Thai Truong assists the RCMP

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<sup>351</sup> "Richmond woman faces bawdy house charges" *CBC News* (15 February 2007).

<sup>352</sup> It should be noted that this case occurred before Canada had enacted human trafficking laws.

<sup>353</sup> Keith Fraser, "Ring keeps sex slaves on heroin, say police" *The Province* (03 March 1998).

<sup>354</sup> Don Peat, "Mother forced into prostitution, cops say" *Toronto Sun* (29 April 2009); Sam Pazzano, "Alleged pimp wooed young mom" *Toronto Sun* (30 April 2009).

<sup>355</sup> Tamara Cherry, "Pimps guilty of trafficking; Prof" *Toronto Sun* (30 April 2009).

<sup>356</sup> Joe Fantauzzi, "Teen busted in Ont" *Unknown Paper* (15 April 2009); Tamara Cherry "Missing teen forced to work as prostitute" *Canoe News* (18 April 2009).

<sup>357</sup> Joe Fantauzzi, "Police change direction on human trafficking" *York Region* (19 January 2010).

with training of police, Crown attorneys and border agents, sharing the experiences and best practices of the York Regional Police.<sup>358</sup>

The confusion over whether a situation requires charges of living off the avails and/or procuring or one in which human trafficking charges should be applied has implications for Aboriginal women. As noted by the U.S. Department of State, “Canadian women and girls, many of whom are aboriginal, are trafficked internally for commercial sexual exploitation.”<sup>359</sup> Further, “[a]ccording to the Department of Justice and other witnesses, Aboriginal girls and women are at greater risk of becoming victims of trafficking within and outside Canada.”<sup>360</sup>

The lack of acknowledgement of sexual exploitation of Aboriginal girls acts a hindrance to initiating and implementing measures for addressing it. Thus, sexual exploitation continues to be viewed as or conflated with sex work. Aboriginal peoples are stereotyped as “willing” to take up sex work and a great deal of ignorance surrounds Aboriginal culture and their living conditions.<sup>361</sup>

Domestic sex trafficking of Aboriginal girls and women in Canada can take various forms. Research indicates that familial-based prostitution, or having being sexually exploited by family members, both male and female, is not uncommon.<sup>362</sup> “Many key informants identified familial-based sex trafficking as poverty driven and intergenerational or cyclical resulting from the residual impact of colonization and residential schools.”<sup>363</sup>

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<sup>358</sup> Truong, *supra* note 180.

<sup>359</sup> Department of State, *supra* note 336 at 98.

<sup>360</sup> Standing Committee on the Status of Women (February 2007). *Turning outrage into action to address trafficking for the purpose of sexual exploitation in Canada*. Ottawa: House of Commons at 7.

<sup>361</sup> Anupriya Sethi, “Domestic sex trafficking of Aboriginal girls in Canada: Issues and implications” (2007) 3 *First Peoples Child & Family Review* at 61.

<sup>362</sup> See especially, Sikka, *supra* note 8 at 14. See also, Sethi, *supra* note 361 at 59.

<sup>363</sup> *Ibid.*

An U.S. study has indicated that “young Aboriginal women living on reserves are vulnerable to be trafficked into major Canadian or U.S. cities for prostitution.”<sup>364</sup> Another U.S. study stated that Aboriginal women, girls, boys and babies from Thunder Bay had been trafficked on ships headed to Minnesota.<sup>365</sup> In the fall of 2013, Public Safety Canada issued a Request for Proposals for a contractor to conduct research into the trafficking of Aboriginal women and girls.<sup>366</sup>

Research also alleges that Asian and Somali gangs are responsible for the trafficking of Aboriginal women and girls, in addition to Aboriginal gangs such as the Indian Posse, Native Syndicate and Red Alert.<sup>367</sup> Gang-related domestic sex trafficking can result in street level prostitution, the use of trick pads run by gangs, or escort services, massage parlours and exotic dancing clubs with gang management or affiliations.<sup>368</sup>

Since gangs were reported to control much of the drug trade in Winnipeg and Edmonton, gang members reportedly facilitated girls’ addictions and then required them to work in the sex trade to earn money to feed the habit. Participants indicated that, in some cases, girls were told simply to go out and make money in order to pay the gang for drugs. In other cases, they were required to have sex with gang members in order to receive more drugs.<sup>369</sup>

The RCMP’s National Aboriginal Policing Service (NAPS) has had an interest in further researching this issue, but lacked the resources to do so.<sup>370</sup>

The Internet has become a popular way of advertising the services of individual women and bawdy-houses.<sup>371</sup> Internet advertisements are also frequently being used to lure

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<sup>364</sup> Brendan Kennedy, “Human trafficking isn’t foreign, expert says” *Ottawa Citizen* (23 March 2009), A5.

<sup>365</sup> “Native Canadian women sold on U.S. ships, researcher says” *CBC News* (21 August 2013).

<sup>366</sup> “Ottawa’s research on trafficking of aboriginal women panned” *CBC News* (04 September 2013).

<sup>367</sup> Tamara Cherry, “Flesh trade targets natives” *Toronto Sun* (13 November 2008).

<sup>368</sup> Sethi, *supra* note 3613 at 59.

<sup>369</sup> Sikka, *supra* note 8 at 15.

<sup>370</sup> Goodman, *supra* note 7. See especially, Standing Committee on the Status of Women, *supra* note 360 at 10. See also, Cherry, *supra* note 367.

<sup>371</sup> “Charges laid in bawdy...” *supra* note 66.

young girls with promises of modelling contracts, only to be sexually exploited.<sup>372</sup>

Trafficked women and girls are sexually exploited through escort services and massage parlours advertised on-line.<sup>373</sup> Police use the same sites to try to identify and rescue trafficked women and children. The request by the federal and provincial governments to have Craigslist remove erotic service advertisements may actually make finding trafficked women more difficult. Craigslist had routinely provided police with electronic information needed to investigate potential trafficked victims and underage girls.<sup>374</sup>

## VI. CHILD SEXUAL EXPLOITATION

In raids on locations all across Canada, children and teenagers have been found to be exploited for sexual purposes. Youths are also exposed to adult prostitution due to having been raised in a bawdy-house or having family members bring clients home.<sup>375</sup> Off the streets, children are less visible and less likely to be apprehended by police or social welfare organizations.

It is difficult to gauge the prevalence of youth prostitution in Canada, and the age at which such youth enter prostitution. Advocacy groups assert that most youths enter prostitution under the age of 14. In 2000, an estimated 1,200 children in Ontario were being sexually exploited through prostitution.<sup>376</sup> During the same period, 100 children and youth in

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<sup>372</sup> Sherri Zickefoose, "Internet used to prey on women" *Calgary Herald* (04 December 2009); Jason Van Rassel, "Human-trafficking charges laid against man, woman in Calgary" *Ottawa Citizen* (03 December 2009), A4.

<sup>373</sup> See especially, Tutty and Nixon, *supra* note 339 at 37.

<sup>374</sup> Kelly and Matthews, *supra* note 81.

<sup>375</sup> Yohemas-Hayes and Chilibeck, *supra* note 52; "Police say 30...", *supra* note 339; "Child sex ring...", *supra* note 51.

<sup>376</sup> "Ontario to battle child prostitution" *CBC News* (20 December 2000); Theresa Boyle, "New act targets child prostitutes" *Toronto Star* (20 December 2000); "Ontario to arrest, hold, child prostitutes" *CBC News* (19 December 2000).

both Saskatoon<sup>377</sup> and Calgary<sup>378</sup> were thought to have been exploited. Vancouver, with its mild winters, has long been a draw for the homeless and runaways.<sup>379</sup> Estimates of sexually exploited children and youth in the Vancouver area ranged from 120<sup>380</sup> to 1,000<sup>381</sup> to 1,500.<sup>382</sup> Children and youth may be sexually exploited through prostitution by strangers or after running away, but children are also victimized by their own families.<sup>383</sup>

The executive director of a NGO which provides assistance in obtaining a child and youth worker training certificate to exited sex workers in Winnipeg, said the average age of entry into prostitution was 11, regardless of ethnicity, although 70% of the clientele were Aboriginal.<sup>384</sup> An advocacy group estimated that there are 400 sexually exploited children and youth (age eight to 16) in Winnipeg each year, with 80% of the exploitation occurring off-street.<sup>385</sup> Quoting the same proportion of off-street prostitution, a Winnipeg organization assisting sexually exploited youth estimates that 70% of those exploited children and youth are Aboriginal.<sup>386</sup> The assertions by police and advocacy groups are not able to be verified by researchers.

Research has confirmed that the majority of people working in the sex trade at any one time are over the age of majority. However, studies in Canada<sup>387</sup> and the U.S.<sup>388</sup> have

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<sup>377</sup> Tom Cohen, "Child sex trade thriving" *London Free Press* (05 April 2000).

<sup>378</sup> "New law lets Calgary cops help child prostitutes" *CBC News* (29 January 1999).

<sup>379</sup> Charlie Gillis, "Canada cited for child-sex hypocrisy" *National Post* (20 November 2000); Scott Edmonds, "Vancouver popular spot for sex tourists who prey on kids: report" *Canadian Press* (21 November 2000).

<sup>380</sup> Kevin Griffin, "B.C. moves ahead with secure-care legislation" *Vancouver Sun* (31 July 2000).

<sup>381</sup> Gerry Bellett, "US law gives parents power" *Vancouver Sun* (24 July 1995).

<sup>382</sup> Gerry Bellett, "Innocence for Sale" *Vancouver Sun* (15 July 1995).

<sup>383</sup> Cohen, *supra* note 377.

<sup>384</sup> Susan Berthinume, Executive Director, Ndinawe (15 March 2011). Interview with Maryanne Pearce (15 March 2011), Winnipeg, Manitoba, Canada.

<sup>385</sup> "Manitoba launches 'Stop sex with kids' campaign" *CBC News* (25 September 2006).

<sup>386</sup> McIntyre, *supra* note 253.

<sup>387</sup> John Lowman, "Street prostitutes in Canada: An evaluation of the Brannigan-Fleischman opportunity Model" (1991) 6 Cdn. L. of Law and Society at 146; "The disappeared" *The Guardian Unlimited* (05 August 2005); Kendra Nixon, *et al.*, *supra* note 188; Canadian National Coalition of Experiential Women. (May 2008)

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repeatedly shown that a considerable number of adult sex workers entered the sex industry before turning 18. Children and youths may appeal to clients for reasons other than solely for sexual attraction. Clients often believe youthfulness equates with being less sexually experienced, less likely to be infected with a sexually transmitted infection (STI) or Human Immunodeficiency Virus (HIV), as well as being easier to control.<sup>389</sup>

A 2001 study of sex workers in the DTES by PACE found that 13.8% were in the sexual exploitation trade before age 13, but the average age of entry was 17 years of age.<sup>390</sup> Other Canadian studies have concluded that the average age of entry into the sex trade for female prostitutes is age 16, whereas Benoit and Millar found the majority of their female respondents in Victoria entered the sex trade at age 18.<sup>391</sup>

Data from the 2003 and 2004 Pivot affidavits of sex workers in the DTES provide a different picture. Of the affidavits taken from female prostitutes, 30 women (38%) indicated entry into the sex trade in Canada before age 18.<sup>392</sup> The average age of entry was 21.6 years old for this sample. This is likely due to the fact that nine (11%) individuals began sex work after age 35 as a way to earn money to pay for their addiction. As discussed, this is not a representative sample of sex workers, but a snap shot of self-selected sex workers in one area of Vancouver.

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*Perpetrator intervention strategies to reduce commercial sexual abuse of children: A position statement* at 2. See also, Benoit and Millar, *supra* note 11 at 35.

<sup>388</sup> See e.g., John J. Potterat, Richard Rothenberg, Steven Muth, William Darrow and Lynanne Phillips-Plummer, "Pathways to prostitution: The chronology of sexual and drug abuse milestones. (1998) 35 J. of Sex Research at 333.

<sup>389</sup> Justice Canada, *supra* note 40 at 31.

<sup>390</sup> Cler-Cunningham, *supra* note 23.

<sup>391</sup> "Manitoba launches...", *supra* 385; Beyond Borders Inc. (no date). *Commercial Sexual Exploitation of Children in Canada*.

<sup>392</sup> See Figure 1-17, in Chapter One.



In large urban cities, such as Montreal, Toronto and Vancouver, child sexual exploitation is likely to involve children from a variety of ethnic backgrounds, reflective of the diversity of the population. It is not only an urban problem, however, as in smaller towns and rural areas children and youths are sexually exploited locally, or transported to urban centres. “Most are Indian or mixed race Canadians ... desperate for money, alcohol, drugs, food or just a ride.”<sup>393</sup> In Saskatchewan, it is estimated that 80% of children exploited through prostitution are Aboriginal.<sup>394</sup>

Once victimized, accustomed to street life, addicted to drugs or having found a “family” of sorts, among other sexually exploited youth, their pimps or gangs, it becomes difficult for sexually exploited youths to return to their homes – if a safe home environment exists or if they are welcomed back.<sup>395</sup> Parents of sexually exploited children are largely helpless to offer meaningful options to rescue their children.<sup>396</sup> In an effort to safeguard their children, parents have employed a number of desperate measures. Parents have forcibly removed their children from the streets or out of trick pads, staged abductions and hired deprogrammers. These measures are generally unsuccessful and can lead to criminal charges against the parents.<sup>397</sup> Other parents have committed their children to residential addiction treatment programs or mental health institutions or agreed to jail terms even where alternatives exist.<sup>398</sup>

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<sup>393</sup> Cohen, *supra* note 377.

<sup>394</sup> “Indian leader meets with child prostitution committee” *CBC News* (04 January 2001); “Saskatchewan wants to crack down on child prostitution” *CBC News* (29 June 2000);

<sup>395</sup> *Ibid.*

<sup>396</sup> For examples, see: “Standoff over prostitute, 14” *Vancouver Province* (10 August 1999); Margaret Wenté, “The lost children of the streets” *The Globe and Mail* (21 August 1999); Mike D’Amour, “Wayward girl on right track” *Calgary Sun* (22 December 2000).

<sup>397</sup> Griffin, *supra* note 380.

<sup>398</sup> Gordon Clark, Kathy Tait and Jack Keating, “They tried to save her from this” *Vancouver Province* (22 April 1999); Wenté, *supra* note 396.

Beginning in the late 1990s and early 2000, several provinces have enacted specific measures to protect sexually exploited youth. Consent of the youth involved is not required. The age for protection differs from 16 and 18 among provinces.<sup>399</sup> Secure care laws, colloquially known as *scoop and coop laws*, are a contentious issue.<sup>400</sup> Some advocates assert that “giving the police the right to lock up children in the sex trade punishes the victim.”<sup>401</sup>

Washington State enacted the first of this type of law following the murder of a 13-year-old crack-addicted sexually exploited youth, Rebecca Hedman, by a Canadian man, John Medlock. Called the “Becca Bill,” the law empowered parents and the state to seize and hold sexually exploited children.<sup>402</sup> Alberta was the first province to establish secure care legislation in February, 1999.<sup>403</sup> In July 2000, the Alberta secure care law provision was declared unconstitutional, due to a lack of safeguards for individual rights.<sup>404</sup> Alberta appealed in September, 2000.<sup>405</sup> Alberta amended the law but the appeals court overturned the lower court’s decision in December, 2000.<sup>406</sup> “This legislation also introduce[d] legal

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<sup>399</sup> Karen Busby. “The protective confinement of girls involved in prostitution: Potential problems in current regimes” in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 106.

<sup>400</sup> Kathy Tait, “Youth-care law ‘flawed’” *Vancouver Province* (06 August 2000).

<sup>401</sup> “Ex-prostitute on the road opposing law like Alberta’s” *CBC News* (09 August 2000); Barbara McLintock and Kathy Tait, “New law adds more secrecy to protection of children” *Vancouver Province* (27 June 2000).

<sup>402</sup> Bellett, *supra* note 381.

<sup>403</sup> *Alberta v. K.B.* [2000] A.J. No. 876; *Alberta v. K.B.* [2000] A.J. No. 1570. See also, *Alberta (Director of Child Welfare) v. S.P.* [2000] A.J. No. 1035. See also, “72-hour rescue for child prostitutes” *Toronto Star* (18 April 1999).

<sup>404</sup> *Alberta v. K.B.*, *supra* note 403 at 10. See also: Rick Bell, “Justice finally makes sense” *Calgary Sun* (22 December 2000); “Alberta court strikes down child hooker law” *CBC News* (28 July 2000); Jill Mahoney, with Rod Mickleburgh, “Alberta law on child prostitution struck down” *The Globe and Mail* (29 July 2000); “Alberta court strikes down child hooker law” *CBC News* (31 July 2000).

<sup>405</sup> “Alta. Appeals ruling on child prostitution law” *CBC News* (21 September 2000).

<sup>406</sup> *Alberta v. K.B.*, *supra* note 403 at 29. See also: Alberta. *Protection of Sexually Exploited Children Act*, SA 2008; Richard Mackie, “New Ontario law aims to rescue child prostitutes” *The Globe and Mail* (19 December 2000); Dan Palmer, “Child hooker law upheld” *Edmonton Sun* (22 December 2000); John Cotter, “Judge upholds Alberta law that allows authorities to detain child prostitutes” *Canadian Press* (22 December 2000); Daryl Slade and Raquel Exner, “Judge upholds child hooker law” *Calgary Herald* (22 December 2000).

penalties for johns and pimps, who [could] be charged with causing the child to be in need of protection and fined up to \$25,000, jailed for up to two years, or both.”<sup>407</sup> In the first year following enactment of the Alberta law, 454 apprehensions were made involving 222 children, ranging from age 12 to 16, although the majority of youth were 15 and 16. Ninety-one children were apprehended more than once.<sup>408</sup>

A secure care law in B.C. was enacted in 2000. This legislation attempted to avoid the concerns raised in the Alberta court decisions.<sup>409</sup> Ontario enacted secure care legislation in 2002.<sup>410</sup> The Ontario law was due, in part, to a series of coroners’ inquests and media coverage of abuse of children in the same institutions that were supposed to protect them from abuse.<sup>411</sup>

In general, the secure acts allow police and social workers who have a reasonable suspicion that a person under the age of 18 is being exploited to remove a child from a home, sex trade business, or from the street. An apprehended child then enters a secure safe house in which mental health, medical and addiction treatment, counselling and legal services are available.<sup>412</sup> In Ontario, youths can be held for five days, or 30 days with a judge’s approval.<sup>413</sup> In B.C., youths can be in secure care for up to 90 days, with the approval of a

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<sup>407</sup> “Protecting children from sexual exploitation” *Government of Alberta*.

<sup>408</sup> Palmer, *supra* note 406; “Minister praises child prostitute law” *CBC News* (01 February 2000); Cotter, *supra* note 406.

<sup>409</sup> Murray Mollard, “The Secure Care Act: The devil is in the details” *Vancouver Sun* (14 July 2000); Paul Willcocks, “Children-at-risk bill expected to pass” *Vancouver Sun* (06 July 2000); “Secrecy protects ministry, not kids” *Vancouver Province* (04 July 2000); Griffin, *supra* note 380; “Finally, a law with enough teeth to clamp down on pimps, johns” *Vancouver Province* (03 May 1999); Matas, *supra* note 207.

<sup>410</sup> Ontario. *Rescuing Children from Sexual Exploitation Act*, 2002.

<sup>411</sup> Caroline Mallan, “New law to guard children on way” *Toronto Star* (27 April 1999).

<sup>412</sup> James McCarten, “Ontario government unveils new bill to protect victims of child prostitution” *Canadian Press* (19 December 2000); “Ontario to arrest, hold, child prostitutes” *CBC News* (19 December 2000).

<sup>413</sup> “Child Hookers ‘safe’” *Toronto Sun* (20 December 2000); Artuso, *supra* note 211; “Law to get kid prostitutes off streets planned” *Toronto Star* (30 November 2000); Boyle, *supra* note 376; Mackie, *supra* note

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board overseeing applications.<sup>414</sup> Echoing arguments made against the general prostitution laws, some advocates and experts warn that secure care laws force youths to further hide in the street culture to avoid being forced into – or back into – secure care.<sup>415</sup>

## VII. POSITIONS IN THE DEBATE ON PROSTITUTION

There is no consensus amongst scholars, governments and advocates on how prostitution should be addressed in Canada. Indeed, there is also no consensus on how many differing positions there are with regard to prostitution policy.

Researchers Barbara G. Brents and Kathryn Hausbeck identify four distinct positions in the debate: *legalization*, *abolition*, *criminalization* and *decriminalization*.<sup>416</sup> Jackie West uses similar definitions for legalization and decriminalization as do Brents and Hausbeck, although she notes that legalization may also include mandatory health checks for prostitutes. However, she identifies only one other position: *prohibition*, which combines Brents and Hausbeck's two categories of *abolition* and *criminalization*: "Prohibition is where all prostitution is illegal. A modified form, abolition, allows the sale of sex but bans all related activities such as soliciting, brothel-keeping and procurement."<sup>417</sup>

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406; "Law to get kid prostitutes off streets planned" *Toronto Star* (30 November 2000); "Tories unveil prostitution law" *Toronto Star* (19 December 2000).

<sup>414</sup> Tait, *supra* note 400. Kathy Tait, "B.C. child law 'not flawed'" *Vancouver Province* (30 July 2000).

<sup>415</sup> Maureen A. Norton-Hawk, "The counterproductivity of incarcerating female street prostitutes" (2001) 22 *Deviant Behavior* at 404.

<sup>416</sup> Barbara G. Brents and Kathryn Hausbeck, "Violence and legalized brothel prostitution in Nevada: Examining safety, risk, and prostitution policy" (2005) 20 *J. of Interpersonal Violence* at 272.

<sup>417</sup> Jackie West, "Prostitution: Collectives and the politics of regulation" (2000) 7 *Gender, Work & Organization* at 106.

A 2008 report by the Library of Parliament defines five models: *prohibition*, *decriminalization*, *legalization*, *abolition* and *neo-abolition*.<sup>418</sup> *Abolition* and *neo-abolition* approaches are described differently here, in that the authors describe *abolition* as:

the middle ground between prohibitionism and legalization. Advocates of this approach maintain that even though prostitutes may choose to enter the trade, it is nevertheless immoral. They believe that governments must take the necessary steps to allow prostitution to take place only as long as it does not infringe on public safety and order. Generally, abolitionists call for the criminalization of public solicitation.<sup>419</sup>

*Neo-abolition*, as described in this report, is the model on which Sweden bases its prostitution laws. Under the Swedish model, all prostitution constitutes violence against women.

John Lowman, a Canadian criminologist writing on prostitution issues for the past 30 years, also uses three models: *decriminalization*, *criminalization* and *prohibition*.<sup>420</sup> Yet another scholar, Graham Scrambler, defines three forms of policy positions that correlate to those of Lowman, but uses the terms *regulation*, *suppression* and *abolition*.<sup>421</sup>

Term confusion between *legalization* and *decriminalization* is not uncommon. The two terms are often used interchangeably. Alternatively, one author will use a definition that is used to describe the other term by another author. Similarly, *prohibition*, *abolition*, *neo-abolition* and *criminalization* are also terms which are used differently by different authors and advocates.

To reduce the complexities of combining positions, this dissertation has used the four categories described by Brents and Hausbeck: *legalization*, *abolition*, *criminalization* and

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<sup>418</sup> Library of Parliament. *Prostitution: A review of legislation in selected countries* by Karen Hindle, Laura Barnett and Lyne Casavant. (Ottawa: Library of Parliament, 2008).

<sup>419</sup> *Ibid.* at 3.

<sup>420</sup> Lowman, *supra* note 21.

<sup>421</sup> Scrambler, *et al.*, *supra* note 20 at 267.

*decriminalization*. These terms have been modified and the definitions expanded to provide clarification. Each position is outlined briefly below, and expanded upon through examples from different Western countries. It should be noted, however, that not all scholars will agree with the placement of countries within the policy framework used within this dissertation and some countries fall between at least two models because of varying policies towards different types of sex work.

### **i. Legalization**

Legalization involves licensing and regulation by the state. Regulation may include health checks, verification of immigration status, age verification or criminal background checks.<sup>422</sup> Anyone found to be working without the required permits or outside state regulations may still be subject to criminal penalties. Similarly, not all aspects of prostitution are necessarily legal in this approach. For instance, street prostitution may still be illegal, but prostitution indoors may be legal and controlled.

Legalization policies have been introduced for varied reasons. For instance, a country may have a harm reduction mandate to reduce violence and the exploitation of sex workers. Another country may seek to control the nuisance of street prostitution. Another country may use legislation as a means to improve the health of sex workers and their clients, especially in relationship to HIV/AIDS.

The Netherlands, the State of Nevada in the U.S., and Germany, have legalized prostitution policies and laws. Critics of legalization point out that eradication of the trafficking and exploitation of women and children have not occurred by removing criminal sanctions for consenting adults involved in prostitution. Prohibitions against street

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<sup>422</sup> *Ibid.*

prostitution and the various regulations in Nevada and the Netherlands have also increased the power of brothel-owners over prostitutes. Police in the red-light districts of the Netherlands estimated that “more than half the ladies posing in the windows are there against their will.”<sup>423</sup>

Legalization policies do not necessarily view prostitution as work like any other, but recognize a need to protect workers; most legalization policies include worker protection. An exception to this is Nevada, whose municipal prostitution policies are stigmatizing and disempowering to prostitutes in a way that European laws are not. Prostitution occupies an ambiguous position in Nevada. Municipal regulations restrict the movements of women working in the legal brothels. Despite its legalized status, there is a strong moral condemnation of prostitution. There is, however, also a pragmatic, economic justification for the legalization policies. This has resulted in strict regulation of prostitution, coupled with on-going stigma and isolation of sex workers.

### **1) The Netherlands**

The three red-light districts of the Netherlands are well known for their window brothels. Despite the acceptance of soft drugs for purchase and use legally within cafés and prostitution throughout the country, the Dutch are not a more morally permissive or liberal society than other Western European countries. The Dutch policies related to drugs and prostitution are a pragmatic response aimed at reducing the problems associated with criminal gangs, trafficking (of persons and drugs), street prostitution and reducing violence towards women, clients and the general public.<sup>424</sup>

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<sup>423</sup> “The oldest conundrum” *The Economist* (01 November 2008) at 67.

<sup>424</sup> Kuo, *supra* note 31 at 87. See also, Johannes C.J. Boutellier, “Prostitution, criminal law and morality in the Netherlands” (1991) 15 *Crime, Law and Social Change*, at 201.

Prostitutes must be over the age of 18 and an E.U. citizen eligible to work in the Netherlands. They must also voluntarily be working in the Netherlands and in the sex trade business.<sup>425</sup> Prostitutes must show club owners or window rental companies their passports in order to work within the premises or rent a room. No one is permitted to rent the room on behalf of another person.<sup>426</sup>

Prostitution is legal and widespread, but controlled by local municipalities. Provided it was voluntary, prostitution was not illegal in the Netherlands prior to the October 2000, changes to the *Criminal Code*, which removed the prohibition upon brothels and pimping.<sup>427</sup> Prostitution was generally ignored except for where there was exploitation or neighbours were disturbed.<sup>428</sup> At the time of the change in the law, there were an estimated 25,000 prostitutes in the Netherlands, about half of whom were working at any given time.<sup>429</sup> Approximately 60% were Dutch nationals.<sup>430</sup> Five percent of prostitutes in the Netherlands were estimated to be male and the same percentage transsexual. Ten percent were addicted to drugs, but of these, the majority were Dutch nationals. A survey done in 2000 found that the breakdown of types of prostitution is shown in Figure 3-7.

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<sup>425</sup> Ministry of Foreign Affairs (The Netherlands). *Dutch Policy on Prostitution*. (Amsterdam: Ministry of Foreign Affairs, 2005) at 1. See also, Arjan Schippers, "Brothels in business" *Radio Netherland* (03 January 2002).

<sup>426</sup> Meijer *supra* note 153.

<sup>427</sup> Netherlands. *Criminal Code*, 2000.

<sup>428</sup> Boutellier, *supra* note 424 at 205.

<sup>429</sup> Ine Vanwesenbeeck, "Burnout among female indoor sex workers" (2005) 34 *Archives of Sexual Behavior*, 627.

<sup>430</sup> *Ibid.*



**Figure 3-7: Prostitution in the Netherlands, 2000**<sup>431</sup>

| Type of Prostitution                  | Percentage  |
|---------------------------------------|-------------|
| Window brothels                       | 20          |
| Street prostitution                   | 5           |
| Brothels and sex clubs                | 45          |
| Escort services                       | 15          |
| Service at home                       | 5           |
| Hotels, bars, massage parlours, other | 10          |
| <b>Total</b>                          | <b>100%</b> |

Five years later, the percentages of prostitution types were largely unchanged, although the rate of street prostitution had dropped to only 1%.<sup>432</sup>

Procuring is legal in the Netherlands, but forced prostitution, which is generally called pimping or trafficking, is not.<sup>433</sup> Following the change to the Dutch *Criminal Code* in 2000, local municipalities became responsible for the bylaws, regulation and licensing of brothels, sex clubs and other prostitution related businesses, such as escort services, within their jurisdictions.

The Association of Netherlands Municipalities has published guidelines for the regulation of brothels, sex shops and streetwalkers. Policy on the establishment of brothels enables local authorities to exert influence on their location, ensuring that they do not disturb or intrude on the life of a neighbourhood. Their location must conform to zoning and urban renewal plans and to local by-laws on the living and working environment.<sup>434</sup>

As such, prostitution is not legal in all municipalities. Prostitution occurs whether or not licences are granted. However, where licences are not granted, police would not have the ability to monitor establishments as with the legal trade. Investigations and tips from the public would be necessary to find the illegal businesses. Fines for bylaw infractions could be

<sup>431</sup> Ministry of Foreign Affairs, *supra* note 425 at 5.

<sup>432</sup> Thérèse van der Helm. (2008). Intermediary project for prostitutes: Annual Report 2005 t/m 2007. (August 2008) at 4.

<sup>433</sup> Van Gelder, *supra* note 152. See also, "Often prostitutes are merchandise" *Het Parool*, translated by S. Dallali (10 September 2002).

<sup>434</sup> Ministry of Foreign Affairs, *supra* note 425 at 2.

applied for illegal businesses, as well as charges of human trafficking or sexual exploitation, if warranted.<sup>435</sup>

Street prostitution in Amsterdam was tolerated long before changes in the law, and after. For several years following the legalization of prostitution, there were specific zones where solicitation at specific times and locations was accepted, although street prostitution itself was not legal.<sup>436</sup> The managed zone model was investigated by the U.K. in 2004. Consideration was given to create similar zones in Doncaster and Liverpool due to problems associated with street-based prostitution.<sup>437</sup> Liverpool city council approved the creation of a managed zone in 2006.<sup>438</sup> However, the Home Office blocked the move later the same year.<sup>439</sup>

The managed zones did not merely tolerate street prostitution. With the dual purpose of reducing nuisances to neighbourhoods and of reducing violence against sex workers, specific measures were in place in the managed zones. By 1998, six municipalities had managed zones.<sup>440</sup> These zones were regularly patrolled and drug dealing was officially prohibited but also tolerated. The safety of the prostitutes on the street in the managed zones was greatly improved and police were able to monitor for exploitive practices, pimping or trafficked women.<sup>441</sup>

The establishment of the parks was motivated by the belief that complete repression of streetwalking is counterproductive. Streetwalking often involves drug addiction, including underage addicts. Arresting streetwalkers

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<sup>435</sup> Van Gelder, *supra* note 152.

<sup>436</sup> Vanessa Baird, "Trafficked" (2007) 404 *New Internationalist* at 6.

<sup>437</sup> Home Office (U.K.). *Paying the Price: a consultation paper on prostitution*. (London: The United Kingdom, July 2004) at 83.

<sup>438</sup> "Approval for first red light zone" *BBC News* (26 January 2006).

<sup>439</sup> Gaby Hinsliff, Mark Townsend and Anushka Asthana, "No 10 'blocked move to legalise prostitution'" *The Guardian* (17 December 2006).

<sup>440</sup> Kuo, *supra* note 31 at 90.

<sup>441</sup> Sanders and Campbell, *supra* note 56 at 4. See also, Barnard, *supra* note 28 at 701.

undermines the government's ability to extend health and social services to them – trust is lost, and it becomes harder to locate them. Sweeps encourage streetwalkers to engage in high-risk behaviour ...<sup>442</sup>

There were bus shelter-like structures erected for prostitutes to stand under as protection from the weather. These waiting areas also provided a known place for clients to pull up to when choosing a particular prostitute.

A building looking much like a North American self-service car-wash was actually a car park for prostitutes and clients to conduct business. Clients pulled in after choosing, and the sexual service was provided in a relatively private setting. Garbage containers were provided on the right side of the car for the prostitute to dispose of the condoms. There was even a small shed for clients on bicycles or motorcycles. In Amsterdam, a bus paid for by the municipality provided transportation to these zones situated out of the downtown, as well as a lounge for resting, eating and showering.<sup>443</sup>

Managed zones were closed in Amsterdam in 2003. Inspector Harold Van Gelder explained that the zones were closed because they were not successful. Most prostitution was done in various indoor venues. The only people working on the street were illegal migrants or those addicted to drugs and therefore unable to function in a professional setting. Further, the managed zones were too far away from the downtown for prostitutes to go, even with the buses. For drug addicted prostitutes, the managed zones were too far away from their dealers. The Dutch are pragmatic, but publicly funded transportation to outlying areas for drug dealers supplying street prostitutes was not an option that the city council or the public

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<sup>442</sup> Kuo, *supra* note 31 at 91.

<sup>443</sup> Ministry of Foreign Affairs, *supra* note 425 at 4.

supported. In 2008, Van Gelder estimated there were generally less than 50 prostitutes working the streets in Amsterdam.<sup>444</sup>

The window brothels for which Amsterdam is famous are located in three red-light districts of Amsterdam: the Singel, the Pijp and the largest, De Wallen, located in the heart of downtown Amsterdam.<sup>445</sup> In December 2007, the Amsterdam city council declared that one-third of all the window brothels would be closed, and that a number of licences for existing brothels would be withdrawn and new licences refused.<sup>446</sup> The city council recognized that many of the windows were operated by criminal organizations. When renewing or applying for new licences, applicants would be scrutinized for how funds for the permits were raised;<sup>447</sup> known or suspected criminals were denied license renewals.<sup>448</sup> In one case, the Dutch government paid a brothel owner €25 million (approximately \$35 million Cdn.) for several buildings. The government closed the window brothels and offered one year free rental to non-sex trade businesses.<sup>449</sup> Since 2008, the window brothels are increasingly being replaced by fashion designers and art studios.<sup>450</sup> In 2013, Amsterdam city council increased the legal age of prostitution from 18 to 21.<sup>451</sup>

Since the changes to the *Criminal Code* in 2000, prostitution in the Netherlands has become, in many respects, an occupation like any other. The government does admit,

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<sup>444</sup> Van Gelder, *supra* note 152.

<sup>445</sup> van der Helm, *supra* note 432 at 5.

<sup>446</sup> *Ibid.* at 1; Amanda Brooks, "Global News Shorts" *Spread* (2008) Volume 4, Issue 1 at 57.

<sup>447</sup> Van Gelder, *supra* note 152.

<sup>448</sup> Hendrik Wagenaar. Associate Professor, Department of Public Administration, Leiden University. Interview with EUKN (23 April 2008).

<sup>449</sup> Van Gelder, *supra* note 152.

<sup>450</sup> van der Helm, *supra* note 432 at 1; Mette Ouborg, "Amsterdam brothels become art studios in clean-up" *Reuters* (29 April 2009).

<sup>451</sup> Cecilia Rodriguez, "Reforming prostitution in Amsterdam includes a business plan and business hours" *Forbes* (01 March 2013).

however, that prostitution is not like other service industry jobs: “Obviously no-one can be obliged to take a job in the sex industry, nor do employment offices offer such jobs.”<sup>452</sup>

Prostitutes and brothel owners have the same rights and obligations as other contractors, employees and employers in the country. Prior to the changes, laws against brothels were rarely enforced. However, the brothels were not covered by standard employment and labour laws. Despite the changes in the law, this grey area of labour laws continues today. Brothel owners and prostitutes define their own relationships as either employee/employer or contractor/business.

Most brothel owners are unwilling to enter into employment contracts. The rationale is that they provide support services to self-employed prostitutes, and are therefore not obliged to pay income tax or social insurance contributions. The authorities can, however, verify the nature of the working relationship and take action against anyone operating under false pretences.<sup>453</sup>

The government provides information to prostitutes on taxes, rights, social insurance and other related issues and “examine[s] the comparative advantages of employment and self-employment, and their respective rights and obligations.”<sup>454</sup> The necessity for labour law compliance resulted in the rights of prostitutes being well-publicized and enforced. Prostitutes are well informed of their rights and can request assistance from government offices, the police or municipality should non-compliance occur.

Prostitution policy and laws in the Netherlands are successful in the reduction of STIs HIV transmissions and increasing the health and safety of prostitutes. It has also improved working conditions and reduced economic abuse. The social stigma and exclusion from mainstream society of prostitutes, however, remains strong; prostitution is legal but

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<sup>452</sup> Ministry of Foreign Affairs, *supra* note 425 at 6.

<sup>453</sup> *Ibid.* at 3.

<sup>454</sup> *Ibid.*

prostitutes are still shunned, shamed, and many live double lives to avoid detection by loved ones and friends.<sup>455</sup>

Trafficking of persons remains a problem in the Netherlands, despite legalization. The number of reported trafficking victims between 2000 and 2009 ranged from a low of 341 to a high of 909.<sup>456</sup> Until 2005, all the reported victims were female. In 2009, the percentage of male victims was 15, up from a maximum of 7% previously. The men were victims of forced labour.<sup>457</sup> The strength of the Dutch *Criminal Code* regarding TIP is that where there is the suspicion of coercion, trafficking, or sexually exploited youth, police act immediately. There is no search warrant or waiting for further evidence required.<sup>458</sup>

The number of youth exploited through prostitution in the Netherlands is debatable. In 2008, Van Gelder estimated that there had only been three or four youths, all of whom were 16 or 17 years of age, in the previous few years.<sup>459</sup> However, the National TIP Rapporteur reported in 2010 that nationally over the last decade between 10% and 40% of victims were under the age of 18.<sup>460</sup>

The changes to the prostitution laws in 2000 were expected to reduce TIP. It was further expected that TIP victims would largely be within the illegal prostitution section. Evaluations conducted by the National Rapporteur indicated that the illegal prostitution sector was smaller, but that TIP still remained in the legal sector. The National Rapporteur

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<sup>455</sup> Ministry of Justice (New Zealand). *International approaches to decriminalizing or legalising prostitution*, by Elaine Mossman. (Victoria: Crime and Justice Research Centre, Victoria University of Wellington, 2007) at 23.

<sup>456</sup> Nationaal Rapporteur Mensenhandel (The Netherlands). *Trafficking in human beings*, (The Hague: Bureau of the Dutch National Rapporteur, 2010) at 92.

<sup>457</sup> *Ibid.*

<sup>458</sup> Van Gelder, *supra* note 152.

<sup>459</sup> *Ibid.*

<sup>460</sup> Nationaal Rapporteur Mensenhandel, *supra* note 415 at 93.

called for the continued monitoring of the licensed prostitution sector by police to prevent and detect instances of TIP.<sup>461</sup>

Although North American advocates often speak of the need to move towards a model similar to that of the Netherlands, the Dutch model has not been without its challenges, largely administrative. Following the legislative changes in 2000, there was a disconnection between municipalities and police in how to manage the new reality of legalized brothels. Without the policies and bylaws in place, there was nothing for the police to enforce.

Van Gelder advocates for patience and time to allow the process of legalized prostitution to unfold, change and improve. After all, he explained, the Netherlands had dealt with illegal prostitution in brothels for four hundred years, but it has only had 10 years to figure out how to manage legal prostitution. As with anything managed through a bureaucracy, change is slow and policies and practice may differ on the ground. There is a need to review, study and evaluate before concluding whether legalized prostitution does or does not work.<sup>462</sup>

## **2) The State of Nevada, U.S.**

Individual states in the U.S. have jurisdiction over most criminal and civil laws. Currently, only one state has a legalized form of prostitution.<sup>463</sup> Until 2009, Rhode Island allowed prostitution to be conducted indoors, but not in brothels.<sup>464</sup> This was changed in 2009 when indoor prostitution was also criminalized.<sup>465</sup> Nevada has legalized prostitution,

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<sup>461</sup> *Ibid.* at 57.

<sup>462</sup> Van Gelder, *supra* note 152.

<sup>463</sup> Tracy Quan, "U.S. lags on sex laws" *Philadelphia City Paper* (25 February 2003).

<sup>464</sup> "The oldest conundrum," *supra* note 423

<sup>465</sup> Ian Donnis, "Prostitution now outlawed in R.I., but is that good?" *NPR* (15 November 2009).

but it is highly regulated and controlled. Living off the avails of prostitution, coercion of a person into prostitution, advertisement of prostitution and prostitution other than in a licensed brothel, are illegal in Nevada.<sup>466</sup>

Infamous for its legal brothels, Nevada only has 10 of the 17 counties with legalized prostitution. All legalized brothels are at least an hour from the resort cities of Las Vegas and Reno.<sup>467</sup> Counties in which brothel prostitution is legal, however, do not welcome prostitutes warmly within their community. There may be bylaws that require prostitutes to live in the brothel or to leave town for their week off. Other bylaws may stipulate that the children of prostitutes are not allowed to live in the community in which their mother works. There can be restrictions on the use of a car owned by a prostitute, if she is able to use one at all. A prostitute may be permitted to go to the movie theatre, but not to a bar, or restaurant with a bar.<sup>468</sup> The legal status of prostitution in Nevada counties does not equate with acceptance of prostitutes. Their rights, freedom of association, movement and civil liberties are not respected and upheld.

Surrounded by high electric or barbed wire fences and gates controlled by buzzers, brothels are imposing structures which suggest fortress-like security and isolation. Prostitutes often are required to work for three weeks at a time; they often do not leave the brothel premises during that time or they have their movements restricted.<sup>469</sup> Prostitutes are required to be registered, fingerprinted and undergo a background check by police in order to obtain a

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<sup>466</sup> Nevada. *Chapter 201 - Crimes Against Public Decency and Good Morals*, 2011.

<sup>467</sup> Barbara G. Brents and Kathryn Hausbeck, "Marketing sex: US legal brothels and late capitalist consumption" (2007) 10 *Sexualities* at 428. See also, David C. May, "Tolerance of nonconformity and its effect on attitudes towards the legalization of prostitution: A multivariate analysis" (1999) 20 *Deviant Behaviour* at 335.

<sup>468</sup> Kuo, *supra* note 31 at 80; Julie Bindel, "'It's like you sign a contract to be raped'" *The Guardian* (07 September 2007).

<sup>469</sup> See, Bindel, *supra* note 468. See especially Kuo, *supra* note 31 at 81-2. See also Auville and Bishop, *supra* note 140.



valid police card. Mandatory weekly medical exams are also required. The minimum legal age to engage in prostitution is 18.<sup>470</sup> It is prohibited to practice prostitution without a condom or to be a prostitute if one is HIV-positive.<sup>471</sup>

Within the larger cities, prostitution occurs illegally, but discretely, through escorts, prostitutes working bars, massage parlours and in-room nude dancers. “Street prostitution is the most heavily surveilled, and police and the resort industry are vigilant in keeping obviously working-class prostitutes away from highly visible resort areas.”<sup>472</sup> The control held by brothel owners, distance, and inability to keep the majority of the money earned for their services, has resulted in the majority of prostitutes in Nevada working independently and illegally.<sup>473</sup>

### 3) Germany

German prostitution laws changed in 2002, making prostitution legal and affording the same rights and benefits to prostitutes as to other German workers.<sup>474</sup> The German government, however, recognized that sex work is not the same as other work and women are not pressured to work in the sex industry by government policies. A woman receiving state welfare benefits is not penalized for not finding a job in the sex industry, and employment centres do not advertise for sex workers.<sup>475</sup>

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<sup>470</sup> Bindel, *supra* note 468.

<sup>471</sup> Ministry of Justice (New Zealand), *supra* note at 455.

<sup>472</sup> Brents and Hausbeck, *supra* note 425 at 428.

<sup>473</sup> Kuo, *supra* note 31 at 86.

<sup>474</sup> “Germany under fire over World Cup prostitution” *euronews* (08 May 2006); “Madame Angie and the prostitution World Cup” *Spiegel Online* (26 May 2006); Robert Easton, “German culture: The sex industry & prostitution in Germany” *Soccerphile*; Brad Tuttle, “Germany has become the cut-rate prostitution capital of the world” *Time* (18 June 2013).

<sup>475</sup> Jo Phoenix, “Regulating prostitution: Different problems, different solutions, same old story” (2007) 6 *Community Safety J.* at 8.

Despite its legal status, not all prostitutes are registered. This may be because they are illegal migrants or because they wish to avoid the stigma of prostitution. Working outside the regulated system subjects women to higher risk of violence and exploitation.<sup>476</sup> In 2006, there were an estimated 400,000 prostitutes in Germany.<sup>477</sup> The German Federal Criminal Office estimated there were 140,000 people in “forced prostitution,” of whom the majority were foreign women trafficked into Germany for the purposes of sexual exploitation.<sup>478</sup>

Prostitution policies differ by municipality. Some municipalities do not allow street prostitution at all. Other cities have a pedestrian “mall” with window brothels whereas other cities have managed street sex-zones. Similar to the Dutch car parks first tried in Utrecht, the Netherlands, drive-in *sex garages* have been introduced to Germany.<sup>479</sup> In Cologne, a project funded by the city, police and Social Service of Catholic Women, expanded on the idea of the sex garages, also called *boxes* or *singles*. Clients could drive into the garages but because of the design, cannot open the door on the driver side. The design allows prostitutes to exit the car on her side, in case of an emergency. There are also bathrooms, garbage bins and emergency alarms in the garages.<sup>480</sup>

Studies of the managed zones indicate there is almost no violence perpetrated against street prostitutes in the managed zones, by either clients or pimps.<sup>481</sup> Prostitutes must be

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<sup>476</sup> Marjan Wijers. “Women, labor, and migration: The position of trafficked women and strategies for support” in Kamala Kempadoo and Jo Doezema, (eds.), *Global sex workers: Rights, resistance, and redefinition*. (New York: Routledge, 1998) at 73.

<sup>477</sup> “Germany under fire...,” *supra* note 474; Donna M. Hughes. *Germany: Sex trafficking, prostitution, and the World Cup Games*. (Rhode Island: University of Rhode Island, no date).

<sup>478</sup> “Madame Angie...,” *supra* note 474; Hughes, *supra* note 477.

<sup>479</sup> Easton, *supra* note 474.

<sup>480</sup> Vicente Poveda. “Germany’s sex industry readies for football World Cup” in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*. (Rhode Island: University of Rhode Island, no date).

<sup>481</sup> Sanders and Campbell, *supra* note 56 at 4; Teela Sanders, *The implications of the coordinated prostitution strategy on adult female prostitution in the UK* (Presentation to the Nexus Conference, Ambassadors Hotel, London, 29 March 2006).

registered, although estimates are that only half of all prostitutes comply with those requirements.<sup>482</sup> Registered prostitutes are required to undergo regular health checks, which are conducted for free.<sup>483</sup> Brothels pay a daily fee of between €15-25 (\$21-35 Cdn.) per prostitute to the local government.<sup>484</sup>

With the coming of the World Cup of soccer in 2006, Germany came under scrutiny for its “pragmatic” approach to prostitution.<sup>485</sup> Expecting soccer fans would want to buy commercial sex while visiting the country, the government employed a variety of methods to meet the anticipated demand.<sup>486</sup> For example, some cities issued special permits allowing street prostitution.<sup>487</sup> Sex huts or cabins, which looked like portable toilet structures, were erected temporarily to avoid having street prostitutes servicing clients in parks and on the streets.<sup>488</sup> It was estimated that 40,000 sex workers would enter Germany for the month long World Cup event. There were widespread concerns that many of the incoming women would be trafficked.<sup>489</sup> Despite the concerns, analysis after the World Cup did not reveal the expected problems with TIP.<sup>490</sup>

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<sup>482</sup> Kuo, *supra* note 31 at 132.

<sup>483</sup> Easton, *supra* note 474.

<sup>484</sup> *Ibid.*

<sup>485</sup> Soccer is also known as football in Europe.

<sup>486</sup> “Madame Angie...,” *supra* note 474.

<sup>487</sup> “Germany under fire...,” *supra* note 474.

<sup>488</sup> Poveda, *supra* note 480.

<sup>489</sup> Hughes, *supra* note 477; Farley, *supra* note 93 at 122; Eric Green. “European Parliament warns of human trafficking at World Cup” in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*. (Rhode Island: University of Rhode Island, no date); “World Cup concerns Nordic Council” in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*; “Football Yes! Prostitution No!” in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*. (Rhode Island: University of Rhode Island, no date); “France’s coach slams prostitution at World Cup” *New Kerala* (26 April 2006), in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*. Compilation of articles, (Rhode Island: University of Rhode Island, no date); “Soccer World Cup anti-prostitution campaign kicks off” in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*. Compilation of articles, (Rhode Island: University of Rhode Island, no date).

<sup>490</sup> Bowen & Shannon Frontline Consulting. (10 June 2009). *Human trafficking, sex work safety and the 2010 Games: Assessments and recommendations*. Sex Industry Worker Safety Action Group at 20.

The largest European brothel, the Artemis, was built in Berlin near the soccer stadium. This “mega-bordello” was open all day and night during the World Cup. The Artemis was built to service 600-650 clients a day, in 70 rooms. It was also designed to ensure anonymity of the prostitutes. Prostitutes paid a daily entrance fee of €70 (\$97 Cdn.) but kept all their earnings and negotiated prices and services independently. The purpose was to eliminate pimps and trafficking.<sup>491</sup>

Some advocates of decriminalized prostitution in Canada called for a similar response to the 2010 Olympic Games in Vancouver.<sup>492</sup> A co-operative brothel run by sex workers was promoted as a way to ensure safety of prostitutes, reduce trafficking and forced prostitution, and lower the economic exploitation of prostitutes by pimps.<sup>493</sup> Canadian advocates opposed to decriminalization of prostitution echoed the concerns in Germany prior to the World Cup Games regarding forced prostitution and trafficking.<sup>494</sup>

## ii. Abolition

Abolitionist policies aim to erase prostitution completely as prostitution is viewed as violence against women. The abolitionist policy position is a radical feminist perspective on prostitution, first adopted into law by Sweden. Under this type of system, laws punish

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<sup>491</sup> “Soccer, capitalism and prostitution” *Spark*; Tony Paterson, “Germany backs bigger brothels to fight World Cup sex explosion” in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*. Compilation of articles (Rhode Island: University of Rhode Island, no date); Anxela Iglesias. “World Cup – a magnet for forced prostitution?” in Donna M. Hughes, *Germany: Sex trafficking, prostitution, and the World Cup Games*. (Rhode Island: University of Rhode Island, no date).

<sup>492</sup> “Vancouver sex workers to get media training prior to Winter Olympics” *CBC News* (18 May 2009); Brian Welter, “The brothel around the corner” *The B.C. Catholic Newspaper* (14 July 2008); “Statement by members of: Ex-Prostitutes against Legislated Sexual Servitude” *Ex-Prostitutes against legislated sexual servitude (XPALSS)*.

<sup>493</sup> Jody Paterson, “Building a brothel” *Victoria Times-Colonist* (03 September 2007); “Vancouver prostitutes incorporate first co-op” *CTV News* (16 February 2008); Carrigg and Sin, *supra* note 92.

<sup>494</sup> Pivot. (11 June 2009). *Major report debunks supposed link between sex trafficking and 2010 Games*; Aboriginal Women’s Action Network (AWAN). (06 December 2007). *Aboriginal Women’s Action Network oppose legalized brothels in Vancouver*.

managers, brothel owners, pimps and clients of prostitutes, but not the prostitutes themselves, who are seen as victims, not criminals.

### 1) Sweden

Swedish prostitution laws were radically changed in 1999 through the *Swedish Law that Prohibits the Purchase of Sexual Services*.<sup>495</sup> Regardless of one's position in the debate, the "Swedish Law" is broadly discussed, alternatively critiqued or praised, but always recognized as being a unique approach to prostitution.<sup>496</sup> Taking a radical feminist position on prostitution, the government officially declared that prostitution is "a form of male sexual violence against women and children."<sup>497</sup> Iceland,<sup>498</sup> Hungary<sup>499</sup> and Norway<sup>500</sup> have adopted a similar approach to prostitution. Finland introduced a law in 2007 banning the commercial sexual services of victims of trafficking.<sup>501</sup> Under the Swedish-type legal regime, prostitution and trafficking are not considered to be separate offences or actions.<sup>502</sup>

The Swedish Law prohibits the purchase of sexual services by clients. Prostitutes are considered "victims of male violence, [and] are not subject to any kind of criminal or other

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<sup>495</sup> Sweden. *Swedish Law that Prohibits the Purchase of Sexual Services* (1998:408). See also, Yvonne Svanström, "Prostitution as vagrancy: Sweden 1923–1964" (2006) 7 J. of Scandinavian Studies in Crim. and Crime Prevention at 142.

<sup>496</sup> See e.g., Christine Armario and Mille Døllner, (2002) *Prostitution in Denmark: Society's blind eye*. Copenhagen: Humanity in Action; Welter, *supra* note 492; Tove Pettersson and Eva Tiby, "The production and reproduction of prostitution" (2003) 3 J. of Scandinavian Studies in Crim. and Crime Prevention, 154.

<sup>497</sup> Gunilla Ekberg. "The Swedish Law that prohibits the purchase of sexual services" (2004) 10 Violence against Women at 1189.

<sup>498</sup> "A new law makes purchase of sex illegal in Iceland" *Jafnréttisstofa* (21 April 2009).

<sup>499</sup> Baird, *supra* note 436 at 6.

<sup>500</sup> Roger Boyes, "Sweden-Denmark link boosts red light trade" *The Times* (21 June 2008); "New Norway law bans buying of sex" *BBC News* (01 January 2009).

<sup>501</sup> "Finland introduces new law to curb public drinking, prostitution" *Associated Press* (02 October 2003); "Buying of sex in Finland is likely to be banned" *Agence France Presse* (03 July 2003); "New Norway law...", *supra* note 500; "A new law makes...", *supra* note 498.

<sup>502</sup> Kajsa Wahlberg. *Speech by Madame Kajsa Wahlberg*. (Venue and date not provided.)

legal repercussions.”<sup>503</sup> Prior to the enactment of the new law, the Swedish government stated that:

By prohibiting the purchase of sexual services, prostitution and its damaging effects can be counteracted more effectively than hitherto. ... The government considers, however, that it is not reasonable to punish the person who sells a sexual service. In the majority of cases at least, this person is a weaker partner who is exploited by those who want only to satisfy their sexual drives.<sup>504</sup>

There are programs and funding available for victims of male violence, whether it is a violent domestic relationship or prostitution.

The Swedish Law addresses both indoor and street prostitution. During the first year following its enactment, however, police focused almost exclusively on street prostitution. The Ministry of Labour estimated that the Swedish Law was responsible for decreasing the number of street prostitutes by 30% to 50% in the first three years and almost completely eliminated recruitment of women into street prostitution.<sup>505</sup> It appeared to have had the intended deterrent effect on both clients and prostitutes frequenting the streets.<sup>506</sup>

One possible reason for the success in reducing street prostitution may be that very few of the street prostitutes in Sweden are addicted to hard drugs such as heroin, methamphetamine or crack cocaine. Whereas addiction to these drugs is common among street prostitutes in the other European and North American countries, it is not so in Sweden.<sup>507</sup> As seen in Chapter Four, addiction often compels women to take risks in order to find a source of money for their drugs. Addiction also makes indoor work far less likely: addicted women are unreliable to be present for scheduled hours, lack the organizational

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<sup>503</sup> Ekberg, *supra* note 497 at 1192.

<sup>504</sup> Ministry of Labour, Sweden. (1998). *Kvinnofrid*. Stockholm: Ministry of Labour, at 55, quoted in: *Ibid.* at 1188.

<sup>505</sup> *Ibid.* at 1193.

<sup>506</sup> Brewer, *et al.*, *supra* note 203.

<sup>507</sup> Home Office, *supra* note 437 at 81.

skills to run their own businesses or websites, and are generally unreliable workers. Attempts to reduce street prostitution are not successful where serious addiction problems are present in the women; they will continue to engage in whatever activity ensures they will be able to satisfy their addiction.

Currently, the majority of prostitution in Sweden occurs in the striptease (exotic dancing) bars and in private homes.<sup>508</sup> Between 1999 and 2003, there were 121 charges against clients for street-based prostitution and 233 charges related to indoor prostitution.<sup>509</sup> The Internet has increased the ease in which prostitution can be arranged for clients in Sweden, causing new problems in combating prostitution, procuring and trafficking, as well as reducing prostitution overall.<sup>510</sup> The Swedish Law has also resulted in traffickers and pimps operating in other, closer European countries rather than in Sweden, especially Denmark.<sup>511</sup> The focus has been less on the clients than those involved in the procuring and trafficking of women and children.<sup>512</sup>

All Swedish laws are “extraterritorial” in that citizens are subject to Swedish laws even abroad. Thus, its citizens face prosecution for buying, procuring or living off the avails of prostitution, even in countries where prostitution is legal.<sup>513</sup> In 2002, three Swedish peacekeepers stationed in Macedonia, Kosovo, were prosecuted under the Swedish Law for visiting a brothel. The men had also stamped the inside of the women’s thighs with their official military stamp and photographed them. As a result of the convictions, all three men

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<sup>508</sup> Wagenaar, *supra* note 448.

<sup>509</sup> Ministry of Justice and Police Affairs (Norway). *The purchase of sexual services in Sweden and the Netherlands. A report from the working group on the legal regulation of the purchase of sexual services* [Abridged English version] edited by Ulf Stridbeck (Oslo: Ministry of Justice and Police Affairs, 2004) at 10.

<sup>510</sup> Karin Grundberg, “Sweden’s prostitutes ply their trade on the Internet” *Agence France Presse* (13 January 2003); Olga Craig, “Frost’s meditations” *Martin Frost* (05 July 2008).

<sup>511</sup> Ekberg, *supra* note 497 at 1201.

<sup>512</sup> Wahlberg, *supra* note 502.

<sup>513</sup> Ekberg, *supra* note 497 at 1196.

were discharged from the military and one man also lost his civilian job.<sup>514</sup> However, due to relatively inexpensive airfare in Europe, and the Öresun bridge which links Denmark and southern Sweden, access to countries where prostitution is legal is quite easy for Swedish men seeking to purchase sex with a low likelihood of detection.<sup>515</sup>

The Swedish Law was not a reaction to violence against prostitutes similar to that seen regularly in North America. The widespread physical violence, disappearances and murders seen in Canada and the U.S. were not present in Sweden. “Since the beginning of the 1980s, Swedish feminists have consistently argued that men who buy prostituted women should be criminalized.”<sup>516</sup> There was a connection made, however, between violence, prostitution, and violence against women in general. The 1984 murder of a 28-year-old mother of one who worked as a street prostitute prompted a reaction from women’s organizations and the Swedish public.<sup>517</sup>

Catrine da Costa was a heroin addict who worked the Malmskillnadsgatan area of Stockholm. She was last seen in 1984. Her body was found in six trash bins in various areas of the city. The cause of death could not be established because her vital organs and head were never found. Two doctors, Teet Härm and Thomas Allgen were charged with her murder.

Härm was also the prime suspect in the strangulation death of his wife, who was in the process of divorcing him, two years before da Costa’s murder. He was never charged. Two months after his wife’s death, he submitted his first paper on strangulation for

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<sup>514</sup> *Ibid.* at 1198.

<sup>515</sup> Craig, *supra* note 510; Boyes, *supra* note 500.

<sup>516</sup> Ekberg, *supra* note 497 at 1191.

<sup>517</sup> Regarding the da Costa case, see: Julie Bindel, “The real-life Swedish murder that inspired Stieg Larsson” *The Telegraph* (30 November 2010); Lennart Sjöberg, “A case of alleged cutting-up murder in Sweden: Legal consequences of public outrage” (2003) 4 *J. of Credibility Ass. and Witness Psych.*, 37.



publication. His medical area of specialization became sexual violence, specifically strangulation.

Allgen was a forensic pathologist who worked with the police. At the time of Härm's first arrest related to da Costa's murder, Allgen was being investigated for allegedly sexually abusing his daughter. When he was charged with da Costa's murder, he was also charged with child sexual abuse. The child, who was 18-months-old at the time of da Costa's murder, gave evidence of having witnessed the dismemberment.

Härm and Allgen were found guilty by the jury but a judge overruled the conviction after several jury members gave interviews to the press prior to the sentencing. A "public outcry, greatly assisted by the tabloid press, followed. These two dangerous men, it was claimed, had got away with a heinous crime."<sup>518</sup> A second trial was ordered and the two men were acquitted. Despite their acquittals, the two men were both stripped of their medical licences and never were able to find employment. Allgen died in 2009. Härm attempted suicide in 1985 but survived. The statute of limitations for da Costa's murder expired in 2010; the case remains officially unsolved.

There continues to be debate about whether the doctors were unfairly demonized and accused while innocent, or if two murderers escaped justice.<sup>519</sup> The acquittal, however, "provoked the women of Sweden to organise against male brutality. They marched through the city centres; circulated petitions; and appeared on television programmes protesting against the ill-treatment of women, particularly vulnerable females such as da Costa."<sup>520</sup>

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<sup>518</sup> Bindel, *supra* note 517.

<sup>519</sup> The case has been in the news again after the release of the novel *The Girl with the Dragon Tattoo* by the deceased Swedish author Stieg Larsson. See especially, *Ibid.*

<sup>520</sup> *Ibid.*

There are three major critiques of the Swedish Law. First, critics argue that it forces the sex trade further underground, exposing sex trade workers to more dangerous situations. Second, it displaces Swedish clients to other countries such as Denmark and the Netherlands. And finally, the state infantilizes women by declaring that there can be no free choice involved in entering, or remaining in, sex work.

The criticisms regarding the increased danger to women due to the outlawed status of prostitution are similar to those of the Canadian communicating law.<sup>521</sup> Critics suggest that because there are fewer clients, women are willing to take less money, more risks and engage in more violent, degrading or unprotected sex.<sup>522</sup> The sex industry has gone further underground, forcing women to work in dangerous situations, get into cars without having discussed, negotiated or agreed to services and fees, or taking the time to assess the individual.<sup>523</sup>

Second, due to the proximity of other European countries, Swedish clients often purchase commercial sex from women in other countries. The number of Danish prostitutes in Copenhagen doubled following the building of the bridge linking the two countries and the introduction of the Swedish Law.<sup>524</sup> Women and children are thus “less exploited in Sweden than in countries legalising the market” but not necessarily because Swedish men have stopped purchasing commercial sex.<sup>525</sup>

Lastly, the state’s position that all sex work is akin to violence against women does not resonate with everyone: “Trying to abolish sex work in order to get rid of trafficking has

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<sup>521</sup> See e.g., Pivot, *supra* note 102. See also, Lowman, *supra* note 22.

<sup>522</sup> Petra Östergren. Academic and writer on Swedish prostitution policy, feminism and social policy. Interview with Maryanne Pearce (13 November 2008), Stockholm, Sweden. See also, Ministry of Justice and Police Affairs, *supra* note 467 at 12.

<sup>523</sup> Baird, *supra* note 436 at 7; “Sanity needed in sex laws” *Sunday Star Times* (23 February 2003).

<sup>524</sup> Boyes, *supra* note 500.

<sup>525</sup> Wahlberg, *supra* note 502.

been likened to trying to abolish carpets in order to stop child labour in the textiles industry. ... For many sex workers, the ‘victim’ label is stigmatizing, damaging and wholly inappropriate.”<sup>526</sup> A number of studies, including Swedish studies, illustrate that a woman’s own “emotional commitment” is crucial for success for exiting sex workers.<sup>527</sup> Thus, resources need to be available when a woman is ready to exit sex work, not when the state insists that she must do so.

Sweden and the Netherlands both changed their prostitution laws around the same time, in 1998 and 2000, respectively. The effects of these changes are still not fully known. Further study, evaluation and analysis of both systems are required to fully understand the benefits and drawbacks of each regime.

### **iii. Criminalization**

Criminalization policies, whereby all parties are punished by laws criminalizing all or some aspects of prostitution, are common in Western countries. Some sex-based businesses acting as facades for prostitution may be legalized and regulated, such as massage parlours and escort services. The true nature of the businesses are generally ignored, with municipalities outwardly agreeing that such businesses do provide spa services or companionship, although the explicit sexual nature of the business is acknowledged and well known to all parties. This is the case with Canada’s prostitution laws. Although the act of prostitution itself is legal, it is virtually impossible to practice prostitution without violating

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<sup>526</sup> Baird, *supra* note 436 at 7.

<sup>527</sup> S-A Månsson and U-C. Hedin, “Breaking the Matthew effect – on women leaving prostitution” (1999) 8 *Interl. J. of Social Welfare* at 67. See also, Sanders, *supra* note 120 at 74. Contra, Rochelle L. Dalla, “‘You can’t hustle all your life’: An exploratory investigation of the exit process among street-level prostituted women” (2006) 30 *Psych. of Women Quart.* at 276.

one of the *Criminal Code* laws. Canada, Australia and the U.K. have laws which are a hybrid of criminalization and legalization.

### 1) Australia

Prostitution laws vary across Australia as they are the jurisdiction of the states and territories, not the federal government. For instance, in the State of Victoria, brothels are legal but subject to strict regulations. The world's first prostitute union was formed in Victoria in the mid-1990s.<sup>528</sup> Escort agencies require licenses and are subject to the local council. Street prostitution is illegal for both prostitute and client, and it is illegal to be a prostitute if suffering from certain sexually transmitted infections (STIs).<sup>529</sup> The law in the State of Queensland is similar.<sup>530</sup> Legalization of brothels and escort agencies was proposed in the early 1990s in order to address police corruption and exploitation, although further abolitionist laws were enacted with a change of government before legalization was later introduced.<sup>531</sup>

Elsewhere in Australia, however, such as in the Capital and Northern Territories, there are minimal regulations on brothels and escort agencies. However, street-based prostitution is still illegal for both prostitute and client.<sup>532</sup> Like in Canada, in the states of Western Australia and Tasmania, prostitution itself is not illegal, but it is nearly impossible to practice it without breaking the law.<sup>533</sup> However, brothels in Western Australia are unofficially sanctioned and ignored by police. In the State of South Australia, all activities

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<sup>528</sup> Jemima Walsh, "The world's first Prostitutes Union" *Marie Claire* (January 1996).

<sup>529</sup> Ministry of Justice (New Zealand), *supra* note at 455; Marian K. Pitts, Anthony M.A. Grierson, Jeffrey Smith, Mary O'Brien and Sebastian Mission, "Who pays for sex and why? An analysis of social and motivational factors associated with male clients of sex workers" (2004) 33 *Archives of Sexual Behavior*, 353.

<sup>530</sup> Ministry of Justice (New Zealand), *supra* note at 455.

<sup>531</sup> West, *supra* note 417 at 111.

<sup>532</sup> Ministry of Justice (New Zealand), *supra* note at 455.

<sup>533</sup> "Court for street sex workers aims to cut reoffending rates" *Australia Associated Press* (29 October 2003).

associated with prostitution are prohibited and there does not appear to be public support for a change in policy.<sup>534</sup>

In the State of New South Wales in the late 1980s and early 1990s, the aim of prostitution policies was to push street prostitution out of sight of communities. The concerns, the approach and the result of criminalization of street prostitution are identical to those in other Western countries:

Concern was raised about declining property values, traffic congestion, discarded syringes and condoms and the propositioning of non-prostitute women by potential clients. This led to the increased criminalisation of women who work as street prostitutes in Sydney. The act of 'driving' prostitutes from established beats and necessitating the establishment of new locations for soliciting increased the risk of physical and sexual assault of street prostitutes. Women who work alone in new areas or who accept 'car jobs' to escape police detection are now more vulnerable to various types of crime.<sup>535</sup>

Despite its legal status, in Sydney, illegal brothels outnumber legal establishments four to one.<sup>536</sup> Trafficking of women and girls into Australia for sexual exploitation is a concern in all areas of the country, regardless of the policy.<sup>537</sup>

## 2) The United Kingdom

Prostitution laws in the U.K. are similar to Canada's laws.<sup>538</sup> Of the estimated 80,000 sex workers in Britain, 85 to 90% are female. Eight thousand women are thought to be involved in prostitution in London alone. The largest proportion of male sex workers are in London. Eighty percent of the sex workers in London and South England operate in off-

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<sup>534</sup> Ministry of Justice (New Zealand), *supra* note at 455.

<sup>535</sup> Suzanne E. Hatty. *The desired object: Prostitution in Canada, United States and Australia* (Presentation to the Sex Industry and Public Policy Conference, conference held 06-08 May 1991) at 76.

<sup>536</sup> Baird, *supra* note 436 at 6.

<sup>537</sup> "Ruddock says no growing sex slavery trade in Australia" *Australia Associated Press* (07 May 2003); David Fickling, "The southern slave trade" *The Guardian* (06 May 2003).

<sup>538</sup> Scambler, *et al. supra* note 20 at 267; Barnard, *supra* note 28 at 689.

street venues, including out of 730 licensed indoor premises. Saunas are licensed by the municipalities to provide massage services. Like Canadian sex-based businesses, it is known that prostitution occurs within these establishments and that the majority of the business taking place is prostitution.<sup>539</sup>

there are loopholes in the law that make some forms of commercial sex legal. For instance, although brothel keeping laws, procuring women into prostitution, and living off immoral earnings are illegal, the actual act of selling or buying sex is legal in the United Kingdom, and one woman can work alone in her own premises perfectly legitimately. One significant sex market is that of independent entrepreneurial sex workers who set up escort services, visiting men at hotels or renting an apartment to receive customers at their place of work. Much of the escort work is organized via the Internet.<sup>540</sup>

Illegal brothels are also common in the U.K. Escort agencies are generally not bothered by police but street prostitution is targeted for enforcement.<sup>541</sup> Outside of London and South England, 30% to 70% of the prostitution occurs on the street.<sup>542</sup>

As with Canada, soliciting is illegal whereas prostitution itself is not. Thus, the use of business cards, especially prevalent in telephone boxes, is also prohibited.<sup>543</sup> The use of cell phones will likely make the iconic red telephone boxes disappear but the Internet has been a popular tool of both escorts and clients. *Punternet*, whose domain is based in California, is the most popular and longstanding website of this type.<sup>544</sup> In 2009, the U.K. Minister of Women and Equality, Harriet Harman, asked then-California governor Arnold

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<sup>539</sup> Sanders, *supra* note 120 at 74.

<sup>540</sup> *Ibid.*

<sup>541</sup> Sanders, *supra* note 76.

<sup>542</sup> Scambler, *supra* note 9 at 1081.

<sup>543</sup> Jenn Clamen, "Sex in the city" *The Guardian* (09 July 2002).

<sup>544</sup> *Punternet* is discussed at length by British sociologists Teela Sanders in her 2007 book which focused on men who purchase sex. Sanders used the website to advertise for potential interviewees. Sanders, *supra* note 82.

Schwarzenegger to have it shut down as it “fuels the demand for prostitution – a vice she said degrades women and puts them at risk.”<sup>545</sup>

In the last five years there has been a focus on *kerbcrawlers*, the clients of street prostitutes, due to the nuisance to the neighbourhood and visibility of street prostitution.<sup>546</sup> As in Canada, the “naming and shaming” of clients and use of John Schools are highly criticized, as buying and selling of sex itself is not illegal.<sup>547</sup> Another tactic used by police to discourage street prostitution is the use of anti-social behaviour orders (ASBOs).<sup>548</sup> The goal, however, is not to eliminate street prostitution but to alleviate the nuisance to the community temporarily and to “disrupt the sex markets.”<sup>549</sup>

According to the Home Office, the visibility of prostitution, associated criminal activity such as drug dealing, and the resulting litter (used condoms and needles) are of concern to neighbourhoods. Yet, it is the clients of prostitutes who are the most problematic for residents.<sup>550</sup> Especially disturbing to community members is that clients assume any woman or child on the street is a prostitute, thus the soliciting of people for prostitution in their own neighbourhoods is common. Police enforcement of prostitution laws does not carry

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<sup>545</sup> “Schwarzenegger asked to close prostitute website” *Yahoo! News* (01 October 2009).

<sup>546</sup> Teela Sanders, “Kerbcrawler rehabilitation programmes: Curing the ‘deviant’ male and reinforcing the ‘respectable’ moral order” (2009) 29 *Critical Social Policy*, 77; Sanders, *supra* note 481; Teela Sanders, *Men who buy sex: Criminals, abusers or scapegoats?* (Presentation to the British Society of Crim., Glasgow University, 04-07 July 2006); David Bamber, “Brothels should be legalised, says Home Office” *Daily Telegraph, Issue 2039* (24 December 2000); Teela Sanders, “Controlling the anti-sexual city: Sexual citizenship and the disciplining of female sex workers.” (2009) 9 *Crim. and Criminal Justice*, 4.

<sup>547</sup> See, Sanders, *supra* note 481; Teela Sanders, *UK Research on Men Who Buy Sex* (Presentation to the National Strategy for Prostitution UKNSWP Annual Conference, Manchester, 06 October 2006).

<sup>548</sup> Tracey Sagar, “Tackling on-street sex work: Anti-social behaviour orders, sex workers and inclusive inter-agency initiatives” (2007) 7 *Crim. & Criminal Justice* at 153.

<sup>549</sup> Home Office (U.K.). *Coordinated prostitution strategy* (London: The United Kingdom, January 2006) at 13. See also, Keith Soothill and Teela Sanders, “Calling the tune? Some observations on Paying the Price: A consultation paper on prostitution” (2004) 15 *J. of Forensic Psychiatry & Psych.* at 642.

<sup>550</sup> Home Office, *supra* note 437 at 67.

a strong deterrent. Convictions for soliciting and loitering are punishable only by a fine, which is often paid for through funds obtained by prostitution.<sup>551</sup>

Besides enforcement of solicitation and loitering prohibitions, other municipalities in the U.K. have looked into other options. One such option is having informal red-light districts or managed zones where police do not enforce the laws against soliciting and loitering, if there is little public nuisance. For example, there is little street prostitution in Edinburgh, as compared to Glasgow, as the latter's city council has vigorously enforced prostitution laws since 1998.<sup>552</sup> Edinburgh's police generally did not interfere with indoor sex markets, thus most prostitution moved off the street. Further, Edinburgh operated a "non-harassment" zone in Leith for two decades. When this zone was closed in 2001, attacks on street prostitutes increased from one to six per month and prostitutes seeking sexual health services decreased.<sup>553</sup>

As in Canada, violence against street prostitutes is high. In the U.K., there were over ninety murders of prostitutes from 1991 to 2006, which is a rate of approximately five per year.<sup>554</sup> However, the serial spree killing of five street prostitutes in a 10 day period in 2006, in Ipswich, England, brought the issue of violence against street prostitution to the fore of public attention.<sup>555</sup>

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<sup>551</sup> *Ibid.* at 69.

<sup>552</sup> Jan Macleod, Melissa Farley, Lynn Anderson and Jacqueline Golding. (2008). *Challenging men's demand for prostitution in Scotland*. Glasgow: Women's Support Project at 11.

<sup>553</sup> Sanders and Campbell, *supra* note 56 at 4.

<sup>554</sup> Sanders, *supra* note 481.

<sup>555</sup> Gemma Adams, Tania Nicol, Anneli Alderton, Paula Clennell and Annette Nicholls were all murdered between December 02 and December 12, 2006 in Ipswich, England. Steve Wright was convicted of all five murders and is under suspicion in other murders of prostitutes.

See generally, Teela Sanders, "Protecting the health and safety of female sex workers: The responsibility of all" (2007) 114 *British J. of Ob. & Gyn.*, at 791; Michael D.E. Goodyear, and Linda Cusick. "Protection of sex workers: Decriminalization could restore public health priorities and human rights" *Canadian Harm Reduction*; Brooks, *supra* note 406 at 56.



The 2012 summer Olympic Games was held in London. The British government increased its efforts to combat human trafficking for the purposes of prostitution in association with that event.<sup>556</sup>

#### **iv. Decriminalization**

Decriminalization removes prostitution from the *Criminal Code* and regulates prostitution as other professions and businesses. “Decriminalization attempts to normalize prostitution, removing the social exclusion which makes prostitutes vulnerable to exploitation, but sex work then becomes subject to regulation by civil employment law.”<sup>557</sup> New Zealand is generally agreed to be the only country that has completely decriminalized prostitution. New Zealand

New Zealand’s prostitution policy is often referred to as *legalized* because prostitution is not illegal. However, New Zealand does not impose a strict regulatory regime specific to sex-based businesses, and removed prostitution from its *Criminal Code*. Thus, New Zealand’s prostitution policy is one of decriminalization.<sup>558</sup>

New Zealand adopted a decriminalized approach to prostitution with changes to the *Prostitution Reform Act* in 2003.<sup>559</sup> Brothels, including escort agencies, are granted operator certificates by the local council. However, up to four sex workers may operate without a licence, but are still subject to local regulations, as would any other small business. Eligibility for operating certificates is simply being over the age of 18 and a citizen or permanent resident of New Zealand or Australia. Some criminal convictions will disqualify

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<sup>556</sup> “Schwarzenegger asked to...,” *supra* note 545.

<sup>557</sup> West, *supra* note 417 at 106.

<sup>558</sup> See generally, Greg Fleming, “If we encourage prostitution we will get more of it” *New Zealand Herald* (18 February 2003); Ruth Laughesen, “Prostitutes ready to come out of shadows” *Sunday Star Times* (01 December 2002).

<sup>559</sup> New Zealand. *Prostitution Reform Act*, 2003.

an applicant, but not all.<sup>560</sup> Prostitutes do not need to be registered or licensed and there are no mandatory health checks. Further, street prostitution is not generally prohibited, licensed or managed.<sup>561</sup>

The New Zealand model was the approach lauded by sex worker advocates I interviewed in Sweden<sup>562</sup> and the Netherlands.<sup>563</sup> Petra Timmermans, a Canadian citizen living in the Netherlands for many years, works at PIC in the Red-Light District of Amsterdam. She is also the coordinator for the International Committee on the Rights of Sex Workers in Europe (ICRSE). Timmermans contends that the licensing of sex workers adds to the stigma against prostitution and polices women's sexuality. The New Zealand policy is an improvement on the Dutch model and a good starting point for other countries, explains Timmermans. Although labour relations were an afterthought to the New Zealand government, it has worked out well, but the focus continues to be on improving power relationships between brothel owners and sex workers.<sup>564</sup>

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<sup>560</sup> Ministry of Justice. *Frequently Asked Questions (FAQ) – Prostitution Law Reform*. (Victoria: Ministry of Justice, no date).

<sup>561</sup> Ministry of Justice (New Zealand), *supra* note at 455.

<sup>562</sup> Pye Jakobson. Sex Workers and Allies in Sweden. Interview with Maryanne Pearce (14 November, 2008) Stockholm, Sweden.

<sup>563</sup> Petra Timmermans. Prostitution Information Centre. Interview with Maryanne Pearce (04 November 2008) Amsterdam, the Netherlands.

<sup>564</sup> *Ibid.*

## CHAPTER FOUR

### SOCIAL, FAMILIAL AND INDIVIDUAL IMPACTS OF SEX WORK

#### I. INTRODUCTION<sup>1</sup>

This chapter presents and reflects upon the Canadian situation with respect to the impact of prostitution on individuals and society. It is important to review the concerns, arguments and research, which specifically relate to Aboriginal women and women with vulnerabilities such as addiction, physical and mental health issues, homelessness and poverty. The intersection of gender, class, race and ethnicity in relation to prostitution is necessary to understand the complex manner in which prostitution is framed in the Canadian context. The individual family circumstances of women involved in street prostitution continue to provide context and complexity to the question of social and individual realities of sex work.

Debates about the health of sex workers and their clients come from a variety of professions and include a broad range of concerns, such as the transmission of HIV/AIDS and other STIs, mental health, addiction and injury. As is discussed below, these are important health issues that have serious impacts on the wellbeing of sex workers. However, there has been a tendency... to look at the health risks prostitutes pose to others rather than the risks accruing to prostitutes in consequence of the work they do.”<sup>2</sup>

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> Marie A. Barnard, “Violence and vulnerability: Conditions of work for streetwalking prostitutes” (1993) 15 Soc. of Health & Illness at 683.

Violence directed towards clients by prostitutes is rarely highlighted in the literature, despite the prevalence of such warnings to clients participating in John Schools.<sup>3</sup> Although it does happen, violence against clients is rare. There is, however, considerable focus, attention and research regarding the prevalence of violence, including homicide, perpetrated against sex workers, typically by clients. Despite differing perspectives on sex work and on how to improve safety, the protection of sex workers is paramount across all sides of the debates and political affiliation, although how to do so varies.

The sex industry, including pornography, is estimated to generate \$30 billion to \$50 billion U.S. (\$31 to \$51 billion Cdn.) annually worldwide.<sup>4</sup> The sex trade is affected by the general economy, as are most sectors, with boom-times quickly followed by an increase in the demand for sexual services.<sup>5</sup> Economic downturns also impact sex-trade businesses, as discretionary spending is reduced.<sup>6</sup> A 2006 Canadian study of clients illustrated that “like most other goods and services bought and sold in a consumer society, demand and supply interact: for a certain segment of the sex buyer population, their initial demand was, at least partly, supply driven.”<sup>7</sup>

Economic exploitation of sex workers can be perpetrated by managers, clients or intimate partners. Pimps or intimate partners may use threats or physical abuse to force

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<sup>3</sup> John Lowman and Chris Atchison, “Men who buy sex: A survey in the Greater Vancouver regional district” (2006) 43 Cdn. Review of Soc. and Anth. at 292; Erin Gibbs Van Brunscho, “Community policing and ‘John Schools’” (2003) 40 Cdn. Review of Soc. and Anth. at 221; Scot Wortley, Benedikt Fischer and Cheryl Webster, “Vice lessons: A survey of prostitution offenders enrolled in the Toronto John School diversion program” (2007) 44 Cdn. J. of Crim. at 373.

<sup>4</sup> Gregor Gall, “Sex worker unionisation: An exploratory study of emerging collective organisation” (2007) 38 Industrial Relations J. at 71.

<sup>5</sup> Frank Landry, “Edmonton: Report tackles sex trade” *Edmonton Sun* (07 November 2007).

<sup>6</sup> Devon Swift, “Hookers finding it hard to make ends meet” *24 hours* (07 July 2009), 11.

<sup>7</sup> Lowman and Atchison, *supra* note 3 at 288.

women to turn over their earnings or require quotas to be met.<sup>8</sup> Sex workers may be forced to perform sex acts against their will to avoid losing their jobs. There may be a lack of control over time, place, hours and scope of sex work performed.<sup>9</sup> Managers of strip clubs often impose quotas, fines and fees on dancers.<sup>10</sup> Street prostitutes report being regularly robbed by clients.<sup>11</sup> It is not uncommon, however, for street prostitutes to also rob their clients.<sup>12</sup>

Economic debates are not solely focused on economic exploitation of sex workers. The costs to society, by way of government spending and lost revenue due to unpaid taxes on sex work income and social assistance fraud, are also elements of the debates. Generally, wages earned through prostitution are not declared as income, resulting in lost taxes to the government.<sup>13</sup> Social assistance regulations require all income to be declared, with reductions generally applied to off-set other income. Street prostitutes, however, often receive social assistance at the same time as being engaged in prostitution, without declaring this income.<sup>14</sup>

Governments generate revenue from prostitution and sex work businesses through the imposition of municipal licensing fees on escort services, strip clubs and body rub parlours.

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<sup>8</sup> See e.g., Susan Musgrave. *Where did you sleep last night*, 2001, VHS: (Montreal, Quebec: National Film Board of Canada, 2002); John Lowman, "Violence and the outlaw status of (street) prostitution" (2000) 6 *Violence against Women* at 994.

<sup>9</sup> Suzanne Bouclin, "Exploited employees or exploited entrepreneurial agents? A look at erotic dancers" (2004) 23: 3/4 *Cdn. Woman Studies* at 132.

<sup>10</sup> See, Chris Bruckert. *Taking it off, putting it on: Women in the strip trade*, (Toronto: Women's Press, 2002) at 61.

<sup>11</sup> See e.g., *Stolen lives: Children in the sex trade*, 1999, VHS: (Vancouver, B.C.: Still Water Pictures, 1999).

<sup>12</sup> Steven D. Levitt and Sudhir Alladi Venkatesh, "An empirical analysis of street-level prostitution" (September 2007), unpublished draft at 14.

<sup>13</sup> There are specific industry codes for Internet-based sex trade (and other) businesses for tax purposes by the Canada Revenue Agency (CRA). 519130 is the code for "Online adult entertainment including gambling and pornography" and 812990 is the code for "Online pshchic [sic], escorts, dating, party planning, personal shopping." See, CRA. *Industry codes – Services*.

<sup>14</sup> Justice Canada. *Technical report. Violence against persons who prostitute: The experience in British Columbia* by John Lowman and Laura Fraser. (Ottawa: Department of Justice Canada, 1995) at 122.

Therapeutic massage clinics are not charged the same high fees as sex-based massage parlours. Fines by courts and confiscation of money by police as proceeds of crime, even when no charges are laid, also generate revenue.<sup>15</sup> Some claim these practices are akin to living on the avails of prostitution.<sup>16</sup> Licensing fees do not equate to legalizing prostitution, however.

There are significant health care costs associated with injuries and illness related to sex work. Homelessness and addiction are common among street prostitutes, which also have health impacts for prostitutes, as well as social impacts on communities. Community groups are concerned with the impact on property values, safety and quality of life for neighbourhoods with visible street prostitution.<sup>17</sup>

The cost of enforcement and investigation of *Criminal Code* offences, and the prosecution, trials and incarceration of prostitutes are not insignificant. The police as a whole, and individually, have differing identities vis-a-vis sex work. They are at once protectors of sex workers but also enforcers of laws which place sex workers in conflict with the law. Occasionally, police are also perpetrators of violence against street prostitutes. As a result, prostitutes are largely unwilling to approach unknown police officers or agents of police services, despite any harm they may have suffered.

It is argued that the social stigma, psychological and physical impact of sex work on individuals is much more severe due to the criminalization of the activities and strong

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<sup>15</sup> Pivot Legal Society (Pivot). (2004). *Voices for dignity: A call to end the harms caused by Canada's sex trade laws* at affidavit 92.

<sup>16</sup> Inspector Harold van Gelder. Vice Squad, Politite Amsterdam (Vice Squad). Interview with Maryanne Pearce (04 November 2008) Amsterdam, the Netherlands. See also, *Ibid.* at affidavit 78.

<sup>17</sup> Hintonburg Community Association, Inc. (2001). *Street-level prostitution: Dispelling the myths*. Ottawa: Hintonburg Community Association, Inc.

cultural taboo against selling sex.<sup>18</sup> This stigma exists despite a proliferation of *Girls Gone Wild*-type videos,<sup>19</sup> reality television such as *Cat House*,<sup>20</sup> the memoirs of “Belle de Jour” in the British series *Secret Life of a Call Girl*,<sup>21</sup> music videos and YouTube clips (especially hip hop) which celebrate “pimp culture,” widespread availability and normalization of pornography and a relatively sexually liberal culture.<sup>22</sup> Sexual freedom and liberation has not extended to prostitution; sex workers find the whore stigma remains a significant issue. “As marginalized women, prostitutes are not afforded the same privileges and protections as other individuals in a democratic society, including the fundamental recognition of value as a human being and the protection of the full extent of the law when victimized.”<sup>23</sup>

Since the formation of the U.S. organization *Call Off Your Old Tired Ethics* (COYOTE) in 1973, there has been an increasing number of experiential women, as well as some academics, health professionals, policy makers and politicians in the Western world who advocate the reframing and acceptance of prostitution and other sex work as a legitimate occupation that is meeting a demand and providing a service.<sup>24</sup> Arguments are varied; there are calls for decriminalization of prostitution, regulation and legalization of prostitution and the extension of health and social benefits and employment protection enjoyed by workers in other occupations.

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<sup>18</sup> See e.g., Kirthie Abeyesekera, “Our prostitution laws should reflect our reality” *Toronto Star* (12 March 1999).

<sup>19</sup> *Girls Gone Wild* refers to the mail order movie franchise which features young, white women, often university students who are intoxicated and emboldened by the male gaze and cheering, to expose their breasts, buttocks or genitals, kiss female friends or engage in sexual acts with the film crew or each other on film.

<sup>20</sup> Patti Kaplan. *Cat House* (the Series), 2002, HBO Television.

<sup>21</sup> *Secret Diary of a Call Girl*, 2007-2011, Television.

<sup>22</sup> See e.g., Graham Scambler, “Sex work stigma: Opportunist migrants in London” (2007) 41 Soc. at 1079.

<sup>23</sup> Celia Williamson, Lynda Baker, Morris Jenkins and Terry Clause-Tolar, “Police-prostitute interactions: Sometimes discretion, sometimes misconduct” (2007) 18 J. of Progressive Human Services at 18.

<sup>24</sup> See e.g., Ronald Weitzer, “Prostitutes’ rights in the United States: The failure of a movement” (1991) 32 The Soc. Quart. at 23.

Finally, this chapter concludes with a discussion on how vulnerabilities associated with health, mental health, gender, race, prostitution, homelessness, and addiction are compounded upon one another.

## II. GENDER, RACE AND ETHNICITY

For centuries, Aboriginal women have suffered enormously because they are perceived as sexually permissive and disposable, which are characteristics of the nature of racism directed towards Aboriginal people generally.<sup>25</sup> It was a common practice in the 1800s for European trappers to abandon their “country wives” after their work on the frontier ended, and Indian Agents, members of the North-West Mounted Police (NWMP) and other government officials regularly abused, bought and extorted First Nations and Métis women.<sup>26</sup> Sherene Razack explains, “Racialized and poor women (each differently racialized), presumed to be sexually available outside of marriage (in discourses of slavery and colonialism, for instance), are already thought to inhabit the space of prostitution.”<sup>27</sup>

Media constructions of young women in conflict with the law, who are violent or involved in sex work, shape the public’s view of women and the dangers posed by such women. Likewise, the construction of a “crisis” of violent young women or women posing a danger to “civilized” society is reminiscent of depictions of Indian and Métis women in the nineteenth and early twentieth centuries.<sup>28</sup> In historical writings, literature, films and the

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<sup>25</sup> See, Drew Haydon Taylor, (ed.). *Me Sexy: An exploration of Native sex and sexuality*. Vancouver: Douglas & McIntyre Ltd., 2008).

<sup>26</sup> See, Janice Acoose. *Iskwewak – Kah’ Ki Yaw Ni Wahkomakanak (Neither Indian Princesses Nor Easy Squaws)*; Sarah Carter. *Capturing women: The manipulation of cultural imagery in Canada’s prairie west*. (Montreal: McGill-Queen’s University Press, 1997) at 158-153.

<sup>27</sup> Sherene Razack, “Race, space, and prostitution: The making of the bourgeois subject” (1998) 10 Cdn. J. of Women & the Law at 348.

<sup>28</sup> See especially, Acoose, *supra* note 26; Carter, *supra* note 26.



media, Aboriginal women have long been perceived as the “Other,”<sup>29</sup> separated from mainstream Canadians. This Other-ing is especially true of women who did not live quiet, middle-class existences before tragedy or fate struck, bringing them into the public eye. This includes women entrenched in poverty, addiction or abuse, or those who have been in conflict with the law or worked in the sex trade. It is the “causal salience of social structures, notably relations of class, command, gender and ethnicity, as well as those of stigma and deviance...”<sup>30</sup> that coalesce and create an “us and them” division in the media and in the minds of mainstream Canadians.

Sex is a biological category; one is either male or female, or rarely, inter-sexed. Gender is a cultural construction that changes over time and place. Biological sex does not necessarily have to correspond to gender identity, which is the self-identification of being male or female. Each gender has a set of rules and expectations that “are an outcome of a process of judgment and evaluation that distinguishes certain forms of behaviour as ‘male-appropriate,’ ‘female-appropriate,’ or ‘gender-neutral.’”<sup>31</sup>

In twenty-first century Canada, gender roles are no longer binary opposites as were traditional European gender roles. There are certainly several areas of overlap that did not exist previously, but gender roles still dictate a different value and level of appropriateness to the behaviours, especially when the activity is one that had previously been strictly in one gender sphere, such as child rearing (women) or business (men). For instance, the last decade has shown an increase in the number of men taking paternity leave and there is an increased

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<sup>29</sup> *Other* refers to the process of separating oneself from cultures, people or sub-cultures different from ones’ own. See, Edward W. Said. *Orientalism* (Toronto: Random House of Canada, 1979).

<sup>30</sup> Lynnette Curtis, “Outlaw industry, ex-prostitutes say: Researcher spotlights human trafficking” *Las Vegas Review-Journal* (06 September 2007).

<sup>31</sup> E.D. Salamon and B.W. Robinson. *Gender roles: Doing what comes naturally?* (Scarborough: Nelson House, 1991) at 6.

acceptance of the male nurturing of children. However, women continue to take maternity leave in far greater numbers than men (81% versus 8.7%) and remain out of the paid workforce for significantly longer periods of time.<sup>32</sup> Women remain the prime caregivers to children.

Similarly, women have made tremendous headway into formerly male spheres such as law, business and medicine. However, a woman's success is looked at differently. Women can attain great success in their careers, but they are still assessed against their ability to juggle both career and family responsibilities in ways men are not. Forays into non-traditional gender occupations and educational areas are acceptable or tolerable to most Canadians. Other gender role and behaviour violations receive a lot of media attention and pop culture celebration. However, when these behaviours are not played out on television or in movies, but in their own neighbourhoods, they are viewed harshly by society. This is especially true with women who engage in traditionally male types of sexual or criminal behaviour.

Graham Scrambler, a sex work researcher, identified seven aspects of violations of social norms:

having sex with strangers; having sex with multiple partners; taking sexual initiative and control and possessing expertise; asking a fee for sex; being committed to satisfying men's lusts and fantasies; being out alone on the streets at night dressed to incite or attract men's desires; being in the company of supposedly drunk or abusive men whom they can either handle (as 'common' or 'vulgar' women) or not handle (as 'victimized' women).<sup>33</sup>

He further cautioned that traditional analysis of stigmatization has failed to acknowledge that "the disadvantage accruing through stigmatization is often 'mixed in with', even secondary

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<sup>32</sup> Statistics Canada. *Navigating family transitions: Evidence from the General Social Survey 2006* by Pascale Beaupré and Elisabeth Cloutier. (Ottawa: Statistics Canada, 2007) at 10.

<sup>33</sup> Scrambler, *supra* note 20 at 1080.

to, exploitation and oppression.”<sup>34</sup> These violations of social norms and mores are often assumed to be an invitation to violence. “A woman who prostitutes already violates norms of appropriate female behaviour and cannot be further violated.”<sup>35</sup> It is this type of thinking that is thought to lead to the belief among predators that prostitutes are easy prey whose disappearance or murder is likely to be ignored by the authorities.<sup>36</sup>

There is also a public assumption that violence is inevitable, a result of the choices made and the “lifestyle” led by the victim of sexual assault, violence and murder. As a letter to the editor noted, the use of the term lifestyle “implies a behavior choice. These are not ‘different lifestyles’ but simply lives – lives that are continuously subject to violence and discrimination.”<sup>37</sup> Police sweeps, “Shame the Johns” campaigns and other initiatives aimed at eradicating street prostitution are often blamed for perpetuating these beliefs. “What we’ve done for the last 30 years is talk about the need to dispose of street prostitution and in the minds of certain predatory, misogynistic men that translates into disposing of prostitutes.”<sup>38</sup>

A 1994 report by Justice Canada notes that gender is an important element in victimization of sex workers. In addition to gender socialization, “the male-centeredness of the sex trade reinforces the priority of male sexuality. The operation of the sex trade out of the customer’s automobile or home reinforces the ‘john’s’ [sic] control over the transaction.”<sup>39</sup> Control of sexual encounters through buying sex may be related to the

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<sup>34</sup> *Ibid.* at 1087.

<sup>35</sup> Barnard, *supra* note 2 at 686.

<sup>36</sup> *Ibid.* at 702. See also, Razack, *supra* note 27 at 347.

<sup>37</sup> Jessica Xavier, “Surviving on the streets” *Washington Post* (30 August 2003). See also, Teela Sanders, “A continuum of risk? The management of health, physical and emotional risks by female sex workers” (2004) 26 *Soc. of Health & Illness* at 559.

<sup>38</sup> John Lowman, quoted in “Suburban sex-trade workers more vulnerable than those in city: former prostitute” *Canadian Press* (13 January 2007).

<sup>39</sup> Justice Canada. *Victimization of prostitutes in Calgary and Winnipeg* by Augustine Brannigan. (Ottawa: Department of Justice Canada, 1994) at 29.

“perception of control in other areas of a clients’ life,”<sup>40</sup> either because the men lack control in their personal or professional lives, or because their masculine identity is reinforced by exerting control over women.

Street prostitution is “the most marginalized, oppressed, and stigmatized”<sup>41</sup> of all types of sex work. The number of Aboriginal women involved in street level prostitution is very high in comparison to the numbers of Aboriginal people in Canada.<sup>42</sup> Even in areas of the country where there is a small Aboriginal population, there are often high percentages of street prostitutes of Aboriginal origin.<sup>43</sup> It is not uncommon for clients to choose prostitutes who have a different ethnic background from their own.<sup>44</sup> Caucasian street prostitutes can charge higher fees than can Aboriginal women,<sup>45</sup> while “indigenous women are placed at the bottom of a brutal race and class hierarchy within prostitution itself.”<sup>46</sup>

Aboriginality, in this instance, constitutes the contested battlefield of meanings that can only be won when society recognizes its complicity in reproducing neo-colonial systems of valuation that position Aboriginal women in the lowest rungs of the social order, thereby making them expendable and invisible, if not disposable. Similarly, and intersecting with

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<sup>40</sup> Marina Della Giusta, Maria Laura Di Tommaso, Isilda Shima and Steinar Strøm, “What money buys: Clients of street sex workers in the U.S.” (2006) Memorandum at 18.

<sup>41</sup> Christine M. Sloss and Gary W. Harper, “When street sex workers are mothers” (2004) 33 Archives of Sexual Behavior at 329.

<sup>42</sup> John Lowman, “Street prostitutes in Canada: An evaluation of the Brannigan-Fleischman opportunity model” (1991) 6 Cdn. L. of Law and Society at 160; Lowman, *supra* note 8 at 1008; Mike McIntyre, “Fear of death all in a night’s work: Reporters McIntyre, Giroday spend night in Winnipeg’s ‘low-track’” *Winnipeg Free Press* (08 September 2007); Razack, *supra* note 27 at 347; Steven Bittle, *Reconstructing ‘youth prostitution’ as the ‘sexual procurement of children’: A case study* (Master’s Thesis, Simon Fraser University, 1999) [unpublished] at 27; Dianne Grant, “Sexin’ work: The politics of prostitution regulation” (2008) 2 New Proposals: J. of Marxism & Interdisciplinary Inquiry at 69.

<sup>43</sup> Leslie Tutty and Kendra Nixon, “‘Selling sex? It’s really like selling your soul’: Vulnerability to and the experience of exploitation through child prostitution” in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 29.

<sup>44</sup> Scambler, *supra* note 20 at 1090.

<sup>45</sup> Gabrielle Giroday, “Woman found way off street, mourns slaying of friend” *Winnipeg Free Press* (08 September 2007); Grant, *supra* note 42 at 69.

<sup>46</sup> Research has shown that migrant sex workers in indoor sex markets, even where trafficking, pimps or coercion are not factors, are willing to engage in some sex acts that other sex workers are not. See, Scambler, *supra* note 20 at 1085; Melissa Farley, “‘Bad for the body, bad for the heart’: Prostitution harms women even if legalized or decriminalized” (2004) 10 Violence against Women at 1096.

Aboriginal status, sex work also needs to be recuperated from the dominant gaze that sees it simply as a degenerate trade characteristic of deviant bodies confined to the realms of disorder and criminality.<sup>47</sup>

In a 2002 study, Aboriginal street prostitutes mentioned that some clients specifically seek out and request “squaw sex.”<sup>48</sup> This is not a unique situation. Another researcher explains how the young women she interviewed “were suggesting that, as Aboriginal girls, they were differently affected by discrimination, by racial slurs that exacerbated the verbal and physical attacks on street children, and by their difficulty fitting into society as *both* sexually abused *and* culturally marginalized.”<sup>49</sup>

There are gender role and behaviour violations which receive a lot of media attention and pop culture celebration, but which are viewed harshly by society when not played out on television. This is especially true with women engaging in traditionally male-types of sexual or criminal behaviour or violence. Sensational headlines warn of increases in violent behaviour by young women and reality television focuses on women engaging in promiscuous sexual behaviour.<sup>50</sup> For those opposed to feminism, their fears seem to be well founded: equality of women has created sexually aggressive and violent young women. The argument made by some members of the media and the religious right, using statistics without analysis and context, is that without traditional gender distinctions and rules, women have begun to take on the worst aspects of masculinity.

The theory assumes that the same forces that propel men into violence will increasingly produce violence in girls and women once they are freed from

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<sup>47</sup> Yasmin Jiwani and Mary Lynn Young, “Missing and murdered women: Reproducing marginality in news discourse” (2006) 31 Cdn. J. of Comm. at 912.

<sup>48</sup> Kendra Nixon, Leslie Tutty, Pamela Downe, Kelly Gorkoff and Jane Ursel, “The everyday occurrence: Violence in the lives of girls exploited through prostitution” (2002) 8 Violence against Women at 1023.

<sup>49</sup> Pamela Downe with “Ashley-Mika”. ““The people we think we are”: The social identities of girls involved in prostitution” in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 63.

<sup>50</sup> See e.g., “Violent girl syndrome” *The Tyra Banks Show* (Wednesday, February 27, 2008).

the constraints of their gender. The masculinization framework also lays the foundation for simplistic notions of “good” and “bad” femininity, standards that will permit the demonization of some girls and women if they stray from the path of “true” (passive, controlled, and constrained) womanhood.<sup>51</sup>

The similarities between the current “epidemic” of girl violence and the historical portrayal of Indian women threatening the moral virtue and physical safety of white men and women on the Prairies are striking. So too are the results: physical isolation (reserve versus prison), protection of mainstream (white) population, and “innocent” (white) victims at the mercy of illogical, immoral and violent women.

The pervasiveness of the stigma of women who work in the sex trade has not diminished over the years, despite the sexually liberal culture of the Western world. This whore stigma creates barriers for the public and policy makers to view sex work as a form of work. It also creates negative self-images in current and exited sex workers, trafficked women and youths sexually exploited through prostitution.<sup>52</sup>

The stigma is one-sided: “the shame accruing almost ubiquitously to women supplying sexual services has rarely extended to their male clientele.”<sup>53</sup> In the aftermath of the news that New York Governor Eliot Spitzer was “Client No. 9” of a Manhattan escort agency, the media focus shifted from the Spitzer family to Ashley Dupré, known at the escort

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<sup>51</sup> Meda Chesney-Lind, “Patriarchy, crime, and justice: Feminist criminology in an era of backlash” (2006) 1 *Feminist Crim.* at 6.

<sup>52</sup> Ronald Weitzer, “Prostitution as a form of work” (2007) 1 *Soc. Compass* at 143; Brett Clarkson, “I’m okay with what I do” *Sun Media* (25 June 2007); Dan Gardner, “The many faces of prostitution” *Ottawa Citizen* (20 March 2006); Teela Sanders, “‘It’s just acting’: Sex workers’: Strategies for capitalizing on sexuality” (2005) 12 *Gender, Work and Organization* at 321; Linda Cusick, “Widening the harm reduction agenda: From drug use to sex work” (2006) 17 *Int. J. of Drug Policy* at 6; Svati P. Shah, “Prostitution, sex work and violence: Discursive and political contexts for five texts on paid sex, 1987-2001” (2004) 16 *Gender & History* at 799; Grant, *supra* note 42 at 65.

<sup>53</sup> Scambler, *supra* note 20 at 1080. See also, Jacqueline Lewis, Eleanor Maticka-Tyndale, Frances Shaver and Heather Schramm, “Managing risk and safety on the job” (2005) 17 *J. of Psych. & Human Sexuality* at 150.

agency as Kristen. Journalists called Dupré's family to inquire about her upbringing, but "no one called Eliot Spitzer's parents to find out how he grew up to be a john."<sup>54</sup>

Some research has suggested that the shame of sex work is strongest immediately after having exited.<sup>55</sup> Those who have exited, or who are in the process of exiting, may be "even more economically marginalized than their active counterparts."<sup>56</sup> Jody Williams, a former prostitute and member of the Nevada Coalition Against Sex Trafficking, postulated that "When women quit prostitution, they...suffer from a broad range of physical and emotional disorders."<sup>57</sup>

Many sex workers do not disclose their profession to family, friends or intimate partners, and worry about being found out.<sup>58</sup> Fear of being publicly identified as a prostitute, a form of internalized stigma, can prevent women from reporting robbery, rape and assaults by clients.<sup>59</sup> Judgemental responses from social service providers – or fear of such responses – also prevent sex workers from participating in mainstream addiction, mental health, family

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<sup>54</sup> Caroline Andrews, "The real media whores" *\$pread* (2008), Volume 4, Issue 1 at 28. On the Spitzer incident, see generally, Sudhir Venkatesh, *Sex Trade Economics* (15 March 2008); Sudhir Venkatesh, "Skinflint: Did Eliot Spitzer get caught because he didn't spend enough on prostitutes?" *Slate* (12 March 2008); David Kocieniewski and Danny Hakim, "Felled by scandal, Spitzer says focus is on his family" *New York Times* (13 March 2008).

<sup>55</sup> S-A. Månsson, "Breaking the Matthew effect – on women leaving prostitution" (1999) 8 *Int. J. of Social Welfare* at 72.

<sup>56</sup> Cecilia Benoit and Alison Millar. (2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers* at 22.

<sup>57</sup> Curtis, *supra* note 30.

<sup>58</sup> Scambler, *supra* note 20 at 1091. See especially, "Hot Topic: What do your parents think you do for money?" *\$pread* (2007) Volume 3, Issue 2, 10. See also, Rebecca Lynn, "Interview with Raquel Pacheco" *\$pread* (2007) Volume 3, Issue 2 at 31; Pye Jakobson, "ICRSE Report: European sex workers gather in Brussels to strategize and demand rights" *\$pread* (25 August 2006); "Unsolved Murders/Missing People Canada" *Unsolved Murders/Missing People Canada*; Mariska Majoer. *When sex becomes work*. English Edition. (Amsterdam: Stichting PIC, 2002) at 8; Sanders, *supra* note 37 at 561; Teela Sanders. *Socio-psychological implications of selling sex: Findings from an ethnographic study* (Presentation to the British Psychological Society, 31 March 2006).

<sup>59</sup> Barnard, *supra* note 2 at 702; Nancy Romero-Daza, Margaret Weeks, and Merrill Singer, "'Nobody gives a damn if I live or die': Violence, drugs, and street-level prostitution in inner-city Hartford, Connecticut" (2003) 22 *Med. Anth.* at 248; Clarissa Penfold, Gillian Hunter, Rosie Campbell and Leela Barham, "Tackling client violence in female street prostitution: Inter-agency working between outreach agencies and the police" (2004) 14 *Policing and Society* at 367.

violence and other programs.<sup>60</sup> Some women attempt to obfuscate their histories with fake stories of jobs, husbands or children told to social and health service providers. This is an exhausting and stressful endeavour, which also reduces the effectiveness of programs which rely on self-reflection, self-discovery and truthfulness for success, such as rehabilitation programs.<sup>61</sup>

Women involved in the sex trade, even those who do not necessarily provide direct sexual services, have violated social norms. “Women who dance nude in front of strangers have transgressed a significant class boundary regardless of their background and what kind of club that they work in.”<sup>62</sup> The stigma of prostitution does not appear to be overly altered in countries where legalization or decriminalization is found.<sup>63</sup> For example, despite the legal status of prostitution in the Netherlands, many women choose not to register for pension benefits for fear of being identified in later life as having worked as a prostitute.<sup>64</sup> Many women enter the sex trade due to a lack, or perceived lack, of choices stemming from low levels of education or training. These same factors, as well as “a sense of hopelessness add[s] to the stigma” of being or having been involved in the sex trade.<sup>65</sup>

The International Committee for Prostitutes’ Rights (ICPR) created a World Charter aimed at reducing stigma, encouraging decriminalization and encouraging better relationships between the health care system and sex workers.<sup>66</sup> COYOTE has also

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<sup>60</sup> Jannit Rabinovitch and Susan Strega, “The PEERS story: Effective services sidestep the controversies” (2004) 10 *Violence against Women* at 146; Nixon, *et al.*, *supra* note 48 at 1032.

<sup>61</sup> Rabinovitch and Strega, *supra* note 60 at 151.

<sup>62</sup> Katherine Frank, “Exploring the motivations and fantasies of strip club customers in relation to legal regulations” (2005) 34 *Archives of Sexual Behavior* at 499.

<sup>63</sup> Jo Phoenix, “Regulating prostitution: Different problems, different solutions, same old story” (2007) 6 *Community Safety J.* at 8.

<sup>64</sup> Farley, *supra* note 46 at 1094.

<sup>65</sup> Rabinovitch and Strega, *supra* note 60 at 151.

<sup>66</sup> Graham Scambler, Rita Peswani, Adrian Renton and Annette Scambler, “Women prostitutes in the AIDS era” (1990) 12 *Soc. of Health & Illness* at 270.



advocated for decriminalization of prostitution because it believes that legalization will continue to stigmatize prostitutes due to restrictions on their movements, actions and ability to choose the time and location of work.<sup>67</sup> A 2009 *MacLean's* study showed that 56% of Canadian men and 29% of women surveyed found prostitution to be “morally acceptable.” Approximately half of the women surveyed and 71% of the men believed that prostitutes should be allowed to work indoors, and 62% of men and 40% of women agreed with the legalization of prostitution.<sup>68</sup> “A paradoxical combination of moral revulsion and resigned tolerance has permitted the sex industry’s uncontrolled development in the underground economy.”<sup>69</sup>

### III. POVERTY, FAMILY AND THE STREET

Women who engage in street-level prostitution often do so in order to meet their basic needs such as food and shelter. Further, they “often live their lives amidst violence, hopelessness, a pervasive lack of resources, exploitation, and constant crisis.”<sup>70</sup> Many of these women grow up in poor areas in which exploitation, abuse, neglect and violence are rampant.<sup>71</sup> “[P]rostitution and use of highly deviant drugs tend to be equally rare or prevalent

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<sup>67</sup> Weitzer, *supra* note 24 at 26.

<sup>68</sup> Ken MacQueen, “What Canadians really believe” *MacLeans* (30 November 2009) at 49.

<sup>69</sup> Laura Marie Agustin, “New research directions: The cultural study of commercial sex” (2005) 8 *Sexualities* at 618.

<sup>70</sup> John R. Belcher and Steven Herr, “Development of grounded theory: Moving towards a theory of the pathways into street prostitution among low-income women” (2005) 16 *J. of Add. Nursing* at 117.

<sup>71</sup> *Ibid.*; “Statement on prostitution” *REAL Women of Canada*; B.C. Civil Liberties Association (BCCLA). (January 2005). *BCCLA Updated Position on Sex Work Laws*; Renata D’Aliesio, “Rashmi’s choice: life or the street” *The Edmonton Journal* (17 June 2005); Mimi H. Silbert and Ayala M. Pines, “Early sexual exploitation as an influence in prostitution” (1983) 28 *Social Work* at 285; Margret Melrose, “Young people abused through prostitution: Some observations for practice” (2004) 16 *Practice* at 23; Rochelle L. Dalla, Yan Xia and Heather Kennedy, ““You just give them what they want and pray they don’t kill you’: Street-level sex workers’ reports of victimization, personal resources, and coping strategies” (2003) 9 *Violence against Women* at 1389; Glenn Betteridge, “Submission to the Subcommittee on Solicitation Laws of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness” (15 March 2005) at 3; Lisa A. Kramer and Ellen C. Berg, “A survival analysis of timing of entry into prostitution: The differential impact of race, educational level, and childhood/adolescent risk factors” (2003) 73 *Soc. Inquiry* at 511; Nixon, *et al.*, *supra* note 48 at 1018.

in any given geographic area, so that the girl who grows up seeing heroin and cocaine everywhere will find prostitution to be equally commonplace.”<sup>72</sup> Minority women are more likely than white women to live in poor areas, where street prostitution generally occurs. This frequent exposure and knowledge of prostitution may be a factor for minority women entering into prostitution earlier than non-minority women.<sup>73</sup> Further, those living in such areas commonly experience depression over long periods of time, leading to hopelessness and, eventually, self-destructive behaviour.<sup>74</sup>

Poverty and economic disadvantage are profound issues for women experiencing abuse. Research has repeatedly illustrated the link between violence and poverty.<sup>75</sup> Abused women have less secure attachments to paid employment and are more likely to receive social assistance benefits. They also have longer periods of unemployment and have lower incomes than women who have not experienced interpersonal violence.<sup>76</sup>

Where a lack of economic options exists for a woman to survive, prostitution is seen to be the only option.<sup>77</sup> The Prostitutes’ Empowerment, Education and Resource Society (PEERS) is a Canadian organization created by experiential women and feminist advocates. PEERS does not take a position on decriminalization of prostitution laws or other debates.

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<sup>72</sup> James A. Inciardi, Anne E. Pottieger, Mary Ann Forney, Dale D. Chitwood and Duane C. McBride, “Prostitution, IV drug use, and sex for-crack exchanges among serious delinquents: Risks for HIV infection” (1991) 29 *Crim. at* 226.

<sup>73</sup> Kramer and Berg, *supra* note 71 at 524.

<sup>74</sup> Belcher and Herr, *supra* note 70 at 118; Rebecca Bellville, “Therapists: Jail time doesn’t address prostitution problem” *Citizens’ Voice* (18 August 2003); Justice Canada, *supra* note 14 at 67; Romero-Daza, *et al.*, *supra* note 59 at 236; Maureen A. Norton-Hawk, “The counterproductivity of incarcerating female street prostitutes” (2001) 22 *Deviant Behavior at* 406; Steven P. Kurtz, Hilary L. Surratt, James A. Inciardi and Marion C. Kiley, “Sex work and ‘date’ violence” (2004) 10 *Violence against Women at* 357.

<sup>75</sup> Lee Lakeman, “Linking violence and poverty in the CASAC report” (2004) 23 *Cdn. Woman Studies at* 57.

<sup>76</sup> Ellen K. Scott, Andrew S. London and Nancy A. Myers, “Dangerous dependencies: The intersection of welfare reform and domestic violence” (2002) 16 *Gender and Society at* 881.

<sup>77</sup> Debra Kalmuss, “Nonvolitional sex and sexual health” (2004) 33 *Archives of Sexual Behavior at* 199; Julia Garro, “Making it work: Eight ways to revolutionize the sex industry” *Capital XTRA!* (20 February 2008), 10; Doug Ward, “Morality takes back seat to violence” *Vancouver Sun* (03 May 2003); Pivot Legal Society (Pivot). (2004). *Voices for dignity: A call to end the harms caused by Canada’s sex trade laws (Short Report)* at 13.

“If PEERS has any position at all, it is that sex work represents a less-than-optimal survival strategy or employment choice.”<sup>78</sup> While serving on the Toronto City Council in 1983, the late Jack Layton remarked, “Unemployment is by far the main cause of the increase in prostitution.”<sup>79</sup>

The amount of money provided by social assistance or a full-time minimum wage job is inadequate to meet most people’s basic needs of food and shelter.<sup>80</sup> “Some women fight economic oppression by selling their sexuality.”<sup>81</sup> Some women engage in prostitution, drug trafficking or other illegal means to supplement meagre social assistance amounts.<sup>82</sup> Provinces have cut social assistance rates, resulting in severely disadvantaged poor women and children.<sup>83</sup> For example, in 2002 the annual social assistance rate in B.C. for a single person with no dependents was \$538.42 a month, or \$6,461 per annum.<sup>84</sup> In 2011, the rate had increased to \$610 a month, or \$7,320 per year.<sup>85</sup> However, accounting for inflation, the amount received in 2002 would equal \$7,681.62 in 2011 dollars. Therefore, the purchasing power of social assistance recipients actually decreased by \$361.62 per year over the time period.<sup>86</sup> Rates have not changed in B.C. since 2007. In 2011, the monthly Ontario Works rate was \$585, which equals \$7,020 per annum.<sup>87</sup> Most provinces also deduct half of the

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<sup>78</sup> Rabinovitch and Strega, *supra* note 60 at 146.

<sup>79</sup> Danny Cockerline, “Anti-soliciting amendment stalled” *The Body Politic* (September 1983).

<sup>80</sup> “Prostitution thriving in N.B.: report” *CBC News* (06 June 2007); Pivot, *supra* note 77 at 4.

<sup>81</sup> Linda LeMoncheck, “Loose women, lecherous men: A feminist philosophy of Sex” (1998) 89 *Phil. Studies* at 369.

<sup>82</sup> Kim Pate, “Advocacy, activism and social change for women in prison” (2006) 25 *Cdn. Woman Studies* at 82. See also, Letter to the Editor: Elizabeth Hudson, “Without johns, prostitutes are without money” *Vancouver Province* (01 May 2005); Julie Fortier, “Putting help on hold” *Ottawa (X)Press* (02 September 2004).

<sup>83</sup> Pivot, *supra* note 77 at 4.

<sup>84</sup> *Ibid.* at 13.

<sup>85</sup> B.C. Ministry of Social Development. *B.C. Employment and Assistance Rate Tables* (02 October 2007).

<sup>86</sup> Calculations into constant dollars were done using the Inflation Calculator on the Bank of Canada site.

<sup>87</sup> “Ontario Works” *Community Advocacy & Legal Centre*.

federal Canadian Child Tax Benefit (CCTB) for parents receiving social assistance. Only New Brunswick and Newfoundland do not.<sup>88</sup>

In general, street prostitution is not a lucrative trade. A study of Canadian prostitutes in Victoria in 2001 showed that most had an annual income below the poverty line.<sup>89</sup> Sex work is a cash business that cannot easily be tracked by social workers who administer social assistance payments. If convicted of prostitution, women may also face welfare fraud charges.<sup>90</sup> As evidenced from media and family reports on missing and murdered street prostitutes in Canada, it appears that most women engaged in the street sex trade are also collecting social assistance.<sup>91</sup>

As in many parts of the world, Canadian sex workers can earn more money than female workers in conventional unskilled jobs on an hourly basis, especially if also collecting social assistance. A 2007 Chicago study found that street prostitutes average \$27 U.S. (\$28 Cdn.) per hour. However, “[g]iven the relatively limited hours that active prostitutes work, this generates less than \$20,000 annually for a women working year round in prostitution.”<sup>92</sup> The average annual income for Canadian prostitutes appears to be similar to their American counterparts. A 2001 Canadian study of sex workers in Victoria found that

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<sup>88</sup> National Council of Welfare. *Clawback of Canada Child Tax Benefit discriminates against single-parent mothers, says Welfare Council* (1998).

<sup>89</sup> Benoit and Millar, *supra* note 56 at 43.

<sup>90</sup> Pivot, *supra* note 77 at 14.

<sup>91</sup> A 2008 Health Canada report found that many of the intravenous drug users accessing In-Site, the safe injection site in Vancouver, were also social assistance recipients. See Health Canada. *Vancouver's INSITE service and other supervised injection sites: What has been learned from research? Final report of the Expert Advisory Committee* (31 March 2008).

<sup>92</sup> Steven D. Levitt and Sudhir Alladi Venkatesh, “An empirical analysis of street-level prostitution” (September 2007) at 3. The authors’ study of drug dealers affiliated with gangs found similar results; drug dealing generated an income only slightly higher than legitimate jobs. See, Steven D. Levitt and Sudhir Alladi Venkatesh, “An economic analysis of a drug-selling gang’s finances” (2000) *Quart. J. of Ec.*, 755.

the average annual income was \$20,000 for female sex workers.<sup>93</sup> Exited sex workers made an average of \$11,446 per year while working non-sex trade jobs.<sup>94</sup> Figure 4-1 summarizes the findings regarding the average annual income of sex workers in Victoria, from Benoit and Millar's study.

**Figure 4-1: Average Annual Income of Sex Workers in Victoria, B.C.**<sup>95</sup>

| Average Annual Income, Victoria, B.C. |          |
|---------------------------------------|----------|
| Escort (with agency)                  | \$15,000 |
| Independent from home                 | \$18,000 |
| Other indoor venues                   | \$18,000 |
| Street                                | \$17,500 |
| Exited worker                         | \$11,446 |

The amount of money earned depends tremendously on the type of sex work (street prostitution versus escort services), types of sex work performed, hours worked, and the demand for their services. Further, the working life of a prostitute may be quite short and there is no sick or holiday pay while one works as a prostitute, and there are no employment insurance or pensions for exited prostitutes.<sup>96</sup>

Although sex work per se is not illegal in Canada, sex workers are neither afforded the rights, nor carry the responsibilities, associated with employment in Canada. They rarely pay income tax, collect taxes from clients, or pay into or receive government benefits such as pension, unemployment, maternity, or compensation for workplace injuries.<sup>97</sup>

In the late 1990s, escorts were paid an average of \$80 an hour flat rate. The prices for various services ranged from \$140 to \$200 an hour paid by the client, with the agency receiving the remainder. An escort and the owner of the agency would each make between

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<sup>93</sup> The annual incomes are calculated for both male and female sex workers. Female sex workers earn more than male sex workers.

<sup>94</sup> Benoit and Millar, *supra* note 56 at 20.

<sup>95</sup> *Ibid.* at 43.

<sup>96</sup> Scrambler *et al.*, *supra* note 66 at 262.

<sup>97</sup> Lewis, *et al.*, *supra* note 53 at 149.

\$400 and \$1,000 a night.<sup>98</sup> A review of Craigslist, backpage and independent escort agencies in August of 2010 and September 2013 indicated that the prices have not changed drastically in the past decade, with the average Ottawa escort advertising a rate of \$240 an hour.<sup>99</sup>

Although prostitution is not overly profitable for the sex workers themselves, the same is not true for brothel owners, escort agencies and others who manage sexual service businesses. Two convicted owners discussed in Chapter Three provide some examples. For instance, Vishva Juneja was estimated to gross \$40,000 per month at his two licensed (and hence, presumably, taxed) Edmonton massage parlours.<sup>100</sup> Dominatrix Terri-Jean Bedford grossed \$100,000 a year before her 1998 trial.<sup>101</sup>

Media and police also provide a glimpse at the profits earned by sex trade businesses. Richmond brothels run out of homes owned by Zhe Nai Xu in B.C.'s Lower Mainland were estimated by Vancouver police "to generate between \$1 million and \$1.3 million in tax-free money each year, and the value of the properties that are involved [was] over \$2 million."<sup>102</sup> In a 1999 case, the Court heard that escorts charged \$160 per hour, which grossed \$600,000 a year for Mark Lukacko, an Ontario escort agency owner.<sup>103</sup>

Many women working in the indoor sex trade, including those earning high incomes, may hide their earnings due to a desire to work anonymously or to avoid detection from authorities.<sup>104</sup> A 2007 British study found that none of the dozen escorts working at one London escort agency paid tax on her income.<sup>105</sup> Declaring income and paying taxes enables

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<sup>98</sup> Jane Gadd, "Escort agency knew women were HIV-positive" *The Globe and Mail* (06 October 1999).

<sup>99</sup> See e.g., "The Adorable Sarah" *The Adorable Sarah*.

<sup>100</sup> "Brothel owner gets 30 months in prison" *CBC News* (18 September 2009).

<sup>101</sup> Hollie Shaw, "Dominatrix's trial presents 'difficult' legal challenge" *Vancouver Sun* (20 April 1998).

<sup>102</sup> "Richmond woman faces bawdy house charges" *CBC News* (15 February 2007).

<sup>103</sup> Harold Levy, "Agency owner denies prostitution" *Toronto Star* (20 October 1999).

<sup>104</sup> Venkatesh, *supra* note 53.

<sup>105</sup> Scambler, *supra* note 20 at 1084.

legitimate savings for retirement or exiting, is necessary for building credit, to be able to purchase a car or qualify for a mortgage, as well as to avoid charges of tax evasion or fraud.<sup>106</sup> Others argue that taxing the income of sex workers equates to living off the avails of prostitution.<sup>107</sup>

As the majority of prostitution occurs indoors, it is important to look at sex trade businesses, as well as street prostitution. While there are lower incidences of violence in indoor venues, there are higher rates of economic exploitation.<sup>108</sup> “[T]hese indoor venues operate in many ways like early industrial sweatshops where [workers] were also subject to the whim and wishes of bosses/managers.”<sup>109</sup>

Jody Paterson, a journalist with the *Victoria Times-Colonist*, is also an advocate for sex workers. Paterson has recommended building brothels to improve the safety of women. She claims that the benefits of legalized indoor sex work would include salaries (as opposed to commission work), vacation pay, medical leave, employment insurance benefits, workers’ compensation coverage, set shifts and vacation leave.<sup>110</sup> In 1998, the International Labour Organisation (ILO), a U.N. labour organization, recommended that the sex industry be recognized and addressed as any other business by the U.N. Although not advocating the legalization or decriminalization of prostitution *per se*, it sought to extend taxation and to

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<sup>106</sup> Garro, *supra* note 76; Majoor, *supra* at 57 at 79; Brian Palmer, “How do prostitutes pay their taxes? With 1040 Schedule C, of course.” *Slate* (21 September 2008).

<sup>107</sup> Kay Madison, “Contributions of Kay Madison” *Ottawa (X)Press* (31 October 2006).

<sup>108</sup> Teela Sanders and Rosie Campbell, “Designing out vulnerability, building in respect: violence, safety and sex work policy” (2007) 58 *The British J. of Soc.* at 3.

<sup>109</sup> Benoit and Millar, *supra* note 56 at 44. See also, Teela Sanders, “Protecting the health and safety of female sex workers: the responsibility of all” (2007) 114 *British J. of Obstetrics & Gynaecology* at 792.

<sup>110</sup> Jody Paterson, “Building a brothel” *Victoria Times-Colonist* (03 September 2007); Dirk Meissner, “The would-be madam” *Canadian Press* (02 September 2007).

“formulate labour policies needed to deal with an estimated several million people working in the sex industry.”<sup>111</sup>

The movement of women from the streets into indoor locations has been argued to be the defining feature of reframing prostitution as sex work, as well as normalizing it as a profession and as sex workers as professionals in a chosen field.<sup>112</sup> As discussed in Chapter Three, brothels in Australia are regulated and employees are safeguarded from the types of abuses found in illegal or semi-legal brothels elsewhere in the Western world, as well as the penalties and fines of the legal Nevada brothel system. Lubricant, condoms and clean linens must be supplied free of charge in Australia and New Zealand brothels. Further, negotiation of sexual acts and prices are the discretion of the individual sex worker, who also has the right to refuse a client.<sup>113</sup> Fines and bonds are not allowed to be levied in legal brothels in Australia. In New Zealand, fines are allowed, as are shift fees.<sup>114</sup>

### **i. Motherhood and Poverty**

Motherhood is a revered institution, yet one that is not valued economically or legally in a patriarchal society. The perpetuation of the image of mother as a self-sacrificing woman who should act violently only to protect her children is profoundly engrained in culture:

Our culture constructs two kinds of mothers – “good” mothers who are self-sacrificing and “bad” mothers who do not conform to that stereotype. Mothering is perceived as a single entity, outside a social context and without any understanding of social, economic, or psychological constraints....Classic cases of “bad mothers” are mothers who are charged with abuse or neglect or other such grounds for the termination of parental rights. Such cases frequently involved women whose mothering is constrained by poverty, teen-

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<sup>111</sup> Elif Kaban, “U.N. body urges governments to recognise sex trade” *Reuters* (19 August 1998).

<sup>112</sup> Alexandra K. Murphy and Sudhir Alladi Venkatesh, “Vice careers: The changing contours of sex work in New York City” (2006) *Qualitative Sociology*.

<sup>113</sup> Resourcing Health & Education in the Sex Industry (RhED). (September 2001). *Legal issues for professionals (LIP)*.

<sup>114</sup> New Zealand. *Prostitution Reform Act*, 2003.



age pregnancy, or drug or alcohol abuse, and battering is almost always in the background.<sup>115</sup>

A woman may be the picture of the self-sacrificing mother ideal, yet be unable to escape crushing poverty. The pressures of poverty can result in giving up children or having children taken away. Poor children may also become sick, injured or delayed in their development due to their living conditions.

Poverty is the outcome of many complex and overlapping sites of social disadvantage and oppression. All women are more likely to be poor and to earn less than men...However, women without property or secure, well-paid employment will most likely experience poverty. Disproportionately, these are immigrant women, racialized women, Aboriginal women and women with a disability.<sup>116</sup> Children from these groups are also more likely to experience poverty.<sup>116</sup>

Some women, however, are not the “noble poor.” Mothers with addiction issues may neglect or abuse their children or fail to protect their children from being abused by others. Their children may witness violence, drug use or acts of prostitution, or otherwise be placed in unsafe circumstances.<sup>117</sup> Many children of mothers with substance abuse issues become wards of the state and enter the child welfare system.

In an analysis of Canadian media articles regarding mothering, themes and images of bad mothers were clear. The researchers focused on three types of “bad” mothers. The first was substance use by pregnant women and mothers, the second was mothering by women who are abused by their partners, and finally, mothering by women with mental illnesses.<sup>118</sup> The research report begins with the story of “Baby Erika” Nordby, the Edmonton toddler

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<sup>115</sup> Elizabeth M. Schneider, *Battered women and feminist lawmaking* (New Haven: Yale University Press, 2000) at 152.

<sup>116</sup> Status of Women Canada (SWC). *The framing of poverty as ‘child poverty’ and its implications for women* by Wanda Wiegers (2002).

<sup>117</sup> *Ibid.* at 14.

<sup>118</sup> SWC. *A motherhood issue: Discourses on mothering under duress*, by Lorraine Greaves, Colleen Varcoe, Nancy Poole, Marina Morrow, Joy Johnson, Ann Pederson, Lori Irwin (2002).

who survived hypothermia in 2001. Her survival moved to the background as the focus by the police and media shifted to her mother, Leyla:

Her mothering was immediately suspect because she was single, Aboriginal and temporarily homeless. She and Erika were staying at a friend's house on the night in question. She was only 26 but was pregnant with her sixth child. She had lost children to death, an ex-partner and the child welfare authorities. Each of her children had had a different father. At an earlier point in her life, she had been addicted to drugs.<sup>119</sup>

The focus was not on the circumstances that led a toddler to be housed temporarily in a home with a broken door that facilitated her leaving the home unnoticed: this was a bad mother and the child was doomed. The fatalism and inevitable doom of the media towards "bad" mothers may be shared by the mother herself. Many women who have histories of incarceration, abuse, victimization, substance abuse or mental health issues carry the same internalized feelings about their inability to be "good" mothers as the general public, despite their strong desires to do so.<sup>120</sup>

Many women engaging in prostitution are mothers. Most are engaged in prostitution before having children.<sup>121</sup> Pregnant prostitutes are a niche market, especially in street prostitution, women are sought out by clients who want sexual services from pregnant prostitutes.<sup>122</sup> Pregnancy generally does not reduce the amount of sex work performed or drug use, although some women may limit the types of sex acts performed.<sup>123</sup> The birth of a

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<sup>119</sup> *Ibid.* at 13.

<sup>120</sup> Christine E. Grella and Lisa Greenwell, "Correlates of parental status and attitudes toward parenting among substance-abusing women offenders" (2006) 86 *The Prison J.* at 91.

<sup>121</sup> Rochelle L. Dalla, "Exposing the 'Pretty Woman' myth: A qualitative examination of the lives of female streetwalking prostitutes" (2000) 37 *J. of Sex Research* at 350.

<sup>122</sup> Sloss and Harper, *supra* note 41 at 334; Craille Maguire Gillies, "Street cred" *Unlimited Magazine* (14 October 2008).

<sup>123</sup> Sloss and Harper, *supra* note 41 at 330.

child may be the impetus for some women to exit sex work.<sup>124</sup> Many women try to separate between their working lives and their roles as mothers.<sup>125</sup>

A 2001 Canadian study of 160 Victoria female sex workers found that over 90% had been pregnant at least once, and 50% had terminated a pregnancy at least once.<sup>126</sup> Research among street prostitutes found that a few participants claimed to have positive experiences while still engaged in street sex work when they were pregnant or mothers, but that:

most disclosed feeling shame, guilt, and anxiety. These negative emotions did not seem to reflect how they felt generally about parenting, but how they perceived the interaction of their parenting and street sex work. Assertions by this study's participants, as well as those from other research, demonstrate that many sex workers do care for their children and value their parenting role.<sup>127</sup>

For non-Aboriginal youths, involvement in the commercial sexual exploitation trade is related to higher incidences of teenage pregnancy. The same is not so for Aboriginal youths, who already have high rates of teenage pregnancies.<sup>128</sup>

Women with addiction issues may also engage in behaviour that is contraindicated while pregnant such as drinking alcohol, sniffing solvents or taking drugs. Unplanned pregnancies resulting from addictive behaviour are also common. Crack cocaine, a relatively inexpensive street drug that became popular in the 1980s, created new patterns of sexual behaviour and consequences. Addicted women binged for days, resulting in an increase in

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<sup>124</sup> "Exiting Sex Work" *CIHS Toolkit: Community*. See also, Tutty and Nixon, *supra* note 43 at 40.

<sup>125</sup> Downe, *supra* note 49 at 66.

<sup>126</sup> Benoit and Millar, *supra* note 56 at 25.

<sup>127</sup> Sloss and Harper, *supra* note 41 at 338.

<sup>128</sup> Bernard Schissel and Kari Fedec, "The selling of innocence: The gestalt of danger in the lives of youth prostitutes" (1999) 41 Cdn. J. of Crim. at 49; Justice Canada, *supra* note 39 at 37.

sex work, risk taking and unintended pregnancies, which “contributed to a massive increase in the number of children in foster care.”<sup>129</sup>

Prenatal exposure to illicit drugs and alcohol can have profound impacts on children. Infants may be born with addictions to drugs such as heroin or crack cocaine and have life-long health and cognitive problems.<sup>130</sup> Few street prostitutes receive adequate prenatal care, if any,<sup>131</sup> and most prostitutes do not get enough rest or nutritious food.<sup>132</sup> Without medical care and medication, infants are at risk for exposure to HIV, hepatitis C and other STIs during pregnancy, childbirth or breastfeeding. Discussing the situation of Aboriginal mothers who are HIV-positive, the researchers noted that an already bleak economic situation is made worse by a lack of services and supports:

Many financial supports are geared to the needs of single men or single people. Most women do not have adequate housing for themselves and their families. Women’s social roles as primary caregivers and nurturers in the family means that for HIV-positive women, they are responsible for caring for themselves, their children, their families and their partners, more often than not, with fewer supports and resources.<sup>133</sup>

A Saskatchewan case illustrates the multiple challenges and complex supports necessary for women to recover from substance abuse and regain their children.

In a 2011 decision by Family Court Justice Dufour, the lack of support and failure of social services to reunite a mother with her children despite her sustained transformation was strongly criticized. A.H. is an Aboriginal woman with a grade five education. She endured abuse, neglect and was apprehended by the child welfare system. She began exchanging sex

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<sup>129</sup> Lesley L. Green, “Remembering the lizard: Reconstructing sexuality in the rooms of Narcotics Anonymous” (2005) 42 J. of Sex Research at 28.

<sup>130</sup> Dalla, *supra* note 121 at 350.

<sup>131</sup> Adele Weiner, “Understanding the social needs of streetwalking prostitutes” (1996) 41 Social Work at 100.

<sup>132</sup> *Ibid.* at 98.

<sup>133</sup> Susan J. Ship and Laura Norton, “HIV/AIDS and Aboriginal women in Canada” (2001) Cdn. Women’s Studies, 21:2 at 29.

for drugs, alcohol or money by age 14, when she was living on her own. She was 21 at the birth of her first child; shortly thereafter, she learned she was HIV-positive and had hepatitis C. Her youngest child was born HIV-positive. Both of her children were suspected to be fathered by clients.

Social services apprehended each child upon their release from hospital after their births. A.H. visited her children at least daily while they were in the hospital and weekly afterwards. Even when one child lived 30 kilometres away in a small community and A.H. did not have a car, she rarely missed her weekly meetings. In 2009, she was still battling addiction, primarily to Ritalin, and testified at a custody hearing that the children were better remaining with foster families. The judge gave her six months in order to address her addictions and obtain housing suitable to raising children. She was able to find housing within two months but addiction treatment took longer and she had intermittent failures on her drug tests. The judge gave A.H. an additional six months to improve her situation. When she was identified as having Attention Deficit Disorder (ADD) and given a therapeutic dose of Ritalin, her problem with addiction was greatly improved. A.H. attended mandated parenting classes, submitted to drug tests and inspection of her body for signs of injecting drugs, attended Narcotics Anonymous (NA) meetings regularly and initiated mental health services and lifestyle counselling without being required to do so. The judge ordered visits with her children, then five and three, be increased to include overnight visits with the goal of reunification; social services maintained she was an unfit mother and refused to comply with the court's orders.<sup>134</sup>

Several Court orders issued in the course of this matter that specified when, where and for how long AH and her children would spend time together.

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<sup>134</sup> *EJH (Re)* [2011] SKQB 404.

Many of the visits ordered by the Court did not take place at all. There was an order that the E and KR would have several overnight visits with AH at her home but none occurred. Other visits that were ordered to take place in AH's home were held in the cramped quarters of ministry offices. Exactly why the orders were not followed was not the focus of this trial but there was sufficient evidence adduced to satisfy me that something went so seriously wrong that an accounting is required.<sup>135</sup>

The judge ordered that the children would be returned to A.H. on November 9, 2011. He further ordered that supervisions were to continue for one year, A.H. was to meet with a Native family support worker biweekly and to continue on her methadone program, including taking prescribed medication.<sup>136</sup> A.H. overcame incredible hurdles in order to be able to parent her children successfully but was thwarted at every turn by social services.

A 2000 study of sexually exploited Aboriginal youths linked the effects of prenatal exposure to drugs or alcohol to an intergenerational pattern of substance abuse and prostitution. This study found that it was not uncommon for homeless or sexually exploited youths and children to be suffering from physical and mental issues related to prenatal exposure to drugs and alcohol.<sup>137</sup>

## ii. The Child Welfare System

Mothers engaged in prostitution often express great concern about losing their children to social service agencies.<sup>138</sup> The reasons cited for potentially losing custody of their children include arrest or jail sentences, involvement in prostitution, addiction, health issues such as HIV, or neglect or mistreatment of children. In a 1996 study of 1,963 street

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<sup>135</sup> *Ibid.* at 1.

<sup>136</sup> *Ibid.* at 33.

<sup>137</sup> Cherry Kingsley and Melanie Mark. (2001). *Sacred lives: National Aboriginal consultation project* at 21. See also, Benoit and Millar, *supra* note 56 at 66.

<sup>138</sup> Romero-Daza, *et al.*, *supra* note 59 at 252; Weiner, *supra* note 131 at 97; Pivot, *supra* note 77 at 14; Rabinovitch and Strega, *supra* note 60 at 150.

prostitutes in New York City, 40.4% of the children of prostitutes lived with their grandmothers, 19.6% lived with their mothers and 9.4% were in the foster care system.<sup>139</sup>

This study also illustrated, rather perversely, that seeking treatment for addictions or illness may increase the risk that a woman loses her children:

In this study about 20 percent of the children lived with their mothers, and these women were not likely to enter treatment unless they could arrange alternate care for their children. About 70 percent of the children were already in informal or familial arrangements, and these caretakers might make claims to terminate parental rights or refuse care if the mother is not providing income. The nearly 10 percent of the children who were already in the foster care system could have been permanently removed if their mother admitted to drug or alcohol use and requested treatment or disclosed that she was HIV positive.<sup>140</sup>

A 2001 Canadian study found similar results of children being separated from their mothers. Slightly more than a quarter (27.5%) of active female sex workers lived with their children, as compared to 47.7% of exited sex workers.<sup>141</sup> Another study in 2000 found that only 13% of the street prostitutes still lived with their children.<sup>142</sup> In an Edmonton study of 30 street prostitutes, 27 (90%) women had children, but 18 (66.6%) of the women did not reside with their children at the time of the research. However, half of the women had children who were adults at the time of the study. Of the women with children under 18, four (22.2%) were in formal state care, two (11.1%) lived with relatives and three (16.6%) had been adopted. In total, 12 of the 30 women (40%) had been part of the child welfare system as children and also had their own children involved in the formal system.<sup>143</sup> This cyclical pattern of involvement of child welfare authorities over generations is seen among many of

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<sup>139</sup> Weiner, *supra* note 131 at 99.

<sup>140</sup> *Ibid.* at 100.

<sup>141</sup> Benoit and Millar, *supra* note 56 at 25.

<sup>142</sup> Dalla, *supra* note 121 at 350.

<sup>143</sup> Prostitution Awareness and Action Foundation of Edmonton (PAAFE). (no date). *Breaking down the barriers* at 9.

the women murdered or missing, especially Aboriginal women, sex workers and Pickton's victims, as is seen in Figure 4-7, at the conclusion of the chapter. There are 390 sex workers in the DD, of which 32 are Pickton's victims. Figure 4-2 illustrates the family circumstances of the 358 sex workers the DD that are not Pickton victims. The 32 victims of Pickton are presented separately.<sup>144</sup> Figure 4-3 shows the number of children born to Pickton's victims, as well as to all sex workers within the DD.

**Figure 4-2: Summary of Familial Status of Sex Workers and Pickton Victims**

| <b>Family Breakdown</b>                                                                                                    |                      |                   |     |                       |    |                          |     |
|----------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------|-----|-----------------------|----|--------------------------|-----|
|                                                                                                                            | <b># in Category</b> | <b>Aboriginal</b> |     | <b>Non-Aboriginal</b> |    | <b>Unknown Ethnicity</b> |     |
| <i>All Sex Workers in the Database</i>                                                                                     | N=358                | 42.7%             | 153 | 20.1%                 | 72 | 37.2%                    | 133 |
| <i>Pickton Homicide Victims</i>                                                                                            | N=32                 | 37.5%             | 12  | 56.3%                 | 18 | 6.3%                     | 2   |
| <b>Biological Family</b>                                                                                                   |                      |                   |     |                       |    |                          |     |
| Women who had been adopted                                                                                                 | N=358                | 1.4%              | 5   | 0.6%                  | 2  | 0.3%                     | 1   |
|                                                                                                                            | N=32                 | 3.1%              | 1   | 6.3%                  | 2  | -                        | -   |
| Women who grew up in foster care, group home, residential school or resided with non-parental family members               | N=358                | 6.3%              | 13  | 0.8%                  | 3  | 1.7%                     | 6   |
|                                                                                                                            | N=32                 | 15.6%             | 5   | 18.8%                 | 6  | 3.1%                     | 1   |
| <b>Biological Children</b>                                                                                                 |                      |                   |     |                       |    |                          |     |
| Women who were pregnant at the time of her death or disappearance                                                          | N=358                | 2.2%              | 8   | 0.3%                  | 1  | 0.8%                     | 3   |
|                                                                                                                            | N=32                 | 3.1%              | 1   | -                     | -  | -                        | -   |
| Women who had given birth at some time in her life                                                                         | N=358                | 12.6%             | 45  | 4.7%                  | 17 | 5.6%                     | 20  |
|                                                                                                                            | N=32                 | 25.0%             | 8   | 43.8%                 | 14 | 3.1%                     | 1   |
| <b>Relationship with Biological Children</b>                                                                               |                      |                   |     |                       |    |                          |     |
| Of those women who had given birth, those who were separated from their children at the time of her death or disappearance | N=82                 | 29.3%             | 24  | 11.0%                 | 9  | 9.8%                     | 8   |
|                                                                                                                            | N=23                 | 26.1%             | 6   | 39.1%                 | 9  | -                        | -   |

<sup>144</sup> Although the number of known Pickton victims is 33, nothing is known of Jane Doe. Therefore, she is not included in either Figure 4-2 or 4-3.



**Figure 4-3: Total Number of Children of Sex Workers from the DD**

| <b>Number of Children</b>       |                            |                   |                 |                       |                 |                          |                 |
|---------------------------------|----------------------------|-------------------|-----------------|-----------------------|-----------------|--------------------------|-----------------|
|                                 |                            | <b>Aboriginal</b> |                 | <b>Non-Aboriginal</b> |                 | <b>Unknown Ethnicity</b> |                 |
| Sex Workers in the DD (N=358)   |                            | 153 (42.7%)       |                 | 72 (20.1%)            |                 | 133 (37.2%)              |                 |
| Pickton Homicide Victims (N=32) |                            | 12 (37.5%)        |                 | 18 (56.2%)            |                 | 2 (6.3%)                 |                 |
| <b># of Children</b>            | <b>Total # of Children</b> | <b># of Cases</b> | <b>Children</b> | <b># of Cases</b>     | <b>Children</b> | <b># of Cases</b>        | <b>Children</b> |
| 1                               | 22                         | 9 (2.5%)          | 9               | 8 (2.2%)              | 8               | 5 (1.4%)                 | 5               |
|                                 | 9                          | 4 (12.5%)         | 4               | 5 (15.6%)             | 5               | -                        | -               |
| 2                               | 46                         | 12 (3.4%)         | 24              | 3 (0.8%)              | 6               | 8 (2.2%)                 | 16              |
|                                 | 16                         | 3 (9.4%)          | 6               | 4 (12.5%)             | 8               | 1 (3.1%)                 | 2               |
| 3                               | 33                         | 7 (2.0%)          | 21              | 2 (0.6%)              | 6               | 2 (0.6%)                 | 6               |
|                                 | 9                          | -                 | -               | 3 (9.4%)              | 9               | -                        | -               |
| 4                               | 36                         | 7 (2.0%)          | 28              | 1 (0.3%)              | 4               | 1 (0.3%)                 | 4               |
|                                 | -                          | -                 | -               | -                     | -               | -                        | -               |
| 5                               | 20                         | 7 (2.0%)          | 10              | 1 (0.3%)              | 5               | 1 (0.3%)                 | 5               |
|                                 | 5                          | -                 | -               | 1 (3.1%)              | 5               | -                        | -               |
| 6                               | 12                         | 2 (0.2%)          | 12              | -                     | -               | -                        | -               |
|                                 | -                          | -                 | -               | -                     | -               | -                        | -               |
| 7                               | 7                          | 1 (0.3%)          | 7               | -                     | -               | -                        | -               |
|                                 | 7                          | 1 (3.1%)          | 7               | -                     | -               | -                        | -               |
| At least 1 child <sup>145</sup> | 12                         | 6 (1.7%)          | 6               | 3 (0.8%)              | 3               | 3 (0.8)                  | 3               |
|                                 | 1                          | -                 | -               | 1 (3.1%)              | 1               | -                        | -               |
| Total                           | 182                        | 46(12.8%)         | 117             | 22 (5.0%)             | 32              | 20 (5.6%)                | 39              |
|                                 | 25                         | 8 (25.0%)         | 17              | 14(43.8%)             | 28              | 1 (3.1%)                 | 2               |

Research indicates that mothers continued to worry about the risks that their engagement in prostitution may have for their children even when separated from them:

They feared being incarcerated, hospitalized, or killed, and thus being unable to fulfill their responsibilities as mothers. They talked about the tragic consequences for children whose mothers were killed on the street, and desired that their children not have such an experience.<sup>146</sup>

Children of incarcerated parents face many psychological traumas, including separation from their mothers, involvement in the child welfare system, fear, anxiety and shame.<sup>147</sup> Previous

<sup>145</sup> The exact number of children cannot be ascertained from the existing sources. At least one child was born to the woman but it is not known if there was more than one. Only one child is counted for the purposes of this figure.

<sup>146</sup> Sloss and Harper, *supra* note 41 at 335.

<sup>147</sup> Psychologists for Social Responsibility. (no date) *Supporting children of incarcerated parents*, by Sydney Gurewitz Clemens.

experience with the child protection services as a child or youth is likely to lead to future suspicion of social service agencies offering supports to adults or youths.<sup>148</sup>

A history of family breakdown due to parental abuse, family violence, neglect, sexual abuse, parental alcohol or drug use/addiction is not uncommon among street prostitutes.<sup>149</sup> Indeed, many street prostitutes are separated from their biological, adoptive, and/or foster parents as children and then separated from their biological children as mothers.<sup>150</sup> In a 2001 study of Victoria sex workers, 57.2% had been in formal state-run care at least once.<sup>151</sup> A 2002 study of street prostitutes in the Prairie provinces found that 64% had been involved with the child welfare system, with 77.8% of those having been placed in formal care.<sup>152</sup> Fear of being returned to a violent or abusive home situation, foster or group home prevents sexually exploited youths from seeking help from authorities. This has the unintended result of pushing youths into entering the commercial sexual exploitation trade or increasing the duration of time that youths are exploited.<sup>153</sup>

In B.C., 8% of the province's children are Aboriginal, but 40% of children in state care are Aboriginal.<sup>154</sup> "Aboriginal children are removed at a much higher rate from their homes than non-Aboriginal children. This translates into a serious overrepresentation of

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<sup>148</sup> Nixon, *et al.*, *supra* note 48 at 1039.

<sup>149</sup> Susan M. Nadon, Catherine Koverola and Eduard H. Schludermann, "Antecedents to prostitution: Childhood victimization" (1998) 13 J. of Interpersonal Violence at 208.

<sup>150</sup> Helen Sanderson, "Working the street" *North Coast Journal* (10 February 2005); See e.g., Lora Grindlay, "From drugs and sex to a life of hope" *The Province* (21 April 2008); "Why people choose sex work" *CIHS Toolkit: Community*; Justice Canada, *supra* note 39 at 37; Romero-Daza, *et al.*, *supra* note 59 at 253.

<sup>151</sup> Benoit and Millar, *supra* note 56 at 29.

<sup>152</sup> Nixon, *et al.*, *supra* note 48 at 1023.

<sup>153</sup> Kingsley and Mark, *supra* note 137 at 20; Norton-Hawk, *supra* note 74 at 404; Leonard Cler-Cunningham, in conjunction with Christine Christensen. (2001). *Violence against women in Vancouver's street level sex trade* at 10.

<sup>154</sup> Pivot, *supra* note 77 at 14.

Native children and youth in care.”<sup>155</sup> Aboriginal sex workers were also much more likely to report both being in care, as well as having been adopted.<sup>156</sup>

Many of the women who went missing from the DTES had only “mug shots” for missing posters. Estranged from their families for a variety of reasons, there were often no recent photographs. Even childhood photos were not available for many who had been in foster homes and group homes.<sup>157</sup> Literal, emotional or symbolic abandonment is identified as a prevalent theme through the life histories of street prostitutes. Children and youths are abandoned through death, desertion or removal into foster care. They are emotionally neglected through parental substance abuse, domestic violence and mental health issues. Some researchers also note the importance of “symbolic abandonment,” described as when sexual abuse is known but ignored by adults, caregivers or those otherwise in a position to help the child but do not.<sup>158</sup> They have histories of being abandoned by their families, engaged in an occupation that is shunned by the wider society, and many are separated from their children, in turn.

### iii. Homelessness and Street Involvement

Street involvement or street entrenchment does not necessarily equate with being homeless. A Hamilton, Ontario, planning committee defined street involvement as those youth who were:<sup>159</sup>

- aged 16-21 years old
- absolutely homeless and/or;

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<sup>155</sup> Kingsley and Mark, *supra* note 137 at 26.

<sup>156</sup> Benoit and Millar, *supra* note 56 at 29.

<sup>157</sup> Angie Poss, “Impending missing women trial much more than a Lower Mainland case” *The News and Weekender* (05 November 2002).

<sup>158</sup> Dalla, *supra* note 121 at 349; Hilary L. Surratt, James A. Inciardi, Steven P. Kurtz and Marion C. Kiley, Marion C., “Sex work and drug use in a subculture of violence” (2004) 50 *Crime & Delinquency* at 51.

<sup>159</sup> Jennie Vengris. (October 2005). *Addressing the needs of street-involved and homeless youth in Hamilton*. Social Planning & Research Council of Hamilton.

- very precariously housed and/or;
- using services for street-involved youth and/or;
- finding their identities and sole support networks and who spend the majority of their time on the streets.

Street involved youth often participate in activities such as prostitution or drug trafficking.<sup>160</sup>

There is often a time of movement between a home and the street before becoming permanently entrenched in the “*street scene*.”<sup>161</sup>

Once young people are integrated into the socio-spatial processes of the drug scene, the boundary between safe and destructive action becomes increasingly difficult to navigate, and many young people find themselves suddenly and unexpectedly entrenched within a drug scene of which they want no part... Indeed, in hindsight the participants of this study expressed a desensationalized view of the downtown drug scene; they emphasized that, although street life does offer opportunities for excitement and income generation, these benefits are greatly outweighed by the accelerating negative consequences of ‘life on the streets’, including exposure to violence and blood-borne infections such as HIV and hepatitis C, and immense emotional suffering.<sup>162</sup>

The street scene subculture normalizes illegal and stigmatized activities such as prostitution and injection drug use. Research indicates that involvement in the street scene can quickly change the stigma and fear of injecting drugs into curiosity, and the use of needles to be an acceptable risk, due to the normalization of its use in the street scene.<sup>163</sup> One Montreal research project found that the use of injection drugs was more than 50 times higher for runaway girls who were also involved in prostitution, than those that were not.<sup>164</sup>

A 2003 study of girls in the Prairies found the same normalization of illegal and risky practices occurred with prostitution. Almost all the respondents had a person who introduced

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<sup>160</sup> Danya Fast, Will Small, Evan Wood and Thomas Kerr, “Coming ‘down here’: Young people’s reflections on becoming entrenched in a local drug scene” (2009) 69 *Social Science & Medicine* at 1207.

<sup>161</sup> *Ibid.* at 1207.

<sup>162</sup> *Ibid.* at 1209.

<sup>163</sup> *Ibid.* at 1205.

<sup>164</sup> Amy E. Weber, Jean-François Boivin, Lucie Blais, Nancy Haley and Élise Roy, “HIV risk profile and prostitution among female street youths” (2002) 79 *J. of Urban Health: Bulletin of the New York Academy of Medicine* at 529.

them into prostitution, explained pricing, solicitation and details of sex acts, and presented it as a normal option.<sup>165</sup> This study found it was far more common that female peers introduced other young women into prostitution, rather than pimps.<sup>166</sup>

Running away from home has been found to be “a significant factor in predicting involvement in prostitution above and beyond the prevalence of CSA [childhood sexual abuse].”<sup>167</sup> This is, in part, thought to be because prostitution is one of very few options available to youth living on the streets. Chaotic home lives result in children and youths fleeing to the streets where they have few skills or resources with which to survive.<sup>168</sup>

Obviously, there is a great deal of difference between somebody who runs away once, perhaps overnight, and the “in-and-outers.” But there is also a point at which a runaway becomes a *stay-away* – indeed, prostitution may be the principal means by which many youths, especially females, achieve the condition of being a stay-away.<sup>169</sup>

Some researchers postulate that children and youths who have experienced childhood sexual abuse have been “trained” for prostitution.<sup>170</sup> Fathers, step-fathers and other male relatives are the most common abusers of young women who later become prostitutes.<sup>171</sup> Aboriginal

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<sup>165</sup> Tutty and Nixon, *supra* note 43 at 31.

<sup>166</sup> *Ibid.* at 32.

<sup>167</sup> Evelyn Abramovich, “Childhood sexual abuse as a risk factor for subsequent involvement in sex work” (2005) 17 *J. of Psych. & Human Sexuality* at 138; David Barrett, “Young people and prostitution: Perpetrators in our midst” (1998) 12 *Int. Review of Law, Computers & Technology* at 478; Holly Bell and Carol Todd, “Juvenile prostitution in a midsize city” (1998) 27 *J. of Offender Rehab.* at 95; Schissel and Fedec, *supra* note 128 at 35; Dalla, Xia and Kennedy, *supra* note 71 at 1369.

<sup>168</sup> Abramovich, *supra* note 167 at 141; Canadian Centre for Justice Statistics (CCJS). *Street prostitution in Canada* by Doreen Duchesne. (Ottawa: Minister of Industry, 1997) at 3; “Why people choose...,” *supra* note 150; Dan Gardner, “The hidden world of hookers (Part 1 & 2)” *Ottawa Citizen* (08 June 2002); Justice Canada, *supra* note 39 at 37; Silbert and Pines, *supra* note 71 at 287; Nadon, Koverola and Schludermann, *supra* note 149 at 206; Norton-Hawk, *supra* note 74 at 403; Bittle, *supra* note 42 at 22; Nixon, *et al.*, *supra* note 48 at 1018.

<sup>169</sup> Lowman, *supra* note 41 at 157. (Original emphasis).

<sup>170</sup> Bittle, *supra* note 42 at 22; Kramer and Berg, *supra* note 71 at 512; Nixon, *et al.*, *supra* note 48 at 1033.

<sup>171</sup> Tutty and Nixon, *supra* note 43 at 30.

girls are more likely to have been living at home at the time of entry into prostitution, while Caucasian girls are more likely to have run away from home.<sup>172</sup>

Canadian research has indicated that 12% to 32% of youths who are runaways or living on the street are sexually exploited through prostitution.<sup>173</sup> Children and youth who are without the basic necessities of life have been shown to be “particularly vulnerable to pimp influence.”<sup>174</sup> Traffickers, pimps and recruiters target homeless shelters or drop-in centres for vulnerable adult women and youths.<sup>175</sup> There are few supports for girls 16 and 17 years old. Social assistance is generally not available until age 18.<sup>176</sup>

Stable housing is not strictly a problem for youth; many adult women who engaged in street prostitution also struggle with financial problems, are homeless or live in single room occupancy (SRO) hotel or boarding rooms that do not have kitchens or private bathrooms.<sup>177</sup>

Many women involved in prostitution are homeless. Their homelessness shapes their lifestyle. Many street-involved women live in hotels on the Downtown Eastside and report that they are victimized more in these living situations than they would be in others.<sup>178</sup>

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<sup>172</sup> *Ibid.* at 31.

<sup>173</sup> Weber, *et al.*, *supra* note 164 at 527; Amy E. Weber, Jean-François Boivin, Lucie Blais, Nancy Haley and Élise Roy, “Predictors of initiation into prostitution among female street youths” (2004) 81 *J. of Urban Health* at 584.

<sup>174</sup> Celia Williamson and Terry Cluse-Tolar, “Pimp-controlled prostitution: Still an integral part of street life” (2002) 8 *Violence against Women* at 1076.

<sup>175</sup> “Abduction, forced prostitution case discussed at Ottawa shelters: worker” *CBC News* (08 August 2008).

<sup>176</sup> Kelly Gorkoff with Meghan Waters. “Balancing safety, respect and choice in programs for young women involved in prostitution” in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 130.

<sup>177</sup> Sloss and Harper, *supra* note 41 at 329; Sheri D. Weiser, Samantha E. Dilworth, Torsten B. Neilands, Jennifer Cohen, David R. Bangsberg and Elise D. Riley, “Gender-specific correlates of sex trade among homeless and marginally housed individuals in San Francisco” (2006) 83 *J. of Urban Health* at 736; Hilary L. Surratt, Steven P. Kurtz, Jason C. Weaver and James A. Inciardi, “The connections of mental health problems, violent life experiences, and the social milieu of the ‘stroll’ with the HIV risk behaviors of female street sex workers” (2005) 17 *J. of Psych. & Human Sexuality* at 25; Benoit and Millar, *supra* note 56 at 23; Kurtz, *et al.*, *supra* note 74 at 365; Melissa Farley and Howard Barkan, “Prostitution, violence, and posttraumatic stress disorder” (1998) 27 *Women & Health* at 41; Pivot, *supra* note 77 at 15; Justice Canada, *supra* note 14 at 1.

<sup>178</sup> Justice Canada, *supra* note 14 at 1.

Research has shown that homeless street prostitutes often charge 15 to 20% less for sexual acts than those who have housing.<sup>179</sup> Landlords may refuse to rent to known or suspected sex workers due to the possibility of being charged with keeping a bawdy-house.<sup>180</sup> SRO hotels, “crack houses,” “flop houses,” “squats,” and low-income or subsidized housing are often used as trick pads, as well as for drug trafficking.<sup>181</sup> Lack of affordable housing is a barrier to those who wish to exit sex work.<sup>182</sup>

Whether a youth has run away from home or an adult woman finds herself – and potentially her children – without adequate housing, the result is often the same, as “homelessness has been identified as an important predictor of sex trade.”<sup>183</sup> Children and youth who run away from home generally move to urban centres. They may not know anyone, or if they do have friends or family in the city, many of them are in similar situations and unable to provide emotional, financial or physical support. Poor urban areas, such as the DTES and the North and West Ends of Winnipeg, are areas in which youth find places to stay and work as drug dealers or prostitutes.<sup>184</sup> A study of youth in the DTES and another street scene area of Vancouver in 2009 found that:

Many participants emphasized that they chose involvement in drug scenes – whether in Vancouver or elsewhere – in order to assert their independence and escape harmful, repressive or essentially non-existent care situations. Several participants commented that they had been “on their own” without the support of family from an extremely early age, and that drug scene involvement afforded them this same degree of independence. Alternatively, a number of participants explained that they chose involvement in a drug scene

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<sup>179</sup> Kurtz, *et al.*, *supra* note 74 at 370; Pivot, *supra* note 7 at 14.

<sup>180</sup> Pivot, *supra* note 77 at 15.

<sup>181</sup> For Toronto example, see: James Wallace, “Hooker haven funded by city” *Toronto Sun* (30 March 199). See also, Bay Weyman, *Street City*, 1998, VHS: (Toronto, Ontario: Mongrel Media, 1998).

<sup>182</sup> “Exiting Sex Work,” *supra* note 124; Farley, *supra* note 46 at 1092; PAAFE, *supra* note 143 at 6.

<sup>183</sup> Weiser, *et al.*, *supra* note 177 at 737; CCJS, *supra* note 168 at 3.

<sup>184</sup> Kingsley and Mark, *supra* note 137 at 20. See also, Bittle, *supra* note 42 at 22.

over conforming to regulation-heavy foster care arrangements or group home living situations.<sup>185</sup>

In 2009, there was an estimated 500 to 1,000 youth without housing every night in the greater Vancouver area.<sup>186</sup>

In a 2004 Montreal study of 330 girls between the ages of 14 and 25, 27% had a current or former involvement in commercial sexual exploitation. This underscores the need for comprehensive, multi-agency approaches and early interventions to protect children and youth from the sexual exploitation trade. This study found that risks for future involvement in prostitution increased if the person was younger than 18 and if they had ever lacked a place to sleep before the age of 16.<sup>187</sup> Figure 4-4 shows the prevalence of homelessness and a history of running away from home or institutional care for all sex workers in the DD, by ethnicity.

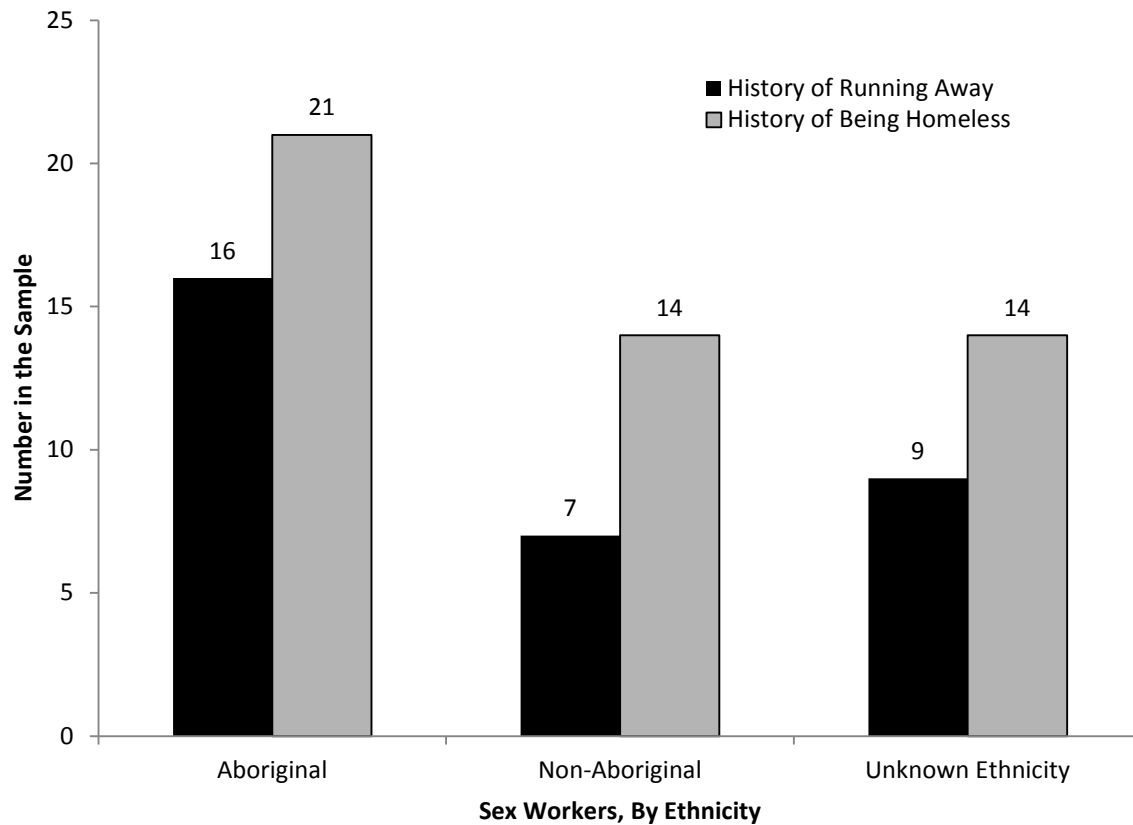
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<sup>185</sup> Fast, *et al.*, *supra* note 160 at 1207.

<sup>186</sup> Danya Fast, Jean Shoveller, Kate Shannon and Thomas Kerr. "Safety and danger in downtown Vancouver: Understandings of place among young people entrenched in an urban drug scene." (2010) 16 *Health & Place* at 52.

<sup>187</sup> Weber, *et al.*, *supra* note 173 at 588.



**Figure 4-4: Sex Workers with Histories of Homelessness and Running Away**

#### IV. HEALTH

Traditional scholarship and media reports on sex workers have focused on the medical health issues associated with prostitution, especially with regards to STIs and HIV/AIDS. Sex workers were generally presented as the cause of disease, rather than the victims of disease.<sup>188</sup> However, in recent years there has been considerable research conducted on various health issues unrelated to STIs and HIV. The mental and physical health status of sex workers, including substance use, have been well documented, with the

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<sup>188</sup> Barnard, *supra* note 2 at 683; Lisa McLaughlin, “Discourses of prostitution / discourses of sexuality” (1991) 8 *Critical Studies in Mass Comm.* at 263; Alexandra Highcrest, “Judy Sgro’s fear of a pro city” *eye Weekly* (06 June 1996); Tom Godfrey, “AIDS carriers can’t be stopped” *Toronto Sun* (23 May 1996).

focus on the impacts of prostitution on the health of individual sex workers rather than on clients and clients' sexual partners.

### **i. Addiction**

Drug-addicted street prostitutes under the control of pimps is the popular stereotype, but pimps may be adverse to drug use by prostitutes under their controls because of its negative economic implications. Addicted women are less desirable to clients, generally earn less per sex act and are more difficult for pimps to control.<sup>189</sup> Drug and alcohol addictions are not uncommon among all types of sex workers;<sup>190</sup> however, street prostitutes are much more likely to have drug addictions than those working in indoor venues.<sup>191</sup> In a 1996 New York study of 1,963 street prostitutes, almost 70% used crack cocaine.<sup>192</sup> Alcohol, heroin, cocaine and crack are the most commonly used drugs in the DTES.<sup>193</sup> A 2004 study in Vancouver found that 80% of female intravenous drug users (IDUs) had been involved in sex work at some point.<sup>194</sup> In one 2001 study of incarcerated street prostitutes, 42% had overdosed at least once.<sup>195</sup>

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<sup>189</sup> Williamson and Cluse-Tolar, *supra* note 174 at 1081; Lowman, *supra* note 8 at 994; Gardner, *supra* note 168.

<sup>190</sup> Weiser, *et al.*, *supra* note 177 at 736. See also, Grindlay, *supra* note 150; Schissel and Fedec, *supra* note 128 at 51; Benoit and Millar, *supra* note 56 at 76.

<sup>191</sup> Scambler, *supra* note 20 at 1081; "Suburban sex-trade workers more vulnerable than those in city: former prostitute" *Canadian Press* (13 January 2007); Bruce Owen, "Ex-cop says Winnipeg may have a serial killer" *Winnipeg Free Press* (04 September 2007); Ward, *supra* note 77 at; McIntyre, *supra* note 42; Justice Canada, *supra* note 39 at 7, 62; Romero-Daza, *et al.*, *supra* note 59 at 234; Louisa Degenhardt, Elizabeth Conroy and Stuart Gilmour, "Examining links between cocaine use and street-based sex work in New South Wales, Australia" (2006) 43 *J. of Sex Research* at 107.

<sup>192</sup> Weiner, *supra* note 131 at 100.

<sup>193</sup> Pivot, *supra* note 77 at 21.

<sup>194</sup> *Ibid.* at 21.

<sup>195</sup> Norton-Hawk, *supra* note 74 at 409.

Whether addiction is the reason women enter prostitution or how they cope with the stress of prostitution continues to be debated.<sup>196</sup> There is evidence that economic duress, not addiction, is the primary reason for women entering into prostitution and that the rates of addiction are much lower than envisioned by the media and public.<sup>197</sup> Regardless, drugs and alcohol have been shown to provide “benefits” to sex workers in that substance use assists in detaching from the daily realities and risks of sex work, helps sex workers deal with stress and, in some cases, increases feelings of being in control.<sup>198</sup> Conversely, some street prostitutes prefer to remain sober when working in order to have all their senses alert to danger.<sup>199</sup>

There are definite risks associated with substance use while engaging in prostitution. Drug addiction can compel street prostitutes to take greater risks, such as going with suspicious clients, engaging in unsafe sex acts, agreeing to more severe and degrading types of acts and agreeing to provide services for very little money.<sup>200</sup> The need to fund an addiction to drugs or alcohol, which can easily cost hundreds of dollars a day, is a motivating

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<sup>196</sup> Melrose, *supra* note 71 at 22; Romero-Daza, *et al.*, *supra* note 59 at 234; Rochelle L. Dalla, “‘You can’t hustle all your life’: An exploratory investigation of the exit process among street-level prostituted women” (2006) 30 *Psych. of Women Quarterly* at 276.

<sup>197</sup> Cecilia Benoit and Frances M. Shaver, “Critical issues and new directions in sex work research” (2006) 43 *Cdn. Review of Soc. and Anth.* at 59.

<sup>198</sup> Romero-Daza, *et al.*, *supra* note 59 at 234; Norton-Hawk, *supra* note 74 at 408; Dalla, Xia and Kennedy, *supra* note 71 at 1372; Kurtz, *et al.*, *supra* note 74 at 367; Inciardi, *et al.*, *supra* note 72 at 226; Degenhardt, *et al.*, *supra* note 191 at 107; Kendra Nixon and Leslie M. Tutty, “‘That was my prayer every night – Just to get home safe’: Violence in the lives of girls exploited through prostitution” in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 76.

<sup>199</sup> Nixon, *et al.*, *supra* note 48 at 1034.

<sup>200</sup> Kalmuss, *supra* note 77 at 204; Lowman, *supra* note 8 at 994; Lois A. Jackson, Barbara Sowinski, Carolyn Bennett and Devota Ryan, “Female sex trade workers, condoms, and the public-private divide” (2005) 17 *J. of Psych. & Human Sex.* at 90; Romero-Daza, *et al.*, *supra* note 59 at 251; Dalla, Xia and Kennedy, *supra* note 71 at 1371; Justice Canada, *supra* note 39 at 110; Degenhardt, *et al.*, *supra* note 191 at 107.

force for many women to remain in or to enter street prostitution.<sup>201</sup> A 2008 Health Canada report details the cost of illegal drugs in Vancouver:

It has been estimated that injection drug users inject an average six injections a day of cocaine and four injections a day of heroin. The street costs of this use are estimated at around \$100 a day or \$35,000 a year. Few injection drug users have sufficient income to pay for the habit out through employment.<sup>202</sup>

As seen in the above, if the average sex worker makes an average of \$20,000 a year, income earned through social assistance and prostitution would barely, if at all, cover the basic needs for drug addiction. The need for homeless shelters and other social services for food and shelter would be necessary.

The fear of becoming “dope sick” or “drug sick,” the condition resulting from going into withdrawal of narcotics such as heroin, propels women to take risks or provide services under market value to ensure the cost of the next hit is covered.<sup>203</sup> A street prostitute interviewed for a research project explained:

What would make me not get into a car with somebody? Really nothing. I would just get in there, I wouldn't care if they were the police or if they were a mass murderer or something...I'm gonna get in that car and I'm gonna try it, because if it's some money that I need then I'm gonna do anything for it.<sup>204</sup>

Addicted sex workers may also engage in risky sexual behaviours such as unprotected vaginal or anal intercourse for a nominal “bonus” fee in order to purchase drugs sooner, particularly if they are dope sick.<sup>205</sup>

Addictions to legal and/or illicit drugs also create situations where a woman's behaviour is likely to increase her likelihood of poverty, victimization and stigmatization.

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<sup>201</sup> Kingsley and Mark, *supra* note 137 at 18; Gardner, *supra* note 168.

<sup>202</sup> Health Canada, *supra* note 91.

<sup>203</sup> Sanderson, *supra* note 150; Gardner, *supra* note 168; Dan Gardner, “Courting death (Part 1)” *Ottawa Citizen* (15 June 2002); Kurtz, *et al.*, *supra* note 74 at 370.

<sup>204</sup> Celia Williamson and Gail Folaron, “Violence, risk, and survival strategies of street prostitution” (2001) 35 *Western J. of Nursing Research* at 469.

<sup>205</sup> Barnard, *supra* note 2 at 694; Surratt, *et al.*, *supra* note 177 at 25.

For instance, crack cocaine addiction regularly leads to multi-day binges funded by the exchange of sex for money, often at “cut rate” fees.<sup>206</sup> This has led to an increase in the rate of STIs and HIV infection among street level prostitutes. The likelihood of engaging in behaviours which increase the risk of contracting HIV may increase during times of decreased cognition associated with substance use. The use of substances during sex work may lead to a decrease in both the perception of risk and the negotiation of safer sex behaviours.<sup>207</sup>

Addicted prostitutes are at risk of robbery and assault at the hands of drug dealers and by other addicts.<sup>208</sup> Both addicts and drug dealers also serve to encourage and facilitate further drug use.<sup>209</sup> Cocaine use has a high correspondence with involvement in prostitution.<sup>210</sup> A review of Vancouver police files conducted for the DOJ in 1995 showed that 62% of murdered prostitutes were classified as drug dependent, and 34.5% were alcohol dependent.<sup>211</sup> The classification of drug or alcohol dependency was made by police officers; there does not appear to be a category for someone with both drug and alcohol dependencies. The researchers reviewed vice unit 180 reports of deaths of prostitutes in Vancouver. VPD officers would provide a report to the vice unit after attending a death scene if the decedent was a prostitute. A cause of death was recorded in 124 of the files. Drug overdose was the most common reason for death among people involved in prostitution at 51.3%; another

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<sup>206</sup> Green, *supra* note 129 at 28.

<sup>207</sup> Weber, *et al.*, *supra* note 164 at 531.

<sup>208</sup> Romero-Daza, *et al.*, *supra* note 59 at 249.

<sup>209</sup> Norton-Hawk, *supra* note 74 at 408.

<sup>210</sup> Weiner, *supra* note 131 at 98.

<sup>211</sup> Justice Canada, *supra* note 14 at 35.

8.5% were listed as possible overdoses. Murder was the second most common manner of death at 27.4%.<sup>212</sup>

Addiction leads to other behaviours that also stigmatize women. Women who use drugs or alcohol at the time they are victimized, go missing or are murdered, even if they do not necessarily abuse substances, are likely to be viewed as having brought danger or victimization upon themselves:

It appears that alcohol consumption in the bar setting is associated with risky bar behaviors in general. Alcohol consumption has been shown to interfere with women's ability to recognize and respond to danger ... In addition, potential perpetrators may see an intoxicated woman as an easy target or as promiscuous (especially one who is interacting with many strangers), which could potentially lead to aggression.<sup>213</sup>

Addiction counselling and rehabilitation that is not sensitive to the realities faced by sex workers is less likely to be effective. Programs which are proscriptive are also not as well received by sex workers who express a desire for control over their care.<sup>214</sup> Rehabilitation methods can lead to further addiction for those attempting to recover from addictions: methadone and buphenorphine are used to assist opiate addicts, although methadone is itself addictive and buphenorphine less so.<sup>215</sup>

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<sup>212</sup> *Ibid.* at 39.

<sup>213</sup> Amy M. Buddie and Kathleen A. Parks, "The Role of the bar context and social behaviors on women's risk for aggression" (2003) 18:12 *J. of Interpersonal Violence* at 1389.

<sup>214</sup> Pamela J. Downe. "I don't know what the hell it is but it sounds nasty': Health issues for girls working the streets" in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 98.

<sup>215</sup> Sanderson, *supra* note 150.

## ii. Mental Health

Many women engaging in street prostitution suffer from mental or physical health issues.<sup>216</sup> Post-traumatic stress disorder (PTSD) is commonly reported amongst current and exited sex workers.<sup>217</sup> One San Francisco study found that 68% of street prostitutes met the criteria for PTSD.<sup>218</sup> PTSD may be a result of experiencing violence or of witnessing violence towards others. A 1998 study of street prostitutes in Hartford, Connecticut, found that fully one-quarter of the respondents had at least one friend who was murdered as a result of her participation in prostitution.<sup>219</sup> Judith Herman's work on *Trauma and Recovery* provides an excellent understanding of the effects of violence over the long-term:

People subjected to prolonged, repeated trauma develop an insidious, progressive form of post-traumatic stress disorder that invades and erodes the personality. While the victim of a single acute trauma may feel after the event that she is "not herself," the victim of chronic trauma may feel herself to be changed irrevocably, or she may lose the sense that she has any self at all.<sup>220</sup>

Herman's work is important because it involves trauma inflicted over the long-term and by multiple causes or perpetrators, which is often the case with sex workers.

A 1999 study of sexually exploited Canadian youth found that there was a higher incidence of suicidal tendencies and suicide attempts than among youth who had not been sexually exploited.<sup>221</sup> Another Canadian study in 2001 found that Aboriginal sex workers reported less depression (30.7%) and mental illness in general (6.7%) than non-Aboriginal

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<sup>216</sup> Sloss and Harper, *supra* note 41 at 329; Weiser, *et al.*, *supra* note 177 at 736; Dalla, Xia and Kennedy, *supra* note 71 at 1369; Teela Sanders, "Controllable laughter: Managing sex work through humour" (2004) 38 *Sociology*, 273; Pivot, *supra* note 77 at 20; PAAFE, *supra* note 143 at 13.

<sup>217</sup> Sheila Dabu, "Stress plagues sex-trade workers" *Living* (21 August 2007); "Exiting Sex Work," *supra* note 124; Melissa Farley, *Trafficking for prostitution: Making the connections* (Presentation to the American Psychological Association, 17 August 2007); Melissa Farley, "Prostitution harms women even if indoors: Reply to Weitzer" (2005) 11 *Violence against Women* at 961; Pivot, *supra* note 77 at 20.

<sup>218</sup> Farley and Barkan, *supra* note 177 at 45.

<sup>219</sup> Romero-Daza, *et al.*, *supra* note 59 at 247. See also, Nixon, *et al.*, *supra* note 48 at 1024.

<sup>220</sup> Judith Lewis Herman, *Trauma and Recovery* (New York: Basic Books, 1992) at 86.

<sup>221</sup> Schissel and Fedec, *supra* note 128 at 47.

sex workers (54.4% and 18.7%). This difference was not found in the prevalence of suicide attempts, with 10.5% of Aboriginal sex workers and 10% of non-Aboriginal sex workers having attempted suicide in the past.<sup>222</sup>

Sex workers with mental health issues are doubly stigmatized.<sup>223</sup> Research shows that the non-compliance rates for mental health referrals and follow-up is high. Sex workers report that:

The reasons for this non-compliance were many: services required payment or insurance; the majority of the service providers required that the sex workers produce identification, and most of the women either had none or were unwilling to show it; few of the women had access to the necessary transportation; many were afraid of being labeled as “crazy”; [sic] and almost all expressed a dislike for mental health professionals.<sup>224</sup>

People with mental health issues who lack family or community support risk either being institutionalized through the penal system or hospitals, or being homeless.

Without community supports, some people with mental disorders stop taking their medications. If they act out, that can land them in trouble with the law and since there are not enough treatment facilities, they end up in jail. When they are released, the cycle begins again.<sup>225</sup>

Health professionals, counsellors and social workers need to be bias-free and non-judgemental. Judgmental service providers further victimize vulnerable women who have mental health issues, addictions, PTSD or physical health concerns.<sup>226</sup> It is not uncommon for sex workers to report that health or mental health professionals have blamed them for the

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<sup>222</sup> Benoit and Millar, *supra* note 56 at 69.

<sup>223</sup> *Ibid.* at 71; Kelly Underman, “Mental illness and sex work” *\$pread* (2007) Volume 3, Issue 2, 43.

<sup>224</sup> Surratt, *et al.*, *supra* note 177 at 39. See also, Romero-Daza, *et al.*, *supra* note 59 at 246.

<sup>225</sup> Pamela Cowan, “Streets, prisons ‘the asylums of the 21st century’” *Ottawa Citizen* (28 June 2009), A5.

<sup>226</sup> Michael Goodyear, John Lowman, Benedikt Fischer and Margie Green. “Prostitutes are people too” (2005) 366 *The Lancet* at 1264; Benoit and Millar, *supra* note 56 at 88; Stéphanie Wahab, “Tricks of the trade” (2004) 3 *Qualitative Social Work* at 155; Cler-Cunningham, *supra* note 153 at 11.



violence, rape, sexual assault or other injuries received by a violent assault from a client or pimp.<sup>227</sup>

Indoor sex workers have been shown to have mental health issues comparable to the general population. Street prostitutes are much more likely to have mental health issues such as depression and psychosis.<sup>228</sup> Some researchers have postulated that the difference in mental health rates may be due to the high rates of victimization experienced by street prostitutes, as children and as adults at the hands of clients and intimate partners, as opposed to the relatively low rates of violence experienced by indoor sex workers.<sup>229</sup>

When a child or youth has experienced non-volitional sex, such as sexual abuse, coerced sex or exploitation through prostitution, research has found there is a greater likelihood that the youth will engage in other behaviours that put them at physical, mental and sexual risk. These behaviours include early initiation of voluntary sex, greater likelihood of teenage pregnancy, unprotected sex, unprotected sex with a HIV-positive partner, greater number of sexual partners and engagement in survival sex work.<sup>230</sup> Studies have repeatedly shown that childhood sexual abuse is commonly reported amongst street prostitutes.<sup>231</sup> However, a 2004 study of female street youths “did not show childhood sexual abuse as an independent predictor of initiation to prostitution in this population.”<sup>232</sup> Childhood sexual abuse and exploitation has not been shown to be a significant risk factor for future

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<sup>227</sup> Dabu, *supra* note 217; Benoit and Millar, *supra* note 56 at 86.

<sup>228</sup> Surratt, *et al.*, *supra* note 177 at 25.

<sup>229</sup> *Ibid.*

<sup>230</sup> Kalmuss, *supra* note 77 at 203; Lowman, *supra* note 42 at 147.

<sup>231</sup> Weber, *et al.*, *supra* note 164 at 592; Justice Canada, *supra* note 39 at 37; Romero-Daza, *et al.*, *supra* note 59 at 248; Silbert and Pines, *supra* note 71 at 285; Benoit and Millar, *supra* note 56 at 31; Dalla, Xia and Kennedy, *supra* note 71 at 1369; Kurtz, *et al.*, *supra* note 74 at 365; Surratt, *et al.*, *supra* note 155 at 51; Farley and Barkan, *supra* note 177 at 40.

<sup>232</sup> Weber, *et al.*, *supra* note 173 at 592.

involvement in prostitution compared to those who have not experienced childhood sexual abuse.

### iii. HIV / AIDS, Hepatitis C and STIs

HIV/AIDS continues to be a stigmatized disease. Intravenous drug use and “risky” heterosexual sex (multiple partners, unprotected sex, and participation in the sex trade) are also stigmatized activities. For almost 20 years, North American and European studies have shown that there are significant numbers of drug-addicted prostitutes who are HIV-positive.<sup>233</sup> Street prostitutes are at a greater risk for contracting HIV than inside sex workers.<sup>234</sup> It has also been shown that street prostitutes are the most vulnerable sex workers of becoming infected with HIV, as well as other STIs, from unprotected sex with clients and intimate partners.<sup>235</sup> The prevalence of hepatitis C among intravenous drug users and sex workers is high.<sup>236</sup> Common STIs found amongst sex workers include chlamydia, syphilis, gonorrhoea and herpes.<sup>237</sup> Although street prostitutes in Canada do have high rates of STIs, this is not true universally. A 1996 study showed that street prostitutes in the U.K. had a lower prevalence of STIs than did the general population.<sup>238</sup>

Drug use also increases the risks of contracting STIs.<sup>239</sup> “Since it is known that a proportion of drug injectors [sic] prostitute in order to finance their drug use,”<sup>240</sup> there has

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<sup>233</sup> Weiser, *et al.*, *supra* note 177 at 736; Nick Pron and Ariel Teplitsky, “Judge refuses to name names in escort case” *Toronto Star* (09 October 1999); Gadd, *supra* note 98; Jackson, *et al.*, *supra* note 200 at 84.

<sup>234</sup> Betteridge, *supra* note 71 at 3.

<sup>235</sup> Surratt, *et al.*, *supra* note 177 at 25; Romero-Daza, *et al.*, *supra* note 59 at 234.

<sup>236</sup> Kingsley and Mark, *supra* note 137 at 21.

<sup>237</sup> *Ibid.* at 22; Cler-Cunningham, *supra* note 153 at 19.

<sup>238</sup> Weiner, *supra* note 131 at 99; Benoit and Millar, *supra* note 56 at 75; Teela Sanders. *The implications of the coordinated prostitution strategy on adult female prostitution in the UK* (Presentation to the Nexus Conference, Ambassadors Hotel, London, 29 March 2006); Teela Sanders, “Female sex workers as health educators with men who buy sex: Utilising narratives of rationalisation” (2007) 62 *Social Science and Med.* at 2434.

<sup>239</sup> Weiner, *supra* note 131 at 98.

been considerable focus on prostitutes as vectors of HIV infection. The medical community has been clear for decades that “female prostitution is not playing an important role in heterosexual HIV transmission.”<sup>241</sup> Despite research that has consistently shown that sex workers are useful as educators of sexual health to clients,<sup>242</sup> the focus continues to be on the risk to clients and their “innocent” female partners.<sup>243</sup> There are exceptions, however, and there have been a few cases in which HIV-positive sex workers who did not disclose their status or consistently use condoms with clients were incarcerated in correctional<sup>244</sup> and psychiatric<sup>245</sup> institutions to protect public safety.

HIV transmission through heterosexual sex is more risky for female partners. Female-to-male transmission is possible, but is far less likely than male-to-female transmission.<sup>246</sup> Condoms, barriers and contraceptives are generally freely available to sex workers and are important to protect the health of sex workers.<sup>247</sup> However, 16.4% of respondents in one 2001 Canadian study did not know where free supplies or other supports were located.<sup>248</sup>

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<sup>240</sup> Michael Bloor, Alastair Leyland, Marina Barnard and Neil McKeganey, “Estimating hidden populations: A new method of calculating the prevalence of drug-injecting and non-injecting female street prostitution” (1991) 86 *British J. of Addiction* at 1477.

<sup>241</sup> *Ibid.* at 1482.

<sup>242</sup> Joanna Brewis and Stephen Linstead, “The worst thing is the screwing (2): Consumption and the management of identity in sex work” (2000) 7 *Gender, Work and Organization* at 173; Sanders, *supra* note 238 at 2434; Kate Butcher, “Confusion between prostitution and sex trafficking” (2003) 361 *The Lancet*, at 1983; Betteridge, *supra* note 71 at 1.

<sup>243</sup> Jackson, *et al.*, *supra* note 200 at 84; Jeffrey T. Parsons, “Researching the world’s oldest profession: Introduction” (2005) 17 *J. of Psych. & Human Sexuality* at 1; Teela Sanders and Rosie Campbell, “What’s criminal about female indoor sex work?” in K. Williams, P. Birch, G. Letherby and Maureen Cain, eds., *Sex as crime* (Devon: Willan, 2007); Hintonburg Community Association, Inc., *supra* note 17 at 11; Weiner, *supra* note 131 at 98; Scambler, *supra* note 20 at 1081; Romero-Daza, *et al.*, *supra* note 59 at 235; Bloor, *et al.*, *supra* note 240 at 1478; Grant, *supra* note 42 at 70.

<sup>244</sup> Sam Cooper, “HIV-positive prostitute to be freed” *The Province* (28 August 2009).

<sup>245</sup> *R. v. K.A.S.* [2007] N.S.J. No. 504.

<sup>246</sup> Bloor, *et al.*, *supra* note 240 at 1478; Weiner, *supra* note 131 at 98.

<sup>247</sup> Pivot, *supra* note 77 at 44.

<sup>248</sup> Benoit and Millar, *supra* note 56 at 84.

Drug users risk contracting HIV and hepatitis C through the sharing of needles and crack pipes. It has been consistently shown that it is drug use and not prostitution that is by far the most frequent way sex workers become infected with HIV.<sup>249</sup> Needle exchanges, free needles, bleach and other equipment necessary to clean drug paraphernalia are important to maintain the HIV-negative status of addicted sex workers.<sup>250</sup>

The second most frequent cause for HIV transmission among sex workers is unprotected heterosexual sex with intimate partners who are intravenous drug users.<sup>251</sup> Sex workers do not consistently use condoms with intimate partners<sup>252</sup> or regular clients.<sup>253</sup> Research suggests that users of crack cocaine are the least consistent with condom use in both personal and commercial sexual encounters.<sup>254</sup>

Although the number of HIV/AIDS cases in Canada has stabilized, sexually transmitted diseases including HIV/AIDS are increasing dramatically among Aboriginal sex trade workers, especially among Aboriginal women. The number of identified HIV positive cases among street workers has risen, particularly among those who are injection drug users.<sup>255</sup>

Studies have also shown that prostitutes report high rates of safer sex practices using condoms for anal and vaginal intercourse,<sup>256</sup> although less often for fellatio with clients.<sup>257</sup>

An exception has been found, however, with runaway youths who have also been exploited through prostitution. Riskier sexual habits were found with this cohort than with

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<sup>249</sup> Scrambler *et al.*, *supra* note 66 at 264; Jackson, *et al.*, *supra* note 200 at 85; Weiner, *supra* note 131 at 100; Benoit and Millar, *supra* note 56 at 74; Pivot, *supra* note 77 at 19.

<sup>250</sup> Benoit and Millar, *supra* note 56 at 85.

<sup>251</sup> Scrambler *et al.*, *supra* note 66 at 264; Jackson, *et al.*, *supra* note 200 at 85; Weiner, *supra* note 131 at 100; Benoit and Millar, *supra* note 56 at 74; Pivot, *supra* note 77 at 19.

<sup>252</sup> Scrambler *et al.*, *supra* note 66 at 266; Jackson, *et al.*, *supra* note 200 at 85; Weiner, *supra* note 131 at 100; Benoit and Millar, *supra* note 56 at 73; Sanders, *supra* note 37 at 558; Downe, *supra* note 214 at 87.

<sup>253</sup> Dalla, *supra* note 121 at 350.

<sup>254</sup> Surratt, *et al.*, *supra* note 177 at 26.

<sup>255</sup> Kingsley and Mark, *supra* note 137 at 39.

<sup>256</sup> Bloor, *et al.*, *supra* note 240 at 1477; Barnard, *supra* note 2 at 688; Jackson, *et al.*, *supra* note 200 at 85; Benoit and Millar, *supra* note 56 at 73; Sanders, *supra* note 238 at 2434; Cusick, *supra* note 52 at 6.

<sup>257</sup> Barnard, *supra* note 2 at 688; Jackson, *et al.*, *supra* note 200 at 85; Weiner, *supra* note 131 at 100; Benoit and Millar, *supra* note 56 at 73.

girls who were not involved in prostitution or running away.<sup>258</sup> Runaway or homeless youths exploited through prostitution have an increased risk of contracting HIV due to a number of factors. “Unprotected sex is a valuable commodity in the sex trade and the highest profits are obtained from the prostitution of young girls who are willing to engage in unprotected sex.”<sup>259</sup>

This is evident by the fact that, on average, girls involved in prostitution were younger the first time they were without a place to sleep. They were also more likely to report having run away from home and having been kicked out of home. Homeless youths have been shown to be at increased risk for HIV infection due in part to the fact that the probability of engaging in HIV risk behaviour increases with the length of homelessness. It has been previously suggested that youths who are homeless for longer periods of time are more likely to become involved in risky sexual and drug-using activities. They may incur more material needs, thereby further reducing inhibitions against risk-taking behaviors and increasing their exposure to high-risk populations.<sup>260</sup>

As with homelessness, mental health problems are also associated with an increased risk of contracting HIV.<sup>261</sup> There is also a relationship between HIV risk and violence.<sup>262</sup> As the number of sex workers experiencing sexual assault is high, the risk of contracting HIV or other STIs, as well as unplanned pregnancies, are realities of women working in the sex trade.<sup>263</sup> Campaigns regarding the risks to clients and their other partners do not appear to have been effective, as the number of clients who refuse to use condoms, pay extra for unprotected sex or sexually assault sex workers remains high.<sup>264</sup>

Drug use, sex work and unsafe sexual practices have resulted in Aboriginal people being significantly over-represented in the number of new HIV infections in Canada. Health

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<sup>258</sup> Weber, *et al.*, *supra* note 164 at 530; Surratt, *et al.*, *supra* note 177 at 25; Bittle, *supra* note 42 at 26.

<sup>259</sup> Schissel and Fedec, *supra* note 128 at 38.

<sup>260</sup> Weber, *et al.*, *supra* note 164 at 531.

<sup>261</sup> Surratt, *et al.*, *supra* note 177 at 26.

<sup>262</sup> Romero-Daza, *et al.*, *supra* note 59 at 235.

<sup>263</sup> *Ibid.*; Benoit and Millar, *supra* note 56 at 53.

<sup>264</sup> Cler-Cunningham, *supra* note 153 at 57; Pivot, *supra* note 77 at 19.

Canada research in 2002 indicated that 6 to 12% of the people newly infected and 5 to 8% of those with HIV/AIDS in Canada were Aboriginal. Injection drug use was identified as the main mode of HIV transmission in the Aboriginal community. Further, Aboriginal people are being infected with HIV at a younger age compared to non-Aboriginal persons.<sup>265</sup>

## V. CRIME AND EXPLOITATION

### i. Police-Sex Worker Interactions

In his review of the missing women investigation in the DTES following the arrest and conviction of Pickton, Deputy Chief Constable (DCC) Doug LePard<sup>266</sup> commented on the difficulty of being agents of both enforcement and protection: “The relationship between police and sex trade workers is complicated. The sex trade creates significant community problems for the police, and at the same time sex trade workers are regular victims of sexual predators.”<sup>267</sup> The enforcement of prostitution-related laws has led to a widespread “perception among street sex workers that they have no recourse to justice, resulting in a reluctance to report violent clients.”<sup>268</sup>

The personal beliefs and values of police officers, including those regarding gender, race, prostitution and addiction, shape and influence the interactions between police and sex workers.<sup>269</sup> There are positive relationships and interactions, such as when prostitutes work with the police. Sex workers often act as police informants, particularly in cases involving

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<sup>265</sup> Health Canada. *First Nations and Inuit Health: HIV/AIDS*. (Ottawa: Health Canada, 2010).

<sup>266</sup> Herein, this review will be referred to as the LePard Report.

<sup>267</sup> Vancouver Police Department (VPD). *Missing Women Investigation Review* by Doug LePard. (Vancouver August 2010) at 216.

<sup>268</sup> Penfold, *et al.*, *supra* note 58 at 367. See also, Benoit and Millar, *supra* note 56 at 54; Julia O’Connell Davidson, “The anatomy of ‘free choice’ prostitution” (1995) 2 *Gender, Work & Organization* at 5.

<sup>269</sup> Williamson, *et al.*, *supra* note 23 at 16.

drug trafficking and gang activity.<sup>270</sup> Even when women are arrested, the accused will generally consider it a positive interaction if the officer demonstrates compassion and respect. When women report a complaint, police are expected to proceed “by the book” and address the incident in the same manner as any other member of the public. Unfortunately, interactions by officers who do not take the complaints of sex workers seriously are common, and further stigmatize an already vulnerable population.<sup>271</sup> Such lack of “service” by non-responsive police officers reinforces the common belief by sex workers that the police cannot be trusted.

In a 2005 Canadian study, the authors noted that the expectation of indifference, harassment or abuse by police was the norm among sex workers from both indoor and outdoor markets. “It was clear that whether or not police officers actually demonstrated a ‘you’re just a whore’ attitude, sex workers believed they would, and this kept them from seeking assistance.”<sup>272</sup> Research conducted in 2002 indicated that the belief that “prostitutes cannot be raped” is widespread among police officers – or that sex workers believed it to be widespread.<sup>273</sup>

Harassment was commonly reported in the Pivot affidavits from street prostitutes in the DTES. As discussed below, street prostitutes reported being “tagged” by police. They described how police officers would identify someone as a prostitute, photograph her without

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<sup>270</sup> *Ibid.* at 29.

<sup>271</sup> *Ibid.* at 24; Williamson and Cluse-Tolar, *supra* note 174 at 1088; Tracy Quan, “Green River killings point up prostitutes’ plight” *San Francisco Chronicle* (28 December 2003); Gardner, *supra* note 203; Romero-Daza, *et al.*, *supra* note 59 at 246; Kurtz, *et al.*, *supra* note 74 at 358.

<sup>272</sup> Lewis, *et al.*, *supra* note 53 at 160. See also, Dalla, *supra* note 121 at 351; Sanders, *supra* note 37 at 558; Sanders, *supra* note 240; Pivot, *supra* note 77 at 18; Justice Canada, *supra* note 39 at 110; Betterridge, *supra* note 71 at 3; Nixon, *et al.*, *supra* at 48 at 1030.

<sup>273</sup> Ann Cotton, Melissa Farley and Robert Baron, “Attitudes toward prostitution and acceptance of rape myths” (2002) 32 *J. of Applied Social Psych.* at 1790.

her consent and demand identification, even if there was no reason for detention.<sup>274</sup> Other forms of harassment included physical assaults, name calling, public shaming or naming of them to passersby and residents as prostitutes, even when they were not working.<sup>275</sup>

Unfortunately, extremely negative interactions between police officers and sex workers are not uncommon. Several studies have shown that sex workers are victimized by police through robbery, physical abuse and harassment.<sup>276</sup> Sexual encounters between police officers and prostitutes are frequently reported.<sup>277</sup> Sexual encounters range from harassment,<sup>278</sup> physical assault,<sup>279</sup> rape and sexual assault,<sup>280</sup> police as paying clients,<sup>281</sup> and coerced sex in order to avoid arrest or for protection.<sup>282</sup> American economists found that approximately 3% of all sexual transactions among street level prostitutes in Chicago were “freebies” given to police officers to avoid arrest.<sup>283</sup>

Positive encounters with police officers, however, are also noted in studies and testimonials.<sup>284</sup> Prostitutes are normally reluctant to report violence against them by clients,

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<sup>274</sup> Pivot, *supra* note 77 at 24.

<sup>275</sup> *Ibid.*

<sup>276</sup> Williamson, *et al.*, *supra* note 23 at 27; Pate, *supra* note 81 at 82; Lewis, *et al.*, *supra* note 53 at 157; Pivot, *supra* note 77 at 16; Justice Canada, *supra* note 39 at 110.

<sup>277</sup> Marcus McCann, “Local sex workers organize” *Capital XTRA!* (20 February 2008), 9.

<sup>278</sup> Lewis, *et al.*, *supra* note 53 at 156; Pivot, *supra* note 77 at 18; Nixon, *et al.*, *supra* note 48 at 1031.

<sup>279</sup> Pivot, *supra* note 77 at 25; Nixon, *et al.*, *supra* note 48 at 1030.

<sup>280</sup> Williamson, *et al.*, *supra* note 23 at 27; Pate, *supra* note 81 at 82; Tom Godfrey, “Hall of fame for Canada’s hookers” *Toronto Sun* (06 June 2000); Sam Pazzano, “Cop pointed gun ‘at my face’” *Toronto Sun* (14 November 2007); Jody Raphael and Deborah L. Shapiro, “Violence in indoor and outdoor prostitution venues” (2004) 10 *Violence against Women* at 136; Pivot, *supra* note 77 at 18; Nixon, *et al.*, *supra* at 48 at 1030; Nixon and Tutty, *supra* note 198 at 77.

<sup>281</sup> Williamson, *et al.*, *supra* note 23 at 28; Pivot, *supra* note 77 at 24.

<sup>282</sup> Williamson, *et al.*, *supra* note 23 at 29; Lewis, *et al.*, *supra* note 53 at 160; Norton-Hawk, *supra* note 74 at 412.

<sup>283</sup> Levitt and Venkatesh, *supra* note 92 at 5.

<sup>284</sup> Williamson, *et al.*, *supra* note 23 at 23; Justice Canada, *supra* note 39 at 110.



pimps or domestic partners unless there is a known, trusted officer to whom they can confide.<sup>285</sup> In this capacity, police officers serve as protectors of sex workers.<sup>286</sup>

The results of positive interactions can be profound. Police officers who know street prostitutes personally and feel compassion for them can make differences both personally and on a larger scale. In one 2001 study in the DTES, 29.7% of the 155 street prostitutes named the same VPD constable, Dave Dickson,<sup>287</sup> as an officer who treated them with respect and “truly cares about their welfare.”<sup>288</sup> However, it has been alleged that Constable Dickson misled families and DTES advocates regarding the whereabouts or status of investigations of the missing women.<sup>289</sup> Further, a civilian employee, Sandy Cameron,<sup>290</sup> in the Missing Persons Unit (MPU) of the VPD was known to have been frequently dismissive, rude and disparaging to the friends and family who tried to file missing persons reports.<sup>291</sup> The VPD report on the Pickton and Missing Women investigations released in 2010 concluded that her conduct had “terribly and apparently irrevocably poisoned” the relationship of the families and VPD.<sup>292</sup>

The use of undercover police officers in prostitution sweeps is common. Some sex workers attempt to ensure that potential clients are not undercover police officers by insisting

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<sup>285</sup> Barnard, *supra* note 2 at 702; Dabu, *supra* note 217; Justice Canada, *supra* note 39 at 4; Lewis, *et al.*, *supra* note 53 at 155; Cler-Cunningham, *supra* note 153 at 74.

<sup>286</sup> Williamson, *et al.*, *supra* note 23 at 26; Belcher and Herr, *supra* note 70 at 121; Romero-Daza, *et al.*, *supra* note 59 at 248; Teela Sanders, *Indoor sex workers: Challenging the victimhood stereotype* (Presentation to the ‘Researching Diversity in Sex Work’ UK Network of Sex Work Projects, Adelphi Hotel, Liverpool, 26 February 2005).

<sup>287</sup> Constable Dave Dickson is now retired from the VPD.

<sup>288</sup> Cler-Cunningham, *supra* note 153 at 77.

<sup>289</sup> Stevie Cameron. *On the Farm*. (Toronto: Alfred A. Knopf Canada, 2010), at 295; Missing Women Inquiry (MWI), *November 1, 2011* at 36.

<sup>290</sup> Sandy Cameron is referred to as “Ms. Parker” by the VPD in the publicly released report. During the MWI, this pseudonym was no longer used in the less redacted version released to the public. See, VPD, *supra* note 267 at 211. See also, MWI, *Exhibit 1 – Vancouver Police Department (VPD) Missing Women Investigation Review August 2010*.

<sup>291</sup> VPD, *supra* note 267 at 211; Cameron, *supra* note 289 at 295.

<sup>292</sup> VPD, *supra* note 267 at 213.

the client touch them sexually, or by asking them directly if they are police officers.<sup>293</sup> In 1998, a sexually exploited 17-year-old girl was arrested by Sergeant Tim Moser in Halifax. She was charged under 213(1)(c), communication for the purpose of prostitution. Prior to her arrest, N.M.P. asked Sergeant Moser if he was “a cop,” which he had denied.<sup>294</sup> N.M.P. then pulled down her pants and instructed Sergeant Moser to touch her pubic area to ensure he was not in fact a police officer; Sergeant Moser did so. There was a discussion of payment for sexual services, after which N.M.P. was arrested. She was convicted in Youth Court.

N.M.P. appealed her conviction and Stepping Stones, a local advocacy organization for current and exited sex workers, was granted intervener status. Stepping Stones argued that N.M.P.’s Charter rights under s. 7 and 15. had been violated:

Her consent to be touched sexually by him was predicated on the assumption that he was a potential client. He deceived her. She did not consent to be touched by a police officer. It is submitted that in view of Sergeant Moser’s misrepresentation to the effect that he was not a police officer, her consent to the touching was obtained by fraud. The intervener says that permitting the appellant’s conviction to stand is to permit the police in the course of undercover operations to sexually touch females who appear to be engaged in prostitution. It is submitted that the Charter’s guarantees of equality and security of the person prohibit such sexual touching and mandate a stay where these Charter rights are violated.<sup>295</sup>

The Court found that Sergeant Moser had acted appropriately and upheld the conviction of N.M.P.<sup>296</sup>

## **ii. Incarceration and Criminal Records**

Finding employment for a woman exiting sex work can be challenging. Legal employment or a secure income source from social services is necessary for exited sex

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<sup>293</sup> Pivot, *supra* note 77 at 24.

<sup>294</sup> As N.M.P. was a minor at the time of her arrest, her name is protected. Her initials are used in the court case.

<sup>295</sup> *R. v. N.M.P.* [2000] N.S.J. No. 98 at 9.

<sup>296</sup> *Ibid.* See also, “Appeal court rules in cop’s favour” *CBC News* (11 April 2000).

workers to remain out of the sex trade.<sup>297</sup> Many sex workers, especially street prostitutes, have to contend with substance abuse issues, criminal records, low levels of education and few work experiences that do not involve criminal activities. Possession of a criminal record is a barrier to finding meaningful employment.<sup>298</sup> In many cases, criminal involvement was not restricted to prostitution, as prostitution – especially street prostitution – is closely associated with the criminal underground economy.<sup>299</sup> Prostitution is generally only one of the criminal activities engaged in by street prostitutes, who often sell drugs and steal from clients, stores or cars.<sup>300</sup> Criminal histories also prevent women from working in safer, indoor venues:

Those who can still find themselves shut out by municipal licensing systems that require women working in massage parlours and escort agencies to be individually licensed, but won't give licences to women with a criminal record.<sup>301</sup>

“The addicted, mentally ill, homeless and battered women who work on the streets are often just not able to behave like regular employees.”<sup>302</sup> Unable to conform to expected modes of dress or decorum necessary for indoor sex markets, these women are generally relegated to the street and its associated violence.<sup>303</sup>

Many prostitutes expect more from the criminal justice and social service systems. Prostitutes indicate that compassionate assistance in leaving prostitution, specifically addiction and mental health support and training, are lacking. Mental health problems and

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<sup>297</sup> Dalla, *supra* note 196 at 282.

<sup>298</sup> CCJS, *supra* note 168 at 4; Gardner, *supra* note 203; Benoit and Millar, *supra* note 56 at 34; Teela Sanders, “Becoming an ex-sex worker” (2007) 2 Fem. Crim. at 75; Pivot, *supra* note 77 at 26; PAAFE, *supra* note 143 at 6.

<sup>299</sup> Justice Canada, *supra* note 39 at 38; Dalla, *supra* note 196 at 282; Kramer and Berg, *supra* note 71 at 511.

<sup>300</sup> See e.g., Cameron, *supra* note 289 at 145.

<sup>301</sup> Gardner, *supra* note 203; Justice Canada, *supra* note 39 at 61.

<sup>302</sup> Gardner, *supra* note 203;

<sup>303</sup> Razack, *supra* note 27 at 373.

addiction are often not addressed when sex workers are incarcerated.<sup>304</sup> Incarceration may be an opportunity for change, if addictions counselling and other programs, such as educational assistance and job training, are available.<sup>305</sup> Programs, services and counselling may not be available to women incarcerated for prostitution-related charges due to the short duration of incarceration and long waiting lists for addiction and counselling services.<sup>306</sup>

Drug addiction may compel women to engage in criminal acts.<sup>307</sup> A 1991 study of over 600 youths in Miami, Florida, showed the prevalence of prostitution amongst youths in conflict of the law for non-prostitution related crimes. The youths were classified as seriously delinquent, having been involved in a minimum of 10 major crime incidents or 100 more minor criminal incidents in the prior year. The results showed that only 5% of males had exchanged sex for money or drugs compared to 87% of the females.<sup>308</sup>

As discussed in Chapter Three, charges for prostitution-related offences are disproportionately aimed at street-level sex work. Street prostitutes are charged and convicted far more frequently than are their clients. A 2001 study in the U.S. illustrates that enforcement of prostitution laws, incarceration and involvement in the justice system results in making exiting sex work more difficult and increases the duration and “intensity” of street level prostitution.<sup>309</sup> For example, customers of street-level prostitutes may also purchase illegal drugs as well as sexual services.<sup>310</sup> Additionally, prisons were shown to be excellent places for women to recruit other women – prostitutes and non-prostitutes – into sex work or

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<sup>304</sup> Belcher and Herr, *supra* note 70 at 120.

<sup>305</sup> Dalla, *supra* note 196 at 286.

<sup>306</sup> Norton-Hawk, *supra* note 74 at 410.

<sup>307</sup> Romero-Daza, *et al.*, *supra* note 59 at 340; Weiner, *supra* note 131 at 98.

<sup>308</sup> Inciardi, *et al.*, *supra* note 72 at 226.

<sup>309</sup> Norton-Hawk, *supra* note 74 at 404.

<sup>310</sup> *Ibid.* at 409.

to work for a pimp.<sup>311</sup> Using publicly available information, 48 (12.3%) of the sex workers in the DD were known to have criminal records. The actual number is likely higher.

A particularly egregious situation from Saskatchewan illustrates that prostitutes' concern of being arrested rather than protection from police is not without merit. Police in Saskatoon had John Martin Crawford under surveillance, suspecting he was responsible for the murders of three First Nations women working as street prostitutes. RCMP officers watched as Theresa Kematch, a young First Nations street prostitute, entered Crawford's vehicle and Crawford drove to a secluded spot where she was assaulted. It is unclear how much of the attack was witnessed by the police, but Kematch was raped and beaten by Crawford. "Police picked up Theresa later as she staggered past a Petro Canada bulk station on 11<sup>th</sup> Street, her jeans open, her face cut and swollen."<sup>312</sup> Kematch was arrested for prostitution-related charges and did not receive any medical treatment. Crawford was not questioned or charged in relation to the assault on Kematch. Kematch sued the RCMP in 2000, alleging that the RCMP officers witnessed her being raped and beaten and should have intervened.<sup>313</sup>

## VI. VULNERABILITY LEADS TO VULNERABILITY

The DTES concentrates poverty, addiction, crime, victimization and homelessness in 21 city blocks.<sup>314</sup> Death is commonplace. In the mid-1990s, there was at least one death due to overdose of illegal drugs every single day.<sup>315</sup> The DTES has the highest rates of HIV and

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<sup>311</sup> *Ibid.* at 414.

<sup>312</sup> William Goulding. *Just another Indian: A serial killer and Canada's indifference*. (Calgary: Fifth House Ltd., 2001) at 117.

<sup>313</sup> Further information on the case could not be found. See, *Ibid.*; "Former prostitute sues RCMP" *CBC News* (14 August 2000). See Chapter Five for more information on the Crawford case.

<sup>314</sup> "Saskatchewan teens tour Downtown Eastside" *CBC News* (20 March 2009); Poss, *supra* note 157.

<sup>315</sup> Lowman, *supra* note 8 at 993.

hepatitis C in the Western world.<sup>316</sup> It has the lowest per capita annual income, with the “highest concretion of social problems, including poverty, disease and violence.”<sup>317</sup> Areas such as the DTES have a disproportionate number of Aboriginal people.<sup>318</sup>

A 1993 survey of the DTES street-involved women painted a bleak picture. Their ages ranged from 16 to 55, with the average age of 26. Of the 85 women interviewed, 27% were Caucasian and almost 70% were Aboriginal. Although 71% had children, less than half were living with their children. Almost three-quarters of the women (73%) had been sexually exploited through prostitution before they were 18. It is, therefore, not surprising that 91% had not graduated from high school. Over half of the women did not have stable housing; 8% were homeless and 47% lived in SRO hotels. All of the women were in receipt of government assistance such as social assistance or disability pensions, and all worked in the sex trade. A third of the women interviewed had family members who were also current or exited sex workers. Physical and sexual abuse in childhood was reported by 73% of the women, who also detailed extensive histories of victimization into adulthood by intimate partners (52%), clients (48%) and pimps (14%).<sup>319</sup>

The same concentration of vulnerable women working in the street sex trade is found in other Western Canadian cities,<sup>320</sup> such as Edmonton, Calgary, Regina, Winnipeg and Saskatoon.<sup>321</sup> A 2002 study of childhood sexual exploitation through prostitution in Alberta, Saskatchewan and Manitoba interviewed 47 women, all of whom were sexually exploited

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<sup>316</sup> Cler-Cunningham, *supra* note 153 at 18; Pivot, *supra* note 77 at 4.

<sup>317</sup> Pivot, *supra* note 77 at 4. See also, Fast, *et al.*, *supra* note 160 at 1205; Fast, *et al.*, *supra* note 186 at 52.

<sup>318</sup> Kingsley and Mark, *supra* note 137 at 20; Cler-Cunningham, *supra* note 153 at 30; Pivot, *supra* note 77 at 4.

<sup>319</sup> Justice Canada, *supra* note 14 at 122.

<sup>320</sup> Similar patterns of poverty, addiction and sex work among urban African Americans has been found in the U.S. See especially, Center for Urban Research and Policy. (no date). *A “perversion” of choice: Sex work offers just enough in Chicago’s urban ghetto*, by Eva Rosen and Sudhir Alladi Venkatesh; Levitt and Alladi Venkatesh, *supra* note 92 at 6.

<sup>321</sup> PAAFE, *supra* note 143 at 9.

before age 18. The overall majority (55.3%) were Aboriginal, but all those interviewed in Saskatchewan were Aboriginal.<sup>322</sup> A 1995 DOJ report on the victimization of sex workers in B.C. noted that Caucasian women made up the majority of sexual assault and murder victims.<sup>323</sup>

But First Nations women, who constitute somewhere between 1% and 2% of Canada's population, comprise 27% of the victim population (also this is probably greater than their proportion in the general population of street-involved women).<sup>324</sup>

The rate of Aboriginal women was 2.5% of the population of the province. Aboriginal women are disproportionately victimized and marginalized. Low rates of education, poverty, and high incidences of family violence, addiction and prostitution.

Policy makers, the public and police are generally in agreement that pedophiles violate the Canadian sense of justice and safety. Internet safety and protection from those who abuse children are of paramount importance to schools and parents alike. However, there continues to be a gap between "our" children and "street" children. Children in areas where prostitution is visible, which are generally poor areas of cities, may be subject to solicitation by adult men, as well as harassment and procurement by pimps and peers. In such areas, prostitution awareness may be part of the health curriculum, but it is rare.<sup>325</sup> The same is not so in middle-class neighbourhoods, despite the number of young girls who are lured, deceived and abused by pimps and peers in the suburbs.<sup>326</sup> Children already victimized

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<sup>322</sup> Nixon, *et al.*, *supra* note 48 at 1018.

<sup>323</sup> Aboriginal women comprised 4.9% of the population of B.C. according to the 2006 census. See, Statistics Canada, *First Nations, Métis and Inuit Women* by Vivian O'Donnell and Susan Wallace (26 July 2011) at Table 2.

<sup>324</sup> Justice Canada, *supra* note 14 at 33.

<sup>325</sup> "Prostitution classes eyed for Alberta schools" *CBC News* (26 January 1999).

<sup>326</sup> Gerry Bellett, "Teen prostitution spreading into suburbs" *Vancouver Sun* (17 July 1995); Gerry Bellett, "Innocence for sale" *Vancouver Sun* (15 July 1995). See also, Elizabeth Bernstein, "Sex work for the middle classes" (2007) 10 *Sexualities* at 473.

through sexual exploitation through prostitution, abuse, incest, addiction or by life on the streets seem to be largely immune from the public outcry for protection. Perhaps those that are seen as having “grown up too fast,” who act like adult or not sexually “innocent” puts them in the category of adult or not deserving protection. A person who willingly pays to sexually abuse a child or youth is a child abuser seeking out a certain type of victim.

The picture which emerges is one of young women with multiple problems ...The families were marked by high levels of conflict, high levels of alcohol and/or drug abuse by parents, and high levels of physical abuse and sexual interference with the children ...with epidemic levels of running and suicidal behaviour, and extremely high levels of unplanned and early pregnancies... involved in prostitution as a way of adapting once out of school and living on their own.<sup>327</sup>

A child or youth who has already been victimized lessens the likelihood they will report the incident – especially since they themselves may be at risk of arrest for prostitution.

Prostitution itself increases the risk of illness, addiction, injury and victimization for all youths in comparison to their peers not involved in prostitution, and especially so for non-

Aboriginal youth.<sup>328</sup> However:

while all youth involved in the sex trade are especially vulnerable to direct victimization, young aboriginal prostitutes are more vulnerable to stranger violence than are non-aboriginal youth prostitutes. These conclusions are offered in a context in which First Nations and Metis youth are more vulnerable to sexual exploitation on the streets than their non-aboriginal counterparts.<sup>329</sup>

The issues of health and well-being, stigma of drug addiction and prostitution, social exclusion and marginalization have become even more salient in light of the charges against Pickton for the multiple murders of the DTES’s “missing women.” The majority of these

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<sup>327</sup> Justice Canada, *supra* note 39 at 38.

<sup>328</sup> Schissel and Fedec, *supra* note 128 at 51.

<sup>329</sup> *Ibid.*



women worked in the so-called low track sex industry and many were of Aboriginal heritage.<sup>330</sup>

The DD captures publicly available information on each of the cases contained within it. Figure 4-5 outlines the number of number of women and girls within the DD, broken out by Aboriginal, non-Aboriginal and unknown ethnicity whose cases are associated with the RCMP projects discussed in Chapters 6 and 8. These are the Project Devote (Manitoba), Evenhanded (Lower Mainland, B.C.), Project KARE (Alberta) and E-PANA (Northern B.C.). In addition, the cases that are identified as being in the “Highway of Tears” area of Northern B.C. by the media, advocates and family members but are not part of the official E-PANA investigation are also provided. These projects involve cases of girls and women with high-risk lifestyles. For E-PANA and the Highway of Tears cases, hitchhiking is usually the only high-risk activity; only a few cases involve prostitution.

**Figure 4-5: Cases in the RCMP-Led Projects and Highway of Tears Area**

|                 | Project KARE |         | Project Devote |         | Evenhanded |         | E-PANA |         | Highway of Tears |         |
|-----------------|--------------|---------|----------------|---------|------------|---------|--------|---------|------------------|---------|
|                 | Cases        | N=49    | Cases          | N=27    | Cases      | N=75    | Cases  | N=12    | Cases            | N=46    |
| All cases in DD | 49           | (100%)  | 27             | (100%)  | 75         | (100%)  | 16     | (100%)  | 46               | (100%)  |
| Aboriginal      | 31           | (63.3%) | 25             | (92.6%) | 29         | (38.7%) | 12     | (75.0%) | 45               | (71.7%) |
| Non-Aboriginal  | 4            | (8.2%)  | 2              | (7.4%)  | 43         | (57.3%) | 3      | (18.8%) | 8                | (10.9%) |
| Unknown         | 14           | (28.6%) | -              | -       | 3          | (4.0%)  | 1      | (6.3%)  | 9                | (17.4%) |

Figure 4-6 outlines the vulnerabilities or characteristics of the cases in the DD, including:

- sex work;
- street prostitution;
- known or suspected Pickton murder victim;
- history of running away from home at some point before age 18;
- history of being homeless at some point;
- history of hitch-hiking at some point in her life;
- criminal record;

<sup>330</sup> Benoit and Shaver, *supra* note 197 at 245. See also, Trina Ricketts (a.k.a. Annie Temple), “Canada’s first sex worker cooperative: Working towards a safer industry” *\$pread* (2008) Volume 4, Issue 1 at 42; Pivot, *supra* note 77 at 2.

- known or suspected to have had a mental health issue;
- known or suspected to have had a physical health issue;
- known or suspected to have had an intellectual disability (not due to mental health);
- substance abuse or addiction issues;
- pregnant at the time of her disappearance/death
- children at some point before her disappearance or death;
- separated from her children (not living with her minor children) at some point before disappearance or death;
- lived in foster care (including kin care), group home, or residential schools before age 18;
- adopted.

The same information is then broken down by only the 390 sex workers within the DD, and by the 33 women that Pickton was charged with murdering or where their DNA was found on the property. Each of the three breakdowns are further broken down by Aboriginal, non-Aboriginal and unknown ethnicity.

In some categories of vulnerability, there is little difference between the Aboriginal, non-Aboriginal and unknown ethnicity cohorts. As ethnicity is unknown for over half of the sample, full comparisons between the cases by ethnicity are not possible. However, even so there several observations that can be made regarding the vulnerability of Aboriginal women.

Aboriginal identity is associated with a variety of circumstances that may contribute to a woman's vulnerability towards going missing or being murdered. Of the sex workers whose identity is known, Aboriginal women make up the majority of overall sex workers (42.3%), and of street prostitutes (45.2%). Almost half (47.1%) of the 295 people with a known history of addiction or substance abuse were Aboriginal. Of the 46 women who went missing or were murdered along the "Highway of Tears," 33 (71.7%) were Aboriginal. Hitchhiking between or across cities in this area of Northern B.C. is common practice due to a lack of or limited public transportation systems. Of the 65 cases in which there is a history of hitchhiking, 46.2% of the individuals were Aboriginal.

Among the official E-PANA project cases, 75% involved Aboriginal women or girls. In Manitoba, 92.6% of the cases involved Aboriginal women and girls.<sup>331</sup> Although Project KARE does not identify the cases that they are investigating, 63.3% of the cases identified by the media as a KARE case involved Aboriginal women and girls.

Most striking is the disproportionate number of Aboriginal women who have experienced separation from their families. Of the 3,331 cases in the DD, 25 individuals had been adopted into other families. Of these, 16 (64.0%) were Aboriginal. Likewise, 62.9% of the 105 individuals who had lived the child welfare system through in foster care, group homes or residential schools were Aboriginal.

Each vulnerability is another reason for Other-ing individuals. Each of these separate personal circumstances makes people vulnerable because of how they change the behaviour of others. For instance, for those who prey on prostitutes, each vulnerability is another reason that they are deserving of victimization; prostitutes are morally unhygienic. For individual police officers or social service workers, prostitutes are less deserving of assistance because they fall farther from the ideal of a right society that they are protecting. With the layering of vulnerabilities, even if a person does not find repugnant one element, such as poverty or sex work, they still may abhor another, such as addiction or negligence of children. Thus, the layering of vulnerabilities leads to less support from both the wider society and the agents of the state, but also results in the greater likelihood of being targeted as victims.

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<sup>331</sup> Among the official 28 cases that Devote is investigating, one involves a man. He is not included in these figures.

**Figure 4-6: Summary of Vulnerabilities of Cases in the DD<sup>332</sup>**

| All Cases in DD     |         |         | Sex Worker |         |       | Street Prostitute |         |       |
|---------------------|---------|---------|------------|---------|-------|-------------------|---------|-------|
| All Cases           | # in DD | N=3,329 | # in DD    | N=3,329 | N=390 | # in DD           | N=3,329 | N=390 |
| All cases in DD     | 3,329   | 100%    | 390        | 12.1%   | 100%  | 347               | 10.7%   | 89.0% |
| Aboriginal          | 824     | 24.7%   | 165        | 5.0%    | 42.3% | 157               | 4.7%    | 45.2% |
| Non-Aboriginal      | 771     | 23.2%   | 91         | 2.7%    | 23.3% | 72                | 2.2%    | 20.7% |
| Unknown             | 1736    | 52.1%   | 134        | 4.0%    | 34.4% | 118               | 3.5%    | 34.0% |
|                     |         |         |            |         |       |                   |         |       |
| Sex Workers         | # in DD | N=3,329 | # in DD    | N=3,329 | N=390 | # in DD           | N=3,329 | N=390 |
| All sex workers     | 390     | 100%    | 390        | 11.7%   | 100%  | 347               | 10.4%   | 89.0% |
| Aboriginal          | 165     | 42.3%   | 165        | 5.0%    | 42.3% | 157               | 4.7%    | 40.3% |
| Non-Aboriginal      | 92      | 23.3%   | 92         | 2.8%    | 23.6% | 73                | 2.2%    | 18.7% |
| Unknown             | 133     | 34.4%   | 133        | 4.0%    | 34.1% | 117               | 3.5%    | 30.0% |
|                     |         |         |            |         |       |                   |         |       |
| Pickton Victims     | # in DD | N=33    | # in DD    | N=3,329 | N=33  | # in DD           | N=3,329 | N=33  |
| All Pickton victims | 33      | 100%    | 32         | 1.0%    | 97.0% | 32                | 1.0%    | 97.0% |
| Aboriginal          | 13      | 39.4%   | 13         | 0.4%    | 39.4% | 13                | 0.4%    | 39.4% |
| Non-Aboriginal      | 18      | 54.5%   | 18         | 0.5%    | 54.5% | 18                | 0.5%    | 54.5% |
| Unknown             | 2       | 6.1%    | 1          | 0.0%    | 3.0%  | 1                 | 0.0%    | 3.0%  |

<sup>332</sup> The first percentage is the overall number in the dissertation database (3,329). The second percentage, in brackets, is that of the subgroup by vulnerability.

| History of Running Away |         |        |       | History of Being Homeless |        |       | History of Hitch Hiking |        |       | Criminal Record             |        |       |
|-------------------------|---------|--------|-------|---------------------------|--------|-------|-------------------------|--------|-------|-----------------------------|--------|-------|
| All Cases               | # in DD | N=3329 | N=101 | # in DD                   | N=3329 | N=107 | # in DD                 | N=3329 | N=65  | # in DD                     | N=3329 | N=94  |
| All cases in DD         | 101     | 3.1%   | 100%  | 107                       | 3.3%   | 100%  | 65                      | 2.0%   | 100%  | 94                          | 2.9%   | 100%  |
| Aboriginal              | 38      | 1.1%   | 37.6% | 42                        | 1.3%   | 39.3% | 30                      | 0.9%   | 46.2% | 38                          | 1.1%   | 40.4% |
| Non-Aboriginal          | 38      | 1.1%   | 37.6% | 31                        | 0.9%   | 29.0% | 20                      | 0.6%   | 30.8% | 29                          | 0.9%   | 30.9% |
| Unknown                 | 25      | 0.8%   | 24.8% | 34                        | 1.0%   | 31.8% | 15                      | 0.5%   | 23.1% | 27                          | 0.8%   | 28.7% |
|                         |         |        |       |                           |        |       |                         |        |       |                             |        |       |
| Sex Workers             | # in DD | N=390  | N=33  | # in DD                   | N=390  | N=49  | # in DD                 | N=390  | N=6   | # in DD                     | N=390  | N=48  |
| All sex workers         | 33      | 10%    | 100%  | 49                        | 14.3%  | 100%  | 6                       | 0.2%   | 100%  | 48                          | 1.4%   | 100%  |
| Aboriginal              | 17      | 5.0%   | 51.5% | 21                        | 6.1%   | 42.9% | 4                       | 0.1%   | 66.7% | 24                          | 0.7%   | 50.0% |
| Non-Aboriginal          | 7       | 2.0%   | 21.2% | 15                        | 4.4%   | 30.6% | 2                       | 0.1%   | 33.3% | 15                          | 0.5%   | 31.3% |
| Unknown                 | 9       | 2.6%   | 27.3% | 13                        | 3.8%   | 26.5% | -                       | -      | -     | 8                           | 0.2%   | 16.7% |
|                         |         |        |       |                           |        |       |                         |        |       |                             |        |       |
| Pickton Victims         | # in DD | N=33   | N=10  | # in DD                   | N=33   | N=9   | # in DD                 | N=33   | N=1   | # in DD                     | N=33   | N=14  |
| All Pickton victims     | 10      | 30%    | 100%  | 9                         | 27%    | 100%  | 1                       | 0.0%   | 100%  | 14                          | 0.4%   | 100%  |
| Aboriginal              | 5       | 15.2%  | 50.0% | 4                         | 12.1%  | 44.4% | -                       | -      | -     | 7                           | 0.2%   | 50.0% |
| Non-Aboriginal          | 5       | 15.2%  | 50.0% | 5                         | 15.2%  | 55.6% | 1                       | 0.0%   | 100%  | 7                           | 0.2%   | 50.0% |
| Unknown                 | -       | -      | -     | -                         | -      | -     | -                       | -      | -     | -                           | -      | -     |
|                         |         |        |       |                           |        |       |                         |        |       |                             |        |       |
| Mental Health Issues    |         |        |       | Physical Health Issues    |        |       | Intellectual Needs      |        |       | Addiction / Substance Abuse |        |       |
| All Cases               | # in DD | N=3329 | N=93  | # in DD                   | N=3329 | N=105 | # in DD                 | N=3329 | N=29  | # in DD                     | N=3329 | N=296 |
| All cases in DD         | 93      | 2.8%   | 100%  | 105                       | 3.2%   | 100%  | 29                      | 0.9%   | 100%  | 296                         | 8.9%   | 100%  |
| Aboriginal              | 20      | 0.6%   | 21.5% | 29                        | 0.9%   | 27.6% | 13                      | 0.4%   | 44.8% | 139                         | 4.2%   | 47.0% |
| Non-Aboriginal          | 52      | 1.6%   | 55.9% | 46                        | 1.4%   | 43.8% | 7                       | 0.2%   | 24.1% | 77                          | 2.3%   | 26.0% |
| Unknown                 | 21      | 0.6%   | 22.6% | 30                        | 0.9%   | 28.6% | 9                       | 0.3%   | 31.0% | 80                          | 2.4%   | 27.0% |
|                         |         |        |       |                           |        |       |                         |        |       |                             |        |       |
| Sex Workers             | # in DD | N=390  | N=19  | # in DD                   | N=390  | N=18  | # in DD                 | N=390  | N=10  | # in DD                     | N=390  | N=202 |
| All sex workers         | 19      | 5.6%   | 100%  | 18                        | 5.3%   | 100%  | 10                      | 3%     | 100%  | 202                         | 6.0%   | 100%  |
| Aboriginal              | 9       | 2.6%   | 47.4% | 10                        | 2.9%   | 55.6% | 5                       | 1.5%   | 50.0% | 96                          | 2.9%   | 47.5% |
| Non-Aboriginal          | 5       | 1.5%   | 26.3% | 4                         | 1.2%   | 22.2% | 3                       | 0.9%   | 30.0% | 55                          | 1.6%   | 27.2% |
| Unknown                 | 5       | 1.5%   | 26.3% | 4                         | 1.2%   | 22.2% | 2                       | 0.6%   | 20.0% | 51                          | 1.5%   | 25.2% |
|                         |         |        |       |                           |        |       |                         |        |       |                             |        |       |
| Pickton Victims         | # in DD | N=33   | N=3   | # in DD                   | N=33   | N=7   | # in DD                 | N=33   | N=4   | # in DD                     | N=33   | N=30  |
| All Pickton victims     | 3       | 9%     | 100%  | 7                         | 21.2%  | 100%  | 4                       | 12%    | 100%  | 30                          | 0.9%   | 100%  |
| Aboriginal              | 1       | 3.0%   | 33.3% | 4                         | 12.1%  | 57.1% | 2                       | 6.1%   | 50.0% | 13                          | 0.4%   | 43.3% |
| Non-Aboriginal          | 2       | 6.1%   | 66.7% | 2                         | 6.1%   | 28.6% | 2                       | 6.1%   | 50.0% | 17                          | 0.5%   | 56.7% |
| Unknown                 | -       | -      | -     | 1                         | 3.0%   | 14.3% | -                       | -      | -     | -                           | -      | -     |

| All Cases       | Pregnant |        |       | Had Children |        |       | Separated from Children |        |       |
|-----------------|----------|--------|-------|--------------|--------|-------|-------------------------|--------|-------|
|                 | # in DD  | N=3329 | N=53  | # in DD      | N=3329 | N=689 | # in DD                 | N=3329 | N=134 |
| All cases in DD | 53       | 1.6%   | 100%  | 688          | 20.7%  | 100%  | 134                     | 4.0%   | 100%  |
| Aboriginal      | 17       | 0.5%   | 32.1% | 167          | 5.0%   | 24.2% | 49                      | 1.5%   | 36.6% |
| Non-Aboriginal  | 15       | 0.5%   | 28.3% | 143          | 4.3%   | 20.8% | 25                      | 0.8%   | 18.7% |
| Unknown         | 21       | 0.6%   | 39.6% | 379          | 11.4%  | 55.0% | 60                      | 1.8%   | 44.8% |

| Sex Workers     | # in DD | N=390 | N=15  | # in DD | N=390 | N=106 | # in DD | N=390 | N=57  |
|-----------------|---------|-------|-------|---------|-------|-------|---------|-------|-------|
| All sex workers | 15      | 0.5%  | 100%  | 106     | 31.0% | 100%  | 57      | 16.7% | 100%  |
| Aboriginal      | 9       | 0.3%  | 60.0% | 54      | 15.8% | 50.9% | 31      | 9.1%  | 54.4% |
| Non-Aboriginal  | 1       | 0.0%  | 6.7%  | 31      | 9.1%  | 29.2% | 18      | 5.3%  | 31.6% |
| Unknown         | 5       | 0.2%  | 33.3% | 21      | 6.1%  | 19.8% | 8       | 2.3%  | 14.0% |

| Pickton Victims     | # in DD | N=33 | N=1  | # in DD | N=33  | N=23  | # in DD | N=33  | N=15   |
|---------------------|---------|------|------|---------|-------|-------|---------|-------|--------|
| All Pickton victims | 1       | 0.0% | 100% | 23      | 69.7% | 100%  | 15      | 45.5% | 100.0% |
| Aboriginal          | 1       | 0.0% | 100% | 8       | 24.2% | 34.8% | 6       | 18.2% | 40.0%  |
| Non-Aboriginal      | -       | -    | -    | 14      | 42.4% | 60.9% | 9       | 27.3% | 60.0%  |
| Unknown             | -       | -    | -    | 1       | 3.0%  | 4.3%  | -       | -     | -      |

| All Cases       | Child Welfare System |        |       | Adopted |        |       |
|-----------------|----------------------|--------|-------|---------|--------|-------|
|                 | # in DD              | N=3329 | N=105 | # in DD | N=3329 | N=25  |
| All cases in DD | 105                  | 3.2%   | 100%  | 25      | 0.8%   | 100%  |
| Aboriginal      | 66                   | 2.0%   | 62.9% | 16      | 0.5%   | 64.0% |
| Non-Aboriginal  | 21                   | 0.6%   | 20.0% | 5       | 0.2%   | 20.0% |
| Unknown         | 18                   | 0.5%   | 17.1% | 4       | 0.1%   | 16.0% |

| Sex Workers     | # in DD | N=390 | N=34  | # in DD | N=390 | N=11 |
|-----------------|---------|-------|-------|---------|-------|------|
| All sex workers | 34      | 9.9%  | 100%  | 11      | 3.2%  | 100% |
| Aboriginal      | 20      | 5.8%  | 58.8% | 7       | 2.0%  | 64%  |
| Non-Aboriginal  | 8       | 2.3%  | 23.5% | 3       | 0.9%  | 27%  |
| Unknown         | 6       | 1.8%  | 17.6% | 1       | 0.3%  | 9%   |

| Pickton Victims     | # in DD | N=33  | N=12  | # in DD | N=33 | N=3   |
|---------------------|---------|-------|-------|---------|------|-------|
| All Pickton victims | 12      | 36%   | 100%  | 3       | 9.1% | 100%  |
| Aboriginal          | 7       | 21.2% | 58.3% | 2       | 6.1% | 66.7% |
| Non-Aboriginal      | 5       | 15.2% | 41.7% | 1       | 3.0% | 33.3% |
| Unknown             | -       | -     | -     | -       | -    | -     |

## VII. CONCLUSION

Research from Canada and abroad over the past two decades consistently illustrates that women involved in street prostitution face significant risks to their mental and physical health related to their work.<sup>333</sup> However, research also shows that many of the women involved in street prostitution had numerous challenges before entering prostitution. Low levels of education, unstable family lives, mental health issues, homelessness, poverty and dependency on drugs and/or alcohol are commonalities shared by many young women who resort to street sex work for survival.<sup>334</sup> The lives of many of the women within the DD, especially those of Pickton's victims, street sex workers and Aboriginal women in general, have been peppered with hardships. These women suffered enormously throughout their lives. Vulnerabilities were layered upon each other.

Based on the material in this and the previous chapter, some initial analysis can be offered at this juncture, with further recommendations found in Chapter Seven. Youth with known vulnerabilities are known to be at risk of sexual exploitation; early interventions are required.<sup>335</sup> Coordinated efforts between the child welfare system, schools, parents or guardians and police are essential to address problems due to family instability, mental health issues, poor educational achievement, experimentation with drug or alcohol use,

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<sup>333</sup> Sloss and Harper, *supra* note 41; Weiser, *et al.*, *supra* note 177; Dalla, Xia and Kennedy, *supra* note 71; Barnard, *supra* note 2; Gadd, *supra* note 98; Jackson, *et al.*, *supra* note 200.

<sup>334</sup> Belcher and Herr, *supra* note 70; Kramer and Berg, *supra* note 71; Nixon, *et al.*, *supra* note 48; Dalla, Xia and Kennedy, *supra* note 70; Inciardi, *et al.*, *supra* note 72; Romero-Daza, *et al.*, *supra* note 59; Weiner, *supra* note 131; Pivot, *supra* note 77; Rabinovitch and Strega, *supra* note 60.

<sup>335</sup> Tom Cohen, "Child sex trade thriving" *London Free Press* (05 April 2000); Gerry Bellett, "Innocence for Sale" *Vancouver Sun* (15 July 1995); John J. Potterat, Richard Rothenberg, Steven Muth, William Darrow and Lynanne Phillips-Plummer, "Pathways to prostitution: The chronology of sexual and drug abuse milestones. (1998) 35 J. of Sex Research, 333.

running away or involvement with gangs.<sup>336</sup> Focused, intense and early interventions can prevent young girls from being sexually exploited or resorting to survival sex work, which will reduce their risk of being murdered or disappearing.

Women over 18 who face the same difficulties, whether they are involved in prostitution or not, require assistance to prevent future victimization and to help break the cycle of poverty. Increased social assistance rates and subsidized housing are required throughout the country to ensure women and their dependents can find safe, affordable housing. Transitional housing and subsidized housing are difficult to find and governments have decreased funding over the past decade. However, women and children fleeing abuse, Aboriginal people leaving reserves for urban centres, women exiting sex work and people exiting treatment facilities for substance abuse benefit greatly from prolonged, holistic services provided in a supportive environment in transitional housing.<sup>337</sup> The Canadian social service system requires investment; women and children overwhelmingly live in poverty and its impacts are long-term and widespread. It costs far less to assist women and children in poor economic circumstances than the education, health, social assistance and criminal justice costs that often are the result from poverty. Health and educational outcomes improve with income and crime rates decrease. Educational achievement leads to better paying jobs, less reliance on social services and increased tax revenues.

Our medical system ensures all Canadians have access to medical services; yet few provinces have easily available and free mental health services. Medication is subsidized

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<sup>336</sup> Coordinating Committee of Senior Officials Missing Women Working Group (CCSOMWWG). *Report & recommendations on issues related to the high number of murdered and missing women in Canada*. (January 2012) at 58; Saskatchewan. *Final Report of the Provincial Partnership Committee on Missing Persons* (October 2007) at 3.

<sup>337</sup> Wally T. Oppal. *Volume III – Gone, but not forgotten: Building the women’s legacy of safety together* (December 2012) at 126-8; Wally T. Oppal. *Executive Summary* (December 2012); PAAFE. *Models of supportive and tolerant housing for street-involved women* (March 2006).



through social assistance programs, but it is rarely accompanied by counselling services.

Counselling to address the underlying issues of histories of abuse, isolation and abandonment faced by so many women would reduce anxiety, depression and substance abuse.<sup>338</sup>

Addiction services including counselling, in-house and out-patient services are difficult to find; the wait lists mean those willing to seek treatment cannot access it for weeks or months.

Addiction services that cater to women with children are sorely needed. Some women hide substance abuse in order to prevent losing their children to the child welfare system.<sup>339</sup>

Children must be protected and reunification will not be possible in all cases. Where family reunification is deemed appropriate, continued monitoring and support is required from child protective services. Support and training for families should include preventative, proactive measures aimed at empowering parents, as well as monitoring to ensure the children's safety. Municipal, provincial and federal program funds aimed at literacy and essential skills training is necessary. Further grants, scholarships and loans are needed to assist women with obtaining secondary school diplomas and post-secondary education. This cannot be achieved without access to quality, licensed childcare that is flexible and affordable or free. Many returning students need to begin slowly due to the length of time that lapsed since they were last in school; subsidized daycare may only be available for full-time students, or require year-round attendance. Working mothers face shift work, including night shifts; safe and affordable childcare is difficult in these circumstances.

Sex work is legal in Canada and there are many women who choose to enter the profession voluntarily, who control their hours, income and work conditions. Other women

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<sup>338</sup> PAAFE, *supra* note 337; Canadian National Coalition of Experiential Women. (September 2005). *Addiction services contract* by Barbara Smith; Cusick, *supra* note 52.

<sup>339</sup> Weiner, *supra* note 131 at 100.

are forced into prostitution by individuals or by circumstances. It is these women that require focused attention and assistance from police, social services and all levels of government.

## CHAPTER FIVE

### VIOLENCE AND SEX WORK

#### I. VIOLENCE<sup>1</sup>

Violence against street sex workers is an extension of violence against women in general. A particular segment of the population is identified as being more vulnerable – easier “prey” – than others. Such violence is not merely a crime against an individual but also against the community, against all women:

Violence against women does indeed meet the requirements of widely accepted definitions of hate crimes, which are acts of terrorism directed not only at the individual victims but at their entire community. It is violence directed toward groups of people that generally are not valued by the majority society, that suffer discrimination in other arenas, and that do not have full access to institutions meant to remedy social, political and economic injustice.<sup>2</sup>

Paying for sex with a child or youth, whether they have agreed to it or are forced into it by others, does not lessen the impact or mitigate the crime. Children and youth are exploited through prostitution by any person who forces them into it and the person who pays for it. Some youth resort to prostitution without being forced by others, but this is a result of what they perceive as a lack of choices for survival. A person who tries to engage in sexual activity with *any* child or youth should be of concern to the community. As Sherene Razak succinctly notes:

Women in prostitution are integrally connected to women who are not engaged in prostitution, but not in the sense that as women we all suffer sexual violence. We are connected because the violence directed at some of us

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> Lois Copeland and Leslie R. Wolfe. (1991). *Violence against women as bias motivated hate crime: Defining the issues*. Washington, D.C.: Center for Women Policy Studies at 8.

enables others to live lives of lesser violence. Prostitution is thus always about racial, class, and male dominance, and it is always violent.<sup>3</sup>

Likewise, a person who assaults, rapes or murders a sex worker is a person who may be a danger to all women, not “just” sex workers.<sup>4</sup>

Several of the men convicted of sexually assaulting prostitutes in British Columbia have convictions for assaulting or murdering other women too... Violence against prostitutes ought to be understood as part of a continuum of violence against women more generally.<sup>5</sup>

### **1) Steven Roy Beirnes (Calgary, Alberta)**

Dilleen Hempel, 26, was abducted after her waitressing shift and murdered in 1992 outside of Calgary. Steven Beirnes had been known by police to have assaulted sex workers prior to Hempel’s murder, although it is unclear if he had been charged with any offences related to these assaults. Beirnes was convicted of first degree murder in 1994, and committed suicide in prison in 2005.<sup>6</sup>

### **2) Lance Dove (Lower Mainland, B.C.)**

Lance Dove, a Burnaby truck driver, sexually assaulted, beat and held Terrie Gratton, a street prostitute from the DTES in March 1999. Gratton escaped and was able to provide Dove’s licence plate number to the police. The police called his cell phone twice in six months, but did not actively pursue Dove. In August 1999, Dove offered to walk a young mother, Kimberly Tracey, to her home after leaving a bar. Tracey was raped and beaten so

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<sup>3</sup> Sherene Razack, “Race, space, and prostitution: The making of the bourgeois subject” (1998) 10 Cdn. J. of Women and the Law at 359.

<sup>4</sup> For similar examples in the U.K., see: Hilary Kinnell. “Murder made easy: the final solution to prostitution?” in Rosie Campbell and Maggie O’Neill, (eds.), *Sex work now*. (Devon: Willan Publishing, 2006) at 158.

<sup>5</sup> John Lowman, “Violence and the outlaw status of (street) prostitution” (2000) 6 Violence against Women at 1006.

<sup>6</sup> Justice Canada. *Victimization of prostitutes in Calgary and Winnipeg* by Augustine Brannigan. (Ottawa: Department of Justice Canada, 1994) at 34; Sherri Zickefoose, “Calgary killer commits suicide” *Calgary Herald* (16 April 2005); Canada Revenue Agency (CRA). *Industry codes – Services*.

viciously she could only be identified by fingerprints. In 2001, Gratton was allegedly assaulted by Pickton when she tried to escape his truck. Gratton explained that she did not report the incident to police because of the lack of attention the police paid to the much more serious attack by Dove.<sup>7</sup>

### **3) Terry Driver (Lower Mainland, B.C.)**

Misty Cockerill, 15, and her friend Tanya Smith, 16, were attacked by Terry Driver in Abbotsford, B.C., in October 1995. Cockerill attempted to stop Driver's rape on Smith and was clubbed seven times on the head with a baseball bat. She survived the attack, but Smith was found beaten to death the day after the sexual assault. Driver incited widespread fear on the community by taunting phone calls to radio stations and the theft and defacement of Smith's gravestone. Driver was convicted in 1997 of the first degree murder of Smith and attempted murder of Cockerill. In 2000, Driver was designated a dangerous offender. He was a frequent user of prostitutes.<sup>8</sup>

### **4) Mark Edward Grant (Winnipeg, Manitoba)**

In November 1984, Candace Derksen, 13, was abducted on her way home from school in Winnipeg. Her clothed, frozen body was found in January 1985, in a supply shed that was rarely used. She died of exposure. In 2007, DNA evidence pointed to Mark Grant as the killer. He was arrested and charged with first degree murder in 2007. In February 2011, Grant was convicted of second degree murder in Derksen's death.

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<sup>7</sup> Stevie Cameron. *On the Farm*. (Toronto: Alfred A. Knopf Canada, 2010) at 378.

<sup>8</sup> Neal Hall, "Convicted Abbotsford killer suspected in 3 more murders" *Vancouver Sun* (17 October 1997); Holly Horwood, "Accused killer regular client of prostitutes" *The Province* (26 September 1997); "Terry Driver loses appeal of murder conviction" *CBC News* (29 January 2001); "Woman who survived 'Abbotsford Killer' devoted to helping others" *CBC News* (19 May 2009).

Before Derksen's murder, Grant had previous convictions for sexual assault against a youth sexually exploited through prostitution, as well as other various charges such as fraud and forgery. Following Derksen's murder, Grant spent four years in prison for the 1989 sexual assault of another teenage girl, Cynthia Bent, who was 16-years-old at the time of the attack. Nine days after his release on parole, Grant sexually assaulted another woman, resulting in a further nine years in prison. Following his release in 2005, police notified the community that women and children were at risk of sexual violence.<sup>9</sup>

#### **5) Luc Gregoire (Calgary, Alberta)**

Lailaina Silva, 22, was abducted and murdered in 1993 in Calgary. Luc Gregoire was convicted of her murder. At the time of Silva's murder, Gregoire was on parole for assaulting a prostitute. He had attempted to abduct another woman a few hours before Silva's murder. He was sentenced to life in prison without the possibility of parole for 25 years.<sup>10</sup>

#### **6) Joseph Laboucan and Michael Briscoe (Edmonton, Alberta)**

Joseph Laboucan was convicted in the kidnapping, sexual assault, torture and murder of 13-year-old N.C.,<sup>11</sup> an Aboriginal girl whose body was discovered on an Edmonton golf course in 2005.<sup>12</sup> Michael Briscoe was convicted of first degree murder in 2012 in his second

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<sup>9</sup> "Winnipeg man convicted in Derksen death" *CBC News* (19 February 2011); "Unsolved Cases: Homicides" *Winnipeg Police Service*; "Arrest made in 1984 killing of Winnipeg teen" *CBC News* (16 May 2007); Lindsay Kines, "New DNA tests solving old crimes: Several recent successes due to new technology" *Times Columnist (Victoria)* (22 September 2008); "Winnipeggers 'elated' by arrest in 1984 death of teen" *CBC News* (17 May 2007); "Winnipeg teen's killing could have been cracked years ago: police" *CBC News* (17 May 2007); Irene Ogrodnik, "Case of Candace Derksen" *Global News* (21 March 2011); Lisa Wojna, *Unsolved murders of Canada*. (Canada: Quagmire Press Ltd., 2009); "Teen victim of Derksen killer breaks silence" *CBC News* (22 March 2011); "Judge releases Grant interrogation video" *CBC News* (21 March 2011).

<sup>10</sup> Justice Canada, *supra* note 6 at 35.

<sup>11</sup> *R. v. Briscoe* [2010] S.C.C. 13 and *R. v. Briscoe* [2010] S.C.C. 12 prevent the disclosure of the name of N.C., as she was a minor at the time of her murder.

<sup>12</sup> Stephanie Bird (Briscoe's ex-girlfriend), Michael Williams and "Buffy" (a young offender) were also convicted for their roles in N.C.'s murder.

trial.<sup>13</sup> N.C. was murdered two days following the last sighting of Ellie Meyer, 33, an Edmonton street prostitute. Laboucan and Briscoe were charged with the first degree murder of Meyer in 2010.<sup>14</sup> In 2011, Laboucan was convicted in the first degree murder of Meyer. Briscoe was convicted in N.C.'s murder, but acquitted of Meyer's death in 2012.<sup>15</sup> Charges related to Meyer's death were the result of the Project KARE investigations.

## 7) Marc Leduc (Ottawa, Ontario)

In February 2013, Marc Leduc was arrested in relation to the 2008 murder of Pamela Kosmack, 39, and Leanne Lawson, 23, in 2011. Leduc was in custody after having been charged in November 2012, after a woman, 19, was assaulted by an armed man who broke

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<sup>13</sup> "Missing/Murdered First Nations (Native) Women" *Missing Native Women*; "nina louise courtepatte" *Last Link on the Left*; Trish Audette, "Two BC teens added to Alberta's high-profile Project KARE cases" *Canwest News Service* (17 February 2008); Steve Lillebuen, "Man convicted of murder in grisly slaying of Courtepatte wins appeal; family stunned" *Ottawa Citizen* (7 January 2009) at A4; Native Women's Association of Canada (NWAC). (no date). *Voices of our Sisters in Spirit: A research and policy report to families and communities*; "Missing and murdered First Nations" *Lost Souls of Canada*; "deadmonton 2005" *Last Link on the Left*; "Edmonton serial killer" *Prime Time Crime*; "Courtepatte killer charged in slaying" *Ottawa Citizen* (13 September 2008), A3; Native Women's Association of Canada (NWAC). (2009). *Voices of our Sisters in Spirit: A research and policy report to families and communities*, 2nd ed.; "Courtepatte killer to be sentenced as a youth" *CBC News* (17 June 2009); "'Buffy' gets maximum sentence for role in brutal Courtepatte killing" *CBC News* (26 June 2009); "Crying teen recalls 13-year-old girl's last night" *CBC News* (24 January 2007); "Courtepatte killer charged in slaying" *Ottawa Citizen* (27 June 2009), A6; "Woman convicted in Courtepatte slaying had troubled past, court hears" *CBC News* (13 May 2009); "Supreme Court to hear appeal of new trial in Courtepatte slaying" *CBC News* (14 April 2009); "'Bad feeling' caused Courtepatte trial witness to skip party" *CBC News* (30 January 2007); "Briscoe appears in court on new murder charge" *CBC News* (03 May, 2010); Ryan Cormier, "Michael Briscoe charged with murder of sex-trade worker" *Edmonton Journal* (30 April 2010); "Briscoe charged in Alberta prostitute's death" *CBC News* (30 April 2010); "Accused Courtepatte killer faces new murder charge" *Ottawa Citizen* (01 May 2010), A4; "Top court orders new trial in Courtepatte killing" *CBC News* (08 April 2010); *R. v. Briscoe*, *supra* note 11; Brent Wittmeier, "Michael Briscoe guilty of killing Courtepatte, but not guilty in Meyer's death" *Edmonton Journal* (11 April 2012); "Edmonton man found guilty in Courtepatte slaying" *CBC News* (11 April 2012).

<sup>14</sup> Michelle Thompson, "Friends of slain prostitute gather to mourn her and 'too many others'" *The Edmonton Journal* (21 May 2005); "Edmonton's missing and slain women" *CBC News* (28 May 2008); NWAC, *supra* note 13; Linda Slobodian, "Violent death haunts mourning sister" *Calgary Herald* (27 October 2005); "Edmonton serial killer," *supra* note 13; "Courtepatte killer charged..." *supra* note 13; "deadmonton – kare" *Last Link on the Left*; "deadmonton – project KARE" *Last Link on the Left*; "Deaths" *Sex Trade Workers of Canada*; Desespere, "Listing of unsolved murders and missing sex trade workers in Canada" *Unsolved Murders/Missing People Canada* (27 January 2008); Brian Bergman, "Killer stalking Edmonton prostitutes" *Maclean's* (23 May 2005).

<sup>15</sup> "Second man charged in homicide investigation of Ellie May Meyer" *RCMP News Release* (30 April 2010); Tony Blais, "Laboucan found guilty" *Edmonton Sun* (26 September 2011); Wittmeier, *supra* note 13.

into her home. The victim was able to fend off a knife attack, stabbing the assailant several times. DNA evidence from the sexual assault linked Leduc to the two homicides. Leduc was charged with two counts of first degree murder.

Leduc, 56, has a severe hearing impairment, requiring a hearing aid. He has grown children with whom he has been estranged due to his drinking. In addition to the charges of sexual assault in 2012, Leduc has convictions for criminal harassment and trespassing. Media have reported few facts about Leduc from dating and social media sites; his online dating name is “evilmarky.” There is no evidence linking Leduc to other unsolved homicides in the area. Leduc is a white man; his alleged murder victims were a white and an Aboriginal woman.<sup>16</sup>

### **8) Cody Legebokoff (Prince George, B.C.)**

In 2010, Cody Legebokoff, 20, was charged with the first degree murder of Loren Leslie, 15, a seeing impaired girl, hours after the girl’s death. His arrest was both fortuitous and excellent police work. Two RCMP officers had stopped along a quiet highway to compare their case notes. A truck was seen by both officers leaving a logging road onto the highway, driving quickly. The area was known to be used by wildlife poachers, prompting one of the officers to pull over the driver. The second officer joined the highway scene and both felt Legebokoff’s responses were not truthful. The officers had the B.C. Conservation Officer Service follow the tire tracks into the logging area, where Leslie’s body was found

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<sup>16</sup> Meghan Hurley, “Police arrest man in two unsolved Ottawa murders” *Ottawa Citizen* (06 February 2013); “Ottawa man arrested in 2 unsolved slayings to appear in court” *CBC News* (07 July 2013); Meghan Hurley, “Suspect to be charged Thursday with first-degree murders of two Ottawa women” *Ottawa Citizen* (07 February 2013); Doug Hempstead, “Cops make arrest in murders of two sex workers” *Ottawa Sun* (06 February 2013); “Ottawa man charged with 1-st degree murder of 2 women” *CBC News* (07 July 2013).



half a kilometre from the highway. Her body was sent to a special forensics team at an unspecified university in Pennsylvania.

Leslie was not involved in the sex trade. Legebokoff was a frequent user of social media, including dating sites. Leslie's father has speculated Legebokoff may have met Leslie in this manner, through mutual Facebook friends, as there was only a four year age difference between the two. Leslie had disappeared after telling her mother she was having coffee with a friend. A friend of Leslie's suggested she may have also known him through high school friends.<sup>17</sup>

Forensic evidence in Legebokoff's vehicle linked him to additional victims. Eleven months after his arrest, Legebokoff was charged with the first degree murders of three women involved in the sex trade. All three women were sole-support parents. Jill (Stacey) Stuchenko, 35, was found murdered in a gravel pit in 2009.<sup>18</sup> Stuchenko worked both as an escort and as a street prostitute. Additionally, she battled drug addiction. Cynthia Maas,<sup>19</sup> 35, and Natasha Montgomery,<sup>20</sup> 23, were reported missing the same day in 2010. Maas and Montgomery both worked as street prostitutes. Maas, an Aboriginal woman, was found on the bank of the Fraser River murdered a month later. Montgomery's body has not been

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<sup>17</sup> "Man charged in death of B.C. girl, 15" *CBC News* (29 November 2010); Bernice Trick, "Top forensics experts enter teen murder investigation" *Prince George Citizen* (06 December 2010); Jeremy Hainsworth, "Lesbian murdered in northern BC" *XTRA* (17 December 2010); Marc Hume, "B.C. police ship slain teen's body to Pennsylvania lab" *The Globe and Mail* (07 December 2010); Marc Hume, "Teamwork praised in finding teens' body, arresting suspect" *The Globe and Mail* (07 December 2010).

<sup>18</sup> Salim Jiwa, "Prince George: Life and death of Jill Stuchenko" *Vancouverite* (30 October 2010); "Missing woman named as victim found at gravel pit" *Vancouverite* (29 October 2010); "B.C. man accused of killing 3 more women" *CBC News* (17 October 2011).

<sup>19</sup> "Missing woman named as victim found at gravel pit" *Vancouverite* (29 October 2010); "2 Prince George women missing: police" *CBC News* (01 October 2010); "Body found in Prince George park" *CBC News* (11 October 2010); "Police ID body found in Prince George" *CBC News* (16 October 2010).

<sup>20</sup> "Quesnel and Prince George [sic] RCMP continue to look for missing female" *Welcome to Williams Lake* (25 October 2011); Jo Ann Lawrence, "Search for body of Cody Legebokoff's fourth alleged victim steps up with snow melt" *Beacon News* (28 March 2012); Frank Peebles, "Legebokoff trial a rare case of missing victim" *Prince George Citizen* (02 November 2011).

found. Despite the absence of a body, Crown prosecutors believe they have enough evidence to proceed to trial of first degree murder in her case. Searches for her body continue.

As Legebokoff was only 18 at the time that Stuchenko, Maas and Montgomery disappeared, and 20 at the time of his arrest, he is not considered a suspect in the Highway of Tears cases which range from 1969 to 2005. He is being investigated for more recent cases in the Prince George and Lethbridge areas, where he had resided between 2008 and 2009. His trial is expected to take between six months and a year to complete. His trial will proceed by direct indictment, without a preliminary trial. The trial is scheduled to begin in November, 2013. A publication ban on the trial is postulated by some media sources. Some media outlets are referring to Legebokoff as the “Country Boy Killer” as a reference not to his rural upbringing but to his user profile on dating sites: “1CountryBoy.”<sup>21</sup>

### **9) Francis Carl Roy (Toronto, Ontario)**

In 1999, Francis Roy was convicted in the 1986 first degree murder of Alison Parrott, 11, in Toronto. At the time of Parrott’s death, he was on parole after raping two girls. In 1996, police caught Roy near the body of a murdered prostitute. He became the suspect in

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<sup>21</sup> Gordon Hoekstra and Mike Hager, “Young man charged with murder of three more northern B.C. women” *Vancouver Sun* (17 October 2011); Serena Black, “Citizen reporter has link to missing woman” *Prince George Citizen* (01 November 2010); “Prince George taxi drivers investigated in slayings” *CBC News* (15 February 2011); Erica Bulman, “Alleged serial killer charged in slayings of 4 B.C. women” *Toronto Sun* (17 October 2011); Ian Austin, “These are the four women Cody Alan Legebokoff is accused of murdering” *The Province* (17 October 2011); Ian Austin and Sam Cooper, “Prince George man charged in deaths of three more women” *The Province* (17 October 2011); Suzanne Fournier and Ian Austin, “Three murder charges in ‘Highway of Tears’ killings” *Ottawa Citizen* (18 October 2011), A3; Serena Black, “Citizen reporter has link to missing woman” *Prince George Citizen* (01 November 2010); Tamsin McMahon, “Cody Alan Legebokoff: The country boy accused in the murders of four B.C. women” *National Post* (18 October 2011); Ken MacQueen, “The country boy at the heart of four murder investigations” *Macleans* (24 October 2011); Kristal Hawkins, “Cody Legebokoff: Canada’s accused ‘Country Boy’ killer” *Tru TV* (09 April 2012); Frank Peeples, “Legebokoff case gets 360 CNN view” *Prince George Citizen* (03 November 2011); Ian Bailey, “Accused BC serial killer to face one trial in alleged murder of four women” *The Globe and Mail* (26 October 2011); Gordon Hoekstra, “Tight-knit town reeling over multiple murder charges” *Vancouver Sun* (20 October 2011); Gordon Hoekstra, “Sex workers breathe sigh of relief” *Vancouver Sun* (19 October 2011); Christine Pelisek, “A teen serial killer in Canada?” *Daily Beast* (23 October 2011); “Cody Legebokoff, accused serial killer, trial date set for 2013” *Huffington Post* (12 December 2012).

the murders of two street prostitutes, prompting the reinvestigation into Roy as a viable suspect in Parrott's death. Roy was later investigated as a suspect in a total of seven murders which occurred over 1988 to 1990, three of whom were sex workers.<sup>22</sup>

### **10) Stanton Viner (Winnipeg, Manitoba)**

In April 2010, Stanton Viner pled guilty to the second degree murder of Aynsley Kinch, 33. Kinch was a Winnipeg-area mother of three who worked as a street prostitute. Kinch had been found in a field in July 2007, two days after her death. Viner was charged with her murder in September 2007, but had been in custody since a few days after Kinch's death on a warrant for a 1997 assault on a man. At the time of the homicide charges, Viner was also facing charges related to an assault of an 18-year-old sex worker and the sexual assault of a 24-year-old woman in the weeks before Kinch's death.<sup>23</sup>

John Lowman argues that the current laws "tend to make the prostitute responsible for her own victimization, and thus reinforces the line of argument that says that, if a person chooses to prostitute, they deserve what they get – they are 'offenders' not 'victims.'"<sup>24</sup> He cited a ruling under the *Criminal Injury Compensation Act* in 1993 which denied compensation for injuries sustained by a violent encounter with a client:

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<sup>22</sup> Leonard Cler-Cunningham, in conjunction with Christine Christensen. (2001). *Violence against Women in Vancouver's street level sex trade*, Prostitution Alternatives Counselling and Education Society (PACE) at 17; "Indepth: Missing children. Child murders" *CBC News* (23 July 2004).

<sup>23</sup> "Police tight-lipped about body found in northwest Winnipeg" *CBC News* (31 August 2007); "Man charged in Winnipeg prostitute's killing" *CBC News* (17 September 2007); "Suspect in sex worker's killing facing other charges" *CBC News* (18 September 2007); "Police ask for leads after woman's body found in field" *CBC News* (16 July 2007); Jen Skerrett, "Pill complaint about MD urged" *The Winnipeg Free Press* (01 August 2007); Chris Kitching, "Sex-trade murder bust" *Winnipeg Sun* (18 September 2007); Ross Romaniuk, "Move over city cops: Native police should hunt serial killer, says Nelson" *Winnipeg Sun* (12 September 2007); "Body found in Winnipeg identified as teen prostitute" *CBC News* (4 September 2007); "Hundreds attend vigil for slain Winnipeg women" *CBC News* (06 September 2007); "Archive – 2007" *Winnipeg Homicide*; "Winnipeg man denies killing sex-trade worker" *CBC News* (08 September 2009); "Slain mom's killer has violent past" *CBC News* (02 May 2010); "Man pleads guilty to killing sex-trade worker" *CBC News* (28 April 2010).

<sup>24</sup> Justice Canada, *supra* note 6 at 109.

Prostitution is an inherently dangerous activity. The injuries that Ms. F. sustained are precisely the kind of injuries which one might well expect to sustain while carrying out that course of conduct. Ms. F. placed herself in a vulnerable position, after soliciting ... It is found that she placed herself in the position where she could reasonably expect to have been injured, in a manner similar to that which in fact occurred. In the result, no award shall be made.<sup>25</sup>

Lowman notes that “we are dealing with a systematic pattern of violence against sex workers perpetrated by many men, some of whom are serial killers. These murders are merely the extreme end of a continuum of violence.”<sup>26</sup> James Alan Fox of Northeastern University in Boston agrees, stating that sex workers are common targets of serial killers and sadists. “They are women who get into cars and find themselves at the mercy of strange men. For the killer, it is psychologically easier to kill them because he already views them as worthless sex machines which exist only to give pleasure.”<sup>27</sup> Serial killers with this type of focus on a particular type of victim have been described as mission-oriented killers,<sup>28</sup> who “consciously decide to murder a certain category of individuals deemed unworthy of being alive, such as prostitutes.”<sup>29</sup> The Green River Killer, Gary Ridgway, “harboured immense rage toward women that he eventually unleashed upon prostitutes.”<sup>30</sup> In his confession to police on charges of 48 homicides, he explained his choice of victims:

I picked prostitutes as my victims because I hate most prostitutes and I did not want to pay them for sex. I also picked prostitutes as victims because they were easy to pick up without being noticed. I knew they would not be reported missing right away and might never be reported missing. I picked prostitutes because I thought I could kill as many of them as I wanted without getting caught.<sup>31</sup>

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<sup>25</sup> *Ibid.*

<sup>26</sup> Lowman, *supra* note 5 at 998.

<sup>27</sup> Mark Gribben, “John Eric Armstrong: The model sailor” *True TV*.

<sup>28</sup> Ronald M. Holmes and James De Burger. *Serial murder*. (California: Sage, 1988).

<sup>29</sup> Barri R. Flowers. *Murder, at the end of the day and night*. (Springfield, Illinois: Charles C. Thomas Publisher, Ltd., 2002) at 175.

<sup>30</sup> Eric W. Hickey. *Serial murderers and their victims*. Fifth Edition. (California: Wadsworth, 2010) at 21.

<sup>31</sup> *Ibid.* at 20.

Young women in their teenage years and early twenties, female prostitutes and hitchhikers, are at the highest risk of becoming the victim of a serial killer.<sup>32</sup>

The extent of the violence used against sex workers was described by police as “overkill” in 37% of the murders of sex workers reviewed by Lowman for the Department of Justice.

As the term implies, much more force is used than would be necessary to kill someone, acknowledging that in murders such as these – most of which involve direct contact in the form of hands, club or knife .... – there are likely to be substantial defence wounds. In reading the details of cases police described as overkill, one is left with the impression of an attacker in a blind rage, acting out a hatred that only he can understand.<sup>33</sup>

Violence against sex workers, particularly street prostitutes, has been documented in many Western countries.<sup>34</sup> Research in the U.S. indicates prostitutes were 18 times more likely to

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<sup>32</sup> *Ibid.* at 152.

<sup>33</sup> Justice Canada, *supra* note 6 at 37.

<sup>34</sup> Marie A. Barnard, “Violence and vulnerability: Conditions of work for streetwalking prostitutes” (1993) 15 Soc. of Health & Illness at 684; “Hookers plight” *Daily Record* (07 March 2001); Dan Gardner, “How cities ‘license’ off-street hookers” *Ottawa Citizen* (16 June 2002); Jacqueline Lewis, Eleanor Matlicka-Tyndale, Frances Shaver and Heather Schramm, “Managing risk and safety on the job” (2005) 17 J. of Psych. & Human Sexuality at 150; Hilary L. Surratt, Steven P. Kurtz, Jason C. Weaver and James A. Inciardi, “The connections of mental health problems, violent life experiences, and the social milieu of the ‘stroll’ with the HIV risk behaviors of female street sex workers” (2005) 17 J. of Psych. & Human Sexuality at 25; Maureen A. Norton-Hawk, “The counterproductivity of incarcerating female street prostitutes” (2001) 22 Deviant Behavior at 411; Clarissa Penfold, Gillian Hunter, Rosie Campbell and Leela Barham, “Tackling client violence in female street prostitution: Inter-agency working between outreach agencies and the police” (2004) 14 Policing and Society at 365; Stéphanie Wahab, “Tricks of the trade” (2004) 3 Qualitative Social Work at 152; Rochelle L. Dalla, Yan Xia and Heather Kennedy, “‘You just give them what they want and pray they don’t kill you’: Street-level sex workers’ reports of victimization, personal resources, and coping strategies” (2003) 9 Violence against Women at 1367; Steven P. Kurtz, Hilary L. Surratt, James A. Inciardi and Marion C. Kiley, “Sex work and ‘date’ violence” (2004) 10 Violence against Women at 357; Teela Sanders and Rosie Campbell, “Designing out vulnerability, building in respect: violence, safety and sex work policy” (2007) 58 The British J. of Soc. at 1; Teela Sanders, “Protecting the health and safety of female sex workers: the responsibility of all” (2007) 114 British J. of Ob. & Gyn. at 791; Martin A. Monto and Norma Hotelling, “Predictors of rape myth acceptance among male clients of female street prostitutes” (2001) 7 Violence against Women at 276; Noël Bridget Busch, Holly Bell, Norma Hotelling and Martin A. Monto, “Male customers of prostituted women: Exploring perceptions of entitlement to power and control and implications for violent behavior toward women” (2002) 8 Violence against Women at 1093; Justice Canada, *Youth involvement in prostitution: A literature review and annotated bibliography* by Steven Bittle. (Ottawa: Department of Justice, 2002) at 23; Devon D. Brewer, John J. Potterat, Stephen Q. Muth, John M. Roberts Jr. and Donald E. Woodhouse, “Extent, trends, and perpetrators of prostitution-related homicide in the United States” (2006) 51 J. of Forensic Sci. at 1101; Linda Cusick, “Widening the harm reduction agenda: From drug use to sex work” (2006) 17 Int. J. of Drug Policy at 6;

be the victims of homicide directly related to their working in prostitution than non-prostitute women.<sup>35</sup> The most frequent types of attacks on sex workers are physical assault,<sup>36</sup> sexual assault,<sup>37</sup> and robbery;<sup>38</sup> it is not uncommon for all three to occur in one incident.<sup>39</sup> Results of research on violence in Canada, the U.K. and the U.S. show similar results. Sex workers suffer high rates of assault and sexual assault by intimate partners, but the most common perpetrator remains the client.<sup>40</sup>

Bad dates,<sup>41</sup> the term used to denote a client who assaults, robs, harasses or otherwise interferes with a sex worker, are reported to police organizations, advocacy organizations,

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Kendra Nixon and Leslie M. Tutty. "That was my prayer every night – just to get home safe": Violence in the lives of girls exploited through prostitution" in Kelly Gorkoff and Jane Runner (eds.), *Being heard: The experiences of young women in prostitution*. (Winnipeg: Fernwood Publishing, 2003) at 72.

<sup>35</sup> John J. Potterat, Devon D. Brewer, Stephen Q. Muth, Richard B. Rothenberg, Donald E. Woodhouse, John B. Muth, Heather K. Stites and Stuart Brody, "Mortality in a long-term open cohort of prostitute women" 159 *Am. J. of Epidemiology* at 782.

<sup>36</sup> Renata D'Aliesio, "Rashmi's choice: life or the street" *The Edmonton Journal* (17 June 2005); Dan Gardner, "The hidden world of hookers (Part 1 & 2)" *Ottawa Citizen* (08 June 2002); Fabian Dawson, "I am addicted' to helping prostitutes: Arrested businessman David Ho" *The Province* (29 September 2009); Bernard Schissel and Kari Fedec, "The selling of innocence: The gestalt of danger in the lives of youth prostitutes" (1999) 41 *Cdn. J. of Crim.* at 49; Justice Canada, *supra* note 6 at 14; Surratt, *et al.*, *supra* note 34 at 25; Nancy Romero-Daza, Margaret Weeks and Merrill Singer, "'Nobody gives a damn if I live or die': Violence, drugs, and street-level prostitution in inner-city Hartford, Connecticut" (2003) 22 *Med. Anth.* at 247; Rochelle L. Dalla, "Exposing the 'Pretty Woman' myth: A qualitative examination of the lives of female streetwalking prostitutes" (2000) 37 *J. of Sex Research* at 350; Kurtz, *et al.*, *supra* note 34 at 357; Busch, *et al.*, *supra* note 34 at 1094; Pivot Legal Society (Pivot). (2004). *Voices for dignity: A call to end the harms caused by Canada's sex trade laws (Short Report)* at 16.

<sup>37</sup> See e.g., "Man charged with sexual assaults of prostitutes" *CBC News* (08 June 2009); "Rapist too dangerous: Crown" *Canadian Press* (27 November 2007); D'Aliesio, *supra* note 36; Justice Canada, *supra* note 6 at 14; Surratt, *et al.*, *supra* note 34 at 25; Romero-Daza, Weeks and Singer, *supra* note 36 at 247; Norton-Hawk, *supra* note 34 at 412; Dalla, *supra* note 36 at 350; Kurtz, *et al.*, *supra* note 34 at 357; Pivot, *supra* note 36 at 16; Kendra Nixon, Leslie Tutty, Pamela Downe, Kelly Gorkoff and Jane Ursel. "The everyday occurrence: Violence in the lives of girls exploited through prostitution" (2002) 8 *Violence against Women* at 1027.

<sup>38</sup> See e.g., Gary Oakes, "Threat to hooker draws jail term" *Toronto Star* (08 April 1998); Gretchen Drummie, "John jailed for robbing hooker of \$20" *Toronto Sun* (06 April 1998); "Rapist too dangerous...", *supra* note 37; D'Aliesio, *supra* note 36; Justice Canada, *supra* note 6 at 16; Norton-Hawk, *supra* note 34 at 412; Cler-Cunningham, *supra* note 22 at 42; Pivot, *supra* note 36 at 16.

<sup>39</sup> Barnard, *supra* note 36 at 696; "Rapist too dangerous...", *supra* note 37; John Lowman and Chris Atchison, "Men who buy sex: A survey in the Greater Vancouver Regional District" (2006) 43 *Cdn. Review of Soc. and Anth.* at 293.

<sup>40</sup> Romero-Daza, Weeks and Singer, *supra* note 36 at 235; Dalla, Xia and Kennedy, *supra* note 34 at 1382; Sanders and Campbell, *supra* note 34 at 2; Busch, *et al.*, *supra* note 34 at 1095; Nixon, *et al.*, *supra* note 36 at 1020; Nixon and Tutty, *supra* note 34 at 75.

<sup>41</sup> In the U.K., "bad dates" are referred to as "Ugly Mugs" or "Dodgy Punters."

sex worker support organizations,<sup>42</sup> and informally amongst sex workers.<sup>43</sup> Details about the incident, including names, phone numbers, physical descriptions of the vehicle and client, licence plate numbers, weapons used, etc. are compiled and presented via newsletters, leaflets, bulletin boards or websites. This information may or may not be shared with the police to assist in investigating crimes against sex workers.<sup>44</sup> Many sex worker organizations publish safety tips and local bad date sheets, generally aimed at street-level sex workers.<sup>45</sup> However, just as the Internet has provided a source of advertising of services, so too does it now provides escorts with information about bad dates.<sup>46</sup>

In a situation in which a street prostitute is attacked by a client, she is generally in an isolated location alone with her assailant; she has no resources to call upon beyond herself for protection.<sup>47</sup> Street sex workers employ several strategies aimed at increasing their safety. Instinct and a good sense of judgement are often cited by sex workers as being their best safety strategy.<sup>48</sup> Common protective strategies include street prostitutes working

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<sup>42</sup> Violence against other sex workers is also not uncommon. See, Justice Canada, *supra* note 6 at 39.

<sup>43</sup> Barnard, *supra* note 36 at 688; Tom Zillich, "Tricks of the trade: Sex trade workers strive to protect themselves from violent customers with 'bad trick' sheet" *West Ender* (09 March 1995); "Rapist and self acclaimed [sic] murderer is free in Toronto" *News* (05 June 2006); Penfold, *et al.*, *supra* note 34 at 368; Cler-Cunningham, *supra* note 22 at 43.

<sup>44</sup> Some sex workers, however, admit to providing information that would cause a rival sex worker to go with a potentially dangerous client. See, Celia Williamson and Gail Folaron, "Violence, risk, and survival strategies of street prostitution" (2001) 35 *Western J. of Nursing Research* at 472.

<sup>45</sup> Eliyanna Kaiser, "The healthy hooker: 10 tips for self-defense" *\$pread* (2007) Volume 3, Issue 2, 56.

<sup>46</sup> The threat of being sued for libel prevents SPOC from publically listing full information on all bad dates, although they will release it via telephone to a sex worker who requests more details. Partial licence plate numbers, first names and phone numbers are provided, with asterisks replacing some digits. First names, identifying features (age, race, description) are provided, along with the general location in Canada. Bad dates from street prostitutes or police websites are also provided. See especially, "Bad client list" *Sex Professionals of Canada*.

<sup>47</sup> Barnard, *supra* note 36 at 699.

<sup>48</sup> *Ibid.* at 693; Norton-Hawk, *supra* note 34 at 411; Williamson and Folaron, *supra* note 44 at 470; Dalla, *supra* note 34 at 351; Dalla, Xia and Kennedy, *supra* note 34 at 1381; Nixon, *et al.*, *supra* note 36 at 1034.

cooperatively together to take note of license plate numbers and the clients.<sup>49</sup> Street prostitutes may also have boyfriends, husbands, friends or pimps acting as look outs for them rather than other prostitutes.<sup>50</sup> Even when she does not have a pimp, sex workers may invent a pimp in order to intimidate or control a client's behaviour.<sup>51</sup> Sex workers may also carry weapons in order to protect themselves against assault.<sup>52</sup> The isolated locations where sexual services are performed may reduce the likelihood of being found by police, but increase the danger in cases where the client is violent. Some street prostitutes attempt to avoid such locales, although if the client is driving, it is not necessarily within their control.<sup>53</sup>

Research repeatedly documents that street prostitution remains an extremely dangerous occupation; indoor sex workers do not face the same level of assaults or same rate of violent death as street prostitutes. However, it should be noted that victims of human trafficking are almost always kept indoors. Hence the prevalence of violence against these women and girls is not as well documented. Trafficking victims do not normally have the same access to social or medical services as do other sex workers due to their isolation.<sup>54</sup>

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<sup>49</sup> Barnard, *supra* note 36at 698; Gabrielle Giroday, "Woman found way off street, mourns slaying of friend" *Winnipeg Free Press* (08 September 2007); D'Aliesio, *supra* note 36; Lewis, *et al.*, *supra* note 34 at 161; Romero-Daza, Weeks and Singer, *supra* note 36at 251; Wahab, *supra* note 34 at 153; Pivot, *supra* note 36at 23; Nixon, *et al.*, *supra* note 36at 1034.

<sup>50</sup> Barnard, *supra* note 36at 699; Mike McIntyre, "Fear of death all in a night's work: Reporters McIntyre, Giroday spend night in Winnipeg's 'low-track'" *Winnipeg Free Press* (08 September).

<sup>51</sup> Romero-Daza, Weeks and Singer, *supra* note 36at 251.

<sup>52</sup> Barnard, *supra* note 36at 700; Romero-Daza, Weeks and Singer, *supra* note 36at 251; Norton-Hawk, *supra* note 34 at 413; Wahab, *supra* note 34 at 153; Teela Sanders, *Socio-psychological implications of selling sex: Findings from an ethnographic study* (Presentation to the British Psychological Society, 31 March 2006); Nixon, *et al.*, *supra* note 36at 1034.

<sup>53</sup> Lewis, *et al.*, *supra* note 34 at 162; Penfold, *et al.*, *supra* note 34 at 367; Pivot, *supra* note 36at 23.

<sup>54</sup> Melissa Farley, "Prostitution, trafficking, and cultural amnesia: What we must *not* know in order to keep the business of sexual exploitation running smoothly" (2006) *Yale J. of Law & Feminism* at 130.



## i. Violence Against Street Sex Workers

Ronald Weitzer, an American researcher, cautions against some methodological problems of some of the research conducted on violence:<sup>55</sup> “Street prostitutes appear to experience high rates of violence in the course of their work, but the samples used in most studies consist of people who contacted service agencies, were approached on the street, or were interviewed in jail.”<sup>56</sup> Notwithstanding the limitations, numerous studies comparing rates of violence amongst street prostitutes and those working indoors have found that street prostitutes face much higher rates of all types of violence, including sexual assault, robbery, kidnapping, assault and attempted murder.<sup>57</sup>

Many current and former sex workers, advocates and legal experts attribute the violence suffered by street prostitutes to the measures taken to evade police and prosecution for prostitution offences:

Many of those street sex workers who survive serious attacks end up in hospitals and clinics, the victims of stabbing incidents and other personal assaults. Prostitution remains an underground activity that, if revealed, may result in punitive responses from conventional society. Because of this, prostitutes generally prefer to keep their activities hidden from professionals. Engagement with conventional institutions, such as in emergency rooms, hospital clinics, the corrections system, and child protective services, occasionally occurs and prostitution activities become visible. The interface of prostitutes with the latter two systems has resulted in such punitive responses as incarceration and/or the removal of the children.<sup>58</sup>

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<sup>55</sup> Regarding general challenges in research sex work, see: Francis M. Shaver, “Sex work research: Methodological and ethical challenges” (2005) 20 *J. of Interpersonal Violence*, 296; Teela Sanders, “Sexing up the subject: Methodological nuances in researching the female sex industry” (2006) 9 *Sexualities*, 449; Laura Marie Agustin, “New research directions: The cultural study of commercial sex” (2005) 8 *Sexualities*, 618; Laura Marie Agustin, (Guest editor). “Introduction to the cultural study of commercial sex” (2007) 10:4, *Sexualities*, 403; Julie Cwikel and Elizabeth Hoban, “Contentious issues in research on trafficked women working in the sex industry: Study design, ethics, and methodology” (2005) 42 *J. of Sex Research*, 306.

<sup>56</sup> Ronald Weitzer, “Flawed theory and method in studies of prostitution” (2005) 11 *Violence against Women* at 938.

<sup>57</sup> *Ibid.*

<sup>58</sup> Williamson and Folaron, *supra* note 44 at 474.

Street prostitutes get into cars with minimal discussion with the prospective client, including negotiation of price, specific acts, and where the acts will take place.<sup>59</sup> Laws prohibiting prostitution are widely regarded by activists and academics as placing sex workers in greater physical danger because this “places them outside of legal protection, making them extremely vulnerable to predators who would exploit their relative powerlessness.”<sup>60</sup> “Street prostitution occurs in a context of gender and age hierarchies in which the completion of illicit contracts are [sic] precarious in the event of conflicts.”<sup>61</sup>

It is not only the communication law<sup>62</sup> that is said to aggravate the violence against sex workers, but also the bawdy house laws,<sup>63</sup> which prevent women from working indoors together, enabling them to watch out for each other or be protected by other employees.<sup>64</sup> Further, indoor establishments, such as escort services, massage parlours and brothels, discourage predators and serial murderers because there are credit card records, closed circuit

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<sup>59</sup> *Ibid.* at 471; Barnard, *supra* note 36 at 702; “deadmonton 2008 – brianna danielle torvalson” *Last Link on the Left*; Mariska Majoor. *When sex becomes work*. English Edition. (Amsterdam: Stichting PIC, 2002) at 8; Cecilia Benoit and Alison Millar. (2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers* at 51; Sanders, *supra* note 52; *Pivot*, *supra* note 36 at 2.

<sup>60</sup> Scott A. Anderson, “Prostitution and sexual autonomy: Making sense of the prohibition of prostitution” (2002) 112 *Ethics* at 749. See also, Barnard, *supra* note 36 at 693; “deadmonton 2008...,” *supra* note 59; Doug Ward, “Morality takes back seat to violence” *Vancouver Sun* (03 May 2003); Lowman, *supra* note 5 at 1006; “Sex-trade laws killing prostitutes: report” *Canadian Press* (13 June 2006); Jody Paterson, “Ottawa pushes women into the night” *Victoria Times-Colonist* (20 April 2007); British Columbia Civil Liberties Association (BCCLA). (January 2005). *BCCLA Updated position on sex work laws*; Justice Canada, *supra* note 6 at 41; Adele Weiner, “Understanding the social needs of streetwalking prostitutes” (1996) 41 *Social Work* at 98; Benoit and Millar, *supra* note 59 at 51; Trina Ricketts (a.k.a. Annie Temble), “Canada’s first sex worker cooperative: Working towards a safer industry” *\$pread* (2008) Volume 4, Issue 1 at 42; Sanders and Campbell, *supra* note 34 at 13; Dianne Grant, “Sexin’ work: The politics of prostitution regulation” (2008) 2 *New Proposals: J. of Marxism & Interdisciplinary Inquiry* at 65.

<sup>61</sup> Justice Canada, *supra* note 6 at 36.

<sup>62</sup> *Criminal Code of Canada [Criminal Code]* R.S.C. 1970, c. C-34, s.213(1)

<sup>63</sup> *Ibid.* at s.210(1-4), s.211

<sup>64</sup> Kevin Rollason, “Constitutional challenge could affect Manitoba prostitution case” *National Post* (08 October 2009); Lowman, *supra* note 5 at 1007; BCCLA, *supra* note 60; Sheila Dabu, “Stress plagues sex-trade workers” *Living* (21 August 2007); Dan Gardner, “Courting death (Part 2)” *Ottawa Citizen* (15 June 2002); *Pivot*, *supra* note 36 at 15.

video, security guards, receptionists and other witnesses.<sup>65</sup> “The secrecy of the trade not only shields prostitution from public view but provides a cover for violence against sex workers which would be more likely to be detected and deterred if the activities operated completely in the open.”<sup>66</sup>

[The law] alienates persons who prostitute from the protective service potential of the police – why would prostitutes turn to the police for help when the police are responsible for enforcing laws against prostitutes? For a prostitute to report an assault or robbery might entail admitting that they were committing an offence (communicating – s.213), or violating a bail or probation area restriction. Criminal law sanctions encourage an adversarial relationship between prostitutes and police.<sup>67</sup>

It has also been argued that the need to hide illicit activities from the police drives women further into the criminal underground.<sup>68</sup> Indeed, due to the illegal nature of prostitution-related activities, the convergence with other illegal activities, especially the drug trade, fosters a culture within “shadow economies”<sup>69</sup> where illicit drugs are commonplace.<sup>70</sup>

A Scottish study showed that virtually all street prostitutes in Glasgow had experienced violence by clients at least once, with multiple attacks not being an uncommon occurrence.<sup>71</sup> A British study found that half of the 115 street prostitutes surveyed had been the victim of violence in the previous six months.<sup>72</sup> Ninety street prostitutes were murdered

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<sup>65</sup> “Suburban sex-trade workers more vulnerable than those in city: former prostitute” *Canadian Press* (13 January 2007); D’Aliesio, *supra* note 36; Sanders, *supra* note 52; Julia O’Connell Davidson, “The anatomy of ‘free choice’ prostitution” (1995) 2 *Gender, Work & Organization* at 5.

<sup>66</sup> Justice Canada, *supra* note 6 at 36.

<sup>67</sup> *Ibid.* at 109.

<sup>68</sup> Norton-Hawk, *supra* note 34 at 408; Justice Canada, *supra* note 6 at 109.

<sup>69</sup> Danya Fast, Will Small, Evan Wood and Thomas Kerr, “Coming ‘down here’: Young people’s reflections on becoming entrenched in a local drug scene” (2009) 69 *Social Science & Med.* at 1205.

<sup>70</sup> Justice Canada, *supra* note 6 at 109.

<sup>71</sup> Barnard, *supra* note 36 at 700.

<sup>72</sup> Surratt, *et al.*, *supra* note 34 at 37.

in the U.K. over a 10-year period, making street prostitutes 12 times more likely to be murdered than non-prostitute women.<sup>73</sup>

A U.S. study found that during the 1980s and 1990s, 2.7% of homicides of women in the U.S. were sex workers. However, in some areas of the U.S., the proportion of sex worker homicides was much higher.<sup>74</sup> A study of 113 street-based sex workers in New York City found that 32.1% had experienced violence in the past year.<sup>75</sup> A Hartford, Connecticut, study found that 90% of street prostitutes had been victims of violence by clients at some point.<sup>76</sup> A Miami, Florida, study showed that 75.5% of the female street sex workers had been a victim of a violent crime in the previous 90 days, with 31.6% of the 222 respondents indicating the latest violent incident had been within the previous 30 days.<sup>77</sup> A study in Chicago, Illinois, found that street sex workers could expect to encounter a dozen acts of violence per year.<sup>78</sup> This compares with a study of “high end” escorts in the U.S., which found women earning \$7,500 or more per session were still subject to violence twice a year.<sup>79</sup>

Benoit and Millar’s study published in 2001 found little difference between Aboriginal (40%) and non-Aboriginal (35.7%) Victoria-area sex workers who had been

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<sup>73</sup> Teela Sanders and Rosie Campbell. “What’s criminal about female indoor sex work?” in K. Williams, P. Birch, G. Letherby and Maureen Cain, eds., *Sex as crime* (Devon: Willan, 2007); Sanders, *supra* note 52; Sanders and Campbell, *supra* note 34 at 1; Teela Sanders. *The implications of the coordinated prostitution strategy on adult female prostitution in the UK* (Presentation to the Nexus Conference, Ambassadors Hotel, London, 29 March 2006).

<sup>74</sup> Brewer, *et al.*, *supra* note 34 at 1107.

<sup>75</sup> Surratt, *et al.*, *supra* note 34 at 37.

<sup>76</sup> Romero-Daza, Weeks and Singer, *supra* note 36 at 248.

<sup>77</sup> Kurtz, *et al.*, *supra* note 34 at 368.

<sup>78</sup> Steven D. Levitt and Sudhir Alladi Venkatesh, “An empirical analysis of street-level prostitution” (September 2007), unpublished draft at 3.

<sup>79</sup> Sudhir Venkatesh, *Sex trade economics* (15 March 2008), National Public Radio.

hospitalized due to injuries obtained through sex work.<sup>80</sup> A study of violence against sex workers for the DOJ found that:

In terms of the type of women murdered, perhaps the most striking aspect of this information is the large proportion of street prostitutes. There are only two known escort service women, probably an indication that escorts are not as vulnerable to attack as women who meet their tricks on the street.<sup>81</sup>

## ii. Violence Against Sex Workers by Other Sex Workers

Violence against sex workers from other sex workers is not uncommon on the streets.<sup>82</sup> Brenda Wolfe, one of Pickton's victims, worked as a "street-enforcer" providing protection from pimps, drug dealers and clients, both for payment and intervening freely to protect women. Wolfe denied being a prostitute, although she did have several prostitution-related convictions.<sup>83</sup> The second woman in Canada given a dangerous offender designation, Lisa Neve, was jailed after a series of robberies and assaults, including slashing the throat of a sex worker and leaving another sex worker naked and in the country following a robbery.<sup>84</sup>

The research for this dissertation revealed a few other cases in Canada which involved sex workers as both victim and perpetrator of violence towards sex workers. In 2009, Thomas Elton of Surrey, B.C., was charged with the second degree murder of his wife,

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<sup>80</sup> Benoit and Millar, *supra* note 59 at 68.

<sup>81</sup> Justice Canada. *Technical report. Violence Against persons who prostitute: The experience in British Columbia* by John Lowman and Laura Fraser. (Ottawa: Department of Justice Canada, 1995) at 13.

<sup>82</sup> See example, Nixon and Tutty, *supra* note 34 at 76.

<sup>83</sup> Steve Mertyl, "Missing lives: A special report by the Canadian press (Brenda Wolfe)" *The Toronto Star* (16 January 2007); Cameron, *supra* note 7 at 321.

<sup>84</sup> Neve, whose birth mother is Métis, was adopted as a child. At 12 she was forced into prostitution by a man who sold her to clients at the back of a Calgary restaurant. She had drug and alcohol addictions and was immersed in the subculture of violence of the street scene. See, *R. v. Neve* [1994] A.J. No. 877; *R. v. Neve* [1994] S.C.C.A. No. 65; "Former dangerous offender, Neve, freed" *CBC News* (02 July 1999); "Lisa Neve eligible for immediate release" *Canadian Press* (30 June 1999); "Neve to be freed from jail" *CBC News* (30 June 1999); "Court rules woman not dangerous offender" *CBC News* (30 June 1999); Scott McKeen, "Court lifts dangerous-offender status of woman branded 'psychopath'" *National Post* (30 June 1999); Scott McKeen, "Offender wins the chance to turn her life around" *National Post* (30 June 1999); "Court rules woman not dangerous offender" *CBC News* (30 June 1999); "Dangerous no more" *Vancouver Province* (30 June 1999).

Brenda Turcan (also known as Brenda Blondell). Turcan, a former sex worker, had been responsible for the brutal murder of another sex worker. In 1987, Turcan was convicted of the murder of Mya Kulchyski, 21, who was her lover.<sup>85</sup> In another case, Rachelle Pollender was acquitted in 2010 after being charged with attempted murder and assault from a 2007 incident in which another exotic dancer was stabbed at a strip club in Brossard, Quebec.<sup>86</sup> In May 2006, Ruchael Friars, 34, was tortured with box cutters and broken glass and had her mouth and eyes glued together by three sex workers at a Calgary rooming house. Crystal Struthers had accused Friars of being a police informant. Struthers, along with Alexis Vandenberg and Sara Rowe tortured Friars for several hours before killing her. Rowe was convicted of second degree murder; Struthers and Vandenberg were convicted of manslaughter.<sup>87</sup>

### iii. Violence Against Indoor Sex Workers

Exotic dancers reported high rates of being pinched, having objects thrown at them while they were dancing and also being threatened with a weapon.<sup>88</sup> Escorts face far less violence than do street sex workers but they are not immune from the dangers of sexual

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<sup>85</sup> Larry Still, "Two women convicted in murder" *Vancouver Sun* (11 April 1987); "Woman given life for strangling role" *Vancouver Sun* (13 April 1987); Kim Bolan, "Murderers marry; now the Metro Vancouver wife is dead" *Vancouver Sun* (23 June 2009); "Surrey man accused of slaying wife, both had murder convictions" *CBC News* (23 June 2009); *R. v. Blondell* (1990) B.C.C.A. 1322; Susana de Silva, *Surrey man accused of slaying wife, both had murder convictions*, 2009, Television; Brenda Blondell, *Prison Justice Day* (10 April 2004) Video Clip; Tom Elton., *Prison Justice Day* (10 April 2004) Video Clip; "Woman given life for strangling role" *Vancouver Sun* (13 April 1987); "Surrey – Woman found deceased in Guilford apartment is found to be suspicious – update" *RCMP News Release* (23 June 2009).

<sup>86</sup> "Sins of the flesh" *Trutv*.

<sup>87</sup> Kevin Martin, "Possible deal for accused in Calgary hooker slaying" *Sun Media* (16 December 2007); Daryl Slade, "Woman pleads guilty in Friars slaying" *Calgary Herald* (02 November 2007); Jason Van Rassel, "Parole denied in torture killing" *Calgary Herald* (20 November 2010).

<sup>88</sup> Jody Raphael and Deborah L. Shapiro, "Violence in indoor and outdoor prostitution venues" (2004) 10 *Violence against Women* at 133.

assault, physical assault, confinement or homicide.<sup>89</sup> Sexual assault was reported by half of the escorts in one study of sex workers of indoor sex markets. Physical assault in the form of being spanked was the most frequent type of assault against escorts. Similar results were found in a U.K. study, which “suggests that the current working conditions that are without legitimacy and exist outside of normal channels of workplace protection allow these mistreatments to happen.”<sup>90</sup>

Independent escorts working out of their home generally cite that the relative safety of one’s home, ability to control working hours, safety practices and regular clientele, as well as the ability to retain all of the income raised, make home-based prostitution the preferred location.<sup>91</sup> Many independent escorts and escort companies have safety protocols in place. Whether it is a friend, pimp, intimate partner, cab driver, or company-provided driver, many escorts have a pre-arranged pick-up time, or have someone phone them five minutes before the end of a pre-arranged time; no answer is a sign of trouble.<sup>92</sup> The majority of escorts do not accept unregistered telephone numbers (generally cellular telephones), e-mails or text messages.<sup>93</sup> Some escorts require a telephone number that can be verified, which is kept “secure” until after the escort has returned safely to her home or the client has left.<sup>94</sup> Some

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<sup>89</sup> Lowman, *supra* note 5 at 995.

<sup>90</sup> Sanders and Campbell, *supra* note 73.

<sup>91</sup> Benoit and Millar, *supra* note 59 at 48.

<sup>92</sup> “deadmonton 2008 – chanel brittney robertson” *Last Link on the Left*; Jane Gadd, “Escort agency knew women were HIV-positive” *The Globe and Mail* (06 October 1999); D’Aliesio, *supra* note 36; Justice Canada, *supra* note 6 at 9, 42; Lewis, *et al.*, *supra* note 34 at 162; Benoit and Millar, *supra* note 59 at 52.

<sup>93</sup> On May 16, 2009, the exceptions to this were the one man offering services to women and an Aboriginal escort who was from Toronto, visiting Ottawa.

<sup>94</sup> See e.g., “Athana: Montreal mature escort” *Miss Athana*; Dan Gardner, “Courting death (Part 1)” *Ottawa Citizen* (15 June 2002).

companies require the use of a credit card for payment.<sup>95</sup> A 2009 job posting on Craigslist for Ottawa-Gatineau area escorts has a full paragraph dedicated to safety of escorts:

Transportation is an option [sic] Your privacy and security is provided all the way as an option! [sic] If you need a driver, we have professionnals [sic] that can take care of you. If you feel comfortable [sic] to go visit a client on your own you can earn more if you drive yourself. [sic] The Abracadabra Safety System is designed to enhance your safety from the time you leave for your appointment to the end. The primary goal is to enable you to travel for an appointment with a professional for a greater sense of safety and security. Your protection is a top priority in that [sic] industry. Women may feel that affiliating themselves with Abracadabra Escorts [sic] be safer because the driver is ordered to stay near you until you are done the appointment, its [sic] a bonus!<sup>96</sup>

Physical and sexual assaults of women in indoor venues such as massage parlours and exotic dancing businesses may go unreported because of fear of being fired or other retribution from management or owners.<sup>97</sup> In-calls, where the client comes to the home of an escort, generally do not have other people present, which increases the risk of violence. In 2010, two men and a woman in Calgary were charged with home invasions after three escorts had their homes robbed after the client arrived as planned, but two accomplices arrived shortly after.<sup>98</sup> Out-calls, where an escort meets a client at his home or hotel, are not without risk, although meetings at a client's home are riskier. Hotels provide some protection due to the proximity of people and potential witnesses, although sexual assault and robberies still occur.<sup>99</sup>

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<sup>95</sup> Lowman, *supra* note 5 at 995; D'Aliesio, *supra* note 36; Gardner, *supra* note 94; Justice Canada, *supra* note 6 at 110.

<sup>96</sup> "Abracadabra\_Escorts hiring more...Very busy!!! - w4m - 20 (Ottawa - Gatineau)" *Craigslist Ottawa* (15 May 2009).

<sup>97</sup> See e.g., "Dancers sue NBA players" *Toronto Sun* (19 December 2000); Sam Pazzano, "Cop pointed gun 'at my face'" *Toronto Sun* (14 November 2007).

<sup>98</sup> "Man sought in escort robbery scams" *CBC News* (23 April 2010).

<sup>99</sup> See e.g., Andrew Seymour, "Sex assault charges against trainer stayed" *Ottawa Citizen* (20 November 2010), C4.



Bretts and Hausbeck explain how licensed brothels in Nevada strive to reduce violence against licensed prostitutes. Most brothels have an intercom installed or use a baby monitor in each room for the manager to listen to the negotiation between a prostitute and client. The rationale is two-fold: to reduce employee theft for under-reporting the amount negotiated, and to reduce violence. It is during the negotiation of the fee that violence is most likely to occur. The practice of a prostitute leaving the room with the cash or credit card following the negotiation, and before sexual services are provided, is a further safety measure. The fee is safeguarded by a third party and unavailable to the client should he attempt to steal it after services are provided. This also provides the prostitute an opportunity to discuss any concerns about the client, even if it is simply “bad vibes.” The manager would then be alert to any trouble; the intercom may be left on during the session. There are also panic buttons in each room, which act more as a deterrent, as they are a visible, conspicuous reminder to clients that help is close by should it be needed.<sup>100</sup> Mirrored walls provide a view from every angle for the prostitute, and household objects placed in strategic positions can be used as a weapon.<sup>101</sup> These preventive measures work as a deterrent, but in the case of violence, the safety of the prostitute is only protected if the brothel employees are indeed paying attention and react.<sup>102</sup> Licensed brothels strive to maintain good reputations and relationships with law enforcement and do not hesitate to call the police in case of trouble with rowdy or violent clients.<sup>103</sup>

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<sup>100</sup> Barbara G. Bretts and Kathryn Hausbeck, “Violence and legalized brothel prostitution in Nevada: Examining safety, risk, and prostitution policy” (2005) 20 *J. of Interpersonal Violence* at 280.

<sup>101</sup> *Ibid.* at 281.

<sup>102</sup> *Ibid.* at 278.

<sup>103</sup> *Ibid.* at 281.

Panic buttons are also found in the window brothels of Amsterdam, where prostitutes generally work independently, without oversight or a watcher. However, there may be other women working in the same brothel in their own window and room. Some prostitutes who work alone in window brothels leave their cellular telephones on for a partner or friend to listen in on the session in case of trouble.<sup>104</sup> In personal and reported interviews with sex workers in both Nevada and Amsterdam, it has been made clear that should a woman be injured by a client, other sex workers would immediately come to her *en masse* before police help could arrive.<sup>105</sup>

Hilary Kinnell researched the deaths of 72 known sex workers in the U.K. Although the working location was not known for all women, the threat of homicide was clearly higher for those who worked alone, especially those who worked on the street. Sixty-two women (79.5%) were killed while working on the street or out of bars and trucks. One indoor clip-joint hostess was murdered when a man ran into the building and attacked her while others were present.<sup>106</sup> Five of the women were indoor prostitutes murdered either in their own homes or those of clients. Kinnell surmised that although it is safer to work indoors, the absence of other people increased the risk of violence.<sup>107</sup>

#### iv. Pimps

Pimps are part of the stereotypes of street prostitution, but they are not necessarily part of the reality for all women, or for all of their working lives. In Glasgow, researchers

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<sup>104</sup> Harold Van Gelder. Inspector, Vice Squad, Politite Amsterdam (Vice Squad). Interview with Maryanne Pearce (04 November 2008) Amsterdam, the Netherlands; Thérèse van der Helm. Public Health Nurse, Coordinator Prostitution & Health Centre (P&G292), Amsterdam. Interview with Maryanne Pearce (04 November 2008) Amsterdam, the Netherlands.

<sup>105</sup> Bretts and Hausbeck, *supra* note 100 at 283; Berna Meijer. Prostitution Information Centre (PIC). Tour of the Red Light District by Maryanne Pearce (01 November 2008) Amsterdam, the Netherlands.

<sup>106</sup> A clip joint is an exotic dancing establishment or nightclub that offers bottle service and adult entertainment.

<sup>107</sup> Kinnell, *supra* note 5 at 154.

have found an absence of pimps. Instead, women use “minders” who are boyfriends or husbands, who hold their money, take down licence plate numbers of clients<sup>108</sup> and ensure the women have returned at the pre-arranged time.<sup>109</sup> Studies in the U.S. and Canada have found that the majority of street-based prostitutes do not have pimps, although pimps certainly do exist.<sup>110</sup>

A woman who has a pimp *may* be more protected from clients, but because pimp culture is itself violent, she may then experience more victimization from her pimp than from clients.<sup>111</sup> However, several of the women murdered by Pickton had pimps or boyfriends, who offered no protection. Indeed, the need to provide money to her pimp boyfriend was the reason “Sandra Ringwald” left the DTES with Pickton on March 22, 1997, despite her misgivings.<sup>112</sup> Ringwald was attacked from behind and had one hand put in handcuffs before she was able to find a knife and slice Pickton’s throat. She was subsequently stabbed in the abdomen and neck; her heart stopped twice in surgery but was resuscitated.<sup>113</sup>

Economists Steven D. Levitt and Sudhir Venkatesh found that, “Where pimps are active, prostitutes appear to do better, with pimps both providing protection and paying

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<sup>108</sup> In North America, clients are colloquially called “Johns” but in the U.K. clients are referred by sex workers as punters.

<sup>109</sup> Barnard, *supra* note 36 at 699.

<sup>110</sup> See e.g., Romero-Daza, Weeks and Singer, *supra* note 36 at 242; D’Aliesio, *supra* note 36.

<sup>111</sup> Justice Canada, *supra* note 6 at 112; Nixon, *et al.*, *supra* note 36 at 1029.

<sup>112</sup> “Sandra Gail Ringwald” is the pseudonym used by Stevie Cameron in her second book about the Pickton case. Cameron, *supra* note 7. The VPD refers to the same woman as “Anderson.” VPD. *Missing Women Investigation Review* by Doug LePard. (Vancouver, August, 2010). During the MWI, she was referred to as both “Anderson” and “Vic97,” (because she was a victim from 1997). See e.g., Missing Women Inquiry (MWI), *January 11, 2012*. In a documentary film she is known by her street name, “Stitch.” Laszlo Barna. *The Pig Farm*. 2010, Documentary. Many newspapers refer to her as Jane Doe or indicate that her name is under a publication ban.

Her real name was originally used within the dissertation and is included in the Validation Dissertation. Following the conclusion of the Pickton trial, Judge James Williams ordered a continuation of the publication ban on her real name. Thus, the pseudonym from Cameron’s book is used within this dissertation, as this is the most comprehensive telling of Ringwald’s story outside of the actual court records and prior to the MWI.

<sup>113</sup> Cameron, *supra* note 7 at 146-158.

efficiency wages.”<sup>114</sup> However, other women describe the working conditions under a pimp in far less favourable ways.<sup>115</sup> A study of street sex workers on the Prairies found half of the women interviewed reported violence or threats of violence by pimps.<sup>116</sup> A review of media reports of non-homicidal violent assaults against sex workers in Vancouver showed that in 72% of the cases, the offender was a client, and in 24% of the time it was a pimp.<sup>117</sup> Within the DD only two confirmed cases were found where sex workers were killed by their pimps: Donna Allardyce<sup>118</sup> and Chrissy Mowat, 15.<sup>119</sup> A 1997 report by Statistics Canada indicated that between 1991 and 1995, three prostitutes were believed to have been killed by pimps.<sup>120</sup>

In cases where women are trafficked or otherwise forced into prostitution, however, pimps and/or traffickers often keep women indoors. Underage girls can be recruited from bus stations, homeless shelters or the street, or they can be “tricked out” by “boyfriends.” An indoor location offers protection for the pimps and/or traffickers. Violence is often used to ensure compliance and forestall escapes.<sup>121</sup>

#### **v. Crime against Clients**

Client-sex worker violence is generally violence directed against sex workers by clients, but clients can also be victimized by sex workers.<sup>122</sup> John Schools regularly warn clients against the dangers posed to them by sex workers, both risks to their health and those

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<sup>114</sup> Levitt and Venkatesh, *supra* note 78 at 1.

<sup>115</sup> Benoit and Millar, *supra* note 59 at 54.

<sup>116</sup> Nixon, *et al.*, *supra* note 36 at 1025.

<sup>117</sup> Justice Canada, *supra* note 6 at 119.

<sup>118</sup> “Unsolved Murders/Missing People Canada” *Unsolved Murders / Missing People Canada*.

<sup>119</sup> Justice Canada, *supra* note 6.

<sup>120</sup> Canadian Centre for Justice Statistics (CCJS). *Street Prostitution in Canada* by Doreen Duchesne. (Ottawa: Minister of Industry, 1997) at 9 (Table 4).

<sup>121</sup> See e.g., “Abduction, forced prostitution case discussed at Ottawa shelters: worker” *CBC News* (08 August 2008).

<sup>122</sup> Andrew Seymour, “Transgendered prostitute guilty of assault” *Ottawa Citizen* (03 September 2009), C1; Nixon, *et al.*, *supra* note 36 at 1032.

due to robbery and violence. “Overall, as perpetrators of prostitution-related homicide, sex workers’ primary victims were clients, clients’ main victims were sex workers, and pimps’ typical victims were other pimps.”<sup>123</sup>

Drug addicted street prostitutes are generally the perpetrators of violence towards clients.<sup>124</sup> However, a large Canadian study of male clients of sex workers indicated that crimes against clients were rare.<sup>125</sup> Canadian studies have shown that few men report having been assaulted (6.7%) or drugged and robbed (3.2%) by a sex worker.<sup>126</sup> Where a crime was committed against a client, it generally was theft or fraud in the form of having paid for sexual services not performed (27.7%). Clients may also be robbed of their wallets, cash or possessions. Spotters, boyfriends and partners are also known to rob clients once they have gone to a designated place.<sup>127</sup> Clients of street prostitutes are most likely to be the victim of theft or assault.<sup>128</sup> Street prostitutes often carry weapons; 40% of street sex workers in Vancouver carry a weapon.<sup>129</sup> In one study of incarcerated street prostitutes, 66% had admitted to stealing from a client and 38% had used a weapon against a client.<sup>130</sup> A study in the U.S. found that street sex workers stole an average of \$20 a week from clients.<sup>131</sup> Another U.S. study found that 56% of sex workers admitted to assaulting a client.<sup>132</sup>

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<sup>123</sup> Brewer, *et al.*, *supra* note 34 at 1105.

<sup>124</sup> Kurtz, *et al.*, *supra* note 34 at 370.

<sup>125</sup> Scot Wortley, Benedikt Fischer and Cheryl Webster, “Vice lessons: A survey of prostitution offenders enrolled in the Toronto John School diversion program” (2007) 44 Cdn. J. of Crim. at 373; Lowman, *supra* note 5 at 1003.

<sup>126</sup> Ministry of the Attorney General (AG). *Men who buy sex. Phase 2: The client survey* by John Lowman, Chris Atchison and Laura Fraser. (Vancouver: Ministry of the AG, 31 March 1997) at 49.

<sup>127</sup> Barnard, *supra* note 36 at 699.

<sup>128</sup> Wortley, Fischer and Webster, *supra* note 125 at 373; Lowman, *supra* note 5 at 1003.

<sup>129</sup> CCJS, *supra* note 120 at 8.

<sup>130</sup> Norton-Hawk, *supra* note 34 at 413.

<sup>131</sup> Levitt and Venkatesh, *supra* note 78 at 14.

<sup>132</sup> Brewer, *et al.*, *supra* note 34 at 1107.

Although rare, sex workers do occasionally kill or injure clients, generally due to disputes over payment or because the victim assaulted the sex worker.<sup>133</sup> In Canada, “[b]etween 1991 and 1995, 18 prostitutes were implicated in the deaths of 10 clients, 1 pimp and 5 others.”<sup>134</sup> The fear of sex workers victimizing clients became heightened after the case of Aileen Wuornos, known as the Florida Freeway Hooker, who murdered seven men in the late 1980s and early 1990s.<sup>135</sup> A study by U.S. researchers suggests that “[s]erial perpetrators may be as common in client homicide as in prostitute homicide. Thirty-seven percent (13/35) of client victims in the media sample were killed by serial perpetrators, and 15% (4/26) of perpetrators of client homicide had multiple victims.”<sup>136</sup>

Clients of escorts can also be victimized.<sup>137</sup> One U.S. study found that while only 3% of the homicide victims were sex workers working indoors, 20% of the victims were clients of escorts or in-call sex workers.<sup>138</sup> There have been some highly publicized cases of Canadian clients victimized by escorts, but it remains a rarity. Some examples of violence against clients include a few homicides.

Barbara Willimott stabbed Pravdonic Kletecka, 66, in 1998. After killing Kletecka, she stole money for drugs and attempted to incriminate another woman for the crime.<sup>139</sup> William Maloney, 63, was stabbed in his Edmonton home in 2006 by Lisa McKay, 25, a sex

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<sup>133</sup> Jane Gadd, “Prostitute admits to killing” *The Globe and Mail* (19 December 2000); Sam Pazzano, “Hooker jailed 7 years: Stabbed john for \$10” *Toronto Sun* (19 December 2000).

<sup>134</sup> CCJS, *supra* note 120 at 8.

<sup>135</sup> Justice Canada, *supra* note 6 at 30; Jay Altizer, “Aileen ‘Lee’ Wuornos” *Serial Killer Timelines*, Department of Psychology, Radford University; Hickey, *supra* note 30 at 221, 228; Michael Newton, *The encyclopedia of serial killers*, Second Edition. (New York: Checkmark Books, 2006) at 287.

<sup>136</sup> Brewer, *et al.*, *supra* note 34 at 1106.

<sup>137</sup> Andrew Seymour, “Prostitute gets 30 days in jail for hitting man” *Ottawa Citizen* (21 October 2009), C6; Chris Cobb, “Failed 3-way tryst sparked arson” *Ottawa Citizen* (15 September 2009), B1; Andrew Seymour, “‘I don’t regret nothing,’ arsonist says” *Ottawa Citizen* (24 October 2009), C1.

<sup>138</sup> Brewer, *et al.*, *supra* note 34 at 1106.

<sup>139</sup> Pazzano, *supra* note 133; Gadd, *supra* note 133.

worker whom he had known for several years. The two were doing drugs at the time of the murder. It is alleged Maloney began to pay McKay for sex when she was 17, and had been a regular client since that time.<sup>140</sup>

Escort Melissa White, 26, pled guilty to arson causing bodily harm in 2009 after she poured gasoline on the door and in the hall of a hotel on New Year's Day and started a fire in Ottawa. A male and female couple had hired her for three-way sex, but heavy drinking impeded the situation and Daniel Leween and White got into a physical altercation before she left. White returned to the hotel and started the fire, which caused serious injuries to Shannon Oliver.<sup>141</sup> In another Ottawa case, a transgendered escort, Vanessa (Anthony) Kulwartian, assaulted Keith Maheux at Kulwartian's home in 2009.<sup>142</sup>

Two Canadian examples highlight the risks of sex workers who defend themselves against violent attacks by clients. M.L.B. had been sexually assaulted since she was four-years-old by cousins, then by a doctor in a residential school. At 12 she returned home but was no longer violated by her cousins "because she had learned to fight back."<sup>143</sup> At age 14, she was raped by a family member and had an abortion. Later that year, she entered the sexual exploitation trade and had her first child. She had been severely abused by several clients before leaving prostitution at 19, although she did work sporadically when finances were strained. M.L.B. was a substance abuser, and had a series of common-law relationships with violent, alcoholic men. In 2002, M.L.B. was 45-years-old, and had not worked as a prostitute for many years. The mother of three grown children, M.L.B. needed to pay for

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<sup>140</sup> Jeff Cummings, "Alberta killer to be paroled this week" *CNews* (29 August 2010). "deadmonton 2006 – william edward maloney" *Last Link on the Left*; Brewer, *et al.*, *supra* note 34 at 1106.

<sup>141</sup> Seymour, *supra* note 137; Cobb, *supra* note 137.

<sup>142</sup> Seymour, *supra* note 122.

<sup>143</sup> *R. v. M.L.B.* [2004] S.J. No. 755 at 10.

food and diapers for her baby grandchild whose mother (her daughter) had disappeared several days before. Like her mother, M.L.B.'s daughter was involved in sex work and had been recently raped.

M.L.B. met a client at a restaurant, and he drove her to his home in an isolated area, where he spoke of murdered sex workers and taking little girls home. Once there, the intoxicated man asked for her to "snuggle" him but then refused to let her up. Once she freed herself and dressed, he approached her requesting sexual touching. M.L.B. responded by stabbing him once and then phoning for assistance. In her 9-1-1 call she indicated that she "had to" stab him to protect herself and requested an ambulance for him. She was charged with attempted murder, aggravated assault, and assault with a weapon. M.L.B. was convicted of aggravated assault but was acquitted of attempted murder. (There was a conditional judicial stay of the proceedings of assault with a weapon to avoid multiple convictions.) The Court felt she "overreacted" to the situation.<sup>144</sup>

In 1997, Sandra Ringwald was 30-years-old. Like many of the women from the DTES, Ringwald had lost custody of her children, supplemented her income by stealing from stores and cars ("boosting"), had several criminal convictions and was addicted to cocaine and heroin, at a cost of \$200 a day. She also had a gambling habit. To support her drug and gambling habits, Ringwald worked the streets of the DTES. On March 22, 1997, she lost \$60 gambling. Knowing that her boyfriend and pimp, Stu Jones, would beat her if he discovered her losses, she went looking for clients. That evening, Ringwald accepted Pickton's invitation to go to his property in Coquitlam where she agreed to perform oral sex for \$100 and be returned within a few hours. Once at the property, Ringwald was paid as agreed and

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<sup>144</sup> *Ibid.*



the two engaged in consensual standard intercourse. Following this, Ringwald injected a speedball, a mixture of heroin and cocaine, in the bathroom of the trailer.

While looking through a phone book, Ringwald felt Pickton close behind her and she turned around quickly. At this time, Pickton began caressing her left hand before slipping a handcuff onto her wrist. She began to fight frantically before she could be further subdued. Remembering the large knife she had seen on a table, she ran towards the kitchen. Despite cutting her own palm, she wielded the knife as she warded off his attack. She slashed Pickton's throat and chest with the knife. They continued to fight despite his serious injuries, and both ended up outside. She was stabbed in the melee, but managed to escape from under Pickton as he lost consciousness. Ringwald flagged down a car whose occupants saw a nearly naked woman covered in blood and holding a large knife. Ringwald was taken to a gas station by the couple, where an ambulance met the critically injured woman and transported her to the hospital. She was taken to the operating room with two large abdominal stab wounds, a punctured lung and massive blood loss. She was still wearing the handcuff on the left hand.

Pickton had driven himself to a local hospital which quickly transferred him to the same hospital, the Royal Columbian, where Ringwald was being treated. Pickton required approximately 150 stitches on his back, jaw and throat. While itemizing the contents of Pickton's clothing, an orderly found a handcuff key, which was turned over to the constable working on Ringwald's case. The key fit the handcuffs on Ringwald's hand.<sup>145</sup>

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<sup>145</sup> During Pickton's trial in 2007, it was revealed that the DNA of three women was found on evidence seized following his admittance to the hospital. The clothing was not tested until 2004, two years after his arrest for multiple murders. See e.g., Stephanie Levitz, "Pickton jurors didn't hear about one potential victim who got away" *The Record* (04 August 2010); Lori Culbert, "Pickton jurors never heard from sex-trade worker taken to farm" *Vancouver Sun* (04 August 2010).

Ringwald had identified the Pickton property to the couple who had rescued her and she also was able to identify her assailant to the RCMP. On April 8, 1997, the police charged Pickton with attempted murder, unlawful confinement, and aggravated assault. As part of his defence, Pickton hired investigators to look into her background. Ringwald was afraid that Pickton, his brother, or Hells Angels associates would exact revenge on her. Despite her fears, Ringwald was willing to testify in court, but the charges against Pickton were stayed by the Crown shortly before the case was to go to trial.<sup>146</sup>

M.L.B. and Ringwald both were restrained against their will and fought for their lives. M.L.B. served time for aggravated assault. Ringwald was not charged, but the justice system did not protect her or the many other women who would die at the Pickton property after her escape.

## II. HOMICIDE

A 1995 literature review by the DOJ outlined the dangers of prostitution in Canada.<sup>147</sup> Composite data from research conducted by John Lowman and Laura Fraser revealed 67 homicides of sex workers in B.C. since 1978, 60 of which occurred since 1982.<sup>148</sup> Research in Calgary and Winnipeg reported 20 homicides of women involved in prostitution since 1985.<sup>149</sup> Lowman's research found that between 1992 and 1998, 32 sex workers were killed in B.C. and 86 sex workers had been murdered nationally. The clearance rates for solving murders involving sex workers was 34%, compared to a clearance rate for

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<sup>146</sup> Cameron, *supra* note 7; Stevie Cameron, *The Pickton File*. (Toronto: Knopf Canada, 2007).

<sup>147</sup> Justice Canada, *supra* note 34 at 24.

<sup>148</sup> *Ibid.* at 82.

<sup>149</sup> *Ibid.* at 82; Justice Canada, *supra* note 6.

non-sex workers (of both sexes) that ranged from 77% to 85%.<sup>150</sup> These figures, however, did not include the women whom Pickton would later be charged with murdering, as their remains were not found until after 2002. A government report in 2011 found that police had reported 78 homicides of prostitutes since 2000 which were directly related to their occupation. This included three homicides in 2009 and five homicides in 2010, which was lower than an average of seven per year between 2000 and 2008.<sup>151</sup>

Statistics Canada data revealed that 63 sex workers were murdered in Canada from 1991 to 1995, of which 60 were female and seven were less than 18 years of age.<sup>152</sup> Of these, 54% of the murders were unsolved, compared to 20% for victims who were not in the sex trade. Clients were thought to be responsible for 50 of the murders, pimps responsible for three, current or former romantic partners responsible for five murders and the final five murders were the result of connections in the drug trade.<sup>153</sup> Sex workers accounted for 5% of all female homicide victims in this period.<sup>154</sup> The same year, 1996, Statistics Canada's annual homicide report identified two specific professions which were statistically the most dangerous: taxi driving and prostitution. In that year, three taxi drivers were murdered, but 10 known prostitutes were killed, a number the report suggests may be an under-representation.<sup>155</sup>

Figure 5-1 provides a summary in the status in the cases at the time of the close of DD data collection in September 2013. The DD contains details of 390 sex workers, of

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<sup>150</sup> Lowman, *supra* note 5 at 988.

<sup>151</sup> CCJS. *Homicide in Canada, 2010* by Tina Hotton Mahony. (Ottawa: Minister of Industry, 2011); CCJS. *Homicide in Canada, 2009* by Sara Beattie and Adam Cotter. (Ottawa: Minister of Industry, 2010).

<sup>152</sup> CCJS, *supra* note 120 at 1, 9. See also, Justice Canada, *supra* note 34 at 25; Sean Durkan, "Most hooker killers go free" *Toronto Sun* (14 February 1997).

<sup>153</sup> CCJS, *supra* note 120 at 9.

<sup>154</sup> *Ibid.* at 8.

<sup>155</sup> CCJS. *Homicide in Canada – 1996* by Orest Fedorowycz. Ottawa: Minister of Industry, 1997) at 10.

whom 347 (92%) were involved in street or survival sex work. The majority (304, 76.9%) of individuals were murdered, including the 32 known and suspected Pickton victims who were sex workers.<sup>156</sup> An additional 66 (16.9%) sex workers were missing. There were 10 (2.6%) cases in which the manner of death has not yet been determined but there were suspicious circumstances surrounding the death and were under police investigation. Another 11(2.8%) cases are listed as homicides but it is unknown if the case was solved.

**Figure 5-1: Status of Cases of Sex Workers in the DD (N=390)**

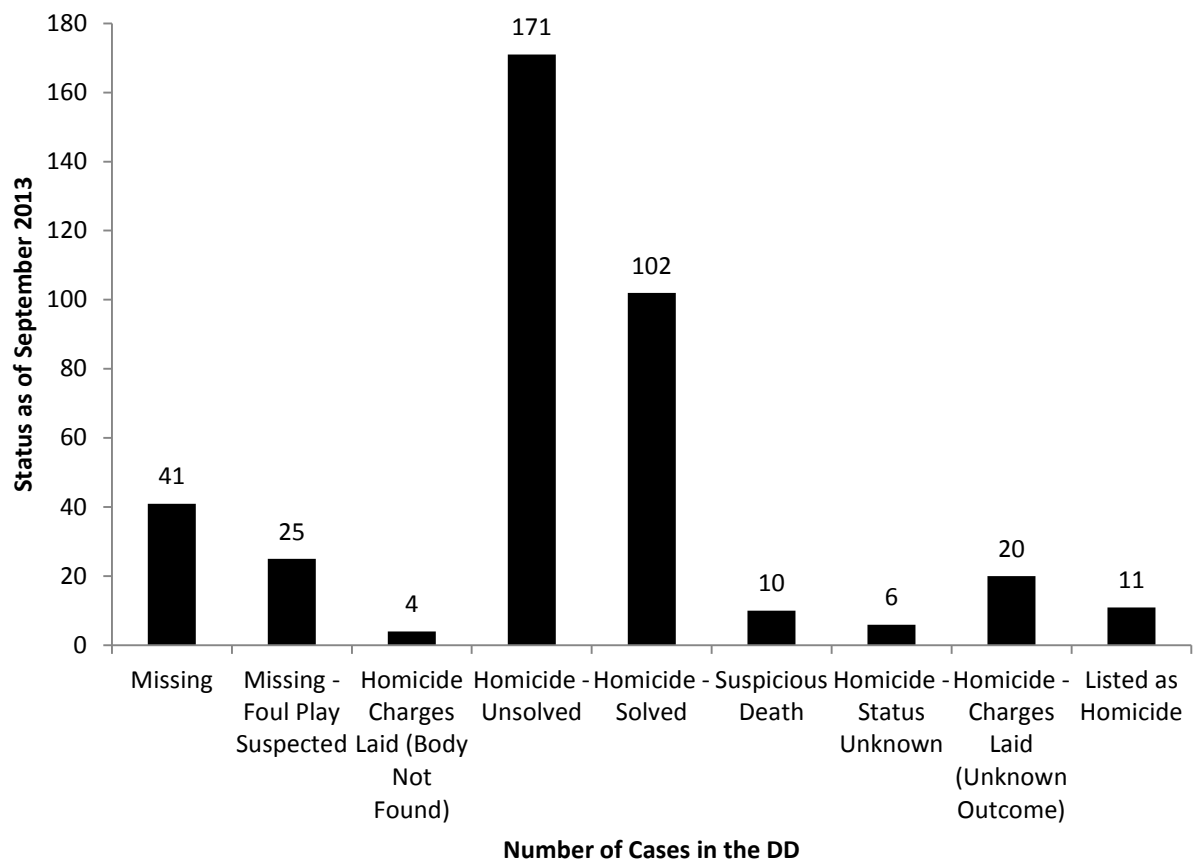


Figure 5-2 provides a summary of the 390 homicides and disappearances of sex workers in the DD between 1947 and 2013. There were no disappearances within the DD

<sup>156</sup> This includes the four cases where homicide charges were laid although the body has not been located but the trial has not yet concluded.

until 1978. There are many years for which cases are not found in the DD due to the use of publically available information. In homicide cases within this figure, the year the victim was last seen was used, rather than the year the body was found or identified. The cases in which homicide charges were laid in the absence of a body are included within the homicides.

**Figure 5-2: Disappearances and Homicide of Sex Workers in the DD (1947 to 1913)**  
(N=382)<sup>157</sup>

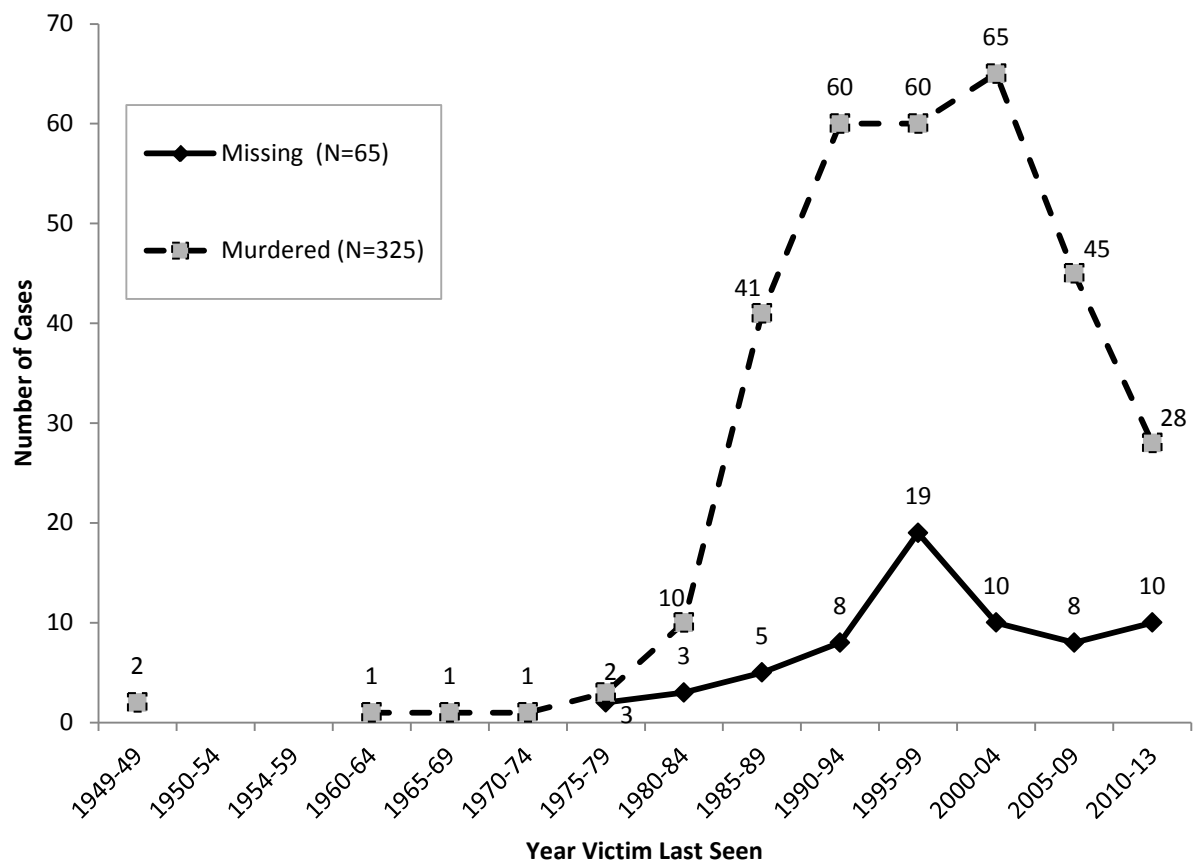


Figure 5-3 provides a comparison between the cases in the DD, John Lowman's research,<sup>158</sup> the 1991 *Juristat* publication's figures<sup>159</sup> and a summary of Statistics Canada's figures on homicides of sex workers in its annual *Homicide in Canada* reports from 1995 to

<sup>157</sup> There were eight homicides where the year the woman went missing or was killed is not known. They are not included in this figure.

<sup>158</sup> *Ibid.*

<sup>159</sup> CCJS, *supra* note 120.

2008. The 1991 *Juristat* is the latest government publication dedicated solely to prostitution in Canada. It is widely quoted and is used as a basis for comparison with the figures derived from other researchers such as Lowman.

Between 2002 and 2004, the number of homicides of prostitutes was substantially larger than earlier years in the DD and the CCJS *Homicide in Canada* reports due to the discovery of the women on Pickton's property.<sup>160</sup> The CCJS reports identified that 15 of the homicides reported in 2002, six of those reported in 2003, and five in both 2004 in 2007 had occurred in previous years. The homicides were not confirmed until the remains were discovered.<sup>161</sup> To be consistent with the CCJS reports, the numbers in the DD provide the year the body was found or homicide charges were laid.

The homicide rate in the CCJS *Homicide in Canada* reports differs from the CCJS *Street Prostitution in Canada* report as the authors of *Homicide in Canada* did not always include cases where the murder did not appear to be related to the sex trade, such where the offender was an intimate partner. The *Street Prostitution in Canada* report includes homicides of all sex workers regardless of the perpetrator or circumstances. However, the authors of all the CCJS reports acknowledge that the number of sex workers murdered is

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<sup>160</sup> CCJS. *Homicide in Canada, 2008* by Sara Beattie. (Ottawa: Minister of Industry, 2009); CCJS. *Homicide in Canada, 2007* by Geoffrey Li. (Ottawa: Minister of Industry, 2008); CCJS. *Homicide in Canada – 2006* by Geoffrey Li. (Ottawa: Minister of Industry, 2007); CCJS. *Homicide in Canada – 2005* by Mia Dauvergne and Geoffrey Li. (Ottawa: Minister of Industry, 2006); CCJS. *Homicide in Canada – 2004* by Mia Dauvergne. (Ottawa: Minister of Industry, 2005); CCJS. *Homicide in Canada – 2003* by Mia Dauvergne. (Ottawa: Minister of Industry, 2004); CCJS. *Homicide in Canada – 2002* by Josée Savoie. (Ottawa: Minister of Industry, 2003); CCJS. *Homicide in Canada – 2001* by Mia Dauvergne. (Ottawa: Minister of Industry, 2002); CCJS. *Homicide in Canada – 2000* by Orest Fedorowycz. (Ottawa: Minister of Industry, 2001); CCJS. *Homicide in Canada – 1999* by Orest Fedorowycz. (Ottawa: Minister of Industry, 2000); CCJS. *Homicide in Canada – 1998* by Orest Fedorowycz. (Ottawa: Minister of Industry, 1999); CCJS. *Homicide in Canada – 1997* by Orest Fedorowycz. (Ottawa: Minister of Industry, 1998); CCJS [1996], *supra* note 155; CCJS. *Homicide in Canada – 1995* by Orest Fedorowycz. (Ottawa: Minister of Industry, 1996).

<sup>161</sup> CCJS [2007], *supra* note 160; CCJS [2003], *supra* note 160; CCJS [2002], *supra* note 160.

likely lower than the actual number of victims who were prostitutes because the victim's occupation is not always known.<sup>162</sup>

**Figure 5-3: Comparison of Figures of Homicides of Sex Workers in Canada**

| <b>Year</b>  | <b>Dissertation Database</b> | <b>Juristat: Homicide in Canada Reports</b> | <b>Juristat: Street Prostitution in Canada Report</b> | <b>John Lowman Research</b> |
|--------------|------------------------------|---------------------------------------------|-------------------------------------------------------|-----------------------------|
| 1947         | 1                            | -                                           | -                                                     | -                           |
| 1961         | 1                            | -                                           | -                                                     | -                           |
| 1968         | 1                            | -                                           | -                                                     | -                           |
| 1974         | 1                            | -                                           | -                                                     | -                           |
| 1979         | 2                            | -                                           | -                                                     | -                           |
| 1980         | 1                            | -                                           | -                                                     | -                           |
| 1981         | 2                            | -                                           | -                                                     | -                           |
| 1982         | 1                            | -                                           | -                                                     | -                           |
| 1983         | 3                            | -                                           | -                                                     | -                           |
| 1984         | 2                            | -                                           | -                                                     | -                           |
| 1985         | 7                            | -                                           | -                                                     | -                           |
| 1986         | 8                            | -                                           | -                                                     | -                           |
| 1987         | 5                            | -                                           | -                                                     | -                           |
| 1988         | 8                            | -                                           | -                                                     | -                           |
| 1989         | 10                           | -                                           | -                                                     | -                           |
| 1990         | 11                           | -                                           | -                                                     | -                           |
| 1991         | 12                           | -                                           | 14                                                    | -                           |
| 1992         | 10                           | 5                                           | 8                                                     | 8                           |
| 1993         | 10                           | 9                                           | 13                                                    | 13                          |
| 1994         | 15                           | 16                                          | 16                                                    | 16                          |
| 1995         | 9                            | 9                                           | 12                                                    | 12                          |
| 1996         | 7                            | 10                                          | -                                                     | 14                          |
| 1997         | 11                           | 6                                           | -                                                     | 11                          |
| 1998         | 8                            | 7                                           | -                                                     | 12                          |
| 1999         | 3                            | 3                                           | -                                                     | -                           |
| 2000         | 4                            | 1                                           | -                                                     | -                           |
| 2001         | 11                           | 1                                           | -                                                     | -                           |
| 2002         | 24                           | 18                                          | -                                                     | -                           |
| 2003         | 30                           | 11                                          | -                                                     | -                           |
| 2004         | 14                           | 18                                          | -                                                     | -                           |
| 2005         | 5                            | 9                                           | -                                                     | -                           |
| 2006         | 7                            | 12                                          | -                                                     | -                           |
| 2007         | 12                           | 15                                          | -                                                     | -                           |
| 2008         | 7                            | 3                                           | -                                                     | -                           |
| 2009         | 11                           | -                                           | -                                                     | -                           |
| 2010         | 6                            | -                                           | -                                                     | -                           |
| 2011         | 10                           | -                                           | -                                                     | -                           |
| 2012         | 9                            | -                                           | -                                                     | -                           |
| 2013         | 10                           | -                                           | -                                                     | -                           |
| <b>Total</b> | <b>309<sup>163</sup></b>     | <b>153</b>                                  | <b>63</b>                                             | <b>86</b>                   |

<sup>162</sup> For further discussion, see, Lowman, *supra* note 5 at 987.

## i. Homicides of Indoor Sex Workers

As outlined in Chapter One, a hierarchy of sex workers exists, with escorts in the highest echelon and street sex workers at the bottom. This hierarchy is found in the media coverage of missing or murdered Canadian sex workers. The women described in the media as escorts, as opposed to hookers or prostitutes, have mainly been white-looking women:<sup>164</sup>

- Brianna Torvalson, 21, murdered in February 2008, Edmonton, Alberta;<sup>165</sup>
- Chantel Robertson, 20, murdered in June 2008, Edmonton, Alberta;<sup>166</sup>
- Jillian Lyons, 45, dead under suspicious circumstances in August 2013, New Westminister, B.C.;<sup>167</sup>
- Karen Nabors, 48, dead under suspicious circumstances in August 2013, New Westminister, B.C.;<sup>168</sup>
- Kimberly Hallgarth, 33, murdered in March 2009, in Burnaby, B.C.;<sup>169</sup>
- Kera Freeland, 20, murdered in January 2011, near Caledon, Ontario;<sup>170</sup>

<sup>163</sup> This figure does not include the eight cases in which the year of death was not known. It does include the four cases where the body has not been located but homicide charges have been laid.

<sup>164</sup> Not all sources provide information about ethnicity or photographs, and photographs are not reliable indicators of ethnicity. Further, many women in the database are listed as white or Caucasian in some sources whereas other sources may indicate the woman was Aboriginal, Métis, First Nations or of Aboriginal ancestry. For example, Jessica Foster is listed as both Caucasian and of First Nation's ancestry and Brianna Torvalson's skeletal remains were thought to be of an Aboriginal woman, or a woman of Aboriginal ancestry prior to identification. Foster is not listed in the DD (but is in the VD) because she went missing from the U.S.

<sup>165</sup> "Another body of a gal found: Not far from the last." *Sun Media* (26 August 2008); "Friends of Brianna Torvalson" *Facebook*; "Police identify slain Edmonton woman" *CBC News* (23 February 2008); "deadmonton 2008...", *supra* note 59; "Edmonton serial killer," *supra* note 13; "deadmonton 2008...", *supra* note 92; "deadmonton – project KARE," *supra* note 14.

<sup>166</sup> "Homicides" *Edmonton Police Service*; "deadmonton 2008...", *supra* note 92; "Man gets life for killing, escort, burying her body" *The Globe and Mail* (09 May 2009), A7; "Missing escort found buried in yard" *CBC News* (01 July 2008); "Missing woman may be the victim of foul play: police" *CBC News* (30 June 2008); "Man sentenced to 13 years before parole for escort slaying" *CBC News* (08 May 2009).

<sup>167</sup> "Warning issued after 2 escorts found dead in New Westminister" *CTV News* (26 August 2013); "2 escorts found dead in New Westminister, B.C., building" *CBC News* (26 August 2013).

<sup>168</sup> *Ibid.*

<sup>169</sup> "IHIT, Burnaby – Deceased adult female located in a Burnaby residence – update" *RCMP News Release* (16 March 2009); "Woman found dead in Burnaby worked as escort" *CTV* (17 March 2009); "Woman found dead in Burnaby worked as escort" *CTV BC* (17 March 2009); Kent Spencer, "Ex-Lion Boden acquitted of assault" *The Province* (15 August 2008); "Police ID woman found dead in Burnaby home" *CBC News* (16 March 2009).

<sup>170</sup> "Toronto escort Kera Freeland found dead" *Toronto Exotic Massage* (21 March 2011); "Missing woman, Kera Freeland, 20" *Toronto Police Service* (03 March 2011); "Missing woman, Kera Freeland, 20" *Toronto Police Service* (22 February 2011); "Kera Freeland" *Memory Torch*; "Body found in Caledon identified as young escort from Alberta" *Inside Caledon, Ontario* (23 March 2011); "Police in Caledon say woman was a homicide victim" *The Globe and Mail* (02 May 2010); Aileen Donnelly, "Police identify body found in Caledon" *National Post* (21 March 2011); Bob Mitchell, "Body found in Caledon ditch" *Toronto Star* (18 March 2011); Liem Vu, "Body found in Caledon identified as young escort" *Toronto Star* (20 March 2011); "Unsolved investigation – unsolved enquête" *Criminal Investigations Branch*; Katie Daubs, "Dead escort had



- Laura Babcock, 23, missing since June 2012, from Toronto, Ontario;<sup>171</sup>
- Nicole Parisien, 33, murdered in 2007, Vancouver, B.C.;<sup>172</sup>
- Polina Kazanceva, 19, murdered in March 2013, Calgary, Alberta;<sup>173</sup>

Readers of CBC News on-line commented on the terminology used by the media, and:

took issue with the term ‘escort’ when it was used to describe [Chantel] Robertson’s trade. The term was used by police in their initial news alert. During the Thomas Svekla trial, his Aboriginal victims were described by news outlets as “prostitutes” and comment posters felt the moniker to be dehumanising, saying their lifestyle had nothing to do with their fate.<sup>174</sup>

Glendene Grant is a vocal victim’s advocate on issues of prostitution and sex trafficking; she is also the mother of a Canadian woman, Jessica Foster, missing from Las Vegas, Nevada.<sup>175</sup>

After Foster disappeared, her parents hired a private detective whereupon they learned their daughter had been arrested twice for prostitution-related charges: “But she wasn’t a

‘no sense of fear’” *Toronto Star* (23 March 2011); Katie Daubs, “OPP awaiting autopsy results in death of escort” *Toronto Star* (21 March 2011); Curtis Rush, “‘Somebody knows something,’ says mother of deceased escort” *Toronto Star* (10 June 2011).

<sup>171</sup> “Missing adults” *Ontario’s Missing Adults*; “Missing Persons” *North American Missing Persons Network*; “Police say Laura Babcock had relationship with Bosma accused” *CBC News* (04 June 2013); “Tim Bosma slaying linked to Laura Babcock, Wayne Millard cases: OPP” *CBC News* (03 October 2013).

<sup>172</sup> Elaine O’Connor, “Man arrested in Kits death” *The Province* (08 September 2009); Matthew Little, “Crime-scene neighbours tell of arguments, car roaring off” *The Province* (08 September 2009); Laura Payton, “Accused played university rugby” *The Province* (08 September 2009); Laura Payton, “Woman killed in massage parlour” *The Province* (08 September 2009); Keith Fraser, “Trial in Kitsalano masseuse killing gets under way” *The Province* (09 September 2009); Susan Lazaruk, “Jury to decide on Vancouver prostitute strangler’s intent” *The Province* (02 October 2009).

<sup>173</sup> Nadia Moharib, “Answers continue to be elusive in Toronto escort Polina Kazanceva’s death in Calgary” *Calgary Sun* (23 March 2013); Kazanceva Family. “Polina Kazanceva dead: Family of escort release statement” *Huffington Post* (25 March 2013).

<sup>174</sup> “deadmonton 2008...,” *supra* note 92.

<sup>175</sup> Foster’s disappearance was widely reported in Kamloops and Calgary, where she had lived before moving to the U.S. “Missing” *Homeless Nation*; “\$50,000 Reward for Information” *Jessica Edith Louise Foster*; “Missing woman’s DNA fails to match” *Kamloops Daily News* (15 April 2008); Tom Gorman, “Their missing daughter was a Vegas call girl” *Las Vegas Sun* (21 April 2006); “Missing Persons” *Sex Trade Workers of Canada*; “Missing/Murdered...,” *supra* note 13; “I am Missing” *I am Missing*; “Missing Persons” *Missing Canadians*; *Human Trafficking Show - Jessica Edith Louise Foster*, (17 February 2009); Frank Peebles, “Holidays bring grief for local families” *Citizen* (08 January 2009); “Is a serial killer murdering Las Vegas prostitutes?” *America’s Most Wanted* (13 November 2008); Todd Mathews. *Missing Pieces: Walk 4 Justice* (20 June 2008). Episode 99: Interview with Gladys Radek. Internet Radio; Todd Mathews. *Missing Pieces: The search for answers continue* (20 January 2008) Episode 79: Interview with Glendene Grant. Internet Radio; Todd Mathews. *Missing Pieces: I have a missing daughter* (06 February 2007). Episode 22: Interview with Glendene Grant. Internet Radio; “Unsolved Murders...,” *supra* note 118.

streetwalker. She was a top-level prostitute. She worked out of an escort service.”<sup>176</sup> Grant believes her daughter was forced into prostitution and that her disappearance may be due to sex trafficking.<sup>177</sup>

In the case of Robertson, a driver was supposed to stay outside the client’s home but he did not remain there as directed. However, it is not likely his presence would have prevented the murder, which occurred as she was about to leave after providing sexual services. Matthew Barrett killed Robertson in order to retrieve the \$300 he had paid her. When the driver returned, Barrett told him she had left. Confused, the driver contacted the police the next day when Robertson could not be located. Thus, her body was recovered quickly from a backyard grave and an arrest made.<sup>178</sup>

As with escorts, working in body rub parlours provides some measure of safety not afforded to street sex workers due to the presence of other people in close proximity.<sup>179</sup> Violence, however, does still occur, albeit to a far lesser extent than against street sex workers.<sup>180</sup> The City of Calgary requires all escorts to be fingerprinted; as explained the chief licence inspector, “in case they end up in a ditch.”<sup>181</sup>

There are three cases from the DD of indoor sex workers being murdered in their workplaces. In all cases but one case, it appears that they were working alone at the time of their deaths. Some escort agencies have apartments set up for escorts to work out of, generally with another escort present.

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<sup>176</sup> Gorman, *supra* note 175.

<sup>177</sup> Neal Hall, “Mother of missing Kamloops woman providing DNA for search” *Vancouver Sun* (07 February 2008).

<sup>178</sup> “deadmonton 2008...,” *supra* note 92.

<sup>179</sup> Lowman, *supra* note 5 at 995.

<sup>180</sup> Lowman and Atchison, *supra* note 39 at 293; Sanders and Campbell, *supra* note 34 at 3.

<sup>181</sup> Kevin Martin, “Escort licences mulled at trial” *Calgary Herald* (08 November 2005).

- Lien Pham, 39, murdered in Toronto in 2003;<sup>182</sup>
- Lorraine Wray, 46, murdered in Edmonton in 1990;<sup>183</sup>
- Shawna Van Der Basch, 20, murdered in Calgary in 1991;<sup>184</sup>

In two cases, there were multiple people killed or injured at a place of work.

- Ping Li, murdered in Burnaby, B.C. in 2009. Her boss Xing Li (no relation) was shot but survived;<sup>185</sup>
- Brothel owner Xhu Xia Lin, 41, and sex worker Yan Jun Liu, 35, were killed in Markham, Ontario, in 2004, as was their friend, Walter Zhang, 40. These murders have gone unsolved despite a \$100,000 reward in the case. Police suspect that Lin was the target and Liu and Zhang were unfortunate witnesses to the crime.<sup>186</sup>

Craigslist<sup>187</sup> has also been linked to several murders of sex workers in Canada and the U.S., including Nicole Parisien in Vancouver. Abolition Coalition, a B.C. advocacy group opposed to the legalization or decriminalization of prostitution, cites the case of Parisien, who was murdered by Andrew Evans in 2007 in her home.<sup>188</sup> Parisien advertised as a masseuse on Craigslist and worked out of her upscale neighbourhood condominium alone.<sup>189</sup>

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<sup>182</sup> “Unsolved Murders...,” *supra* note 118; “The particulars of the ‘the forgotten’” *Unsolved Murders / Missing People Canada*; Desespere, *supra* note 14; Michele Mandel, “Pickton trial a wakeup call?” *Toronto Sun* (28 January 2007).

<sup>183</sup> “Missing/Murdered...,” *supra* note 13; Donna-Rae Munroe, “Missing!” *The Leader-Post* (28 January 2006); Corinne Vautour, “500 Aboriginal Missing Sisters” (28 September 2007) *The StarPhoenix*; “Edmonton’s missing...” *supra* note 14; “deadmonton – kare,” *supra* note 14; “Deaths,” *supra* note 14.

<sup>184</sup> Van Der Basch worked as a licensed escort, in addition to being a hair dresser. Her body was discarded in a ditch in a manner similar to the bodies of street prostitutes found in the same time period. All three murders remain unsolved. Justice Canada, *supra* note 6 at 22.

<sup>185</sup> Keith Fraser, “Jury told of how woman shot dead in Burnaby brothel robbery begged for her life” *Vancouver Province* (07 February 2012); “Man convicted for 2009 murder of Burnaby prostitute” *Burnaby Newsleader* (24 February 2012).

<sup>186</sup> “Unsolved Crimes” *Crime Stoppers of York Region*; “100,000 Reward in Triple Homicide” *York Regional Police*; “Professor Young correctly calls for the legalization and protection of prostitutes” *The Toronto Times* (15 November 2007).

<sup>187</sup> In 2010, Craigslist in the U.S. removed all “adult” and “erotic” service listings as of a result of the demands of attorney generals in 17 states. It did likewise in Canada shortly after. See, “Craigslist removes adult services section” *CBC News* (04 September 2010); “Craigslist pulls prostitution ads in Canada” *CBC News* (18 December 2010).

<sup>188</sup> “B.C. group vows to fight attempts to legalize prostitution” *CBC News* (05 October 2009).

<sup>189</sup> Fraser, *supra* note 172; O’Connor, *supra* note 172; Little, *supra* note 172; Payton, *supra* note 172; Payton, *supra* note 172; Lazaruk, *supra* note 172.

There are cases in the DD of exotic dancers who may have also engaged in prostitution, or whose murders or disappearances may be linked to sex work. In 1990, Tami Tracy, 17, worked as an exotic dancer at the Somass Hotel in Port Alberni, B.C., where she also lived. She was 12 weeks pregnant at the time of her death. She was murdered by Keith Robert in her room. Keith found her sleeping in her room in the hotel and sexually assaulted, beat and strangled her. He was sentenced to life in prison.<sup>190</sup> In 1995, Wendy Smith disappeared. She was working as an exotic dancer at the Fantasia night club in Toronto. She did not return home after her shift and remains a missing person.<sup>191</sup> Nathalie Fournier, 28, was an exotic dancer murdered by Adam Morris in 2004. She was last seen at a truck stop in Quebec; her body was found in Vermont. Morris was a long-distance trucker. Truck stops are frequent sites for prostitution.<sup>192</sup> There are also two cases in the DD of exotic dancers being murdered where it does not appear they were killed as a result of their professions. Sheryl Sheppard disappeared in 1998. She worked as an exotic dancer in the Niagara area. Her body has never been found, and her fiancé, Michael Lavoie, has long been the suspect in her disappearance and presumed murder.<sup>193</sup> Jessica Riopelle, 23, worked at the Diamonds Cabaret in Ottawa, Ontario. Riopelle was staying with Patrick Dunac in his room at a motel

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<sup>190</sup> "Missing/Murdered...", *supra* note 13; "Missing and Murdered...", *supra* note 13; *R. v. Robert* [1996] BCCA 3153; *R. v. Robert* [1991] BCSC 197.

<sup>191</sup> "Missing Adults...", *supra* note 171; Desespere, *supra* note 14; "Unsolved Murders...", *supra* note 118.

<sup>192</sup> "Autopsy IDs body as Quebec woman" *WCAX-TV News* (06 October 2008); Catherine Sherriffs, "More human bones found in sand pit in Maline, New York" *CJAD* (28 September 2008); Keagan Harsha, "Police uncover human remains in Malone" *WCZX-TV* (26 September 2008); "Recherche et sauvetage Québec Secours" *Québec Secours*.

<sup>193</sup> "Missing Persons" *Hamilton Police*; "Missing Persons and Unidentified Bodies Unit" *OPP*; "The Doe Network: Unexplained Disappearances Geographic Index 2" *The Doe Network*; "Missing Persons" *North American Missing Persons Network (NAMPN)*; Susan Clairmont, "Cold case on front burner" *The Hamilton Spectator* (30 December 2008) at A1; "Missing Adults...", *supra* note 171; "The particulars...", *supra* note 182; "Unsolved Murders...", *supra* note 118.

near the club, where she was found deceased. In October 2012, Dunac pleaded guilty to second degree murder and was sentenced to an automatic life term.<sup>194</sup>

### III. SERIAL KILLERS TARGETING SEX WORKERS

Serial murders are known to have occurred in Europe as far back as eight centuries ago.<sup>195</sup> Sex workers have long been targeted by serial killers for over a century, since the unsolved murders of “Jack the Ripper” in England in the 19<sup>th</sup> century. Jack the Ripper murdered between four and nine women in 1888. His victims “were prostitutes ... They varied in both age and appearance. Most were drunk, or thought to be drunk, at the time they were killed.”<sup>196</sup> Francisco Guerrero Pérez was sentenced to death for the homicides of 21 women between 1880 and 1888 in Mexico City.<sup>197</sup> These were among the first known serial killers to target the most vulnerable women in society.

They (serial killers) target vulnerable, easy targets, such as prostitutes, children or nursing home residents, especially favouring marginal victims so as not to attract attention from authorities who might feel more pressure to solve cases involving middle-class or mainstream victims.<sup>198</sup>

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<sup>194</sup> Kristy Nease, Matthew Pearson, Meghan Hurley and Zev Singer, “Man faces murder charge in city’s fourth homicide of 2011” *Ottawa Citizen* (28 March 2011); “Man charged after woman found dead in motel” *CBC News* (28 March 2011); “Ottawa murder suspect to undergo psychiatric tests” *CBC News* (30 March 2011); Meghan Hurley, “Murder suspect ordered to undergo 30-day psychiatric assessment” *Ottawa Citizen* (30 March 2011); Meghan Hurley, “Bloody hammer discovered at site of killing” *Ottawa Citizen* (30 March 2011); “Murder” *Ottawa Police* (28 March 2011); “Suspicious death” *Ottawa Police* (27 March 2011); Andrew Seymour, “Accused in motel killing fit for trial, doctor says” *Ottawa Citizen* (28 May 2011), D3; Scott Taylor, “Accused tried to flee exotic dancer murder scene” *Toronto Sun* (28 March 2011); Kelly Roche, “Homicide victim’s family ‘overwhelmed’” *Ottawa Sun* (28 March 2011); Andrew Seymour, “Accused admits brutally killing dancer” *Ottawa Citizen* (10 October 2012), C1.

<sup>195</sup> Nicole L. Mott, “Serial murder: Patterns in unsolved cases” (1999) 3 *Homicide Studies* at 241. See also, Hickey, *supra* note 30 at 45.

<sup>196</sup> “Casebook: Jack the Ripper” *Casebook*.

<sup>197</sup> James Alex Garza. *The imagined underworld: Sex, crime, and vice in Porfirian Mexico City*. (Nebraska: University of Nebraska Press, 2009) at 1.

<sup>198</sup> James Alan Fox and Jack Levin. “Mass, serial and spree killing: distinction or distraction” (2010) 72 *The Gazette*.

Serial killer researcher Steven Egger says that most of the victims of serial killers “fall within what I would define as ‘the less dead.’ The prostitutes, the homeless, the vagabonds, the migrant workers, the homosexuals, people with not a lot of power, not a lot of prestige.”<sup>199</sup> The murder of such victims normally does not result in a public outcry to solve the crimes in the same way “innocent” (non-prostitute victims) do.<sup>200</sup>

A DOJ report notes that in “males with a pathological hatred for women, the fact that a victim is a prostitute appears to justify using her as a target for general misogyny.”<sup>201</sup> Such offenders exact their anger against all women, or women who are thought to have wronged them, on prostitutes.<sup>202</sup> Retired vice officer, JoAnn McCartney, who worked with Project KARE, is blunt: “It’s basic: Women involved in prostitution are vulnerable, vulnerable to be murdered.”<sup>203</sup>

Lowman distinguishes between two types of violence against street prostitutes: *situational* and *predatory*. Situational violence is described as an assault, sexual assault or robbery arising from a dispute between the client and prostitute. Such murders are not premeditated, although “they are not entirely situational either. Such incidents are predisposed by the perpetrator’s attitude towards women and sexuality.”<sup>204</sup> Predatory violence, however, is premeditated. “The choice of a prostitute as a target is, at least partly, a matter of opportunity: Because street prostitutes will get into a car with a stranger, they are

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<sup>199</sup> Chris Nuttall-Smith, “Preying on weak makes serial killers hard to detect” *Vancouver Sun* (03 April 2002).

<sup>200</sup> Hickey, *supra* note 30 at 260.

<sup>201</sup> Justice Canada, *supra* note 6 at 34.

<sup>202</sup> Grover Maurice Godwin. *Hunting serial predators: A multivariate classification approach to profiling violent behaviour*. (Florida: CRC Press LLC, 2000) at 234. See also, Ronald M. Holmes and James De Burger. *Serial murder*. (California: Sage, 1988).

<sup>203</sup> JoAnn McCartney, quoted in, Petti Fong, “In Edmonton, where a serial murderer is loose, sex workers fear they’ll be next victim” *Toronto Star* (06 January 2008).

<sup>204</sup> Lowman, *supra* note 5 at 1005.

targets.”<sup>205</sup> Experts use the term *facilitation* to describe “the degree to which victims make themselves accessible or vulnerable to attack.”<sup>206</sup> Prostitutes and hitchhikers are “in a highly facilitative position for killing” based on their willingness to get into cars with strangers.<sup>207</sup>

For those Canadian cases in which the offender is known, the offenders responsible for the murders and assaults of sex workers are overwhelmingly Caucasian<sup>208</sup> and are generally clients or pose as clients.<sup>209</sup> However, it bears remembering that “(w)hile it is certainly true that men commit most of the violence experienced by sex workers, it appears that a relatively small proportion of sex buyers account for most of the violence; many sex buyers do not assault, rob, rape or murder sex workers.”<sup>210</sup>

U.S. academics analyzed data from homicides from a variety of sources in order to observe patterns and identify shortcomings in each of the nine samples. They discovered that a large number of homicides of sex workers were the result of serial perpetrators. The Violent Criminal Apprehension Program (ViCAP) at the Federal Bureau of Investigation (FBI) reports that 70% of victims of known serial killers are women.<sup>211</sup> Other research suggests that almost 78% of victims of serial killers are women.<sup>212</sup> Analyzing data from the National Center for the Analysis of Violent Crime (NCAVC) and the national U.S. media, the researchers found:

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<sup>205</sup> *Ibid.*

<sup>206</sup> Hickey, *supra* note 30 at 260.

<sup>207</sup> *Ibid.* at 261.

<sup>208</sup> Justice Canada, *supra* note 81 at 33.

<sup>209</sup> Brewer, *et al.*, *supra* note 34 at 1105.

<sup>210</sup> Lowman and Atchison, *supra* note 39 at 292. See also, Martin A. Monto, “Female prostitution, customers, and violence” (2004) 10 *Violence against Women*, 160.

<sup>211</sup> Thomas Hargrove, “Serial killings: Unsolved, and unpublicized, slayings of women fill FBI files” *Scripps Howard News Service* (20 November 2010).

<sup>212</sup> See contra, Kenna Quinet, “The missing missing: Toward a quantification of serial murder victimization in the United States” (2007) 11 *Homicide Studies* at 337 (Endnote #4); G. Maurice Godwin, *Hunting serial predators*. (Toronto: Jones and Bartlett Publishers, 2008) at 55; Godwin, *supra* note 202 at 66.

The large majority of prostitute victims in the NCAVC (60%, 74/123) and national media (77%; 447/580) samples were killed by serial perpetrators of prostitute homicide. Twenty-six of the 75 (35%) perpetrators in the NCAVC data had killed multiple prostitutes, as had 97 of the 230 (42%) perpetrators (with team perpetrators counted as one perpetrator only) in the media sample. In the media sample, the percentage of serial perpetrators increases to 55% if single perpetrators are reclassified as serial perpetrators because they were perpetrators of additional cleared prostitute homicides for which we lacked specific information (n55), committed nonfatal assaults against prostitute women (n518), or were suspects in other prostitute homicides (n55) or assaults (n52). Furthermore, nearly all serial perpetrators of prostitute homicide were clients (92% (22/24) in the NCAVC and 99% (74/75) in the national media samples).

The capture–recapture analysis involving cleared prostitute homicides in the NCAVC and media samples suggests that 35% (892/2542) of prostitute homicide victims in the United States between 1982 and 2000 were killed by serial perpetrators of prostitute homicide. The same analysis yields an estimate that 8% (142/1792) of all perpetrators in cleared prostitute homicide cases had multiple victims. Both of these estimates are conservative, though, in that serial perpetrators were underidentified...<sup>213</sup>

Law enforcement, criminologists and psychologists have differentiated three types of homicides that involve multiple victims: serial, spree and mass murder.

In the past thirty years, multiple definitions of serial murder have been used by law enforcement, clinicians, academia, and researchers. While these definitions do share several common themes, they differ on specific requirements, such as the number of murders involved, the types of motivation, and the temporal aspects of the murders.<sup>214</sup>

At a 2005 symposium on serial homicides, the FBI attempted to have attendees agree on a definition. A mass murder occurs where multiple victims, generally four or more, are killed at the same time without a break between killings. Mass murders generally occur at one location, such as school shootings.<sup>215</sup> Previously, experts distinguished between spree and

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<sup>213</sup> Brewer, *et al.*, *supra* note 34 at 1106.

<sup>214</sup> Federal Bureau of Investigations (FBI). *Serial murder: Multi-disciplinary perspectives for investigators* (07 July 2008).

<sup>215</sup> See also, Kathleen M. Heide and Belea Keeney, “Serial murder: A more accurate and inclusive definition” (1995) 39 *Int. J. of Off. Therapy & Comparative Crim.*, at 301; Newton, *supra* note 135 at 237; David V.



serial murders by observing a discernible time period between murders. “Serial murder required a temporal separation between the different murders, which was described as: separate occasions, cooling-off period, and emotional cooling-off period.”<sup>216</sup> The attendees felt there was little benefit to trying to distinguish between serial and spree killing:

Because it creates arbitrary guidelines, the confusion surrounding this concept led the majority of attendees to advocate disregarding the use of spree murder as a separate category. The designation does not provide any real benefit for use by law enforcement.<sup>217</sup>

Previous definitions of the number of murders required in order to be classified as serial have ranged from two to 10 victims. The FBI proposed that two was the appropriate number of linked but separate homicides necessary to designate the crimes as serial homicides. The purpose of this revised, more flexible definition was to enable law enforcement to commit sufficient resources to the investigation early on with an earlier recognition of a serial offender.<sup>218</sup> Serial homicides require considerable resources and earlier, intense investigation can result in apprehending a serial killer before they amass a large number of victims.

Below are the known serial killers of sex workers in Canada. Appendix G contains summaries of known serial killers of sex workers in the U.S., and the U.K., countries with similar prostitution laws. Although serial killers of sex workers were found in other Western countries, they were not found to the same degree, frequency or number of victims. The FBI definition of serial homicides, which includes spree killings, has been used here. Where there is a very short period of time, such as hours, days or one week, between killings, it has been noted, as it may be useful in analysis. In every case additional research has been conducted,

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Canter and Natalia Wentink, “An empirical test of Holmes and Holmes’s serial murder typology” (2004) 31 *Crim. Justice & Behavior*, 489.

<sup>216</sup> FBI, *supra* note 214.

<sup>217</sup> *Ibid.*

<sup>218</sup> *Ibid.* See also, Hickey, *supra* note 30 at 27.

endeavouring to provide information about the victims and offender, the manner of death, any confessed or speculated motive, the charges laid, the result of any legal proceedings and any other fact that might be helpful to the analysis of trends and investigative techniques utilized to apprehend serial offenders.

Where possible, court decisions and academic sources are used as the primary source, as well as news articles, documentaries, websites and books. In older cases there may be difficulty accessing news articles. Many papers archive their material and it is only available for a fee, or it is not available electronically. Cases in which there are fewer victims, as compared to cases such as those of Pickton or Gary Ridgeway (the Green River Killer), often have only cursory information. For example, Davey Butorac of B.C. was convicted of two counts of second degree murder and faces a third count in 2013, and Michael Durant was convicted on two counts of first degree murder in 2012 in Niagara Falls, Ontario. All five victims were street prostitutes. Very little information is available, often only from the local newspaper and can be cursory in nature. This was also found where there are a large number of victims, if the case is unsolved and the victims identified as prostitutes, such as the West Mesa Murders in New Mexico. Where there are few victims but the offender is someone of higher socio-economic status than what is considered “typical” for a serial killer, such as medical student Phillip Markoff (the Craigslist Killer), far more information is available.

There are four reasons for presenting the summaries of these cases. First, although research sources often cite the prevalence of homicides against sex workers, a fulsome presentation of cases is lacking in the literature.<sup>219</sup> Second, in reviewing the cases, themes,

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<sup>219</sup> The case summaries below cannot be said to be a definitive, complete collection of cases involving serial murders targeting sex workers. Many more cases are referred to in passing within other resources with no

similarities and strategies for preventing violence, investigating crimes, common investigative errors and apprehending serial murderers can be found. These are discussed further in the conclusion of this chapter and in Chapter Seven. Third, the cases from the U.S. are included because Canada has far fewer serial killers. Trends and lessons learned from the cases in the U.S. can inform Canadian police investigations. The U.K. was included because there have been several government inquiries and reports conducted on specific investigations and prostitution generally. And finally, the victims of these horrific crimes are often missing from discussions of the cases. Names and life stories are absent; too often only the number of dead or missing women is presented. Where possible, the names and ages of the victims have been provided, as well as the type of sex work in which they engaged, if any. In cases of non-prostitute victims of the same killer, name, age and occupation are also provided where available. Ethnicity is provided, where it is available. Typically the ethnicity is provided only in the media when the offender or victims are non-Caucasian.

## **i. Canadian Serial Killers Targeting Sex Workers (By Real Name)**

### **1) Davey Butorac (Lower Mainland, B.C.)**

Davey Butorac was convicted in July 2010, of the second degree murder of Sheryl Koroll, 50, and Gwendolyn Lawton, 46, both street prostitutes in Vancouver's Lower Mainland. Lawton's body had been found near Abbotsford in March 2007. Koroll's body was located in July near Langley, about 20 minutes away. "Both women were known to be addicted to drugs and to work as sex trade workers. Both were slight, Caucasian, and

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further information available. Use of microfiche and a focus on local newspapers would be an effective step for further research. There are two sources that I found to be of great assistance as a first source: the student-generated summaries of serial killers prepared at Radford University and Michael Newton's *Encyclopedia of Serial Killers*.

approaching 50 years of age. Both women had blunt trauma injuries to their heads as primary causes of death.”<sup>220</sup> Lawton was likely killed by manual strangulation and Koroll due to head injuries. Both women’s clothes were ripped, their breasts, midriffs and genitals exposed.<sup>221</sup>

Security videotapes at the Koroll crime scene led police to look for a particular type of vehicle. Tire and shoe impressions were also found at the scene. Police conducted a canvass of registered owners of the make and model of the car seen on the video, which included a standardized list of questions and a request for a buccal swab to collect DNA. When Butorac was approached in July 2007, he provided a DNA sample. Police also photographed the car and tires and noted that Butorac was wearing shoes that been identified as the type that had made the impressions. In the fall, police followed up with telephone and in-person discussions with Butorac. He refused to allow a forensic examination of his car; surveillance was conducted and he was observed to clean his car. An Information to Obtain warrant for the search of his vehicle was signed a month after first contact with Butorac. Two months later, DNA found on a tire iron and pipe in the car was identified as belonging to Lawton; until this time the cases were not linked. Butorac was put under constant surveillance for 10 days following the results of the DNA tests. After the identification of Lawton’s DNA in the car, the case of Margaret Redford, 47, who was found floating in a river May 2006, was reviewed. Butorac was arrested in relation to all three murders and further search warrants for his residence were executed.

An undercover officer was placed into the cell with Butorac following a staged scene in which Butorac witnessed a discussion between the cell plant and his “girlfriend,” another

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<sup>220</sup> *R. v. Butorac* [2010] B.C.J. No. 1670 at 4.

<sup>221</sup> *R. v. Butorac* [2010] B.C.J. No. 1518.

officer. Butorac was interviewed by police officers but was largely unresponsive.<sup>222</sup> On the second day of interviews he requested legal counsel. The undercover cell plant and Butorac were released simultaneously; the undercover officer offered Butorac a ride home and the two went to a restaurant. The undercover evidence, however, was excluded during the *voir dire*.<sup>223</sup> Butorac applied to sever the cases but this was not permitted.<sup>224</sup> Similar fact evidence was allowed in regards to both counts of second degree murder.<sup>225</sup> Arnold-Bailey J. noted that “while Butorac did not exhibit the same degree of depravity as Pickton did, he was very close to being the very worst kind of offender who committed the worst kind of offence.”<sup>226</sup> Following his conviction on both counts, he was sentenced to life in prison with no possibility of parole for 23 years. He has also been charged with the second degree murder of Redford; the case is expected to proceed to trial in 2014. Butorac is a white man.<sup>227</sup>

## 2) John Martin Crawford (Lethbridge, Alberta & Saskatoon, Saskatchewan)

John Crawford targeted First Nations women with substance abuse issues and/or sex workers. Crawford’s crimes are catalogued in Warren Goulding’s *Just Another Indian*. The

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<sup>222</sup> One of the officers interviewing Butorac was RCMP Inspector Bill Fordy, who was part of the Pickton interview in February 2002.

<sup>223</sup> *R. v. Butorac*, *supra* note 220.

<sup>224</sup> *R. v. Butorac* [2010] B.C.J. No. 1526.

<sup>225</sup> *R. v. Butorac* [2010] *supra* note 221.

<sup>226</sup> Dan Ferguson, “Butorac compared to Pickton at double murder sentencing” *Langley Times* (10 February 2011).

<sup>227</sup> “I am Missing,” *supra* note 175; Lori Culbert, “Women’s remains found in valley” *Vancouver Sun* (16 January 2008); Lori Culbert, “‘Nothing’s changed’ in Vancouver’s drug-plagued Downtown Eastside” *Vancouver Sun* (25 February 2007); “Police investigating more missing women” *The Province* (13 January 2008); “Suburban sex-trade...,” *supra* note 65; “Michelle Caroline Choiniere” *I am Missing*; Lori Culbert, “RCMP has a suspect in death of sex worker” *Vancouver Sun* (17 January 2008); “Unsolved Murders...,” *supra* note 118; “Vancouver/Lower Mainland Violent Deaths 2006” *Prime Time Crime*; “3<sup>rd</sup> murder charge for Aldergrove man” *CBC News* (03 March 2010); “IHIT, Langley – Charge approved in 2006 Aldergrove murder, suspect linked to others [sic] murders.” *RCMP* (03 March 2010); Wendy McLellan, “B.C. man charged with murdering third woman” *Vancouver Province* (03 March 2010); Jennifer Saltman, “Davey Mato Butorac convicted of second degree murder” *Vancouver Sun* (16 July 2010); *R. v. Butorac*, *supra* note 221; *R. v. Butorac*, *supra* note 220; Monique Tamminga, “Butorac to face trial for third murder” *Langley Times* (11 April 2012).

book details a case of serial murder and community disinterest. Crawford paid an 11-year-old girl for sex when he was 13. Crawford killed Mary Jane Serloin, 35, in 1981, when he was 19-years-old in Lethbridge. He pled guilty to manslaughter and was sentenced to 10 years in prison, when he met Bill Corrigan. He served two-thirds of his sentence and was paroled in 1989, when he returned to his hometown of Saskatoon. Following his release, he was arrested for soliciting an undercover police officer in 1990.

Two years later, he was accused of raping Janet Sylvestre. The same year, Crawford and Corrigan picked up a sexually exploited youth, Shelley Napope, 16. Napope was beaten, raped and stabbed to death that night. In September 1992, Crawford strangled two street prostitutes, Eva Taysup and Calinda Waterhen, both 22, only a day apart. The bodies of all three women were found at the same location in 1994. Police suspected Crawford of the disappearances and murders of the three women and put him under surveillance for four months. During their surveillance, police officers saw Crawford pick up another young Aboriginal street prostitute, Theresa Kematch. Police may also have witnessed Crawford's attack on her, as discussed in the previous chapter.<sup>228</sup> Police found Kematch a few hours later with obvious signs of having been assaulted. She was arrested for prostitution-related charges and did not receive medical treatment.<sup>229</sup>

Police used a listening device attached to Corrigan to get Crawford's confession, and were able to build a case against him for three murders. Crawford was convicted in the second degree murders of Waterhen and Taysup, and the first degree murder of Napope. He was sentenced to three concurrent life sentences, with no parole eligibility for 25 years on

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<sup>228</sup> William Goulding, *Just another Indian: A serial killer and Canada's indifference*. (Calgary: Fifth House Ltd., 2001) at 120-4.

<sup>229</sup> *Ibid.* at 117.

each count.<sup>230</sup> Corrigan was not charged; his letter of understanding with the RCMP stated that in exchange for his testimony he would receive \$15,000 plus expenses. The woman who had accused Crawford of rape, Sylvestre, was found murdered in 1994 at age 37. Crawford is the suspect in her murder, but has never been charged. He is also a suspect in the 1991 disappearances of Shirley Lonethunder, 25, and Cynthia Baldhead.<sup>231</sup>

### **3) Michael Durant (Niagara Region, Ontario)**

In 2006, Michael Durant was charged with the first degree murders of street prostitute Diane Dimitri, 32, in 2003, and exotic dancer Cassey Cichocki, 29, in 2006. Dimitri attended a party at Durant's home where she was struck in the head with a hammer. Durant's then-wife, Dana Arnold, returned home and found Dimitri alive but badly injured. Durant and Arnold drove Dimitri to a rural area in the trunk of the car and left her there; Dimitri was still alive at the time. Durant and Arnold's infant was in the car at the time. The two returned to the location a few days later where they determined that Dimitri had not been found. In 2007, after Durant's arrest, Arnold told the police about her involvement. She was not charged in relation to the case. Cichocki died at Durant's home after being beaten to death. Only a few traces of blood were found in the homes where the women died. Male DNA found on duct tape wrapped around Cichocki's neck did not match Durant. Durant's trial began in the fall of 2012 and he was convicted of first degree murder on both counts.

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<sup>230</sup> *R. v. Crawford* [1999] S.C.C.A. No. 140.

<sup>231</sup> *Ibid.* See also, Lindsey Sweeney, Lauren Venezia and Holly Keener, "John Martin Crawford" *Serial Killer Timelines*, Department of Psychology, Radford University; Newton, *supra* note 135 at 333, Lee Mellor. *Cold north killers: Canadian serial murder* (Toronto: Dundurn, 2012) at 125-7.

Ramsay J. sentenced him to life in prison with no possibility of parole for 25 years. Durant's lawyer declared he will appeal, arguing that the counts should have been severed.<sup>232</sup>

A 12-investigator task force was created by the Niagara Regional Police Service in 2006 to focus on the murders of five women involved in the sex trade. Durant was arrested shortly after the task force began. He was a suspect in the murders of Dawn Stewart, 32, Nadine Gurczenski, 27, and Margaret Jugaru, 26. Stewart was murdered in 1996, Gurczenski in 1999, Jugaru in 2004. Stewart and Jugaru were street prostitutes while Gurczenski was an exotic dancer. The skeletal remains of Stewart and her fetus were discovered in a ditch a year after her disappearance in 1995. Jugaru was found in the parking lot of a school; her body showed obvious signs of trauma. Gurczenski was found in a ditch approximately a day after her death; she was not identified for two weeks. There is DNA evidence in the

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<sup>232</sup> *R. v. Durant* [2009] O.J. No. 5210; "New charge laid in killings of Niagara sex-trade workers" *CBC News* (05 June 2006); "Niagara body identified: Police treating woman's death as a homicide" *Sun Media* (05 March 2007); "Niagara Deaths" *Major Crime*; "The particulars...", *supra* note 182; "Unsolved Murders...", *supra* note 118; Desespere, *supra* note 14; John Burman, "Who killed them?: Niagara police hunt for links in five slayings" *The Hamilton Spectator* (27 January 2006); Tiffany Mayer, "Mother's pain doesn't heal" *St. Catherine's Standard* (07 March 2007); Alison Langley, "Crown wraps up double murder case" *Niagara Falls Review* (30 October 2012); Alison Langley, "DNA on duct tape not Durant's: expert" *Niagara Falls Review* (23 October 2012); Alison Langley, "Blood found in Durant's basement: testimony" *Niagara Falls Review* (22 October 2012); Alison Langley, "'I didn't kill her,' Durant says in police video" *Niagara Falls Review* (19 October 2012); Alison Langley, "Durant denies involvement in women's deaths" *Niagara Falls Review* (17 October 2012); Alison Langley, "Durant murder trial: Theatre curtains tested for evidence" *Niagara Falls Review* (16 October 2012); Alison Langley, "Witness stored accused's belonging" *Niagara Falls Review* (11 October 2012); Alison Langley, "Ex-boss says Durant good worker" *Niagara Falls Review* (10 October 2012); Alison Langley, "Carpet removed from Durant's home after Cichocki vanished" *Niagara Falls Review* (09 October 2012); Alison Langley, "Durant had swollen hand around time woman vanished: witness" *Niagara Falls Review* (04 October 2012); Alison Langley, "Durant trial: Witness heard bone-crushing sound" *Niagara Falls Review* (03 October 2012); Alison Langley, "Durant trial: Personal hardships preceded Cichocki's death" *Niagara Falls Review* (03 October 2012); Alison Langley, "Durant defence 'grasping at straws'" *Niagara Falls Review* (01 October 2012); Alison Langley, "Durant jury shown graphic photos" *Niagara Falls Review* (27 September 2012); Alison Langley, "Blunt force trauma to head, face killed woman: Doctor" *Niagara Falls Review* (26 September 2012); Alison Langley, "Man implicated in murder denies involvement" *Niagara Falls Review* (25 September 2012); Alison Langley, "Accused killer told siblings of injured woman" *Niagara Falls Review* (24 September 2012); Alison Langley, "Durant's ex grilled by lawyer" *Niagara Falls Review* (18 September 2012); Alison Langley, "Durant's ex-wife testifies for Crown" *Niagara Falls Review* (13 September 2012); Alison Langley, "Durant trial to begin Monday" *Niagara Falls Review* (07 September 2012); Alison Langley, "Jury selection in murder trial to begin Wednesday" *Niagara Falls Review* (04 September 2012); Alison Langley, "Jury finds Falls man guilty of killing two women" *Niagara Falls Review* (28 November 2012).



Gurczenski case and police believe the murder is solvable, but Durant's DNA does not match the suspect DNA for this homicide. A composite sketch of a man the victim was seen with several times previously was released in 1999 and remains on the Crimestoppers website as of March, 2013. The task force has been disbanded and no charges have been laid in connection to the three homicides. As of October 2013, the Jungaro and Gurczenski homicides are still listed on Crimestoppers and were featured in a police bulletin seeking the public's assistance with unsolved cases in the region; Stewart's case is not among those listed.<sup>233</sup> There have been no further homicides of high risk individuals in the area since Durant's arrest in 2006. Durant is white, as were two of his victims, and Jungaro and Stewart. Gurczenski was a black woman.

#### **4) Gilbert Paul Jordan (Vancouver, B.C.)**

Gilbert Paul Jordan was a former barber and the first person in Canada known to use alcohol to purposely kill his victims. He has been linked to the deaths of between eight and 10 women from 1965 to 1988. His criminal history began in 1952 and included convictions for rape, indecent assault, abduction, hit and run, drunk driving and car theft. Although the police consider Jordan a serial killer responsible for the deaths of many women, he was only convicted in the manslaughter death of Vanessa Buckner.

Jordan's victims were typically First Nations women from the DTES; many had substance abuse issues and several were involved in the sex trade. Jordan would find women in the DTES bars, pay for drinks or sex, and encourage them to drink to excess, including paying them to drink more. When the women would lose consciousness, he poured liquor

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<sup>233</sup> Report of the Police Service to the Regional Municipality of Niagara Police Services Board "Niagara Regional Police Service (10 April 2012) at 3; "Homicide" *Niagara Regional Police Services*; Alison Langley, "Cold case files" *Niagara Falls Review* (06 March 2012); "Unsolved Crimes" *Crime Stoppers of Niagara*; "Man faces second murder charge in Niagara investigation" *CanWest News Service* (06 June 2006).

down their throats causing acute alcohol poisoning. As some of the women were known to have drinking problems, their deaths were generally considered to be accidental deaths.

The deaths linked to Jordan were Ivy Rose (1965), Mary Johnson, (1980), Barbara Paul, (1981), Mary Johns (1982), Patricia Thomas, (1984), Patricia Andrew (1985), Vera Harry, (1986), Vanessa Lee Buckner (1987) and Edna Shade (1987). Thirteen hours after Buckner and Jordan met he telephoned police from his own hotel to report that a woman had died and provided the hotel name and room number. Police traced the telephone call back to Jordan. Jordan was not arrested but police initiated surveillance. Jordan was eventually observed engaging in the same lethal behaviour. Police came to the rescue of four separate women between October 12 and November 26, 1987. Rosemary Wilson, Verna Chartrand, Sheila Joe and Mabel Olson, were rescued from SRO hotels by VPD officers.<sup>234</sup> According to the court records, police heard Jordan say:

Have a drink, down the hatch baby, 20 bucks if you drink it right down; see if you're a real woman; finish that drink, finish that drink, down the hatch hurry, right down; you need another drink, I'll give you 50 bucks if you can take it; I'll give you 10, 20, 50 dollars, whatever you want, come on I want to see you get it all down; you get it right down, I'll give you the 50 bucks and the 13 bucks; I'll give you 50 bucks. I told you that. If you finish that I'll give you \$75; finish your drink, I'll give you \$20...

This evidence was important at his 1988 trial, where Jordan was tried before a judge and found guilty of manslaughter. He only faced charges related to Bucker's death. His 15-year sentence was reduced to nine years on appeal. He served six years, and was then released on parole which restricted him to Vancouver Island.

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<sup>234</sup> *R. v. Jordan* [1988] B.C.J. No. 1927.

In June 2000, he was again charged with sexual assault, assault, negligence causing bodily harm and administering a noxious substance (alcohol).<sup>235</sup> In 2002, he was arrested on breach of probation when caught drinking alcohol with a woman. He was found guilty, sentenced to 15 months, three years' probation and subject to strict conditions.<sup>236</sup> Two years later, however, he was again caught violating probation. In Swift Current, Saskatchewan, he had gone to a party at a hotel with Barb Burkley, who ended up in the hospital with alcohol poisoning. He was acquitted of charges related to Burkley, but police issued a public warning, believing him to be an ongoing threat to women. Jordan died in 2006; he was a white man.<sup>237</sup>

### 5) Shawn Lamb (Winnipeg, Manitoba)

Tanya Nepinak, 31, disappeared in the fall of 2011. Although not known to have worked in the sex trade, police issued a bulletin after her disappearance stating they worried she was at risk of exploitation. Nepinak's body has not been found; police believe her body may be in a local landfill but searches have been unsuccessful.<sup>238</sup> In late 2011, Carolyn Sinclair, 25, disappeared; she was five months pregnant. Four months later her body was

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<sup>235</sup> *R. v. Jordan* [2003] B.C.C.A. 647 at 8.

<sup>236</sup> *R. v. Jordan* [2002] BCCA 330.

<sup>237</sup> *R. v. Jordan* [1991] B.C.C.A. CA010272; *R. v. Jordan* [1991] B.C.C.A. CA1272; *R. v. Jordan* [1991] B.C.J. No. 2908; *R. v. Jordan* [1991] B.C.J. No. 3490; *R. v. Jordan* [2004] B.C.C.A. 70; *R. v. Jordan* [2005] B.C.P.C. 0068; *R. v. Jordan* [2003] B.C.J. No. 237; "Missing/Murdered...", *supra* note 13; "'Boozing Barber' arrested in Winnipeg" *CTV News* (12 August 2004); "RCMP investigating name changes in B.C." *CBC News* (27 December 2001); "'Predator' back in jail" *CBC News* (31 August 2000); "Saanich Police media release" *Sannich Police*; "'Predator' back in jail" *CBC News* (31 August 2000); Justice Canada, *supra* note 81; "A history of Canadian killers" *National Post* (12 December 2007); Louise Dickson, "Gilbert Paul Jordan" *Victoria Times Colonist* (20 February 2002); Frank Larue, "Gilbert Paul Jordan: The Boozing Barber" *First Nations Drum* (April 2009); VPD, *supra* note 112 at 368.

<sup>238</sup> "Body linked to accused serial killer may be in dump" *CBC News* (07 August 2012); "Landfill search to begin for Tanya Nepinak's remains" *CBC News* (03 October 2012); "Family searches for body of serial killer's alleged victim" *CBC News* (29 June 2012).

found in Winnipeg. She worked as street prostitute and had addictions issues.<sup>239</sup> In early 2012, Lorna Blacksmith, 18, disappeared from Winnipeg. Blacksmith was not known to work in the sex trade. Initially, Blacksmith was thought to have travelled to Alberta without informing her family; her body was found several months after her disappearance.<sup>240</sup> Blacksmith, Nepinak and Sinclair were Aboriginal women.

In June 2012, Shawn Lamb was charged with three counts of second degree murder; as of September 2013, Lamb has not gone to trial. He was born Darrell Dokis to a teenage mother on the Aamjiwnaang First Nation near Sarnia, Ontario. He was removed from his mothers' care and adopted into a non-Aboriginal family. Lamb was unaware of his Aboriginal heritage until 2008; he applied for and received his Indian status card. The media has reported that court records indicate he suffered physical and sexual abuse in his adoptive home, has a history of mental illness and addiction and attempted suicide for the first time at age nine or ten. Lamb also has a lengthy criminal record with 109 convictions in four provinces. At the time of the Sinclair and Blacksmith killings, Lamb had been charged with sexual assault and attempting to procure a chronic run-away, aged 14, into the sex trade. Police in Alberta, Quebec and Ontario are looking into Lamb's movements and links to similar unsolved cases in their jurisdictions. In March 2013, Lamb was charged with sexual assault with a weapon stemming from an incident in late 2011.

Shortly before the sexual assault charge was laid, the media reported that Lamb had given specifics on five additional murders, without confessing to having been involved.

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<sup>239</sup> "Body found in Winnipeg lane ID'd as Carolyn Sinclair" *CBC News* (02 April 2012); "Missing woman's family scours Winnipeg streets" *CBC News* (12 January 2012); "Slain Winnipeg woman's family seeks answers" *CBC News* (02 April 2012).

<sup>240</sup> Len Humes, "Winnipeg police continue to search for missing girl Lorna Blacksmith" *Oye News* (25 May 2012); Tamara King, "Two months, no sign of Lorna" *Winnipeg Sun* (12 March 2012); "Memorial held for First Nations women" *Winnipeg Free Press* (26 June 2012).

Lamb claimed that there are two rolls of films and a box containing items that will assist police to solve five cases. Lamb has spoken to the media several times and has complained that the police have not acted upon the information he has provided. Police maintain that Lamb is a manipulator who has promised information several times and then reneged.

A member of the family of Fonessa Bruyere, 17, sent a letter to Lamb asking if he had any knowledge of her case; Bruyere was murdered in 2007. He sent one letter denying any contact with Bruyere or any information about her case. Three months later a second letter arrived. In this letter Lamb is alleged to have ranted about the Aboriginal community and suggested he might have information related to Bruyere's murder. The letter was given, unopened, to the CBC. When questioned by the reporter, Lamb denied having contacted the family of any of the missing and murdered women.<sup>241</sup>

## **6) Peter Dale MacDonald (Toronto, Ontario)**

Julieanne Middleton, 23, and Virginia Coote, 33, were murdered in 1994 and their bodies dumped in Lake Ontario. Darlene MacNeil, 35, was murdered and her body dumped in the same area in 1997.<sup>242</sup> The police long suspected a serial murderer was responsible for the deaths of the three women, all of whom were involved in the street-level sex trade. In October 2010, police charged Peter MacDonald with three counts of first degree murder in

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<sup>241</sup> "Arrest made in connection with 3 homicides" *CBC News* (25 June 2012); James Turner, "Man charged in 3 sex slayings" *Winnipeg Sun* (25 June 2012); Mariam Ibrahim, "Project Kare examines links to accused Winnipeg serial killer" *Edmonton Journal* (28 June 2012); Mike McIntyre, "Lamb a manipulator: police" *Winnipeg Free Press* (27 February 2013); *Shawn Lamb statements trouble family of alleged victim* (26 February 2013) CBC Television; "Alleged serial killer Shawn Lamb contacts victim's family" *CBC News* (28 February 2013); "Alleged Winnipeg serial killer has troubled past" *CBC News* (26 June 2012); *R. v. Lamb* [1980] O.J. No. 2049; *R. v. Lamb* [1980] O.J. No. 698; "Alleged serial killer Shawn Lamb faces new charge" *CBC News* (12 March 2013).

<sup>242</sup> MacNeil was the mother of Darla Thurrott, 10, who was murdered by a family friend, Timothy Rees, in 1989.

See, Rob Lamberti, "Death stalks woman's family" *Toronto Sun* (30 October 2010); Rob Lamberti, "Murder victims led hard, troubled lives" *Toronto Sun* (28 October 2010). See especially, *R. v. Rees* [1994] O.J. No. 1325.

relation to their deaths. MacDonald had been a suspect since 1994 but police were unable to conclusively link him to the murders until his DNA was available from another Toronto murder case in 2000. In 2011, the Crown stayed the charges against MacDonald for the murders of Middleton, Coote and MacNeil.

MacDonald was charged with the 2000 murder of Michelle Charette, 40, of Windsor, but the charges were withdrawn. In 2010, charges were laid again, and he is awaiting trial. MacDonald was also a suspect in the murder of Byron Carr in P.E.I, but that case remains unsolved, as MacDonald was in Montreal at the time of the murder. Between 1996 and 1997, MacDonald spent 14 months in jail on charges of sexual assault against another sex worker, but those charges were dismissed after the victim did not appear in court.<sup>243</sup>

In 2004, MacDonald was convicted of the second degree murder of James Campbell, 63; he was sentenced to life imprisonment. He had originally been charged with first degree and the judge at the preliminary trial found that there were sufficient grounds to proceed on that charge. On appeal, the charge was quashed and a count of second degree murder was entered. The court found that there was no evidence that Campbell had been sexually

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<sup>243</sup> Brett Clarkson, “‘I’m okay with what I do’” *Sun Media* (25 June 2007); Rob Lamberti, “Hooker deaths probed: Cops widen investigation after man held in attack” *Toronto Sun* (07 May 1998); Ian Robertson, “8 other murders remain unsolved” *Toronto Sun* (05 April 1998); Rebecca Bragg, “Friends attend vigil for slain woman” *Toronto Star* (16 March 1998); Jim Rankin, “Woman working street corner slain” *Toronto Star* (09 March 1998); Alan Cairns, “Metro cops seek links to hooker murders – B.C. suspect here in ‘94” *Toronto Sun* (08 August 1996); “The particulars...,” *supra* note 182; “Unsolved Murders...,” *supra* note 118; Desespere, *supra* note 14; “Ontario: Unsolved Toronto Crimes” *Websleuths*; Mandel, *supra* note 182; Douglas Victor Janoff, *Pink Blood: Homophobic violence in Canada*. (Toronto: University of Toronto Press, 2005); “Alleged killer’s victims deserve empathy: advocate” *CBC News* (29 October 2010); “P.E.I. convict accused of killing of killing 3 Toronto prostitutes” *CBC News* (28 October 2010); Trevor Wilhelm, “P.E.I. native charged with Ontario woman’s murder” *Canwest News Service* (21 January 2010); Rob Lamberti and Ian Robertseon, “Closure for victim’s mom, alleged serial killer charged” *Toronto Sun* (28 October 2010); Rob Lamberti, “A lengthy trail of killings and charges” *Toronto Sun* (28 October 2010); Lamberti, *supra* note 242; “Charges dropped in deaths of 3 Toronto prostitutes” *CBC News* (16 July 2011).

assaulted or forcibly confined at the time of the murder.<sup>244</sup> The court noted that at the time of Campbell's murder, MacDonald was a homeless alcoholic who exchanged sex for a place to sleep.<sup>245</sup>

### **7) Marcello (Marco) Palma (Toronto, Ontario)**

Shawn Keegan, aged 18/19,<sup>246</sup> Brenda Ludgate, 25, and Thomas (Deanna) Wilkinson, 31, were all murdered within a few hours of each other on the Victoria Day long weekend on May 20, 1996. Keegan and Wilkinson were transgendered. Marcello Palma picked up Ludgate at approximately 11:00 p.m. and planned to have Ludgate perform oral sex on him. He changed his mind and ordered Ludgate to leave the truck without payment. Ludgate refused and Palma shot her in the head. Keegan was picked up by Palma in an area well-known for transgendered prostitutes approximately 40 minutes after killing Ludgate. The two went to a stairwell where Palma shot Keegan ten minutes after they first met each other. Approximately ten minutes after killing Keegan, Palma encountered Wilkinson, whom he shot in an adjacent parking lot.

All three worked in the street sex trade in Toronto. Palma's defence attorney argued in front of a judge he was not criminally responsible for the killings. Watt J. ruled that:

He failed to satisfy this onus. The expert opinions failed to consider Palma's conduct before and after the shootings. Palma's mental state did not interfere with his intention to commit murder. He was not provoked by any of the victims. He was aware of what he did and that it was wrong. The Crown proved that these murders were planned and deliberate. Evidence of conduct and statements made after the murder could be probative on the issues of planning and deliberation. There was nothing in the evidence to show that these crimes were impulsive.<sup>247</sup>

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<sup>244</sup> *R. v. MacDonald* [2004] O.J. No. 1756.

<sup>245</sup> *R. v. MacDonald* [2008] O.J. No. 3030.

<sup>246</sup> Some sources have different ages of victims or offenders, which is indicated by the slash (/) between the different ages.

<sup>247</sup> *R. v. Palma* [2001] O.J. No. 3283 at 1.

Palma was found guilty of three counts of first degree murder and sentenced to a prison for life without the possibility of parole for 25 years.<sup>248</sup>

### 8) Robert (Willie) Pickton (Lower Mainland, B.C.)

Robert Pickton is alleged to be responsible for the murders of at least 33 women and possibly as many as 49. The DNA or partial human remains of 33 of these women were found on the Pickton property.<sup>249</sup> The first homicide charges against Pickton were laid in 2002. Pickton was charged with 27 counts of first degree murder. One charge was quashed and 20 stayed before the trial began in 2007. On December 10, 2007, Pickton was convicted of the second degree murders of Sereena Abotsway, 29, Marnie Frey, 24, Andrea Joesbury,

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<sup>248</sup> “Hookers: Small relief” *Toronto Sun* (03 June 1996); “Murder suspect in court” *Toronto Star* (05 March 1999); “Toronto man guilty of first degree murder for killing prostitutes” *CBC News* (20 April 2001); Alexandra Highcrest, “Judy Sgro’s fear of a pro city” *eye Weekly* (06 June 1996); Christie Blatchford, “The very psychiatrists he loathed will battle to convict or save Marcello Palma” *National Post* (29 April 1999); Christie Blatchford, “Witnesses demonstrate capacity for self-delusion” *National Post* (19 August 1999); Dale Brazao and Jim Rankin, “Serial killer sought: 3 prostitutes shot to death within 3 hours” *Toronto Star* (23 May 1996); Doug Saunders, “Life harsh for teens in drag” *Globe and Mail* (24 May 1996); Janoff, *supra* note 243; Ian Robertson, “Cops build profile of murderer: Clean ‘zoo’: residents” *Toronto Sun* (24 May 1996); Ian Robertson, “Hookers ‘upset,’ scared” *Toronto Sun* (23 May 1996); Ian Robertson, “Life harsh for teens in drag: Slayings shock sexual outcasts” *Globe and Mail* (24 May 1996); Ian Robertson, “Police fear transvestite murders not the last” *Toronto Sun* (22 May 1996); Ian Timberlake, “Neighbors knew his red pickup” *Toronto Sun* (30 May 1996); Jane Gadd, “Husband suicidal before killings: wife” *Globe and Mail* (17 August 1999); Rankin, *supra* note 243; John Schmied, “Homicide cops track red vans: Slain hookers’ case stymies cops” *Toronto Sun* (27 May 1996); John Smied and Ian Robertson, “Fear, panic on street” *Toronto Sun* (23 May 1996); Michael Kealy, “Gays isolate hookers, activist says” *XTRA!* (06 June 1996); Michael Kealy, “Taken before their time: Three people whose dreams will never be realized” *XTRA!* (06 June 1996); Philip Mascoll, Bruce DeMara and Moira Welsh, “2 transvestites gunned down” *Toronto Star* (22 May 1996); Philip Mascoll, Theresa Boyle and Peter Edwards, “Accused triple killer arrested in Halifax: Suspect in metro prostitute slayings found outside hotel” *Toronto Sun* (02 June 1996); Philip Mascoll, “Accused man admits he killed prostitutes court told” *Toronto Star* (29 April 1999); Philip Mascoll, “Wife alarmed by Palma’s behaviour” *Toronto Star* (17 August 1999); Rob Lamberti, “‘Zombie’ stared as cops neared” *Toronto Sun* (03 June 1996); Rob Lamberti, “Palma keeps silent” *Toronto Sun* (03 June 1996); Rosie DiManno, “Why would this woman love a killer?” *Toronto Star* (19 August 1999); Sam Pazzano, “Killer claims insanity in 3 hooker murders” *Toronto Sun* (29 April 1999); Sean Silcoff, “Profile suggests killer ‘on a mission’” *Unnamed Newspaper* (undated); Theresa Boyle and Jill Mahoney, “Families stricken by slayings” *Toronto Star* (23 May 1996); *R. v. Palma* [2000] O.J. No. 5874.

<sup>249</sup> David Carrigg with Lena Sin, “Vancouver the proposed ‘testing ground’ for co-op brothel” *The Province* (23 September 2007); Kara Gallagher, Stephanie Sodano and Brandon Speers, “Robert ‘Willie’ Pickton” *Serial Killer Timelines*, Department of Psychology, Radford University.



22, Georgina Papin, 34/37, Mona Wilson, 26, and Brenda Wolfe, 31. The Pickton case is presented in detail in the following chapter.

### **9) Samuel Pirrera (Hamilton, Ontario)**

In 2000, Samuel Pirrera died of an overdose in the Quinte Detention Centre in Napanee, Ontario. At the time of his death, he was negotiating a second degree plea agreement in the death of his wife, Beverly Davidson, and Maggie Karer, a street prostitute, both from Hamilton. Pirrera was charged with murder in the 1991 disappearance of Davidson, who worked as an exotic dancer. Pirrera and Karer both had addiction issues. Her body was never found, but Pirrera had admitted to his second wife, Danielle (also an exotic dancer), that he had killed Davidson and disposed of her in a vat of molten steel at the Delfasco steel mill where he worked.

In 1999, the police were called by Danielle, who was estranged from Pirrera. Pirrera had confessed that he had murdered “a hooker” and asked her to dispose of the “guts” which were the only parts of the body remaining in his home. Pirrera was in a psychiatric ward and was unable to dispose of the body himself. Instead, she called the police, who found body parts, and Pirrera was charged in the death of Karer. Police suspected her body was also disposed of in Delfasco steel vats.<sup>250</sup> Pirrera was white, as were his victims.

### **10) Thomas Svekla (Edmonton, Alberta)**

Thomas Svekla was the first arrest by Project KARE. In June 2004, Svekla contacted the police to report having found a body two days before. After picking up a street prostitute,

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<sup>250</sup> Jon Well, “To the grave” *Hamilton Spectator* (10 March 2007); Marissa Nelson, “Jury recommends inmate assessments” *The Globe and Mail* (24 November 2000); Mellor, *supra* note 231.

he took her to a remote area outside of Edmonton. The woman ran from his truck and Svekla chased her, until they literally tripped over a human body. It was Rachel Quinney, 19.

In May 2006, Svekla's sister, Donna Parkinson, opened up a hockey bag belonging to her brother and saw the mutilated body of a woman. She called the police, who arrested Svekla and charged him with second degree murder and offering an indignity to a human body. The victim was identified as Theresa Innes, 36. Svekla claimed he had the misfortune of finding a second dead woman and was merely transporting the body in order to give her a decent burial. Although Innes had disappeared in 2005, Svekla's sister stated that her body appeared to have been recently deceased when she saw her body in the bag a year later. In 2007, Svekla was charged with the second degree murder and offering an indignity to a human body in relation to Quinney. The following year he was found guilty on both charges related to the murder of Innes but was acquitted of the charges related to Quinney. Newspaper articles included photos of Svekla waving and smiling at reporters.<sup>251</sup>

In addition to the two murder charges, Svekla was charged with other violent offences in 2007. He was charged with sexual assault and uttering threats; he was found guilty in September 2008. In March 2009, he was convicted of the 1995 sexual assault and sexual interference with a five-year-old girl, M.L.

In May 2010, he was declared a dangerous offender. During his dangerous offender hearing, Svekla's long criminal history was detailed.<sup>252</sup> This includes at least 15 sexual assaults going back to 1983. He was jailed at age 16 on theft charges but did not face assault charges until he was 25-years-old. His first sexual assault occurred when Svekla and his

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<sup>251</sup> See e.g., "Edmonton's missing...", *supra* note 14; "Thomas Svekla declared a dangerous offender" *CBC News* (27 May 2010); "deadmonton 2006 – thomas george svekla" *Last Link on the Left*.

<sup>252</sup> *R. v. Svekla* [2010] A.J. No. 674.

victim, P.C., were in grade eight. His next known victim was A.J., 15, when Svekla was 18. Svekla sexually abused a foster child, P.L., in 1995, and his step-daughter, C.N., in 1999. In 2000, he was convicted of the sexual assault of C.N., and assault of her mother, Mona Bouchard, to whom he was married. He was paroled in November, 2001. In 2003, A.G., a 21-year-old woman, was doing drugs with her sister, mother and Svekla when she was sexually assaulted by Svekla.

Svekla is the suspect in the murders of other Edmonton sex trade workers, specifically Bernadette Ahenakew, 22, Edna Bernard, 28, Debbie Lake, 29, Melissa Munch, 20, and Monique Pitre, 30.<sup>253</sup> Svekla is a white man; his victims were Aboriginal.

## ii. Canadian Serial Killers Targeting Sex Workers (Unsolved)

### 1) The Valley Murders (Lower Mainland, B.C.)

The bodies of three women were found within five kilometres of each other over a three week period in 1995. Tracy Olajide, 30, Tammy Lee Pipe, 24, and Victoria Younker, 35, were all known to work in the DTES as street prostitutes. These murders have been called the Agassiz Murders, the Valley Murders and the E-Valley Murders.

These homicides were reviewed in 2004, as part of the Project Evenhanded investigating the missing women of the DTES. The police had a suspect in the Valley

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<sup>253</sup> “deadmonton 2004 – rachel liz quinney” *Last Link on the Left*; “deadmonton 2006 – theresa merrie innes” *Last Link on the Left*; “deadmonton 2006...,” *supra* note 251; Fong, *supra* note 197; “RCMP investigate suspicious death of female in Ft. Saskatchewan Detachment area” *R.C.M.P News Release* (9 May 2006); “Tips are providing valuable information for investigators” *R.C.M.P News Release* (12 May 2006); “Thomas George Svekla charged ... Rachel Quinney” *R.C.M.P News Release* (2 January 2007); “Edmonton’s missing...,” *supra* note 14; Steve Lillebuen, “Telus apologizes for withholding phone records from police” *Ottawa Citizen* (10 January 2009), A4; “Edmonton serial killer,” *supra* note 13; Karen Kleiss, “Svekla claimed he killed prostitute” *The Edmonton Journal* (12 March 2008); “Svekla back on trial for sexual assault” *Ottawa Citizen* (17 March 2009), A3; “Deaths,” *supra* note 14; Desespere, *supra* note 14; “Thomas Svekla declared a dangerous offender” *CBC News* (27 May 2010); “Accused fears he’s seen as ‘Pickton of Alberta’” *CBC News* (27 February 2008); “Tom Svekla’s secret life” *The Edmonton Journal* (08 June 2008); *R. v. Svekla* [2007] A.J. No. 1014; *R. v. Svekla* [2009] A.J. No. 329; *R. v. Svekla* [2009] A.J. No. 343; *R. v. Svekla* [2009] A.J. No. 320.

Murders in custody on other charges but an arrest has never been made in the cases. In November 2010, the RCMP issued a press release asking for the public's help in identifying a suspect.<sup>254</sup>

## **2) The Alley Murders (Vancouver, B.C.)**

During the Project Evan handed review of unsolved homicides involving prostitutes and hitchhikers, DNA from older cases were submitted to the laboratory. In late 2001, a match was made between an unknown male and DNA left at the crime scenes of Lisa Gavin, 21, and Glenna Sowen, 25, killed within six weeks of each other in 1988. The male DNA is not in the national DNA databank. The victims were sex trade workers from the DTES and both were found in back alleys of Vancouver in 1988.<sup>255</sup>

## **3) The Delta Overdoses (Lower Mainland, B.C.)**

Ry Rong, 21, performed in pornographic films before her overdose death in 2002. She was not, however, a drug user. She was found alive, dumped in an outlying area of Delta, but died in hospital. Her friend, Lily Nuon, also 21, had also been alive when she was dumped outside of Delta. She was not discovered until after she had died of an overdose. Nuon wanted to work in pornography but her heavy drug addiction prevented her from doing

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<sup>254</sup> VPD, *supra* note 112 at 22; "Cold Case Files" *RCMP*; "Missing women in Canada from 1971-2002" *Missing Native Women* (17 May 2006); "Tammy Lee Pipe" *Unsolved Murders/Missing People Canada*; "The Doe Network, *supra* note 193; "What are you doing to stop the violence against women?" *Carnegie Newsletter* (15 April 2001); Desespere, *supra* note 14; Munroe, *supra* note 183; Kari Sable, "The evidence: Vancouver, BC" *The Green River Killer*; Salim Jiwa, "Serial Killer in 1995: Fifth body linked to serial killer" *The Province* (17 April 1997); "Catherine Gonzalez" *Missing People Net* (01 January 2007); "Vancouver missing women list 1983-2002" *Missing People Net* (01 January 2007); "Missing Downtown Eastside Women" *Ministry of Attorney General* (Expiry May 1, 2000); "Table description: Database of missing women" *Vancouver Eastside Missing Women*; "Remembering missing women" *Pivot Legal Society* (04 December 2006); Robert Matas, "Police look for leads in cold case serial killings" *The Globe and Mail* (02 November 2010); "Police need your help to solve the E-Valley homicides" *RCMP News Release* (01 November 2010); Don Adam, "Top Robert Pickton cop breaks his silence" *Vancouver Sun* (26 November 2010).

<sup>255</sup> Adam, *supra* note 253; Wally T. Oppal, *Forsaken: The report of the Missing Women Commission of Inquiry* (December 2012) at 8; "Missing and Murdered..." *supra* note 13; MWI, *Exhibit 98 – Document entitled Project Even-handed – Don Adam* at 283.

so. Thus, she worked in the street sex trade in the DTES. Rong and Nuon were friends and both were originally from Cambodia. Rong had grown up in the foster care system and was working in the sex trade to earn money to assist her younger sister who was still in foster care in another province. Both women were dropped off in an area which would have been difficult to reach by themselves.

Angela Williams, 31, was an Aboriginal woman living in the DTES. She was drug addicted and worked as a street prostitute who also died in Surrey. Initially, it was believed Williams had died of a drug overdose but an autopsy revealed she had been strangled. In the days before Williams died, she had been in contact with her family, claiming to have escaped from a house where she had been held captive. The police suspect that the three deaths may be linked.<sup>256</sup>

#### **4) The Edmonton Murders (Edmonton, Alberta)**

From 1983 to 2008, 20 Edmonton street prostitutes were found murdered. The RCMP and Edmonton Police Services created a joint investigative team investigating over 40 homicides and 30 missing persons, dating back to 1932. All of the cases involve people living “high-risk lifestyles” involving street prostitution, drug trafficking and/or being homeless.

Some of the disappearances and homicides being investigated include: Bernadette Ahenakew, 22; Sylvia Ballantyne, 40; Leanne Benwell, 27; Samantha Berg, 19; Edna Bernard, 28; Delores Brower, 32/33; Maggie Burke, 21/22; Georgette Flint, 19/20; Charlene Gauld, 20; Theresa Innes, 36; Bonnie Jack, 37; Jennifer Janz, 16; Jennifer Joyes, 17; Cara

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<sup>256</sup> “Kim Bolan, “Bodies match missing-women profiles: Task force looks at prostitutes’ cases” *The Vancouver Sun* (08 January 2002); MWI, *October 26, 2011*.

King, 22; Debbie Lake, 29; Ellie Meyer, 33; Melissa Munch, 20; Sharene Oswald, 42; Corrie Ottenbreit, 26/27; Monique Pitre, 30; Rachel Quinney, 19; Brianna Torvalson, 21; Ginger Bellerose, 26;<sup>257</sup> Joanne Ghostkeeper, 24; Joyce Hewitt, 22; Lynn Jackson, 34; Mavis Mason, 29; Tracy Maunder, 26; Kelly Reilly, 24; Melodie Riegel, 21; Elaine Ross, 25; Deanna Bellerose, 29; Gail Cardinal, 21; Lorilee Francis, 23/24; Anette Holywhiteman, 40/41; and Lorraine Wray, 46/49.<sup>258</sup>

### **5) The National Capital Murders (Ottawa, Ontario and Gatineau, Quebec)**

Since 1990, there have been two clusters of murders in Ottawa, Ontario, and Gatineau, Quebec, known as the National Capital Area. Police announced that links were found between some of the cases but have not identified which. These cases have been separated below by time periods. This has been done because of the similarities between the first three murders and the time separation between the last murder in 1995 and the first of the missing and murdered sex workers in the following decade.

#### **a. The Ottawa Murders in the 1990s**

Melinda Sheppit, 16, was found in a dumpster in downtown Ottawa in 1990. Sheppit had begun working in street prostitution three weeks before she was killed. A missing snake-skin shoe was thought to have been taken as a “trophy” by her killer. In late 1993, Sophie Fillion, 24, was found in two garbage bags in the Westboro area. Carrie Mancuso, 32, was

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<sup>257</sup> Ginger Bellerose, murdered in 2001, was the sister of Deanna Bellerose, who went missing in 2002 and was confirmed murdered in 2012 when her skull was found.

<sup>258</sup> “Missing Persons” *Project KARE*; “News release: Project KARE investigates missing person” *RCMP News Release* (20 October 2005); “OIC Serious Crimes Branch/Team Commander” *Project KARE*; “Police asking for assistance in locating Karen Batke” *RCMP News Release* (25 January 2008); “Project KARE called as a result of Berg investigation” *RCMP News Release* (26 January 2005); “Project KARE offers reward for information on sex trade worker homicides” *RCMP News Release* (17 June 2005); *Ride along with Project KARE*, (no date), Internet clip: (Alberta: Project KARE); Audette, *supra* note 13; Michelle Thompson, “Data collected by Project Kare can lead them to missing prostitutes” *The Edmonton Sun* (28 December 2008); “deadmonton – kare,” *supra* note 14; “deadmonton – project KARE” *supra*; “3<sup>rd</sup> murder charge...,” *supra* note 227; *R. v. Laboucan* [2010] S.C.C. 12; Newton, *supra* note 135 at 464.

found deceased in an apartment building in 1995. Mancuso had been last seen in the company of a tattooed man in a kilt. All three women had been strangled. The three women worked in street prostitution in Ottawa. Only Mancuso was known to have addiction issues. Sheppit was pregnant at the time of her death and Fillion was supporting her two children and unemployed common-law partner.<sup>259</sup>

There have been several suspects in the past 20 years. A suspect was flown to Ottawa from Halifax to undergo questioning in Sheppit's death but charges were not laid. Police reported that although they believed they knew who had killed Sheppitt and Fillion there was not enough evidence to lay charges. Andre Rouleau had a long criminal history of sexual assaults and police found a box of women's undergarments and shoes in his closet, but Sheppit's shoe was not among them when he was arrested in 2000. In 2006, the body of Mark McCaskill was found in the Rideau Canal. Police soon discovered that McCaskill was listed on the Sex Professionals of Canada (SPOC) as a bad date, with warnings going back four years. McCaskill telephoned SPOC offices numerous times, including one taped telephone call lasting 27 minutes and in which he mentions Sheppit.<sup>260</sup>

#### **b. 21<sup>st</sup> Century Murders and Missing Sex Workers in the National Capital Area**

In December 2011, then-Ottawa police Chief Vern White spoke at the Minwaashin Lodge Aboriginal Women's Support Centre. Chief White warned of a possible serial killer targeting sex workers in Ottawa and Gatineau who may have been active for two decades.

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<sup>259</sup> Gardner, *supra* note 36; Mark Bonokoski, "Is there a connection between an Ottawa hooker hater and a murdered teenage prostitute?" *Toronto Sun* (22 October 2006); "Catherine Latham on the unsolved murders of sex trade workers" *Unsolved Murders: Ottawa*, (22 October 2008), Video clips.

<sup>260</sup> Ron Corbett, "Mystery endures after 20 years" *Ottawa Sun* (26 September 2010).

Police had noticed a pattern which linked several of the murders.<sup>261</sup> Cases of murdered sex workers in the National Capital Region are:

- In 2005, Gina Smith, 41, disappeared from Ottawa. Smith was scheduled to testify against her former boss and lover for threatening her. Smith was addicted to crack cocaine and had worked as a street prostitute and made pornographic movies.<sup>262</sup>
- In 2006, workers found a bag of bones when they drained the Rideau Canal. The bones were of an adult woman. She has not been publically identified.<sup>263</sup>
- Kelly Morrisseau, 26/27, was seven months pregnant with her fourth child when she died. Originally from Manitoba, Morrisseau was found stabbed, naked and dying in December 2006, in the Gatineau Park; she died in hospital. Morrisseau lived in Vanier, part of Ottawa, but was found across the river in Quebec.<sup>264</sup>
- Pamela Kosmack, 39, was beaten to death on a bike path in 2008. A pair of eyeglasses was found near her body that did not belong to her. She had drug addiction issues and was occasionally involved in sex work.<sup>265</sup>
- Marie-Claude Chrétien went missing in 2008 from Cantley, Quebec. In 2012, police in Quebec revealed she had been working as an escort at the time of her disappearance. Police had not revealed this information previously to the public or to other police agencies. As a result, her case was not reviewed as part of the Ottawa police investigation of a possible serial killer. She remains missing; foul play is suspected.<sup>266</sup>
- In August 2011, Jennifer Stewart, 36, was found murdered in Ottawa. She worked as street prostitute and had addictions issues. She was an Aboriginal woman.<sup>267</sup>

<sup>261</sup> Mark Brownlee, "Chief to speak on women's safety" *Ottawa Citizen* (09 December 2011), C1; Chris Cobb, "Chief tells women: be 'aware, vigilant and safe'" *Ottawa Citizen* (10 December 2011), A1; Meghan Hurley, "Victim's sister not surprised by police warning" *Ottawa Citizen* (14 December 2011), C3; "Ottawa police link serial predator to 2008 slaying" *CBC News* (12 December 2011); "Ottawa sex workers alerted to pattern of violence" *CBC News* (09 December 2011).

<sup>262</sup> "Missing Persons" *Major Crime, Ottawa Police Service*; "Missing Persons," *supra* note 193; "Missing Adults...," *supra* note 171; "'What happened to her?'" *Ottawa Citizen* (28 October 2006).

<sup>263</sup> Josh Pringle, "No ID on Bag of Bones" *Ottawa Sun* (18 October 2007); "Police to dive for clues after woman's bones found in Rideau Canal" *CBC News* (19 October 2006).

<sup>264</sup> Morrisseau's aunt, Glenda Morrisseau, 19, was murdered in Winnipeg in 1991. Her case remains unsolved.

<sup>265</sup> "Homicide: Pamela Kosmack" *Ottawa Police Service*; "'I idolized her. She protected me from harm'" *Ottawa Citizen* (06 June 2008); "Police confirm woman's death a homicide" *CTV Ottawa* (06 June 2008); "Victim's mother tells of a daughter who was kind, loving" *CTV Ottawa*; "Catherine Lathem on the unsolved murders of sex trade workers" *Unsolved Murders: Ottawa* (22 October 2008), Video clips; "Unsolved murders: Ottawa" *CTV News* (22 October 2008); "Mourners remember woman slain on bicycle path" *Ottawa Citizen* (15 June 2008); Gary Dimmock, "Family offers \$5,000 reward in homicide" *Ottawa Citizen* (12 April 2010), B1.

<sup>266</sup> Gary Dimmock, "Missing Quebec woman in sex trade" *Ottawa Citizen* (03 April 2012), C1.

<sup>267</sup> Justin Sadler, "Neighbourhood on edge after body found" *Ottawa Sun* (22 August 2010); Tony Spears, "Suspicious death in Vanier" *Ottawa Sun* (20 August 2010); Kenneth Jackson, "Hookers fearful in wake of killing" *Ottawa Sun* (24 August 2010); Kenneth Jackson, "Police release name of slain woman" *Ottawa Sun* (23 August 2010); Kenneth Jackson, "Victim refused family's help: Aunt" *Ottawa Sun* (23 August 2010); "Police ID victim in Vanier homicide" *CBC News* (23 August 2010); "Woman found dead in Vanier" *CBC News* (20 August 2010).



- In August 2011, Leanne Lawson, 23, was found murdered. She worked as street prostitute, was addicted to crack cocaine and was a resident at a homeless shelter at the time of her death.<sup>268</sup>
- In September 2013, Amy Paul, 27, was found murdered in a field outside of Ottawa. She had been reported missing but a news release was not issued.<sup>269</sup>

In 2012, Ottawa police announced a reward up to \$50,000 for information related to the homicides of seven people in the area, including the Sheppit, Fillion and Mancuso murders.<sup>270</sup> In December 2012, the Kosmack and Stewart cases were added to the cases available to receive reward money.<sup>271</sup> In February 2013, Ottawa police arrested Marc Leduc in relation to the Kosmack and Lawson murders. Leduc has been charged with two counts of first degree murder.<sup>272</sup>

## 6) The Toronto Prostitute Murders (Toronto, Ontario)

Between 1994 and 1998, four street prostitutes between the ages of 23 and 35 were strangled and their bodies dumped in or around Lake Ontario. In 1998, police issued a sketch of a suspect but the cases remain unsolved. Donna Oglive, 24, was pregnant when she was strangled and left in a parking lot in 1998. Darlene MacNeill, 35, was strangled, but drowned after being left in Lake Ontario, as were Julieanne Middleton, 23, and Virginia Coote, 33, in 1994. MacNeill, Middleton and Coote were killed by Marcello Palma but the Oglive's murder is unsolved. Police announced in 1998 that Daniel Atkinson was being investigated

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<sup>268</sup> "Ottawa police investigating suspicious death" *CBC News* (02 September 2011); Meghan Hurley, "'Loving, gentle person': Police investigate Ottawa's seventh homicide" *Ottawa Citizen* (04 September 2011); "Ottawa police confirm identity of body" *CBC News* (02 September 2011).

<sup>269</sup> Two days after Paul's body was found, police issued a missing persons news release regarding Amber Smith, 35. She was found later that week. The DD was closed on September 19, 2013, before Smith was found alive. See,

"Female body found in hay field near Osgoode" *CBC News* (17 September 2013); "Missing woman Amy Paul's body discovered in hay field" *CBC News* (18 September 2013); "News Release" *Ottawa Police* (18 September 2013).

<sup>270</sup> "7 new rewards in unsolved homicide cases" *CBC News* (09 July 2012); "6 Ottawa prostitutes found in Ottawa" *CBC News* (13 February 2012).

<sup>271</sup> "Major Crime" *Major Crime, Ottawa Police Service*.

<sup>272</sup> Hurley, *supra* note 16; Hurley, *supra* note 16; Hempstead, *supra* note 16; "Ottawa man...", *supra* note 16.

for possible links to unsolved homicides of sex workers, especially those who had been strangled. Atkinson had been charged with sexual assault and forcible confinement of another sex worker.<sup>273</sup>

Therese Melanson and Florence Harrison, both 32, were shot in an apartment building in 1997. The year before, four street prostitutes were shot in the head with the same gun at different times. Also in 1996, three other prostitutes were shot in Toronto. Each of these sets of cases is considered separate; all are unsolved. In addition, there are at least six other cases<sup>274</sup> of women involved in prostitution who were killed during the same time period in the Toronto area that are not included in these cases.<sup>275</sup>

### 7) The Winnipeg Murders (Winnipeg, Manitoba)

From 1983 to the spring of 2010, 22 individuals “known or suspected” to have been involved in the street sex trade in Winnipeg were murdered.<sup>276</sup> They included: Marie Banks, 18; Simon Bloomfield; David “Divas B” Boulanger, 28; Fonessa Bruyere, 17; Constance Cameron, 20; Cheryl Duck, 15; Moira Erb; Nicole Hands, 32; Susan Holens, 15; Cherisse

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<sup>273</sup> Further information on Atkinson, the outcome of the assault charges or possible other charges were not found.

<sup>274</sup> One article (See, Robertson, *supra* note 243) lists eight unsolved homicides, however, this includes a (then) unidentified woman found in a suitcase in 1994. That woman was identified as Melonie Biddersingh, 17. The article also included Simone Sandler, 21, murdered in 1994. Both of these cases are in the DD, but there are no suggestions that either the Biddersingh or Sandler were involved in sex work. Another source lists four women killed and dumped in the Lake Ontario area between 1994 and 2005, but a review of the DD articles for unsolved murders indicates this information is not correct. (See, Newton, *supra* note 135 at 474.)

<sup>275</sup> Newton, *supra* note 135 at 474, 475; Peter Krivel and John Duncason, “Sex suspect probed for possible link in killings: Method of attack similar to four women strangled” *Toronto Star* (07 May 1998); Lamberti, *supra* note 243; Robertson, *supra* note 243; Bragg, *supra* note 243; Rankin, *supra* note 243; Alan Cairns, “Metro cops seek links to hooker murders – B.C. suspect here in ‘94” *Toronto Sun* (08 August 1996); “The particulars...,” *supra* note 182; “Unsolved Murders...,” *supra* note 118; Desespere, *supra* note 14; “Ontario...,” *supra* note 243; Mandel, *supra* note 182; Janoff, *supra* note 243; Michele Mandel, “Shameful silence over hookers’ slaying” *Toronto Sun* (15 March 1998); Ian Robertson and Ian Timberlake, “Hooker was strangled: No struggle, autopsy on pregnant mom shows” *Toronto Sun* (10 March 1998).

<sup>276</sup> “Unsolved Cases: Slain sex-trade workers in Winnipeg” *CBC News* (no date).

Houle, 17; Aynsley Kinch, 35; Tania Marsden, 18; Jamie McGuire; Glenda Morriveau, 19;<sup>277</sup> Charlene Orshalak, 17; Crystal Saunders, 24; Therena Silva; Felicia Solomon; Evelyn Stewart, 25; Noreen Taylor, 32; and Tatia Ulm, 39. Additionally, Sylvia Guiboche has been missing since 2003.<sup>278</sup>

Two of these murders have now been solved and were not the result of a serial killer. In April 2010, Stanton Viner pleaded guilty to second degree murder of Aynsley Kinch in 2007. Viner had also been charged with sexual assault and assault of other sex trade workers,

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<sup>277</sup> Two of the Winnipeg murder victims were related to other murder victims. Glenda Morriveau is the aunt of Kelly Morriveau, a pregnant street prostitute murdered in the Ottawa-Gatineau area in 2006 (see above). Both murders remain unsolved. Felicia Solomon was a cousin of Helen Betty Osbourne, who was murdered in 1971 and Kelvin Osborne, Helen's brother, who was murdered in 2009. The murders of the Osbourne siblings have been solved but Solomon's murder remains unsolved. Additionally, Sylvia Guiboche is the cousin of Amber Guiboche, who has been missing from Winnipeg since 2010.

<sup>278</sup> "2 Winnipeg friends found dead weeks apart" *CBC News* (24 August 2009); "Archive – 2007" *supra* note 23; "Body found in stream identified as missing Winnipeg girl, 17" *CBC News* (04 July 2009); "Body found in Winnipeg identified as teen prostitute" *CBC News* (4 September 2007); "David Boulanger" *David Boulanger*; "Document: RCMP email on integrated task force" *CBC News* (10 September 2009); "Group to protect vulnerable women in Manitoba" *CBC News* (03 September 2009); "Investigators assigned to task force on missing, murdered women" *CBC News* (25 September 2009); "Memorial for Missing Women", *Turning Point*; "Missing/Murdered...", *supra* note 13; "Missing and Murdered...", *supra* note 13; "Missing Person" *Winnipeg Police Service*; "Missing Persons," *supra* note 193; "Police ask for leads after woman's body found in field" *CBC News* (16 July 2007); "Police seek help locating missing Winnipeg girls" *CBC News* (25 May 2009); "Police suspect homicide in woman's death" *CBC News* (22 August 2009); "RCMP asks for patience in missing women cases" *CBC News* (10 September 2009); "Stolen Sisters" *Amnesty International Canada*; "T.O. cops face pressure to reopen murder cases" *CTV*; "Task force to probe missing, murdered women in Manitoba" *CBC News* (26 August 2009); "Teen slain in 2007 linked to girls recently found dead" *CBC News* (31 August 2009); "Unsolved Cases: Homicides" *Winnipeg Police Service*; "Unsolved Murders...", *supra* note 118; "Unsolved murders of women under review by Winnipeg police" *CBC News* (25 August 2009); "Victims' families see task force as positive small step" *CBC News* (27 August 2009); "Winnipeg's murdered women deserve task force, say aboriginal groups" *CBC News* (06 September 2007); "Woman fears for life after friends found dead" *CBC News* (26 August 2009); "Woman's body found by construction crew west of Winnipeg" *CBC News* (02 July 2009); Brian Welter, "The brothel around the corner" *The B.C. Catholic Newspaper* (14 July 2008); Colleen Simard, "Resurrect Bear Clan Patrol" *Winnipeg Free Press* (10 May 2007); Vautour, *supra* note 183; Desespere, *supra* note 14; Munroe, *supra* note 183; Justice Canada, *supra* note 6; Lauren La Rose, "Native women's advocate to push Toronto police to reopen three unsolved cases" *Canadian Press* (12 March 2006); Lindor Reynolds, "Manitoba's missing lives – 16 sex-trade killings remain unsolved" *Winnipeg Free Press* (24 January 2007); Mike McIntyre, "Victim's friend chases clues to catch killer" *Winnipeg Free Press* (08 September 2006); Fong, *supra* note 203; Ross Romaniuk, "Move over city cops: Native police should hunt serial killer, says Nelson" *Winnipeg Sun* (12 September 2007); "Hundreds attend vigil for slain Winnipeg women" *CBC News* (06 September 2007); Shannon Vanraes, "Murder victim 'sweet, loving girl,' says family" *Winnipeg Sun* (07 September 2007).

C.B. and A.R.F.<sup>279</sup> Theodore Herntier was charged in July 2010 with the second degree murder of David “Divas B” Boulanger, a transgendered woman murdered in 2004.<sup>280</sup> All the missing and murdered women, with the possible exception of Kinch, were Aboriginal.<sup>281</sup>

### **8) Vancouver Murders (Vancouver, B.C.)**

In the lower mainland of B.C. there are at least two unsolved serial homicide cases, in addition to the Valley and Alley Murders and the Delta Overdoses. These cases are not known by any specific name. There are many other missing sex workers in the Vancouver and the Lower Mainland. Those cases are being investigated by Project Evanhandled. It is unknown how many of these cases are connected. Below are the cases that have been identified as linked.

#### **a. Unknown Killer 1**

Karen Baker, 20, and Darlinda Ritchey, 27, were buried in shallow graves close together on Mount Seymour. Their bodies were found in 1986. Both women worked as exotic dancers. Police believed both were killed by the same offender.<sup>282</sup>

#### **b. Unknown Killer 2**

A review of 26 unsolved prostitute homicides between 1985 and 1991 was conducted by police in what was called Project Eclipse in 1991. Police found that there was one group

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<sup>279</sup> Skerritt, *supra* note 23; Chris Kitching, “Sex trade murder bust” *Winnipeg Sun* (18 September 2007); Mike McIntyre and Bruce Owen, “Police in Western Canada probe possible links to Winnipeg suspect” *Winnipeg Free Press* (no date); Bruce Owen, “Woman led police to suspect” *Winnipeg Free Press* (19 September 2007); *R. v. Viner* [2010] M.J. No. 147; *R. v. Viner* [2009] M.J. No. 459.

<sup>280</sup> “Suspect charged in connection with murder case from 2004” *CTV* (16 July 2010).

<sup>281</sup> There is conflicting information as to whether Kinch was Aboriginal.

<sup>282</sup> Neal Hall and Lindsay Kines, “The killers among us: 329 unsolved homicides” *Vancouver Sun* (16 September 1995).

of four homicides, as well as several groups of two that were possibility linked, as well as the Alley Murders.<sup>283</sup>

#### **IV. ANALYSIS: TRENDS, SIMILARITIES AND QUESTIONS ARISING FROM SERIAL MURDERS OF SEX WORKERS**

In Chapter Seven, police errors and best practices in relation to serial murders involving sex workers are discussed. Upon review of the cases presented above and in Appendix G, trends and similarities are revealed that raise questions for possible future research and analysis. Although the information is sparse regarding some facts, especially on the ethnicity of victims, some statistics have been generated from the information provided regarding the 116 cases of known serial killers cases (13 Canadian, 98 U.S. and five U.K.). There are few details available regarding the unsolved cases. Therefore, these are excluded from the statistics generated regarding the offenders but included in the general discussion and analysis.<sup>284</sup>

Where there is more than one killer working together, it is counted as one case. Among the 116 cases highlighted, there are 132 individual serial killers who targeted sex workers, due to team killers in the U.S. There were no team killers targeting serial killers in Canada and the U.K. In Canada, only Laboucan and Crawford killed with other people, or with other people present. However, Laboucan's accomplices in the murder of N.C., a non-sex worker, were convicted, but Briscoe was acquitted in Meyer's murder; therefore, Briscoe is not a serial killer and is not included in the figures. Crawford killed one of his victims in the presence of Corrigan, who was not charged; Corrigan is not included in the figures.

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<sup>283</sup> Cameron, *supra* note 7 at 63, 68, 72; MWI, *May 23, 2012* at 11.

<sup>284</sup> The Canadian cases discussed above where there is only one conviction for murder (Beirnes, Dove, Driver, Grant, Gregoire, Roy and Viner) do not form part of this analysis.

The FBI found the use of the term “spree killing” to be problematic due to difficulties in determining what is an appropriate cooling off period between killings. Without challenging that assertion – indeed, I agree that it is not overly helpful and have adopted the definition of serial murder to include two or more separate murders regardless of the time between murders – there are several cases above in which the killers killed multiple victims within a few hours, days or weeks. What is notable about these cases is when the bodies were found close together in time, due to the temporal proximity, forensic links and similar victimology, the police were able to conclude that a single offender was responsible much sooner than in cases where there were delays in finding the bodies or longer time periods between murders. Wright killed five people in 10 days, Matta killed three in 36 hours, Palma killed three within a few hours, Freeny killed two in one week, Miller killed three in a two week period and Brown is alleged to have killed four within a week. Police understood quickly that a serial killer was responsible for the murders. Where there is a delay in discovering the bodies, the same is not true, as seen by two Canadian cases. John Crawford killed two women a day apart but because their bodies were not found immediately, the time frame was unknown until much later. Similarly, Laboucan killed Meyers two days before killing victim N.C., but Meyers’ body was not located for months. For prostitutes, who may not be reported as missing as early as non-prostitutes, the importance of quickly finding their bodies becomes critical for the recognition that a crime has occurred.

There are many instances in which a case has been solved by happenstance, luck, police officers involved in a routine check or following up on suspicious behaviour. Sometimes the offender has been caught in possession of a victim’s body. Police found human remains at the homes of Sowell and Graham while attending calls about noxious

odours. The discovery of Graham could have been made earlier because a released victim had told police of a corpse on the roof, but police did not believe her. Legebokoff was stopped after discarding the body of a young girl. Rogers was captured after a witness recorded his licence plate number. Roy was caught near a murder victim, Rifkin was discovered with a body in his car and Singleton was caught covered in blood with a body in his home after neighbours witnessed him stabbing the woman. In the cases of Cottingham, Jackson, Sowell, Urdiales and killing cousins Core and Waterhouse, a live victim was rescued and multiple homicides were eventually solved as a result. In the cases of Balaam, Long, Svekla and Travis, the men claimed to have found a body or sent information to the media that led to a body. Investigators would later determine that these men were responsible for having killed the women.

Several serial killers had living victims who were either released or who had escaped. Of the cases reviewed above, 17 (14.7%) of cases were solved, at least in part, due to an escaped or released victim: Albright, Atkins, Baalm, Berdella, Brooks, Comensana, Conde, del Junco, Francois, Gecht, Hansen, Heidnik, Hobbs, Long, Shawcross, Stano and Suff. These cases were all in the U.S. In two additional cases, Sowell and Turner, as with the Pickton case, charges were not laid after living victims reported assaults or the charges were stayed. Prosecutors and police cited the victim's drug use or involvement in prostitution as the reason for not proceeding. More often a victim was unable to provide a name or lead police to her assailant.

The use of one or a few locations in which to dispose of the bodies of victims was seen repeatedly in the above cases. A single location reduces the likelihood of a body being discovered by reducing the number of areas to be stumbled upon. Once one or more bodies

have been found the killer selects another location. Armstrong, Brooks, Cooper and J. McKay, Crawford, MacDonald, Palma, Ridgeway, Shawcross, and Svekla, as well as the unsolved cases of the Long Island Ripper and West Mesa Murders involved a few to a dozen victims, killed at different times and deposited in the same location. Once information about the discovery of human remains is released, the killer is likely to know of the development, making surveillance of the area unhelpful. Research has determined that under certain conditions, the location of where bodies have been disposed is more useful in determining the home area of offenders than the location of the abductions.<sup>285</sup>

Many of the cases reveal an intense, extreme level of violence, including slashing, mutilation, dismemberment and cannibalism. Albright, Berdella, Brandt, Christenson, Cottingham, Drew, Ford, Gecht, Griffiths, Hardy, Heidnik, Rogers, Singleton, Shulman and the unsolved Hull, London, Long Island and Las Vegas murders all involved dismemberment of victims. Cole, A. Conde, A. Crawford, Gillis, Pickton, and Shawcross all cannibalized at least some of their victims. Pickton is believed to have given away and sold pork containing human remains or pork from pigs that were fed human remains. One police informant reported that he believed he had been fed human remains in 1999. Dismemberment was used in a few cases such as with Pickton to aid in disposal of remains but, of course, there was no need to cannibalize the remains. Of the cases highlighted above and in Appendix G, only Ridgeway and A. Crawford are known to have engaged in necrophilia with their victims but Shawcross is suspected of doing so. Dismemberment, cannibalization and necrophilia may be a continuation of the injury and degradation inflicted upon the victim prior to death.

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<sup>285</sup> Mott, *supra* note 195 at 245.



One research study found that 72% of the serial killers had no history of mental illness and 80% have not been treated for nor had a history of substance abuse.<sup>286</sup> Five of the known offenders discussed above and in Appendix G had pre- or post-arrest diagnoses of severe mental illness or defects. Diagnoses of serious mental illnesses were revealed in the cases of del Junco, Freeney, Griffiths, Heidnik and Matta. Of these, only Heidnik claimed mental disease or defect in his defence. Ten offenders without pre-arrest mental health diagnoses attempted a defense of this nature. Rogers had been found not criminally responsible for earlier sexual assaults but this defence was not successful when the charges were homicide. Bright, Gerald, Heidnik, Huskey, A. Kokoraleis, Lindsey, Long, Palma, Sowell, Sutcliffe and Wayne all pled not guilty at least at one part of their trials, although none were successful in avoiding convictions. Pirrera was in a psychiatric ward at the time of his arrest. Diagnoses of prior head injuries were admitted into evidence in the cases of Long and Shawcross and mental retardation in Jackson's case. Does the scarcity of pleas related to mental disease, defect or injury reflect a defence attorney's assessment that it will not be successful, or a lack of authentic illnesses? The number of victims may impact prosecutors' decision to reject plea deals involving serial killers with psychiatric illnesses, and for juries to reject not guilty pleas in their deliberations. Further, many of the serial killers discussed, despite evidence of head injuries or mental health issues, did appear to understand that their actions were criminal and took active steps to avoid detection.<sup>287</sup> This would preclude a not guilty defence in most jurisdictions. Although there were a few cases where the known offender had serious crack cocaine or alcohol addictions, these were the exception. Several

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<sup>286</sup> Godwin, *supra* note 202 at 69-84.

<sup>287</sup> Barney Warf and Cynthia Waddell, "Heinous spaces, perfidious places: the sinister landscapes of serial killers" (2002) 3 Soc. & Cult. Geog., at 327; Ron Langevin, "A study of the psychosexual characteristics of sex killers: Can we identify them before it is too late?" (2003) 47 Intl. J. of Off. Therapy & Comp. Crim. at 369.

of the killers committed suicide upon arrest or conviction. Is this consistent with the suicide rate among all serial killers?

From the information available it appears that the majority of the serial killers of prostitutes are working or middle class men.<sup>288</sup> From the cases of serial killers targeting sex workers, only Griffiths in the U.K., and Hobbs, Jenson, Malone and Markoff in the U.S. (3.8%) had significant university educations. Women working as street prostitutes are most often living in poverty, supplementing social assistance income with prostitution and have unstable housing. Although many of the men were not wealthy, they were certainly wealthy in comparison to their victims.

Twelve U.S. killers had army, navy or police backgrounds, such as Armstrong, A. Crawford, Elton, Hance, Heidnik, McKnight, Rogers, Scully, Seibert, Shawcross, Sowell and Yates (9.0%). Research on U.S. has found that 23.4% of male serial killers in the U.S. have current or previous military service.<sup>289</sup> Several of the military members had exhibited psychological problems but did not receive significant treatment prior to being discharged. There were also several men who had worked as security guards before or at the time of their arrests.

Ten (7.6%) of the known serial killers in the U.S. (S. Cox, A. Crawford, Colvin, Cruz, Ford, Goble, Jespersen, Mendenahll, Rhoades and Williams)<sup>290</sup> and two (1.5%) U.K. killers (Sutcliffe and Wright) were truck drivers who used their routes and trucks to pick up victims and dispose of their bodies. No truck drivers were responsible for the solved serial homicides of prostitutes in Canada. In at least two of the unsolved serial murder cases, the I-

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<sup>288</sup> *Ibid.*

<sup>289</sup> M. G. Aamodt. (20 February 2013). *Serial killer statistics*. Retrieved (26 September 2013) at 9.

<sup>290</sup> Cumberland killed with his girlfriend, Williams. She is not included in this figure because she was a passenger, not driver.

10 Murders in the U.S. and Northern B.C., long-haul truckers are possible suspects.<sup>291</sup> Both hitchhikers and prostitutes willingly enter vehicles with strangers, which makes both easy targets for men intent on violence.<sup>292</sup> In 2004, police noticed a pattern of murders occurring along the I-40 corridor running between Oklahoma, Texas, Arkansas, and Mississippi.

The victims in these cases are primarily women who are living high-risk, transient lifestyles, often involving substance abuse and prostitution. They're frequently picked up at truck stops or service stations and sexually assaulted, murdered, and dumped along a highway.<sup>293</sup>

An FBI-led initiative was created to target mobile offenders of serial murders, resulting in the arrest of 10 individuals responsible for an estimated 30 combined murders.<sup>294</sup> The FBI ViCAP database contains information on over 500 murders which have occurred on highways over the past 30 years. The majority of the victims are prostitutes, hitchhikers and stranded motorists.<sup>295</sup> Academic research has identified 80 murders committed by 22 regional or long-haul truck drivers.<sup>296</sup> In this study, all but one of the U.S. truck drivers use their rigs as places of confinement, transportation and in order to dispose of bodies across jurisdictional lines, further complicating identification and missing person investigations.<sup>297</sup>

The majority of the cases above involved sexual contact between offender and victim. Victims were often killed just following or during sex acts. Further, many of the killers were

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<sup>291</sup> In Prince George, taxi drivers were asked to provide DNA samples following the murders of two sex workers in 2011. Taxi drivers were also investigated after the murder of Aielah Saric Auger, 14. "Prince George taxi drivers investigated in slayings" *CBC News* (15 February 2011).

<sup>292</sup> Stranded motorists were occasionally targeted by the same men. It would be interesting to track whether the number of victims from this category has reduced in recent years, which may be due to the widespread availability of cellphones and cell coverage.

<sup>293</sup> FBI. *Highway serial killings: New initiative on an emerging trend* (04 June 2009).

<sup>294</sup> FBI. *Inside the FBI: Highway serial killings initiative* (03 June 2009).

<sup>295</sup> Patricia Phillips, "Serial killers linked to truckers – FBI analysis began with Oklahoma I-40 case" *The Examiner* (06 April 2009).

<sup>296</sup> Janet McClellan, "Delivery drivers and long-haul truckers: Traveling serial murderers" (2008) 3 *J. of Applied Security Research*, at 175.

<sup>297</sup> The exception was Charlie Roberts who committed a mass murder at an Amish school in a community to which he delivered. *Ibid* at 183-4.

regular users of prostitutes; often the killers were well-known to local prostitutes and had not exhibited violent behaviours towards them. In a study on prostitute murders, the researchers postulated that the depersonalization of victim, a hallmark of serial killers generally, may be enhanced by the nature of prostitution: "Because the encounter is fundamentally a business one, the client may see the prostitute as an object."<sup>298</sup> Several apprehended offenders have expressed extreme hatred and disgust of sex workers and used phrases such as "cleaning up" to describe killing sex workers. In countries with legalized or decriminalized prostitution laws, is there a difference in the way clients view sex workers? Is there less objectification? Research suggests this is not necessarily the case; in countries which have legalized or decriminalized prostitution laws, sex workers may still hide the nature of their work from their families.

Does the general objectification of women in pornography impact the views of men, specifically those with violent tendencies, to focus on sex workers? Is there a link between the use of violent pornography and serial killers who target prostitutes? Available information on the highlighted cases has revealed only one case, Bright, in which pornography was reported to have been used by the offender. There were several cases, including Bright, Berdella, Franklin and Rhoades, where photographs and/or videos of the victims were made by the killer. In those cases, there was terrible torture involved, in addition to the sexual assault and murders common in the cases. Further research would be needed as to the usage of pornography by offenders. Current research on sexually motivated killers is conflicting; some suggest such killers are avid collectors of pornography, especially

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<sup>298</sup> C. Gabrielle Salfati, Alison R. James, and Lynn Ferguson, "Prostitute homicides: A descriptive study" (2008) 23 *J. Interpersonal Violence* at 518.

violent pornography, while others suggest it is not collected or used.<sup>299</sup> Research in the U.S.<sup>300</sup> and Canada<sup>301</sup> in 2001 and 2009 respectively, found that there was a low level of acceptance of rape myths by clients of prostitutes. The Canadian authors were surprised with the results:

Although contrary to our hypotheses, based on the high rates of violence perpetrated against those in prostitution, these findings are similar with those of other research on prostitute customers, which found them to be “average” in terms of similarity to men who do not purchase sex, on variables such as demographics, sexual experiences, and non-prostitution-related sexual behaviors.

Customers in these studies were not serial killers; further research is necessary to answer whether or not serial killers use violent pornography, have higher rates of acceptance of rape myths or are more misogynistic than the broader population.

Serial killers who target prostitutes amass a larger number of victims and are often able to escape detection for longer than those who target non-prostitutes. Does the lack of attention paid by police and the media to murdered sex workers embolden serial killers to kill more often and sooner than they would otherwise? This was true of Ridgeway, who felt guilt and dread of capture, as well as pleasure, in his kills until he realized no one knew he was the killer.<sup>302</sup> Is it the prostitutes themselves who are the targets of the killing or is it that they are easier to entice into the assailant’s control? Is the decriminalization or legalization of prostitution laws correlated to greater societal acceptance and respect towards sex work? How do societal views of sex work influence serial killers? Further research comparing

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<sup>299</sup> Langevin, *supra* note 287 at 368.

<sup>300</sup> Martin A.Monto and Norma Hotaling, “Predictors of rape myth acceptance among male clients of female street prostitutes” (2001) 7 *Violence against Women*, 275.

<sup>301</sup> Carolin Klein, Alexis M.Kennedy and Boris B.Gorzalka, “Rape myth acceptance in men who completed the prostitution offender program of British Columbia” (2009) 53 *Int. J. of Off. Therapy & Comparative Crim.*, 305.

<sup>302</sup> *Green River Killer*. (12 December 2012), Crimes that Shook the World, Documentary.

assault, sexual assault and homicide against prostitute and non-prostitute women in countries with decriminalized and criminalized sex work laws would assist in answering these questions.

Police investigations such as those discussed in the following two chapters often focus on persons living “high-risk” lifestyles. High-risk refers to generally street-entrenched activities or factors such as homelessness or unstable housing, street prostitution, drug and/or alcohol addiction, association with others who are street-entrenched, selling drugs or stolen items on the street and hitchhiking. What is it about these factors that increase the risk of going missing and being murdered? As has been shown, street prostitutes are in extreme danger of being physically and sexually assaulted and killed. Street prostitutes often do not have time to assess the dangers of the men soliciting their services or to check the vehicle for weapons or missing door handles. Even when they do look for these dangers, there could be concealed weapons or other people hiding in the back or trunk of a vehicle. Once taken to an isolated area in order to perform sexual services a woman is without witnesses or people to come to her aid. Hitchhikers, too, are alone in a vehicle with a stranger, often in rural areas where there is no one to come to their aid. It should be noted, however, that there is not a corresponding number of missing and murdered male hitchhikers despite the frequency of hitchhiking in rural areas. Female hitchhikers face dangers similar to those involved in prostitution that their male counterparts do not.

Substance abuse can impact a woman’s choices in several ways. Drug sickness from withdrawal has often been cited as a reason a woman accepted a client they felt uneasy about or engaged in activity they normally would reject. Consider the case of Donald Bakker of Vancouver, the first Canadian charged under sex-tourism laws for sexually abusing children

overseas. Police responded to the sounds of a woman screaming where Bakker was found leaving the scene. He carried a bag containing a video camera and recordings of the sadistic torture of many women believed to be sex workers from the DTES. An estimated 50 to 60 women had consented to being abused by Bakker; none had reported the abuse to police. Drug addiction was cited as the reason for agreeing to the abuse; they needed the money and consented to sadistic abuse. Bakker was found guilty of abusing three women and many children overseas.<sup>303</sup> As has been seen above, women suffering from withdrawal may agree to perform sexual services for very little, such as \$5, the cost of one “hit” of crack cocaine. Desperation for the money to purchase drugs can result in the agreement to perform services for little compensation, to be subjected to abuse, perform acts not normally acceptable to her or to be taken to locations outside her comfort zone.

What can be observed about issues of gender among the cases reviewed above? In all of the cases discussed, there is a male perpetrator. There are a few male killing teams of two, three or four but for the vast majority, the men killed alone. There are two U.S. cases of couples (Williams and Cumberland, Bundy and Clark) who killed and a few cases where female accomplices were involved in the killing, with one or more males in attendance. Research has shown that approximately 25% of serial murderers kill with one or more other person.<sup>304</sup> Of the 116 profiled cases, 10 (8.6%) cases had more than one offender, all in the

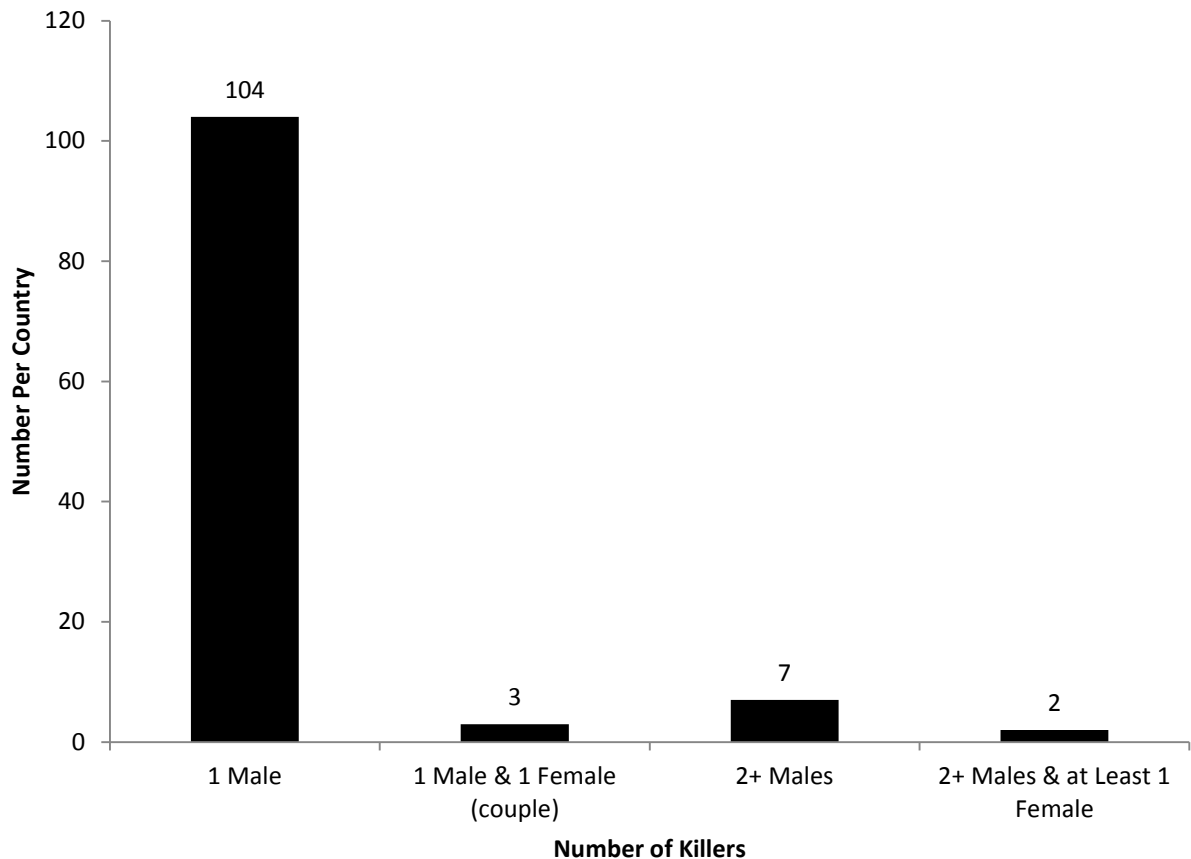
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<sup>303</sup> “Sex tourism case begins in Vancouver” *CTV News* (07 September 2004); “Vancouver man pleads guilty to overseas sex charges” *CBC News* (02 June 2005); Elaine O’Connor, “Neighbours shocked by alleged crimes: More charges expected today against Bakker” *The Province* (19 January 2004); “Sex assault suspect could face more charges” *Unknown Paper* (19 January 2004); Jane Armstrong, “Torture tapes stun B.C. investigators” *Globe and Mail* (19 January 2004); “Trail of a sex tourist: Canada’s limited success in pursuing pedophiles” *W-Five* (07 March 2009); Yasmin Jiwani and Mary Lynn Young, “Missing and murdered women: Reproducing marginality in news discourse” (2006) 31 *Cdn. J. of Comm.*, at 908; *Pivot*, *supra* note 36; *VPD*, *supra* note 112 at 364; Susan Lazaruk, “Donald Bakker: Crown to use video evidence in bid to impose peace bond on Abbotsford sexual sadist” *The Province* (23 November 2012).

<sup>304</sup> Hickey, *supra* note 31 at 226; Aamodt, *supra* note 289 at 4.

U.S. Figure 5-4 provides a breakdown of the number of killers (solo, couples and teams) by gender breakdown of the cases described above and in Appendix G.

**Figure 5-4: Number of Serial Killers Targeting Sex Workers, by Country (Known Offenders Only) (N=116)**



The majority of serial killers in the cases profiled did not have accomplices. In a few cases, female family members assisted in disposal of the body, such as Durant's wife and Clepper's mother, or assisted the killer to escape apprehension, such as with Christensen. Family members were as likely to telephone police or to confess if they believed family members were involved in murders than to protect the killers, as was seen with the sisters of Gerald and Svekla, the wives of Grove and Pirrera and Jespersen's brother.

The gender breakdown in the highlighted cases is consistent with research on serial killers in the U.S., which illustrated that the majority (83% to 90.2%) of offenders are



male.<sup>305</sup> Research on female serial killers reveals that women often kill family members for financial gain.<sup>306</sup> Analysis of more recent cases showed that solo female serial killers fall into three categories: medical murders, murders for profit, and infanticide.<sup>307</sup> Sexually motivated homicides are rarely committed by women except when there is a male partner. Pleasure-motivated killings, including sexual motives, occurred with mixed-sex partners, who are “more likely to target adult or teen strangers and to murder them using a combination of methods for pleasure-oriented motives.”<sup>308</sup>

Research in the U.S. has found that 80% of serial killers are heterosexual.<sup>309</sup> Among the serial murders above, Palma and Gacy were bisexual and Berdella, Terry and Atkins were homosexual. Palma’s victims were female, transgendered and transsexual; Berdella, Gacy and Terry killed only men. Palma, Gacy, Berdella and Terry engaged in sex with their victims. Atkins killed only females and did not have sexual contact with them. Information on sexual orientation is rarely provided unless the offender is not heterosexual, or there are male or transgendered victims. Further research is required to make definitive comparisons between serial killers generally and those that target prostitutes.

Prostitute victims of serial killers are almost exclusively women. There are some exceptions: two of Palma’s three victims from his weekend killing spree were transgendered. Richard (Kellie) Little is a possible victim of Pickton, having lived occasionally – and having been last seen at – the home of Pickton’s friend, Gina Houston. There are 17 sex workers within the DD that were transgendered and two were male, as shown in Figure 1-12 in

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<sup>305</sup> *Ibid.* at 189.

<sup>306</sup> Elizabeth A. Gurian, “Female serial murderers: Directions for future research on a hidden population” (2011) 55 *Int. J. of Off. Therapy & Comparative Crim.* at 29.

<sup>307</sup> *Ibid.* at 33-4.

<sup>308</sup> *Ibid.* at 38.

<sup>309</sup> *Ibid.*

Chapter One. Some transgendered sex workers do not disclose their gender identity while others work on specific “tranny strolls” or advertise on the Internet as transgendered. It does not appear that homophobia played a role in the cases of missing or murdered male sex workers. However, homophobia may have been a factor in the disappearances or deaths of the transgendered women. It is possible that they were killed because their assailants discovered their gender identity. This was the case with Lazaro Comensana, murdered by U.S. serial killer Conde, and the Canadian case of Fabian Paquette, murdered by Dale Eliason.<sup>310</sup> However, it is also possible that the killer was unaware of the gender identity of the victim and assumed she was born a woman. Some of the murdered transgendered women were small in stature and petite, whereas others were tall and muscular.

Men are generally larger and stronger than women. Males typically have more experience and training in physical combat or martial arts and are more likely to be members of the military or police officers than females are. Even without any training, many men are able to overpower the average woman. Door handles can be removed to trap a woman in a vehicle. There was considerable use of restraints (plastic straps and handcuffs) in the cases discussed above. Pickton slid handcuffs onto Ringwald’s wrist while she had her back turned to him in the kitchen. Both Pickton and Ridgeway described strangling a woman with a ligature hidden in the bed area while having sex with the woman from behind. In this position, they are unaware of the danger until the ligature is around their neck and they would often be unable to move their hands to fight back.

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<sup>310</sup> *R. v. Eliason* [2003] BCSC 1808. Eliason was convicted of manslaughter and sentenced to seven years in prison. He is not a serial murderer.

It was not uncommon that the same men who targeted prostitutes also victimized young girls, female hitchhikers, homeless women and women with mental health issues, as well as romantic partners and children. Their relative vulnerability increased their risk of predation by serial killers:

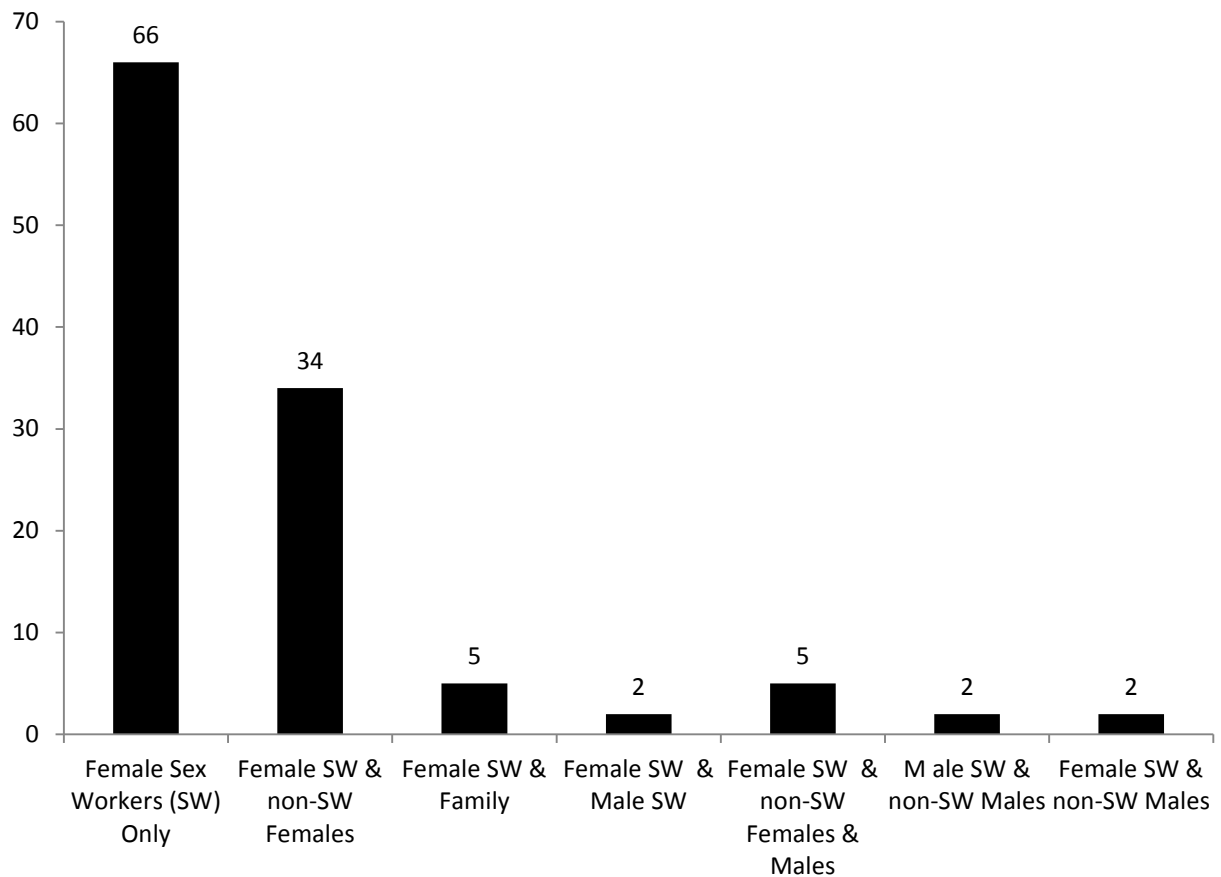
High-risk versus low-risk victimization in serial murder should not necessarily enter into the discussion regarding the need and duty to capture the murderer. Serial murderers are opportunistic; if the preferred victim type is not readily available or an opportunity to acquire a naïve or susceptible victim arises, that opportunity will be taken instead.<sup>311</sup>

Using the cases discussed above and in Appendix G, Figure 5-5 provides a breakdown of the victim targets of serial killers. All of these cases involve accused or convicted people who have killed two or more people, at least one of whom was a sex worker. There were 66 cases (56.9%) where the known serial killer(s) targeted only sex workers and 34 (29.3%) cases where the targets were both prostitute and non-prostitute females. Unlike in the U.S. where acquaintances and friends were occasionally killed, in Canada, all the non-prostitute women and girls killed were strangers with the exception of Pirrera.

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<sup>311</sup> McClellan, *supra* note 296 at 182.

**Figure 5-5: Victims of Serial Killers Targeting Sex Workers (Known Offenders Only) (N=116)**



What can be observed regarding race and ethnicity? Research of known serial killers in the U.S. has demonstrated that as of 2010, 34.2% are white, 57.9% are black and 7.9% are Hispanic.<sup>312</sup> Figure 5-6 is a breakdown of the ethnicity of the 132 known serial killers targeting sex workers discussed. The majority of killers are white (64.1%) and 29.5% were black.

<sup>312</sup> Aamodt, *supra* note 289 at 3.

**Figure 5-6: Ethnicity of Victims of Serial Killers Targeting Sex Workers (Known Offenders Only) (N=132)**

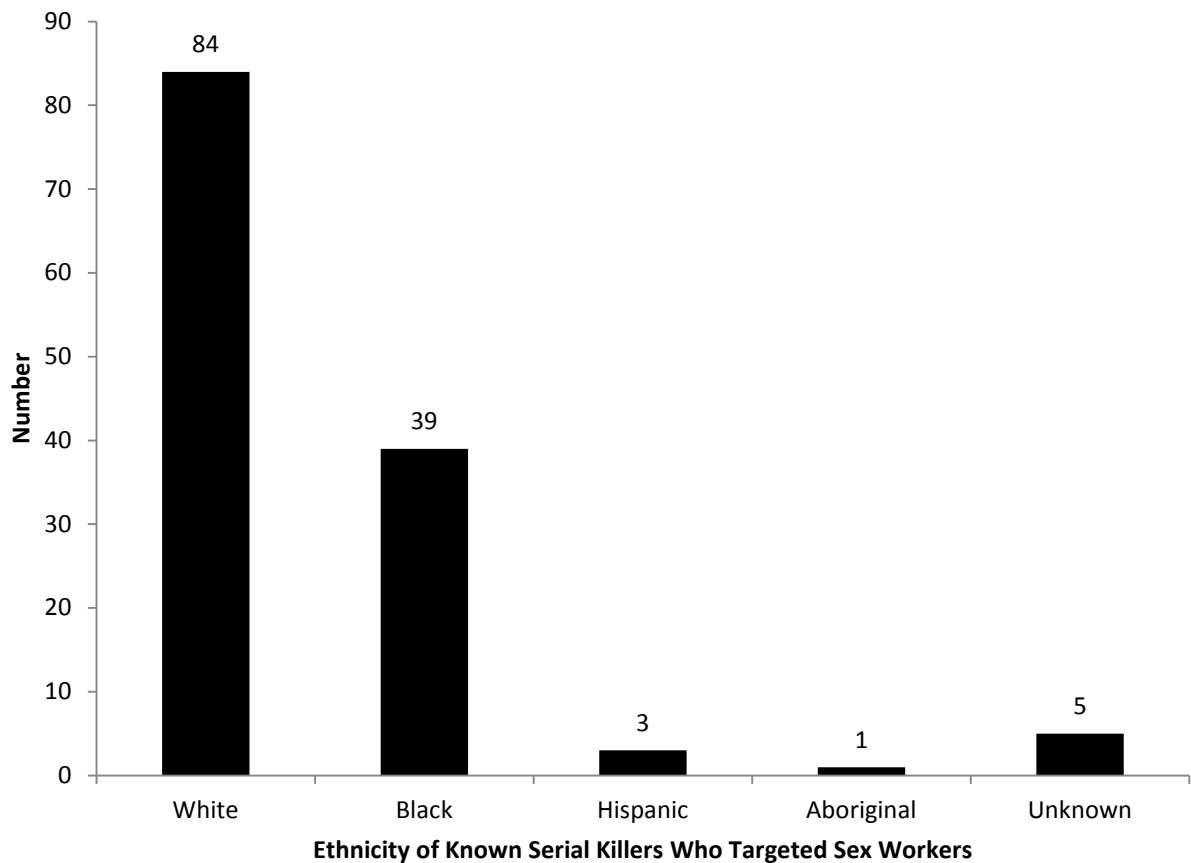
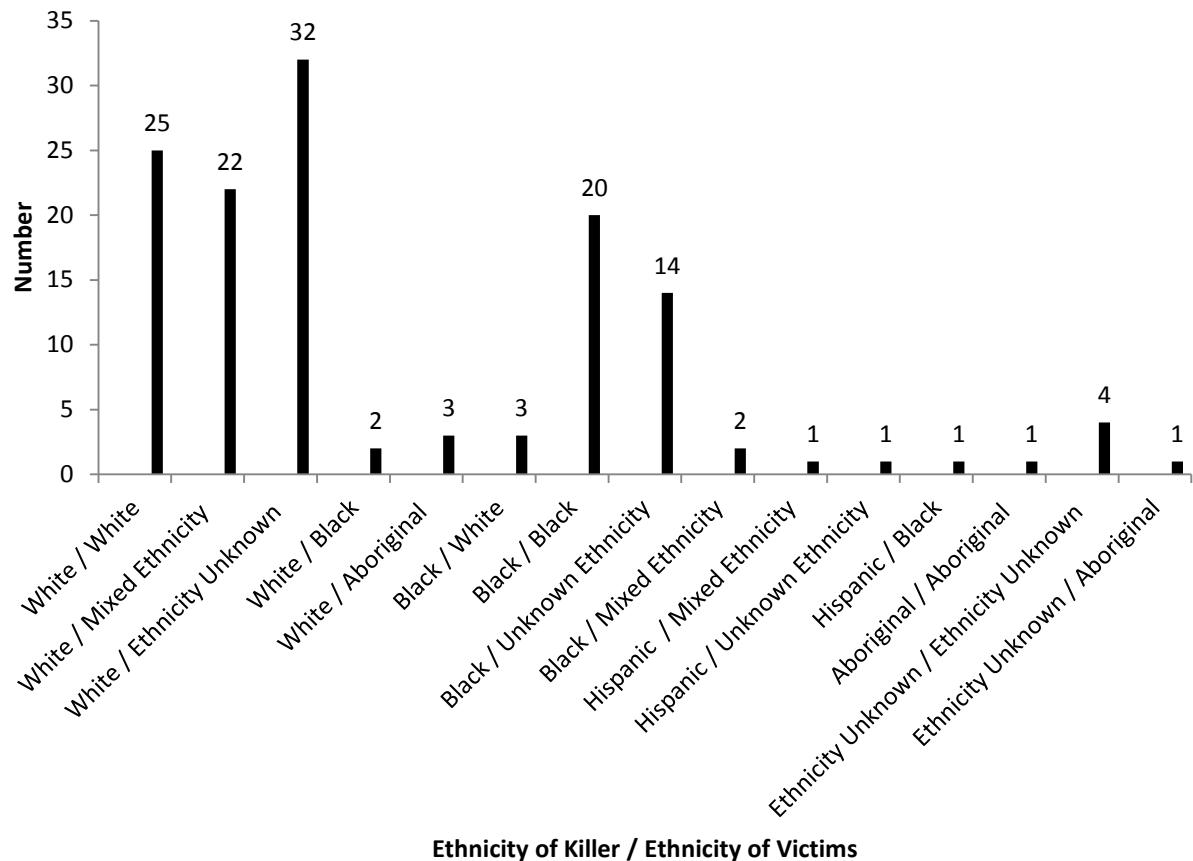


Figure 5-7 provides a summary of the ethnicity of known offenders and the ethnicity of victims. Unfortunately, the sources for these cases above often provide little information regarding the ethnicity or race of the victims; it is more common to find information on the offender. There were only a few Hispanic serial killers among those targeting prostitutes, all of whom were in the U.S. Alleged Canadian serial killer Shawn Lamb is the only known Aboriginal serial killer found among the cases discussed above. In the 13 Canadian cases, four of the offenders killed only Aboriginal women and another three killed women of mixed ethnic backgrounds.

**Figure 5-7: Ethnicity of Serial Killers and Victims (Known Offenders Only) (N=132)**

In northern B.C., Saskatchewan, Manitoba and Alberta, there are large numbers of Aboriginal women who have been murdered or gone missing in suspected serial homicides. Over-representation of Aboriginal women in street prostitution increases the risk of falling victim to serial killers and other violent men. Aboriginal women were not seen as victims in U.S. cases, although there may well be Aboriginal victims in the “unknown ethnicity” categories. In reading the case summaries, the surnames of several of the victims in the Pacific Northwest are common in Canadian Aboriginal communities on the West Coast.

Asian sex workers were rarely the targets of serial killers; there were few Asian victims in either the U.S. or Canada, and none in the U.K. Asian women normally perform sex work indoors, both voluntarily and having been forced through human trafficking.

Brothels normally have male employees, managers or traffickers, as well as other women present. As previously indicated, indoor sex work is considerably safer.

There are many questions of how class, race, gender and sexual orientation factor into the offender and victim profiles. Further research into these issues is needed. Dr. Mike Aamodt of the psychology department at Radford University in Virginia has a project in which students conduct analyses of serial killers from around the world, using a standard template. An expanded study of Canadian killers, serial and otherwise, that seeks to find patterns among known killers may assist police in finding those killers who have thus far eluded identification.

## V. CONCLUSION

Violence is clearly prevalent in sex work. Research and statistics from Western countries with similar prostitution laws to Canada's reveal similar rates of violence. It is also clear that violence is more often associated with street prostitution. The reasons for violence against sex workers are varied and complex. Perpetrators, including serial killers, may view sex workers as less than human, disposable and so use this to justify their abuse.<sup>313</sup> The violence suffered by sex workers, however, is a continuation of the violence against women generally in society.

Prostitution laws impact on the safety of both indoor and outdoor sex workers. The sections of the *Criminal Code* prohibiting living on the avails of prostitution and keeping a bawdy house are largely, although not specifically, focused on indoor sex work. The communicating law, s. 213(1)(c), addresses street prostitution. In her 2010 decision, Justice

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<sup>313</sup> See especially, Stacey L. Shippley and Bruce A. Arrigo. "Serial killers and serial rapists: Preliminary comparison of violence typology" in Richard N.Kocsis, (ed.) *Serial murder and the psychology of violent crimes*. (New Jersey: Humana Press, 2008) at 124.

Himel agreed with the arguments put forward by Terri Jean Bedford, Amy Lebovitch and Valerie Scott that these laws contribute to the dangers and violence of sex workers:

The respondent [the Attorney General of Canada] argues that striking down the impugned provisions without enacting something in its place would pose a danger to the public. I am not persuaded that this would be the case. The evidence before me suggests that ss. 210 and 212(1)(j) are rarely enforced and that s.213(1)(c) is largely ineffective. As well, the Supreme Court has held that s. 213(1)(c) is aimed at curtailing social nuisance, not protecting public safety. Moreover, I have found that the law as it stands is currently contributing to danger faced by prostitutes.<sup>314</sup>

The SCC will rule on Canada's prostitution laws in the upcoming year in the *Bedford* case. It is likely that changes to prostitution laws would result in improved safety in indoor locations more so than on the street. Although criminalization has pushed sex workers into more dangerous locations in which to solicit clients, if a woman gets into a car and leaves with a client, then she remains at a greater risk.

Indoor sex work is safer for many reasons, including the proximity of other people and verification of identity prior to meeting. As discussed in Chapter Three, violence is rare in indoor settings where prostitution is legalized or decriminalized, and even where it is illegal.

some of the risk factors that street sex workers have to manage are immediately removed when women work indoors in massage parlours. For example, working alone, having sex in isolated places, and the pressure to avoid the police are absent for those women who work indoors.<sup>315</sup>

Police in Canada generally do not focus on indoor locations unless there are complaints made, or there is a suspicion of trafficking in humans or underage girls working in the brothels. Where women work inside with one or more people present, the risk of violence is

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<sup>314</sup> *Bedford v. Canada (Attorney General)* [2010] O.J. No. 4057, at 144. Original emphasis.

<sup>315</sup> Sanders and Campbell, *supra* note 34 at 11.



reduced significantly. Escorts, erotic masseuses and other sex workers often prefer to work independently in order to reap higher financial gains, but there is a higher risk of violence when working alone. The cooperative brothel model from the U.K. or micro-brothel concept from the Netherlands – in which two or more sex workers rent an apartment and work at the same time – reduces the risk of violence due to the proximity of other people.

Any change in the laws needs to be accompanied by a change in police-prostitute relationships. As seen in Chapter Four, there are many reasons why robberies and violent crimes against prostitutes are not reported to the police. The most prominent are the victim's fear of losing children or facing charges themselves, the expectations or experience of harassment, or not being taken seriously by police. Managed zones, such as are found in Germany and the Netherlands, indicate that violence from clients and pimps is greatly reduced and prostitutes will go to the police for assistance due to the understanding that they will be protected and would not be subject to prosecution for prostitution offences.<sup>316</sup> Whether prostitution occurs indoors or outdoors, the community as a whole must communicate to offenders that violence against prostitutes will not be tolerated and will be vigorously prosecuted.

It is less clear, however, that changes to the prostitution laws will significantly reduce the violence experienced by street prostitutes. It is on the street where the majority of the violence occurs. In the discussion around the decriminalization of sex work and the Bedford Challenge, a critical analysis of who would benefit from prostitution law reform is missing. Indoor sex workers are already far less likely to experience violence. The change in the laws would increase safety for those working indoors, as well as reduce economic exploitation of

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<sup>316</sup> *Ibid.* at 4.

women by owners and managers of sex trade businesses. Currently, 80-90% of prostitution occurs indoors. As such, increased safety would benefit the majority of sex workers, but these are already the least likely to be victimized. The “sex-garages” discussed in Chapter Three would improve the safety of street prostitution but it is unlikely that communities would welcome this type of facility set up in residential neighbourhoods. In Amsterdam, such facilities away from the downtown area proved a failure as the prostitutes did not want to go that far away.

In her decision, Justice Himel referred to the 2006 report from the Standing Committee on Justice and Human Rights:

Members of the Subcommittee were concerned about the unequal application of the existing laws such that many indoor prostitutes operate with virtual impunity, while vulnerable and marginalized street prostitutes, especially aboriginal and transgendered persons as well as drug addicts, are routinely criminalized.<sup>317</sup>

As has been documented in numerous studies in Canada, Aboriginal women are disproportionately represented in street-level prostitution. As a consequence, Aboriginal women face high rates of violence.

Moving indoors has always been an option, even under the current laws. Changes to the laws will not change the reasons why women continue to work outdoors where there is so much associated violence: poverty, addiction, homelessness and a colonial past that impacts on Aboriginal women to this day.

ongoing experiences with racism lead to what has been termed “colonial trauma response,” which results when a Native woman experiences a current event that connects her to a collective, historical sense of injustice and trauma.

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<sup>317</sup> *Bedford v. Canada (Attorney General)* [2010] *supra* note 314 at 51. See also, Standing Committee on Justice and Human Rights (December 2006). *The challenge of change: A study of Canada’s criminal prostitution laws*. Ottawa: House of Commons at 86.

Just as people with post-traumatic stress disorder are “triggered” to relive traumatic events they have experienced, American Indian women, who have endured massive trauma and injustice historically, are “triggered” to connect current experiences with racism, abuse, and/or injustice with those experienced by their female ancestors, in a very immediate and emotional way. A Native woman’s response to the situation is not only based on her own experience, but on the experiences of generations of her female ancestors.

For this reason, Native women experience sexual assault, prostitution, and sex trafficking as a continuation of the colonization process, in which Native women’s sacred selves were routinely exploited for the gratification of a person who claimed the right to do so while ignoring or invalidating the impact on the woman herself. When the assailant, pimp, or john is a white male, the psychological impact on a Native woman is even greater.<sup>318</sup>

Women working in street prostitution are the most marginalized and vulnerable in society.

Generally, such women have been marginalized before becoming involved in prostitution through life histories in which poverty, racism, homelessness, family dysfunction, abuse and addiction are prevalent. Their choices for survival are few and prostitution is often not a considered decision in the same way it may be for women from more privileged backgrounds.

Addicted women are generally unreliable as employees. Moving indoors means being hired, conforming to set schedules and rules set by management. Working independently indoors generally requires marketing through websites and having access to a computer and a cellular telephone in order to book clients. Severely addicted women are unlikely to have consistent access and many lack the necessary computer skills.

Police sweeps and neighbourhood pressures that push street sex work to remote, isolated and dangerous areas to perform sex acts has undoubtedly increased the risk faced by women on the streets. That the women of the DTES worked in an urban area and still fell

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<sup>318</sup> Alexandra Pierce. (2009). *Shattered hearts: The commercial sexual exploitation of American Indian women and girls in Minnesota*. Minnesota Indian Women’s Resource Center at 5.

victim to Pickton illustrates that a multi-faceted approach to reducing violence faced by street sex workers is necessary. Sex workers who fear police in general, or fear being arrested on outstanding warrants, fail to report violence or provide tips to police in other cases.<sup>319</sup> Still, Pickton's victims would not have necessarily benefited from changes to prostitution laws which would allow more indoor sex work. For most of the victims, heroin and crack cocaine were a driving force in their lives. They worked on the streets in order to obtain money for drugs. It is unlikely that many of these women would have been able to function in a formal indoor setting at the time of their murders due to the severity of their addictions. Changes to the social assistance system, including more affordable housing and increased welfare rates, are needed to bring women out of poverty and prevent survival sex work as a means to meet basic needs. There is also the need for addiction treatment, including residential rehabilitation, to address addictions that compel women to prostitute on the streets.

More informal settings such as Grandma's House, which allowed women on the streets to rent rooms for use with clients in order to prevent them having to get into cars with strangers, would appear to be the most likely type of scenario in which street sex workers could work indoors while in the midst of serious addictions.<sup>320</sup> If the changes to the

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<sup>319</sup> Women on the streets of the DTES apparently failed to provide tips to police on Pickton because he was considered a "good date" in that he paid well and gave them drugs. See, MWI, *Exhibit 1 – Vancouver Police Department (VPD) Missing Women Investigation Review August 2010* at 22, 84, 188.

<sup>320</sup> Community activist Jamie Lee Hamilton started Grandma's House in 1993. Initially called the Rainbow Room, located at 573 East Hastings Street, at Princess Avenue and Hastings Street in the DTES, it was a thrift store. In cooperation with the local food bank, the Rainbow Room also provided free food and a place of respite for street prostitutes in the DTES. Cellular telephones were also distributed to sex workers that were programmed to be able to dial 9-1-1. Hamilton claimed that police confiscated these phones. Bad dates could be reported to the staff at Grandma's House and were shared with other women accessing the services.

After moving to 1127 East Hastings Street, Grandma's House was listed as a registered charity under the name "9 to 5 Working Society" and received approximately \$29,000 in government funding. It ran afoul of municipal

prostitution laws are upheld, this type of brothel would be a positive step for improving safety of the sex workers most at risk of violence. It would require someone to manage the operation to ensure it is cleaned, does not become used for drug dealing or use (which would risk closure), and that the bills are paid.

Violence faced by women working on the streets cannot be eliminated solely through changed laws and moving indoors. There needs to be a shift in the culture that views sex workers as disposable. This can only be achieved through the recognition by Canadian society that all women are valued and important. Violence against prostitutes needs to be taken seriously by all levels of government, police, and the public. Many serial killers of prostitutes have histories of domestic violence and have sexually assaulted and murdered non-prostitute women and girls. Men who abuse any girl or woman need to face stiff punishment and receive treatment. Street prostitutes are vulnerable to violence due to their working conditions, but the violence is directed at women generally.

When children or women from the suburbs go missing or are murdered, there is an outcry, public anger, large search parties, rewards and demands for action. The lack of attention paid to the murder of prostitutes by the media and the police is often partnered by

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regulations in 1999. In 2000, Grandma's House moved to 2088 Pandora Street. Women were able to rent a room to service clients. Neighbours were outraged and a campaign was launched aimed at having the organization move to a less residential area. Former board members and employees began to speak out against Hamilton and alleged financial irregularities. In 2000, Grandma's House was raided and bawdy house charges were laid against Hamilton. The charges were dropped in 2003.

Hamilton is a transgendered Aboriginal woman who worked as a street prostitute in the 1970s and 1980s in the DTES. She has run in municipal elections and has been an active member of the DTES for 40 years. She was a witness at the MWI.

See, MWI, *February 27, 2012* at 43; Yvonne Zacharias, "Jamie Lee Hamilton's troubled crusade" *Vancouver Sun* (25 March 2000); Jamie Lee Hamilton. *Oldtown News*; Yvonne Zacharias, "Fighting fire with a sensational accusation" *Vancouver Sun* (25 March 2000); Jeremy Hainsworth, "Former police chief testifies that he supported safe house raided in 2000" *Xtra* (20 February 2012); MWI, *February 20, 2012*; MWI, *Exhibit 212*.

public apathy. This can also be seen in the deaths of women by their romantic partners or ex-partners, although more sympathy is elicited for them than for murdered sex workers. There is public sentiment, often expressed clearly in headlines, by experts, police, neighbours, and others that these deaths were preventable, that the woman facilitated her death by having married a violent man, not seeking police help for domestic violence, working in the sex trade, having addictions or whatever “lifestyle choices” are attributed to them. Domestic violence victims and murdered sex workers face a similar distancing by the public. It is not that the public does not care, rather it enables a distancing from the dangers. People are able to think that “My daughter, mother, sister, wife or myself are safe because we make good choices. This type of danger cannot touch my family.”<sup>321</sup> Studies of jurors in the U.S. found that a similar distancing and connecting of victims occurs during deliberations, creating categories of more and less worthy victims.<sup>322</sup>

Domestic violence leading to a homicide is rarely the first time an assault has taken place.<sup>323</sup> It is a complicated issue that cannot be adequately addressed in this dissertation, but it is sufficient to say that for many women in violent relationships, as with sex work, it devastates self-worth and confidence and makes envisioning a life free of violence difficult. Addiction is a disease; it is not a lifestyle choice. Women often end up involved in survival sex work on the streets due to a lifetime of hardships, abuse and trauma. These are not choices but a lack of choices. The lives of women and girls (and men and boys, of course) require protection. When foul play has occurred, police action and public outrage should be swift and intense. It should not be dependent upon the choices people have made (or been

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<sup>321</sup> This is not a quote from a source.

<sup>322</sup> Scott E. Sundby, “The capital jury and empathy: The problem of worthy and unworthy victims” (2002-2003) 88 Cornell L. Rev. at 360.

<sup>323</sup> Brian Vallée. *The war on women*. (Toronto: Key Porter Books Ltd., 2007).

forced to make), their ethnicity, socio-economic status, whether they have physical or mental issues or if they are involved in the sex trade. If the only way to persuade the public to take notice of the danger predators targetting sex workers pose to everyone is to provide information, then so be it. A violent misogynist who abuses his romantic partner is a danger, generally, to his partners, children and pets within his control. A violent misogynist who abuses sex workers is, in almost one third of the cases above, a danger to every woman and girl who crosses paths with him.

## CHAPTER SIX

### THE MISSING WOMEN OF VANCOUVER'S DOWNTOWN EASTSIDE

#### I. INTRODUCTION<sup>1</sup>

The tragic cases of missing women of the Downtown Eastside (DTES) were a shock to the public and an embarrassment to police. It was a nightmare for the family and friends of the women. The DTES is a 21-block area of Vancouver. At the time the women began to go missing in great numbers, the DTES was plagued by intravenous drug use, street prostitution, and high rates of HIV and hepatitis C. Four hundred people died of overdoses, usually due to heroin, in 1998.<sup>2</sup> Used condoms and syringes littered the streets, alleys and parks. Single room occupancy hotel (SRO) rooms provided substandard, vermin-infested housing for the exact amount of a monthly welfare cheque.<sup>3</sup> Managers of some of the SROs required the women who rented from them to buy their drugs from them; if they did not, they could be subjected to physical assaults.<sup>4</sup> Some SROs “allow[ed], if not cater[ed] to, all types of criminal and quasi-criminal activities.”<sup>5</sup> Still other SROs claimed rent from social services for four times the number of rooms available or would pay half the rent to the claimant.<sup>6</sup> In either situation, the claimant would be homeless. Grocery stores in the area openly sold drugs and one resold food from the local food bank. Drugs were sold openly on the streets;

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> Greg Heakes, “Prayer service held for missing prostitutes” *Unknown Paper* (13 May 1999).

<sup>3</sup> Stevie Cameron. *On the farm*. (Toronto: Alfred A. Knopf Canada, 2010) at 55; Missing Women Inquiry (MWI), *November 1, 2011* at 17.

<sup>4</sup> Cameron, *supra* note 3 at 144.

<sup>5</sup> MWI, *Exhibit 114 – Document entitled Panel – District 2 Police – Document brief (Commission)* at 209.

<sup>6</sup> The Odd Squad. *Tears for April*. Documentary, DVD (Vancouver, B.C.: Odd Squad Productions, 2009); Cameron, *supra* note 3 at 55.



one central location was the doorway of a pregnancy outreach for Aboriginal women, intimidating the women and children attempting to access services.<sup>7</sup> The neighbourhood has been described as the “last frontier” for Vancouver police.<sup>8</sup>

The murder of sex trade workers from the DTES was not a new phenomenon that occurred only in the late 1990s. During that period, however, the rate of disappearances was statistically significant enough to warrant heightened concern. In 1987, the RCMP started a 12-person investigation unit dedicated to 17 unsolved prostitute murders dating back to 1981. After two years, there was not enough evidence to arrest anyone and the project was dismantled.<sup>9</sup>

In 1991, a conference was held in Victoria with police from various forces in the Lower Mainland and surrounding areas. The officers reviewed unsolved homicides of sex trade workers.<sup>10</sup> Later that year, officers and profilers from the RCMP, Vancouver Police Department (VPD), OPP and several U.S. forces met to review 26 unsolved homicides of women, over half of whom were thought to work in the sex trade, dating back to 1981. The group was called “Project Eclipse.” According to two of the officers who were in attendance, the murders were grouped by possible linkages. There was one group of four murders, as well as several groups of two and a group of three (the Alley Murders) that were linked. The

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<sup>7</sup> MWI [#114], *supra* note 5 at 9, 62; Trevor Greene. *Bad Date: The lost girls of Vancouver’s low track*. (Toronto: ECW Press, 2001); Stevie Cameron. *The Pickton File*. (Toronto: Knopf Canada, 2007); MWI, Exhibit 145 – Document entitled: *Book of documents, 220 pages, each containing independent VPD document identification numbers*.

<sup>8</sup> MWI, April 26, 2012 at 230.

<sup>9</sup> Cameron, *supra* note 3 at 63-4.

<sup>10</sup> MWI, Exhibit 34 – Document entitled *DC Evans Report, including Appendices “A”, “B”, “C” and “D”* at C5.

remaining cases could not be linked to any others.<sup>11</sup> The information was presented to the VPD but the department did not follow up. In 1998, the inspector in charge of the Major Crime Section discussed Project Eclipse and asserted that the group found no linkages among any of the cases. This is one of the reasons he gave to the colleague in charge of VPD District 2 (the area in which the DTES is located) for refusing to accept that a serial killer was active.<sup>12</sup> The sergeant in charge of the cases also reiterated this incorrect information to the Vancouver Police Board in April 1999.<sup>13</sup> In 1996, DTES sex worker advocate Jamie Lee Hamilton sought to bring attention to missing and murdered women by planting white crosses on the lawn of Vancouver city hall. In 1998 she brought 67 pairs of stiletto shoes to a meeting of the City Council; the shoes represented missing and murdered women.<sup>14</sup>

This chapter discusses the missing women of Vancouver's DTES and the Pickton murder case. It should be noted that this discussion and analysis of the Pickton case has the benefit of hindsight. This point was made by Deputy Chief Constable (DCC) Doug LePard in the VPD review of the case,<sup>15</sup> by counsel for the Government of Canada<sup>16</sup> (GOC),<sup>17</sup> the Vancouver Police Union,<sup>18</sup> and the VPD<sup>19</sup> during the Missing Women Commission of Inquiry (MWI). Further, there has been considerable attention paid to the case, including

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<sup>11</sup> Cameron, *supra* note 3 at 63, 68, 72; MWI, *May 23, 2012*, at 11; Wally T. Oppal. *Volume I – The women, their lives and the framework of inquiry: Setting the context for understanding and change* (December 2012) at 29; Wally T. Oppal. *Executive Summary* (December 2012) at 8.

<sup>12</sup> MWI [#114], *supra* note 5 at 78-82.

<sup>13</sup> Jason Gratl. 'Wouldn't piss on them if they were on fire': *How discrimination against sex workers, drug users and Aboriginal women enabled a serial killer*. Report of Independent Counsel to the Commissioner of the Missing Women Commission of Inquiry (25 June 2012) at 84.

<sup>14</sup> Wally T. Oppal. *Volume IIB – Nobodies: How and why we failed the missing and murdered women, Part 3, 4, and 5* (December 2012) at 78.

<sup>15</sup> Vancouver Police Department (VPD). *Missing Women Investigation Review* by Doug LePard. (Vancouver, August, 2010) at 18.

<sup>16</sup> Counsel for the GOC represented the DOJ and the RCMP in the MWI.

<sup>17</sup> MWI, *October 12, 2011* at 145.

<sup>18</sup> *Ibid.*, at 158.

<sup>19</sup> *Ibid.*, at 133.

Stevie Cameron's two books on the Pickton case,<sup>20</sup> the reviews done by Inspector R.J. Williams<sup>21</sup> (the Williams Report),<sup>22</sup> LePard<sup>23</sup> (the LePard Report),<sup>24</sup> and the independent review by Deputy Chief (DC) Jennifer Evans<sup>25</sup> (the Evans Report).<sup>26</sup> The MWI heard from 86 witnesses over 92 days of evidentiary hearings, 43 of whom were police.<sup>27</sup> There were 173,500 pages of documents disclosed<sup>28</sup> through 256 exhibits entered into evidence; not all exhibits were released to the public.<sup>29</sup> The Williams, LePard and Evans Reports provided analysis from a police perspective and recommendations stemming from their expertise.<sup>30</sup> The MWI report was released to the public on December 17, 2012, and provided

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<sup>20</sup> Cameron, *supra* note 3; Cameron, *supra* note 7.

<sup>21</sup> MWI, *Exhibit 2 – Royal Canadian Mounted Police (RCMP) request for assistance external review*.

<sup>22</sup> Inspector R.J. Williams, of "K" Division (Alberta) of the RCMP provided a review of the RCMP's actions in the Pickton case and Missing Women file. This 2002 report was done as support for the litigation in *Joesbury v. Her Majesty the Queen (Project Evenhanded)* brought forth by Karin Joesbury in regards to the death of her daughter Andrea (also known as Angela) Joesbury. This report was provided to LePard during his review. The Williams Report was made public in 2011, during the MWI. The father of Marcella Creison also brought forth a civil suit; the date and name of the action is redacted. The Joesbury and Creison statements of claim can be found in MWI, *Exhibit 2A– Document entitled Williams appendices* at 3 and 746 respectively.

<sup>23</sup> The LePard Report released to the public in August 2010; some names and facts had been redacted, or names changed. The report submitted to the MWI as Exhibit 1 still had redactions, but less so. The page numbers differ slightly due to the redactions. References are, therefore, made to the specific report version.

<sup>24</sup> VPD, *supra* note 15; MWI, *Exhibit 1–Vancouver Police Department (VPD) Missing Women Investigation Review August 2010*.

<sup>25</sup> MWI [#34], *supra* note 10.

<sup>26</sup> Then-DC Evans from the Peel Regional Police by was asked Commissioner Oppal to prepare an independent review of the police investigation into missing women in the DTES to present to the MWI. Evans was part of the review of the Bernardo case, headed by Justice Archie Campbell. Regarding the controversy around the Evans Report, see, Carrie Swiggum, "Groups call for removal of Peel police in missing women's inquiry" *The Tyee* (12 August 2011); Wendy Cox, "Ont. cops reviewing VPD, RCMP conduct for Pickton inquiry" *CTV BC* (12 August 2011).

<sup>27</sup> In various sections of his report Oppal states the number of days is 92, and in other sections, 93.

<sup>28</sup> Wally T. Oppal. *Volume IV – The Commission's Process* (December 2012) at 11, 17, 23.

<sup>29</sup> Many of the documents created during the missing women investigations were not publically released at the MWI. As of April 2013, 231 exhibits were listed on the website, with over half a dozen were still listed as pending and many others restricted and unavailable. Exhibits 2A-2E, 47, 98, 108, 114, 145, 146, 171, 173, 200A-200D are especially large PDF documents containing hundreds of separate documents. Each PDF is between 200 to 1,100 pages. When referring to these documents, the page number refers to the page number of the PDF, as there may be up to three other page numbers on each page of the PDF. These documents provide police notes, continuation reports, memos, interview transcript, summary reports, etc. created during Projects Amelia and Evenhanded. There are considerable duplications of documents within and between these documents; they have been referenced only once.

<sup>30</sup> LePard testified for 14 days, Evans for five days and Williams for three days.

recommendations and analysis.<sup>31</sup> Oppal's conclusions in the report on specific issues, facts or events are provided in this and the following two chapters throughout. General comments or recommendations are provided in the concluding sections.

All of these endeavours to understand this case, and cases of other women from the DTES, have had access to documents, court transcripts and far more time and space to devote to the Pickton case and missing women investigation than could be done in this dissertation. The missing women of the DTES and the Pickton case unfolded into a tragedy on a scale previously unknown in Canada. This must be addressed in order to understand the changes that have stemmed from the horrors revealed from the Lower Mainland of B.C., and the changes that still are not in effect a decade after Pickton's arrest.

There were three separate but somewhat overlapping investigations: the missing women cases of the DTES by the VPD, the investigation by the Port Coquitlam RCMP of a possible murder on the Pickton property, and the RCMP-led joint operation into serial cases of the missing women assumed to have met with foul play due to a serial killer. Each section of this chapter is chronological but focused on a specific aspect of the cases in order to aid the reader. There is temporal overlap between the three investigations, as well as the sections on the issuance of the reward and missing women's poster and the identification of Pickton as a person of interest.

This chapter provides an overview of the VPD investigation and the issuing of a missing poster and reward. The various tips received and evidence gathered regarding Pickton as a person of interest in the missing women cases are provided, followed by a

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<sup>31</sup> The report was released on the tenth International Day to End Violence against Sex Workers. Wally T. Oppal. *Forsaken: The Report of the Missing Women Commission of Inquiry* (December 2012). The report was issued in six volumes, each with its own title and page numbers; *Forsaken* is the title of the overall report.

description of the formation of a joint VPD-RCMP investigation and the RCMP-led Project Evenhanded. This is followed by a section on the search of the Pickton property in 2002 and the ghastly discoveries found there. An overview of the Pickton case from the preliminary hearing, *voir dire*, trial and appeals is provided. There are over 70 separate rulings in the various stages; therefore, only the key rulings are discussed. The Pickton case had significant ramifications for all involved police agencies, the province and the Vancouver Police Board. A review of the positions of the various participants and the MWI is provided as well as a brief discussion of the current situation in the DTES. Finally there is a review and analysis of the errors and various causes that led to the delay in apprehending Canada's most prolific serial killer.

## II. THE MISSING WOMEN REVIEW TEAM AND PROJECT AMELIA

In February 1997, Karen Isaac of the First Nations Summit (FNS) sent a letter to the VPD requesting information about 48 homicide victims of Aboriginal ancestry. A week later a similar letter was sent by Chief Joe Mathias, Grand Chief Edward John, and Chief Robert Louie, also of the FNS, to then-Attorney General (AG) Ujjal Dosanjh. The FNS requested a review of the investigations and the appointment of a special investigator to focus on murdered Aboriginal women. These letters were the impetus for the first investigation of missing women in the DTES. Constable Dave Dickson was assigned to follow up with the names. During his investigation, Dickson added names, for a total of 71 women's cases to be reviewed.<sup>32</sup>

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<sup>32</sup> VPD, *supra* note 15 at 80; MWI, *Exhibit 103 – Document entitled: First Nations Summit, fax transmission cover sheet to Sgt. Cooper, VPD, with three attachments (VPD-001-004159 to VPD-001-004162 inclusive)*; MWI [#114], *supra* note 5 at 11, 41; Oppal [Vol. IIB], *supra* note 14 at 75.

A month later, the VPD replied to Isaac with the results of the investigation. Thirty-four women were deceased, but had not been murdered. Fifteen women were confirmed to have been murdered, of which five cases were outside of the VPD jurisdiction. Of the 15 homicides, two within VPD's jurisdiction and all five of the homicides outside of its jurisdiction were unsolved. Nineteen women had moved but were alive, of which 13 were "possibly located."<sup>33</sup> Two women had been reported as missing to the VPD and foul play was suspected in their disappearances.<sup>34</sup> Only one person could not be accounted for because her name did not appear in any record, including birth records.<sup>35</sup> However, one of the women on this list, Nancy Clark, who disappeared in 1991, was listed by Dickson as alive but she would eventually be identified through DNA as Pickton's earliest known victim. Elsie Sebastian, last seen in 1992, was listed as having relocated to Victoria, which was incorrect; she remains missing. Oppal concluded that the response to the FNS letters was flawed in that the police had not been asked to locate the missing women, and that the review should have "triggered an investigation into unsolved homicides and consideration of the possibility that several of the murders could be linked to one offender, a serial killer."<sup>36</sup> He further found that Dickson's review was not sufficiently thorough. Dickson had been assigned to locate or confirm suspicious circumstances with regards to their disappearances, and to confirm that the women listed by First Nations leaders as murdered were indeed victims of homicides. His analysis should have alerted the VPD of trends showing increases in missing women. The

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<sup>33</sup> Oppal [Vol. IIB], *supra* note 14 at 76.

<sup>34</sup> The two women who were listed as missing with foul play suspected were Mary Lidguerre and Dorothy Spence. Lidguerre's remains had been found in 1996 but were not identified until August 1997. Spence remains missing. See, VPD, *supra* note 15 at 60.

<sup>35</sup> *Ibid.*; MWI [#114], *supra* note 5 at 35.

<sup>36</sup> Oppal [Vol. IIB], *supra* note 14 at 75.

conclusion in Dickson's report reinforced management's flawed views that the women were voluntarily missing or transient and would be found alive eventually.<sup>37</sup>

Dickson's review, however, indicated that approximately 15 sex workers had gone missing over the past 10 years. His 1998 memo stated clearly that he felt that many had met with foul play.<sup>38</sup> There was speculation that the missing women could be related to the 1995 Valley Murders<sup>39</sup> of Tracy Olajide, Tammy Pipe and Victoria Younker.<sup>40</sup> In May 1998, Dickson determined 35 missing and eight murdered women from the DTES were entered on CPIC.<sup>41</sup> The same year a clerk, Sandra Cameron, in the Missing Persons Unit (MPU), identified an increase in the number of missing women from the DTES, prompting a review of cases that ultimately led to Detective Constable Lori Shenher being assigned to the unit specifically to investigate the missing women in July 1998.<sup>42</sup> She joined Detective Al Howlett, the only other investigator in the MPU; he would also work on the files of missing women whenever he had time to do so.<sup>43</sup>

Shenher and other officers attended a meeting at the Women's Information Safe House (WISH) in February 1999 where Shenher presented statistics on the missing women from the DTES. The statistics prepared for this meeting were an important impetus for the VPD, although the inspector in charge still believed that the women would be found in

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<sup>37</sup> *Ibid.* at 76.

<sup>38</sup> *Ibid.* at 77.

<sup>39</sup> The RCMP's internal name for the Valley Murders is Project EAMD but it was rarely used. The alternatives names to the Valley Murders are the E-Valley or Agassiz Murders. MWI [#34], *supra* note 10 at C150.

<sup>40</sup> MWI [#114], *supra* note 5 at 45-7.

<sup>41</sup> *Ibid.* at 67-8.

<sup>42</sup> *Ibid.* at 71; VPD, *supra* note 15 at 62.

<sup>43</sup> MWI, *Exhibit 98 – Document entitled Project Even-handed [sic] – Don Adam* at 162.

time.<sup>44</sup> The Missing Women Review Team (MWRT), later known as Project Amelia, was formed in 1999.<sup>45</sup>

There were several theories to be explored as to why the women may have gone missing. The first was that the women were voluntarily missing. The women may have moved, attended a rehabilitation centre or had decided to break contact with family or friends for a variety of personal reasons. Second, at the time of the women's disappearances, there was an epidemic of fatal heroin overdoses in the DTES. VPD management posited that this may be the reason for some of the disappearances, despite Detective Inspector Kim Rossmo's assessment that this was illogical because there was no similar number of drug-addicted men having gone missing.<sup>46</sup> The third theory was that the women might have owed money to drug dealers and were either hiding from them or had been harmed by them.<sup>47</sup> The fourth theory was that women might have been abducted by sailors on foreign freighters and their bodies disposed of at sea.<sup>48</sup> The final theory was that the women were the victims of multiple serial killers.<sup>49</sup>

In the initial stages of Project Amelia, the focus was to determine whether or not the women could be located alive or were "really missing," although there was no policy that dictated that police confirm certain facts before initiating a full investigation.<sup>50</sup> Oppal concluded that this was a labour-intensive unnecessary step for women who had already been reported missing: "It was based on false assumptions that the women were transient, had run

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<sup>44</sup> Oppal [Vol. IIB], *supra* note 14 at 79-80.

<sup>45</sup> MWI [#98], *supra* note 43 at 12.

<sup>46</sup> Oppal [Vol. IIB], *supra* note 14 at 71; Gratl, *supra* note 13 at 87.

<sup>47</sup> MWI [#114], *supra* note 5 at 72.

<sup>48</sup> *Ibid.* at 150-1; Greene, *supra* note 7 at 170; MWI [#34], *supra* note 10 at C59.

<sup>49</sup> MWI [#114], *supra* note 5 at 72.

<sup>50</sup> Due to the multiple names given to this project, "Project Amelia" is used throughout.



away, were evading police and so on.”<sup>51</sup> In his opinion, one or two days would be sufficient if confirmation was necessary but that:

the additional step of “confirming” the women as missing rather than accepting a missing person report at face value as policy dictates was fundamentally wrong and had perverse effects. Underlying the police’s approach of spending many months “confirming” that any given woman was missing appears to lurk the mistaken theory of transience, lack of urgency and priority, and rationalization of their reliance on records checks rather than active investigation. It also resulted in treating the investigations as “reviews” rather than urgent, priority investigations.<sup>52</sup>

Both Oppal and Evans felt that the fact that welfare cheques had not been picked up would have been sufficient to confirm a woman had gone missing, as virtually all of the women were welfare recipients who had faithfully picked up their cheques for months or years previously.<sup>53</sup>

For the most part, Shenher did an exhaustive investigation on all the women through records at prisons, detoxification or rehabilitation centres, hospices, welfare agencies, and mental health hospitals throughout Canada and the U.S.<sup>54</sup> However, both Evans and Oppal noted many cases where there were considerable delays on the basic checks, such as the three-year delay in checking welfare information for Angela Jardine.<sup>55</sup> Another detective did a manual search of 6,300 indigent burial files to ascertain if any of the missing women had been buried under another name. Shenher was able to confirm that none of the missing women were under witness protection.<sup>56</sup> The disappearances of women fitting the same profile of drug addicted sex workers had begun to increase in 1998, at a rate of

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<sup>51</sup> Oppal [Vol. IIB], *supra* note 14 at 33.

<sup>52</sup> *Ibid.* at 66.

<sup>53</sup> *Ibid.* at 35.

<sup>54</sup> MWI [#98], *supra* note 43 at 11.

<sup>55</sup> Oppal [Vol. IIB], *supra* note 14 at 33.

<sup>56</sup> MWI [#98], *supra* note 43 at 27, 167; MWI [#34], *supra* note 10 at C112.

approximately one woman per month. Shenher and Dickson strongly believed that the women had met with foul play.<sup>57</sup>

The VPD had the benefit of Detective Inspector Kim Rossmo, the first Canadian police officer to receive a Ph.D.<sup>58</sup> Rossmo's doctorate work in criminology focused on the target patterns of serial killing and geographic profiling; he created a software program to analyze serial crimes.<sup>59</sup> In 1998, Rossmo provided assistance to Project Amelia with statistical analyses related to the cases. VPD records revealed that there were 27 women known to be missing. Using statistics provided by Statistics Canada, Rossmo calculated that most missing persons are located within two days and 93% of missing persons were located within three weeks.<sup>60</sup> Rossmo concluded that:

very few women had been reported missing that had not later been located or accounted for, but that the numbers suddenly spiked from an average of about 1 every two years between 1978 and 1996, to nine in 1997 and 11 in 1998.<sup>61</sup>

Inspector Fred Biddlecombe of the Major Crimes Section continued to assert that the missing women would eventually be found, perhaps dead from overdoses or alive.<sup>62</sup> Rossmo's analysis is shown in Figure 6-1, a graph presented as evidence at the MWI.

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<sup>57</sup> MWI [#114], *supra* note 5 at 98-9.

<sup>58</sup> Cameron, *supra* note 3 at 106; "Ex-cop attacks police over missing women" *The Daily News* (26 June 2001); Mark Wilson and Lora Grindlay, "Missing women mourned" *The Province* (26 June 2001); Neal Hall, "Rossmo sought unit to probe women's deaths: Former Vancouver officer is suing for wrongful dismissal" *Vancouver Sun* (26 June 2001).

<sup>59</sup> Coordinating Committee of Senior Officials Missing Women Working Group (CCSOMWWG). *Report & recommendations on issues related to the high number of murdered and missing women in Canada*. (January 2012) at 55.

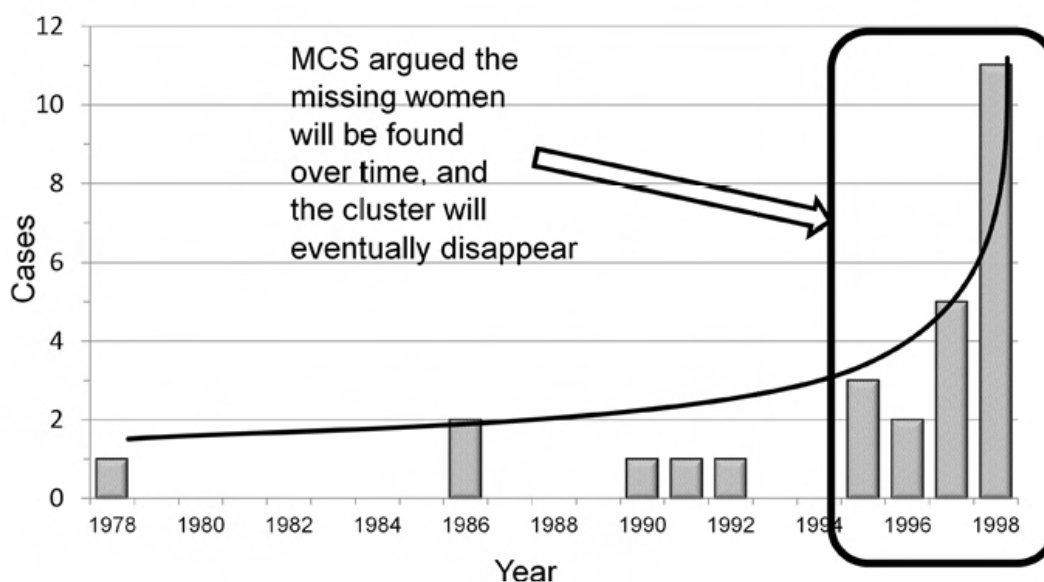
<sup>60</sup> MWI, *Exhibit 67 – Document entitled – Power Point presentation by D. Kim Rossmo* at 6; D. Kim Rossmo. *Criminal Investigative Failures*. (New York: CRC Press, 2009); MWI [#114], *supra* note 5 at 152-174. This is comparable with research published in 2011 by the National Missing Persons Coordination Centre in Australia found comparable results: 85% of missing persons are located within one week and 95% within one month. See, Saskatchewan. *Report on the 2011 Western Regional Forum on Supporting Families of Missing Persons* (26 May 2011) at 6.

<sup>61</sup> VPD, *supra* note 15 at 82.

<sup>62</sup> Oppal [Vol. IIB], *supra* note 14 at 85-7.

In September 1998, Rossmo wrote to Superintendent Gary Bass of the RCMP to explain that a working group was being formed to review the cases. The group was called the Missing Women Working Group (MWWG), or in some documents, the Missing Persons Working Group (MPWG). A review differs from an investigative initiative which seeks to solve cases. A review provides analysis and recommendations for next steps. Bass asked for any information relating to unsolved homicides to be passed along to the RCMP and Sergeant Brian Honeybourn attended the meeting on behalf of the RCMP.<sup>63</sup>

**Figure 6-1: Rossmo's Chart (for the MWI): DTES Missing Persons, 1978-1998<sup>64</sup>**



Rossmo drafted a press release which advised the public of the existence of the working group and its goal, which was “to determine if a serial murderer is preying upon people in the Downtown Eastside and, if so, what murders and disappearances are linked

<sup>63</sup> MWI [#34], *supra* note 10 at C31-3; Cameron Ward, Neil Chantler and Robin Whitehead. *Missing Women Commission of Inquiry: Final Submissions (Families, Public Version)* at 27.

<sup>64</sup> This chart was prepared for the MWI. The chart is included in the final report. In order that the figure is consistent with the others in the dissertation, and to ensure the author is clearly stated, it was cropped to remove the original title, which is “Downtown Eastside Missing Persons: 1978-1998.” No other changes were made to the slide. See, Oppal [Vol. IIB], *supra* note 14 at 86; MWI [#67], *supra* note 60 at 5.

together.”<sup>65</sup> The press release also indicated that the RCMP’s assistance would be sought as the cases were likely cross-jurisdictional. It was never released.<sup>66</sup> Biddlecombe declared the draft release to be “unacceptable from my standpoint. I found it to be inaccurate and quite inflammatory.”<sup>67</sup> The official news release, instead, declared that police did not believe a serial killer was responsible for the missing women.<sup>68</sup>

Two organizations that VPD worked with often was WISH, a sex worker support centre located in the DTES, and the Downtown Eastside Youth Activities Society (DEYAS). VPD officers worked with employees of WISH and DEYAS to collect information on bad dates, present information and request assistance at meetings, and to build better relations with the women working in the DTES.<sup>69</sup> DEYAS published a bad date list, which was made available to police. In multiple editions in 1999, they recommended that women:

Work in pairs and watch out for each other. Have someone spot for you. Make sure they have a pen & paper to write down license plate #s, make & model of car, description of driver & occupants – anything about the car that is identifiable, such as body damage, broken windows or custom work. Before you get in the car, make sure door handles & locks work so that you can get out again. Refuse to go anywhere but a regular spot. Make sure the car parks so that you can open the door. STAY SAFE!!<sup>70</sup>

Due to delays in reporting the missing women, the police not accepting reports of missing prostitutes or not investigating when reports were made, it was nearly impossible to determine who the last clients of the missing women had been, or when they had actually

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<sup>65</sup> Oppal [Vol. IIB], *supra* note 14 at 72; MWI [#114], *supra* note 5 at 77.

<sup>66</sup> For information on Rossmo’s lawsuit against the VPD, see, Cameron, *supra* note 3 at 300; *Rossmo v. Vancouver Police Board and DCC Unger* [2001] BCSC 1775; *Rossmo v. Vancouver Police Board* [2003] BCCA 677; *Rossmo v. Vancouver Police Board et al* [2003] BCCA 234; “Ex-cop attacks...,” *supra* note 58; Wilson and Grindlay, *supra* note 58; Hall, *supra* note 58; Brian Morton, “Serial killer warning ‘could have saved my daughter’” *Vancouver Sun* (22 June 2001); MWI [#114], *supra* note 5 at 327.

<sup>67</sup> MWI [#114], *supra* note 5 at 78.

<sup>68</sup> “Serial killer at large in Van? Fired cop agrees” *The Winnipeg Sun* (26 June 2001); Hall, *supra* note 58.

<sup>69</sup> MWI [#114], *supra* note 5 at 175, 189.

<sup>70</sup> *Ibid.* at 186, 188.

gone missing. The supervisor in charge of Project Amelia, Sergeant Field, informed her superior that WISH, DEYAS, and all patrol units in the DTES had been advised about the necessity of reporting suspicious behaviour right away.<sup>71</sup> “History has also shown that in many serial murder investigations, a break occurs when timely information is received and acted upon by police.”<sup>72</sup>

In June of 1999, officers from Project Amelia had a meeting with family members of the missing women.<sup>73</sup> Liaising with families was recognized as important, but in-person and telephone discussions were time consuming and Shenher was already over-taxed.<sup>74</sup> A meeting provided an efficient way to communicate information. DNA swabs from family members were also requested at this meeting. The request for familial DNA did not come as a shock for the families, most of whom believed that their loved ones were dead. They knew their daughters, sisters and friends would not have disappeared without telling them and believed they had likely been murdered. VPD management concluded that due to pressure from the families and community concerns that a serial killer was targeting sex workers in the DTES, the theory required investigation “to the fullest, no matter the likely outcome.”<sup>75</sup> In order to assist in the review of homicides which might prove to be related, Bass offered access to the unsolved homicide files held by the RCMP. Unsolved case files are normally closely guarded to avoid leaks or compromise investigations; this was an unexpected and welcome offer.<sup>76</sup>

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<sup>71</sup> Field’s surname is now Powell.

<sup>72</sup> MWI [#114], *supra* note 5 at 197.

<sup>73</sup> *Ibid.* at 182.

<sup>74</sup> *Ibid.* at 227.

<sup>75</sup> MWI [#34], *supra* note 10 at C51.

<sup>76</sup> *Ibid.* at 8-32.

Resources were scarce for Project Amelia. The number of people working on the files varied. In May 1999, Shenher understood that the focus on confirming women as missing needed to transform to a focus on investigating suspects. To do so, additional resources would be required. Shenher rarely had time to work outside of the office; more officers would be needed to actively investigate the suspects generated from the files, including Pickton.<sup>77</sup> Constable Dickson, who spent almost his entire career doing community policing in the DTES, was supposed to assist the team on a temporary basis, but a petition and outrage from the community at losing Dickson prompted a compromise in which Dickson would split his time between Project Amelia and his regular duties. Alex Clarke, an officer on light duties, was instead reassigned on a temporary full-time basis.<sup>78</sup> The request for a full-time data entry position was denied; one person was offered on an overtime basis only.<sup>79</sup> A data entry person was eventually provided on loan for 16 months.<sup>80</sup> Shenher had requested six investigators be added to the team. She received notification that additional resources would be provided after summer holidays, but not the requested number.<sup>81</sup>

By October 1999, there were two experienced homicide detectives, Ron Lepine and Mark Chernoff, added to the team, as well as Dan Dickhout, an officer previously assigned to the MPU as a coroner liaison. Two full-time constables, Mark Wolthers and Doug Fell, were assigned to the team.<sup>82</sup> A civilian administrative support person was provided for

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<sup>77</sup> Oppal [Vol. IIB], *supra* note 14 at 151.

<sup>78</sup> MWI [#98], *supra* note 43 at 163; MWI [#114], *supra* note 5 at 118, 177-8, 181.

<sup>79</sup> MWI [#34], *supra* note 10 at C65-6.

<sup>80</sup> Oppal [Vol. IIB], *supra* note 14 at 153.

<sup>81</sup> MWI [#34], *supra* note 10 at C65-6.

<sup>82</sup> The conduct and quality of investigations undertaken by Fell and Wolthers received considerable condemnation by LePard, Shenher and Evans during the MWI. In short, they were accused of racist and sexist behaviour, of behaving like “cowboys,” being secretive, not following through on tasks, and having tunnel vision with respect to “their” suspect, Barry Niedermier. Fell and Wolthers believed Niedermier was

Project Amelia. Field and Dickson remained working only part-time on Project Amelia. At some points, Field was only able to spend 10% of her time supervising Amelia. A request for a full-time supervisor was rejected.<sup>83</sup> Lepine and Chernoff were often reassigned to homicide cases and were unavailable to assist with Project Amelia.<sup>84</sup> At the same time Amelia was struggling to secure resources, 30 VPD officers were assigned to Project DEEP, a drug law

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responsible for the missing women. They were accused of putting the Niedermier and missing women cases at risk due to their interview and investigation.

A fulsome discussion of Fell and Wolthers cannot be undertaken within this dissertation. Although their conduct does appear to have been egregious and inappropriate, the two were not disciplined, had little to no supervision while assigned to Project Amelia and the VPD did nothing to address concerns raised at the time. When LePard released his report a decade later, he was highly critical of the two but acknowledged that it was too late to do anything at that point.

Fell and Wolthers were early advocates of the serial killer theory and although they were incorrect that Niedermier was responsible for the missing women of the DTES and the Valley Murders (he was excluded by DNA in November 1999), Niedermier was a serial predator and dangerous man. Their 2000 memo regarding the flaws and issues in the Project Amelia investigation illustrated serious problems but the two were told their memo would impact their careers. Field and Shenher responded by defending Project Amelia and said only that lack of resources impacted their ability to follow up on routine investigative steps such as attending the last known residence. Fell and Wolthers understood that a suspect-based investigation was needed and noted that there were three other excellent suspects that required follow-up. They also utilized existing computer systems and researched techniques utilized by the Green River investigation.

Niedermier is referred to as POI 390 at the MWI and within MWI documents and as “McCartney” in the original LePard report. He was investigated and arrested by Fell and Wolthers regarding serious assaults of women in the DTES in the late 1990s. He was convicted of multiple counts of sexual assault, one count of aggravated assault, assault with a weapon and forcible confinement against four prostitutes. He had originally been charged with a variety of offenses against 12 women but the charges were severed. Niedermier was sentenced to 12 years in prison. He had been previously convicted on charges of living off the avails regarding a 14-year-old girl in Alberta in 1990. Oppal concluded that Niedermier was the only suspect that was vigorously investigated in the missing women’s cases.

See, Jason Proctor, “Did he kill on skid row?” *The Province* (26 April 2000); MWI [#34], *supra* note 10; VPD, *supra* note 15; *R. v. Niedermier* [2002] B.C.J. No. 3340; *R. v. Niedermier* [2005] B.C.J. No. 2716; *R. v. Niedermier* [2005] B.C.J. No. 25; *R. v. Niedermier* [2005] S.C.C.A. No. 103; MWI, *Exhibit 230 – Document entitled – Affidavit of Douglas Fell*; MWI, *Exhibit 231 – Document entitled – Affidavit of Mark Wolthers*; “Inquiry told of maverick cops out for glory instead of focusing on Pickton as suspect” *CBC News* (02 February 2012); Robert Matas, “‘Early adopters’ of serial-killer theory were criticized, Pickton inquiry told” *The Globe and Mail* (15 December 2011); Robert Matas, “Constable details crass behaviour of officers at missing women inquiry” *The Globe and Mail* (02 February 2012); Sam Cooper, “Clashing egos hampered Pickton probe, missing women inquiry hears” *The Province* (02 February 2012); MWI, *Exhibit 146 – Document entitled – Binder of documents containing 271 pages* at 179-203; Oppal [Vol. IIB], *supra* note 14 at 141.

<sup>83</sup> Oppal [Vol. IIB], *supra* note 14 at 171.

<sup>84</sup> MWI [#114], *supra* note 5 at 193, 203.

enforcement initiative focused on the DTES, and the Home Invasion Task Force (HITF) received any and all requested resources.<sup>85</sup>

Women with backgrounds of addiction and involvement in prostitution continued to go missing; in many cases they were reported promptly, allowing for investigations to commence quickly. In 1999, 10 women were reported missing but all were located within two weeks.<sup>86</sup> Project Amelia members consulted with officers from Seattle and Spokane, Washington, and Poughkeepsie, New York, regarding the Yates, Ridgeway and Kendall cases, respectively. Recommendations were few, except for “lots more manpower.”<sup>87</sup> This advice would be repeated, but unfortunately was not heeded by VPD management. U.S. investigators advised that Project Amelia needed to add 100 investigators. The team continued with four full-time members.<sup>88</sup> Oppal noted that despite the understanding that women were being reported missing more frequently than in the past, the police continued to confirm the women were missing “rather than jumping into an active and aggressive investigation (which later happened in some cases, investigated by Project Evenhanded).”<sup>89</sup> However, even in Evenhanded, some new cases did not receive swift action, as Oppal also noted in his report.<sup>90</sup>

The VPD enlisted the assistance of the Chief Coroner, Larry Campbell, to make inquiries to other provinces regarding unidentified remains and to conduct searches for the names and known aliases of the missing women among the named dead in their jurisdictions. Campbell’s assistance was necessary because requests had gone unanswered or were refused

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<sup>85</sup> Ward *et al.*, *supra* note 63 at 105; Oppal [Vol. IIB], *supra* note 14 at 169.

<sup>86</sup> MWI [#114], *supra* note 5 at 202.

<sup>87</sup> MWI [#98], *supra* note 43 at 165.

<sup>88</sup> MWI, *January 31, 2012* at 68.

<sup>89</sup> Oppal [Vol. IIB], *supra* note 14 at 34.

<sup>90</sup> *Ibid.*



unless payment was made.<sup>91</sup> Campbell also assisted with checking vital statistics and the records of people who had died in hospitals. He was provided with updated lists of missing women.<sup>92</sup>

In May 2000, Fell and Wolthers received notification that Project Amelia would be “winding down.”<sup>93</sup> From May to November, only Shenher remained on Project Amelia, and she was focused on file organization in order to facilitate the transfer to the RCMP.<sup>94</sup> Field attended a homicide conference in Toronto in May where she discussed the cases and inquired about similar cases in North America.<sup>95</sup> At the same time as a joint investigation with the RCMP was being negotiated, the number of VPD officers assigned to the missing women cases continued to decline, including the loss of Shenher, who transferred in November of 2000, at her request.<sup>96</sup> By the end of 2000, the VPD had three persons of interest, including Pickton and Niedermier.<sup>97</sup> They had also collected parental DNA for eight women, sibling DNA for six women and identified Pap smear slides for an additional 20 women that could be used to generate DNA profiles of the missing women.<sup>98</sup>

### III. THE \$100,000 REWARD AND MISSING WOMEN POSTERS

Media stories, pressure from families and the Missing People website run by Wayne Leng kept a focus on the missing women. There were at least 56 newspaper stories in the local papers, plus letters to the editor from families and friends, regarding the missing

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<sup>91</sup> MWI [#114], *supra* note 5 at 201.

<sup>92</sup> MWI [#34], *supra* note 10 at C106.

<sup>93</sup> *Ibid.* at C116.

<sup>94</sup> Gratl, *supra* note 13 at 22.

<sup>95</sup> MWI [#34], *supra* note 10 at C119.

<sup>96</sup> *Ibid.* at C127.

<sup>97</sup> MWI [#98], *supra* note 43 at 21.

<sup>98</sup> *Ibid.* at 22.

women and the investigation in the years between 1997 and 2000.<sup>99</sup> There was general satisfaction and praise for Shenher's work as an individual, but VPD was roundly criticized for inaction and indifference by families and the media. A \$100,000 reward had been offered by the Vancouver Police Board in a spate of home invasions that put homeowners at risk of violence. When a similar reward was requested by family members for the missing women of the DTES, the reaction was not favourable. The VPD had concerns the reward would result in a quantity of tips that the scarcely-resourced Project Amelia would be unable to investigate. There were also arguments made that the reward might be given out for confirming the location of a woman where there was no crime involved, or that it would cause people to kill a woman in order to receive the money by leading the police to a body.<sup>100</sup> The police generally recommend rewards when there is a specific crime committed and suspects are being sought. In the missing women cases, certainly at the management level, there was not a certainty that any crimes had been committed.<sup>101</sup> Shenher explained to the media that: "Our position is that it is strange. It's like they dropped from the [sic] face of the earth. We're trying to look for other explanations. But there doesn't seem to be any evidence of a serial killer."<sup>102</sup>

In an April 1999 report for the Attorney General (AG), Shenher downplayed the serial killer theory, of which she had been a proponent since shortly after the commencement of her work. Senior management did not want the AG to support the reward.<sup>103</sup>

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<sup>99</sup> Oppal [Vol. IIB], *supra* note 14 at 87.

<sup>100</sup> MWI [#34], *supra* note 10 at C51-4; Chad Skeleton, "Support for missing women reward" *Vancouver Sun* (no date); MWI, *Exhibit 113 – Document entitled – Resolutions of the Vancouver Police Board establishing and renewing the \$100,000 Reward and the reward poster authorizing a reward for information assisting in the investigation of the crimes of unlawful confinement, kidnapping and murder.*

<sup>101</sup> Robert Anthony Phillips, "Mayor: No reward in missing hookers case" *APBNews* (09 April 1999).

<sup>102</sup> Robert Anthony Phillips, "The mysterious disappearance of 20 prostitutes" *APBNews* (02 April 1999).

<sup>103</sup> Gratl, *supra* note 13 at 80-4.

As I write this report, there is no evidence of a person or persons preying on these women. That does not mean that we do not think it is a possibility, only that we have to weigh this with all the other possibilities. We cannot investigate a murder without a body, witnesses, time of crime, scene of crime, or suspect and we have none of these things.<sup>104</sup>

A person can, of course, be missing under suspicious circumstances where foul play is suspected and the case be investigated as a homicide. It was upper management of the VPD who asserted otherwise, instead insisting that the women would be found alive eventually.

Field made a presentation to the Vancouver Police Board and McGuinness advised that the VPD did not support the issuing of a reward. There were two reasons given: there was no hold-back information in the cases which would allow police to assess the validity of tips, and there was no verification that a crime had actually occurred.<sup>105</sup> The mayor at the time, Philip Owen, was dismissive of the need for a reward. Owen stated that there was no evidence of a serial killer, or any crime, and that he did not want to operate a “location service for hookers.”<sup>106</sup> He was unconvinced by the assertions from family members that they enjoyed close relationships with the missing women.<sup>107</sup> The issuance of a reward is an operational issue; the Board is not permitted to engage in operational issues. According to the VPD, standard protocol would have been for the Board to confirm the position of the VPD and vote to reject the reward.<sup>108</sup> The Board, however, voted to provide 30% of the reward amount with the AG to provide the balance.<sup>109</sup>

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<sup>104</sup> MWI [#114], *supra* note 5 at 239.

<sup>105</sup> Oppal [Vol. IIB], *supra* note 14 at 210.

<sup>106</sup> At the MWI, Owen denied this statement and said the VPD police investigation was an embarrassment for the city and police board. James Keller, “Police response to Pickton’s victims an ‘embarrassment,’ former mayor says” *Vancouver Sun* (16 May 2012).

<sup>107</sup> Rossmo, *supra* note 60 at 31; MWI, *May 16, 2012* at 39; Phillips, *supra* note 100.

<sup>108</sup> VPD, *supra* note 15 at 94.

<sup>109</sup> MWI [#34], *supra* note 10 at C54-5.

The \$100,000 reward was finally issued with much fanfare and was announced on July 27, 1999. The American television show *America's Most Wanted* (AMW) was there for the announcement, and produced a segment for the show on the missing women.<sup>110</sup> The show was also aired a year later. The AMW episode generated over 150 tips, none of which were productive.<sup>111</sup> A poster of the missing women was developed and a tip line established. The release of the poster was timed to coincide with the AMW show and reward announcement.<sup>112</sup> The initial missing poster was issued on July 27, 1999, and featured 31 women.<sup>113</sup> The AG provided \$2,500 towards distribution of the posters.<sup>114</sup>

The VPD continued to understate the risk of a serial killer and the potential of resolution, and downplay the seriousness of the cases after the reward was issued. In July 2000, a year following the creation of the tip line and issuing of the reward, Shenher informed her supervisors that “neither had generated any solid leads.”<sup>115</sup> As will be seen below, there had been several leads suggesting that Pickton was responsible for the missing women. Field downplayed the serial killer angle, writing to VPD media relations that the AMW episode had “stirred up the ‘serial killer’ theory again.”<sup>116</sup> The “fine line” that the VPD walked in its communications caused Oppal to conclude that “the VPD appeared to

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<sup>110</sup> Robert Anthony Phillips, “Cadaver dogs to hunt for missing hookers” *APBNews* (11 June 1999); “Vancouver’s missing women” *America’s Most Wanted* (31 July 1999), Documentary; MWI [#98], *supra* note 43 at 21.

<sup>111</sup> MWI [#98], *supra* note 43 at 167; MWI [#114], *supra* note 5 at 195.

<sup>112</sup> MWI [#98], *supra* note 43 at 166.

<sup>113</sup> Two women had been found alive prior to the poster’s development and were not included. They were Ada Prevost and Patricia Bolton. VPD, *supra* note 15 at 87, 192.

<sup>114</sup> MWI [#114], *supra* note 5 at 195.

<sup>115</sup> MWI [#98], *supra* note 43 at 20.

<sup>116</sup> MWI [#34], *supra* note 10 at 7-19.

have a strong concern that the public not view the reward as confirmation that a crime has been committed and, in particular, that a serial killer was at large.”<sup>117</sup>

The poster was not updated for two and a half years, even as women continued to disappear. On December 4, 2001, an additional 18 women were added to the official missing list, bringing the total to 49.<sup>118</sup> On January 15, 2002, five additional women were added to the official list.<sup>119</sup> As some women had been removed from the list when they were found or confirmed dead of natural causes, the total of women on the official missing list was 50.<sup>120</sup> The poster issued by Evenhanded in 2004 featured 69 women, including the women whose DNA had been found on the Pickton property.<sup>121</sup>

The first poster in 1999 included Linda Coombes, Karen Smith, Teresa Williams, Rose Jansen and Patricia Perkins. The poster issued with a 2004 expiry date for the reward included Wendy Allen, Mary Lands, Linda Grant and Tammy Fairbairn, as well as Williams and Lillian O’Dare. The fates of some of the women became known and they were removed from posters. The six women who Pickton was convicted of killing were removed in the final poster in 2007, with a 2008 reward expiry. In cases where Pickton was not charged or the charges were stayed, the women remained on the poster. This poster also removed the women who were located alive. They were Perkins, Jansen, Allen, Grant, Lands and Fairbairn.<sup>122</sup>

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<sup>117</sup> Oppal [Vol. IIB], *supra* note 14 at 89.

<sup>118</sup> “Investigations expands to locate missing women” *RCMP* (04 December 2001).

<sup>119</sup> “Five women added to list of missing from Downtown Eastside” *RCMP* (15 January 2002).

<sup>120</sup> In his final submissions Jason Gratl, independent counsel for DTES interest asserted that the list and poster were not updated until after Pickton’s arrest. See, Gratl, *supra* note 13 at 88.

<sup>121</sup> “Missing Women Task Force missing women poster [69 women]” *RCMP* (2004).

<sup>122</sup> Lori Culbert, “Police confirm ID of ‘missing’ woman” *Vancouver Sun* (10 June 2006); “4<sup>th</sup> woman from downtown Vancouver’s missing list found alive” *CBC News* (04 December 2006); Lori Culbert, “Woman who vanished found alive in U.S.” *Vancouver Sun* (07 June 2006); Lori Culbert, “Missing woman found alive” *Vancouver Sun* (04 December 2006); Lori Culbert and Darah Hansen, “Woman on poster contacts police, says

The 2007 poster also removed two women who police were able to determine had died in non-criminal manners. They were Coombes and Smith.<sup>123</sup> Two of the women on the 2007 and 2008 posters were no longer missing, but had been murdered. Their cases are both unsolved. O'Dare went missing in 1978; her skeletal remains were found in 1989 in a crawl space in a house in Vancouver. She was identified by DNA in 2007.<sup>124</sup> Williams' remains had been found in 1988 but remained unidentified until 2004.<sup>125</sup> The posters issued with a 2007 expiry date featured 64 women and the one with the 2008 expiry date had 59 women.<sup>126</sup> A new poster or list of missing women has not been issued since 2007. Don Adam, former lead investigator of Project Evenhanded, now retired, indicated that as of December 2010 the list stood at 64, although it was unclear if that figure included the 20 women Pickton was charged with murdering before the charges were stayed.<sup>127</sup>

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she's alive" *Vancouver Sun* (23 June 2006); Damian Inwood, "Puzzle of death haunts kids of lost mother" *The Province* (16 April 2000); Raina Delisle, "We never thought she was dead" *The Province* (23 June 2006); VPD, *supra* note 15 at 192; Raina Delisle, "Police botched case: Son. His mom not dead, as family was told" *The Province* (06 July 2006).

<sup>123</sup> Lindsay Kines, "Two missing women confirmed dead" *Vancouver Sun* (23 September 1999).

<sup>124</sup> Lori Culbert, "Skeleton ID'ed" *Vancouver Sun* (17 August 2007); "Memorial for missing women" *Turning Point*; "The Robert Pickton case: A timeline" *CityNews* (22 January 2007); "Table description: Database of missing women" *Vancouver Eastside Missing Women*; "Remembering missing women" *Pivot Legal Society* (Pivot) (04 December 2006); "In loving memory women's memorial March February 14, noon at Carnegie" *Homeless Nation*; "Joint Missing Women Task Force – news media update – Please note the new order of order of images with names" *RCMP News Release* (25 July 2002); "Missing women in Canada from 1971-2002" *Missing Native Women* (17 May 2006); "The Doe Network: Closed Cases (Found / Identified)" *The Doe Network*; "Unsolved Murders/Missing People Canada" *Unsolved Murders / Missing People Canada*.

<sup>125</sup> "Missing / Murdered First Nations (Native) Women" *Missing Native Women*; "Vancouver missing women list 1983-2002" *Missing People Net* (01 January 2007); "Elsie Sebastian/Timeline of missing women" *Missing People Net* (01 January 2007); "Memorial for missing women" *Turning Point*; Donna-Rae Munroe, "Missing!" *The Leader-Post* (28 January 2006); "Media advisory: Joint Missing Women Task Force" *RCMP* (28 January 2004).

<sup>126</sup> "Missing Women Task Force missing women poster (Expiry December 12, 2008)" [64 women] *RCMP*; "Missing Women Task Force missing women poster (Expiry December 31, 2007)" [65 women] *RCMP*; VPD, *supra* note 15 at 400; RCMP [69 women], *supra* note 121; Robert Anthony Phillips, "Four more prostitutes missing in Vancouver" *APBNews* (27 July 1999).

<sup>127</sup> Don Adam, "Top Robert Pickton cop breaks his silence" *Vancouver Sun* (27 November 2010).

#### IV. PICKTON AS A PERSON OF INTEREST

Robert William Pickton, known to most as Willie, lived his entire life on a property in Port Coquitlam, approximately 45 minutes from the DTES.<sup>128</sup> The 17-acre (6.9 hectare) property on Dominion Avenue was owned equally by Pickton and his younger brother David (Dave) Pickton and older sister Linda Wright. His sister had little to do with her coarse, rough brothers. The brothers also jointly owned a property minutes away on Burns Road in which they hosted parties in a barn, known as “Piggy’s Palace,” without permits and licences for serving alcohol. Municipal health inspectors, bylaw officers and police visited the location numerous times in attempts to stop the parties, without success. Off-duty police officers were known to attend the parties, and a city councillor had rented the space for a party. The Pickton brothers were associates of the Hells Angels, which had a clubhouse across the road from the property.

Dave Pickton lived on the same property in the farmhouse. In 1997, Robert Pickton moved to a mobile home at the north end of the property. Close to the trailer was a slaughterhouse, a mechanical shop and a second motorhome. Nearer to the farmhouse were a long storage shed and a barn. There were always multiple vehicles on the property as Robert Pickton had a contract with the VPD for salvage vehicles. The two brothers owned a construction company, P&B Demolition, and sold fill and topsoil. An acre-large mound of fill was on the property at the time of Pickton’s arrest. The siblings had sold large portions of the original farm to developers who built townhomes, a school and a Home Depot, which

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<sup>128</sup> During Pickton’s youth, the property had been an operational farm but had ceased to be so by the time of Pickton’s arrest, although it is often referred to as a farm by sources. The Pickton property was more of a construction work yard than a farm. Pickton did keep and slaughter pigs, but this was a sideline. It was not a working farm, or even a hobby farm, in the traditional sense.

abutted the property. Despite its proximity to suburban homes and businesses, the property was relatively isolated due to the mounds of dirt and placement of the buildings.

The Pickton brothers were wealthy due to the sale of the property but lived in filthy, messy homes. Both had little education and had been odd characters in school where they were remembered primarily for smelling strongly of swine. Robert Pickton, though, was especially odd and thought by many to be mentally slow. Dave had a criminal record that included a conviction for sexual assault. At age 16, Dave had hit and badly injured a 14-year old boy with his truck before he had fled the scene. His father ordered him to have the truck fixed immediately. Cameron's book relates a story that his mother found the injured boy and rolled him into a ditch where he subsequently drowned. Dave was charged with failing to remain at the scene of an accident, was put on probation and had his licence suspended. The Coroner's verdict was that the boy's death was accidental. There were no charges laid against Pickton's mother, Louise.<sup>129</sup>

In addition to the construction and fill businesses, Pickton also ran a small butchering operation of which Dave was not a part. He purchased pigs at local auctions and butchered them weekly, always at night. His friend Pat Casanova would often assist in the slaughter. Pickton had several freezers, a meat grinder and butchering tools in his slaughterhouse, along with a hook to hoist up the dead hogs while he gutted them. Blood would drain into a trench, either into barrels or directly into the soil. Inedible portions of the hogs were taken to a rendering plant located near the DTES. Pickton and Casanova sold the meat to small stores or directly to friends. Pickton often gave pork away freely to friends, especially single mothers. There were always people at the property as the construction business was run from

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<sup>129</sup> Cameron, *supra* note 3 at 23-7.



the site. Pickton had several very good female friends: Gina Houston, Lisa Yelds, Lynn Ellingsen and Dinah Taylor. Pickton gave a lot of money to his female friends, sometimes in exchange for cleaning his house but often just to help them out. Many people, both male and female, lived on the Pickton property for weeks or months. Pickton was considered generous and kind to his friends and associates, although many considered him slow, odd or downright bizarre. As an adult, Pickton often smelled very strongly of pigs as he had as a child. He was known to have an aversion to showers and often reluctantly bathed only at the insistence of female friends. Although Pickton did not take drugs or drink alcohol, many of his friends, associates and employees were addicts and most had criminal records.<sup>130</sup>

The interactions with the various acquaintances of Pickton are numerous; this section of the dissertation provides a summary of the sources, the information and the timing of the information received by police. The purpose of this section is to provide the key information available to the police, their actions and inaction. The tips provided from July 1998 onward were initially vigorously pursued, but then stalled and were to all intents, abandoned. Some information was provided second-hand by informants and some of the acquaintances were thought to be possibly involved in the homicide(s). It is not surprising that these tips posed investigative difficulties but they should have been pursued. The RCMP appeared to abandon the investigation into Pickton once key witnesses proved uncooperative. Both the VPD and RCMP managed sources and interviewed associates of Pickton in relation to the missing women and in regards to a possible homicide, a case referred to as the “body in the barn.” As the alleged homicide occurred on the Pickton property in Port Coquitlam, the RCMP had responsibility for that aspect of the investigation. However, the Port Coquitlam investigation

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<sup>130</sup> Cameron, *supra* note 3; Lori Culbert, “Chapter 4 – The accused killer” *Vancouver Sun* (2007); *R. v. Pickton* [2010] SCC 32.

into Pickton began a full year before the tips regarding the possible homicide in the barn; it was initiated by the tip from Bill Hiscox. Oppal found that there were conflicting views presented at the MWI as to whether the Port Coquitlam investigation was in regards to Pickton as a possible serial killer or as the person who possibly killed a woman in the barn.<sup>131</sup>

A year prior to the issuance of the \$100,000 reward and tip line, Wayne Leng had used his own cell phone to set up a 1-800 tip line. Leng papered the DTES with posters of his missing friend, Sarah de Vries, with the number of the tip line prominently displayed. He recorded the calls he received and passed the information to Shenher.<sup>132</sup> Within days of setting up the tip line, on July 27, 1998, he received a call from Bill Hiscox. Hiscox also called Crimestoppers that day with the similar information. Hiscox contacted Crimestoppers again on August 6<sup>th</sup> because he had not been called back; the original tip had been lost. Shenher received the cassette with the Hiscox information from Leng in mid-August.<sup>133</sup>

Hiscox told police that he believed Pickton was responsible for the missing women. Pickton had bragged to Hiscox and others about being able to dispose of bodies in his industrial meat grinder and by feeding human remains to pigs. Hiscox's friend and former foster sister, later identified as Lisa Yelds, had told Hiscox that she had seen bags containing at least 10 purses and women's identification and clothing in Pickton's trailer while she was cleaning for him. Yelds also told Hiscox that Pickton wanted her to find him a quantity of used and new syringes but did not say why. Hiscox was aware of the Ringwald case, discussed in Chapter Four. According to Hiscox, Pickton was angry at Ringwald and had

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<sup>131</sup> Oppal [Vol. IIB], *supra* note 14 at 84.

<sup>132</sup> At the MWI, Leng testified that he could not recall the exact number of tips received, but that it was between 6 and 12 tips. Only the Hiscox tip was of any value; those that did not prove to be useful are not discussed here. See, MWI, *February 27, 2012* at 163-4.

<sup>133</sup> VPD, *supra* note 15 at 63, 66-7; MWI, *Exhibit 79 – Document entitled – Timeline re – Pickton investigation as a result of Hiscox information*.

made attempts to have someone bring her to him so he could kill her. Yelds told Hiscox that Pickton had shown her a bag of bloody clothing. She felt this was a “trophy” and she believed he was a serial killer of prostitutes.<sup>134</sup> One of the identifications Yelds said she saw was from a “native” girl not seen for approximately two years. Upon hearing this detail, Shenher suspected that the identification belonged to Janet Henry, whose missing report was received in July 1997.<sup>135</sup>

Shenher and Corporal Connor of the Port Coquitlam RCMP detachment, the lead on the 1997 Ringwald case, met to discuss the Hiscox information. Connor’s notes on the meeting reveal that the two discussed the Ringwald case, the fact that the Pickton brothers operated an illegal “Hells Angels booze can” (nightclub) and were associates of the Hells Angels.<sup>136</sup> Following this meeting, Connor entered Pickton into the Canadian Police Information Centre (CPIC) as a “danger to prostitutes” on August 19, 1998.<sup>137</sup> Connor also confirmed that none of the evidence from the 1997 attack on Ringwald had been returned to Pickton, in order to rule out the possibility that bags of bloody clothing could have been from this event.<sup>138</sup> Shenher interviewed Ringwald and Connor informed Ringwald of the information they had received about the alleged threats against her by Pickton. Ringwald was no longer working as a street prostitute but she was nonetheless afraid that Pickton would locate her.<sup>139</sup> Oppal concluded that the police had a responsibility to protect Ringwald and

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<sup>134</sup> VPD, *supra* note 15 at 63, 66-7; MWI [#79], *supra* note 133; MWI, *Exhibit 2C – Document entitled Williams Witness brief – Appendix H – Binder 1 (98CQ33017)* at 6.

<sup>135</sup> MWI [#2C], *supra* note 134 at 15.

<sup>136</sup> MWI [#34], *supra* note 10 at C17, 8-13.

<sup>137</sup> Connor had sent a CPIC message to all police agencies in the Lower Mainland in March 1997 following the attempted murder of Ringwald. He advised that Pickton should be considered a likely suspect in similar cases of violence against women, especially prostitutes. MWI [#34], *supra* note 10 at C14.

<sup>138</sup> MWI [#34], *supra* note 10 at 8-13, C15.

<sup>139</sup> *Ibid.* at C29.

had failed to do so. Further, providing protection to Ringwald could possibly have advanced the missing women case and Pickton as a suspect.<sup>140</sup>

Conner was adamant that Pickton was a dangerous man and could well be the person responsible for the missing women. In addition to the Ringwald case, Pickton's name was raised in late 1989 in relation to a sexual assault in Surrey.<sup>141</sup> Connor's notes from the Ringwald investigation state that:

Subject was also responsible for similar offence in Surrey in late 1989 as PIRS indicates an assistance file to Surrey. Sergeant Don Adam, of Polygraph, was one of the Serious Crime investigators at the time and may be able to provide the Surrey file number.<sup>142</sup>

It is unknown precisely the nature of this police interest in Pickton, the details of the 1989 offence, or if the victim was a sex trade worker, as the file could not be found in 1997. The Surrey RCMP detachment requested that officers from the Port Coquitlam RCMP detachment attend the Pickton property to see if a certain vehicle could be seen. Adam was listed as the investigating officer.<sup>143</sup> According to Connor, he had phoned Adam in 1997 but Adam could not recall any details nor find any notes. Adam testified at the MWI that this was incorrect and that he did not investigate Pickton for a sexual assault.<sup>144</sup>

Connor requested surveillance of Pickton, which was undertaken by the RCMP's "Special 'O' team" in early May 1999 without generating anything of note.<sup>145</sup> Later that

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<sup>140</sup> Oppal [Vol. IIB], *supra* note 14 at 105-6.

<sup>141</sup> In final written submissions, counsel for the families indicates that this event was a sexual assault and stabbing incident. I could not find verification of a stabbing; the wording "similar assault" is suggestive of this, but there was no mention of a stabbing at the MWI, only that his name was raised in a sexual assault case. Oppal also only uses the phrase "sexual assault." See, Ward *et al.*, *supra* note 63 at 94; Oppal [Vol. IIB], *supra* note 14 at 84.

<sup>142</sup> MWI, February 16, 2012 at 99.

<sup>143</sup> Then-Sergeant Don Adam would eventually become the lead investigator of Project Evenhanded.

<sup>144</sup> Jeff Nagel, "Pickton was on RCMP radar in 1990 Surrey rape" *BC Local News* (06 February 2012); MWI, February 6, 2012 at 48-51, 98-104; Ward *et al.*, *supra* note 63 at 94.

<sup>145</sup> MWI [#34], *supra* note 10 at C55.

month, Pickton and other suspects were discussed by the Port Coquitlam RCMP. It was decided that no active work was to be done regarding Pickton unless he became a stronger suspect, in which case members would be assigned.<sup>146</sup> Of course, Pickton may have become a stronger suspect if further work was done on the file.

Before the multiple tips regarding Pickton were received the following summer, three additional pieces of information pointing to Pickton as a suspect were received.<sup>147</sup> In January 1999, Shenher learned that the Port Coquitlam RCMP considered Pickton a person of interest in the 1985 Pauline Johnson homicide. Her body was found close to the Pickton residence.<sup>148</sup> In April 1999, Pickton allegedly sexually assaulted and attempted to strangle a street prostitute in New Westminster. Before she escaped, Pickton told her he had been infected with HIV by a prostitute and he was going to “give her what she deserved.”<sup>149</sup> This woman had advised she would be willing to testify if Pickton were to be arrested.<sup>150</sup> Finally, in June 1999, an RCMP officer in Burnaby did a street check, showing Pickton’s photo to street prostitutes. One woman immediately recognized Pickton. She related that on May 29, 1999, Pickton had pulled up and tried to solicit her. She refused and he threatened to “punch your face in.” The woman further advised she felt that Pickton wanted to “devour her in an evil

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<sup>146</sup> *Ibid.* at C58.

<sup>147</sup> It has been alleged that Pickton was named as a suspect in an assault and kidnapping of a woman in the early 1980s. The report allegedly makes reference to rumours in Vancouver that he was responsible for beating and confining prostitutes and may have murdered some. This information was posted on an electronic bulletin in 2004 but the woman who posted it said she had copies of the report. No charges were laid. No mention of this incident was made at the MWI. See, Cameron, *supra* note 3 at 66.

<sup>148</sup> MWI [#2C], *supra* note 134 at 6; MWI [#2A], *supra* note 22 at 702-3.

<sup>149</sup> Pickton has hepatitis C, but is not HIV-positive.

<sup>150</sup> MWI, *Exhibit 2D – Document entitled Williams witness brief – Appendix H – Binder 2 (98CQ33017)* at 598; MWI [#2C], *supra* note 134 at 19.

way.” The officer related that “Pickton is a growing concern” and should be considered a suspect in any assaults or missing person cases in the Burnaby area.<sup>151</sup>

In mid-July 1999, Ross Caldwell came forward to police. Caldwell’s information was taken seriously by the VPD investigators; Lepine returned from his summer holidays upon being told about Caldwell’s information.<sup>152</sup> Caldwell brought forth information revealed to him by Ron Menard, Lynn Ellingsen, and his own experience living at the Pickton property. Menard was a friend of Caldwell and of Caldwell’s ex-girlfriend, Ellingsen, and an employee of Pickton’s demolition business. Caldwell had observed handcuffs, night vision equipment, a semi-automatic weapon and an ammunition clip in Pickton’s trailer. There were two wigs in the trailer which Pickton explained he wore when driving downtown. Shortly after meeting him, Pickton had offered to dispose of bodies for Caldwell, should he ever have the need.<sup>153</sup>

Caldwell met Pickton in March 1999 through Lynn Ellingsen. Caldwell and Menard assaulted Andy Bellwood who allegedly had stolen Pickton’s credit card.<sup>154</sup> Pickton was appreciative of the assistance provided to him by Menard and Caldwell. A month following the assault, Caldwell was released from jail on an unrelated matter and was in need of housing. Pickton allowed Caldwell to stay in his trailer, with Ellingsen. While he was moving furniture into the trailer, Caldwell saw handcuffs in the bedroom. During his stay at the Pickton residence, he witnessed cockfights every weekend. He left the Pickton residence approximately 10 days after moving in. The event that precipitated the hasty move was

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<sup>151</sup> MWI [#2D], *supra* note 150 at 280-1; MWI [#2C], *supra* note 134 at 22.

<sup>152</sup> VPD, *supra* note 15 at 25-7, 122-6.

<sup>153</sup> MWI, *Exhibit 2E – Document entitled Williams witness brief – Appendix H – Binder 3 (98CQ33017)* at 140-5.

<sup>154</sup> Bellwood would later provide evidence to the police regarding Pickton.

having been served a meal by Pickton from a “special freezer.” Unlike the other freezers on the property, all the contents of this freezer were wrapped in black plastic. Caldwell described the meat as light coloured and stringy and he believed he had been served human flesh.<sup>155</sup>

Caldwell related conversations he had with Menard in which Pickton was discussed. Menard had told Caldwell that Pickton had become increasingly nervous about the attention paid to his acquaintances by police. He was worried that if the property was searched, DNA of the missing women would be found. Pickton had explained to Menard that he drained blood from pigs and murdered women into the floor drains which were pumped out into the topsoil. According to Menard, Pickton told him he disposed of the remainder of the human bodies at a rendering plant.

Menard had suggested that he, Caldwell and Ellingsen approach the police to claim the reward for information about the missing women. Caldwell pointed out that Ellingsen was involved in at least one homicide and that plan was abandoned. Instead, Menard suggested that Caldwell blackmail Pickton or that they sell their information to the media. Ellingsen was already extorting money from Pickton, using Menard as the “middle man” to collect payment. She had threatened to go to the police with information about the “body in the barn” and other missing women. Pickton was apparently upset by this and had offered Menard \$2,000 to bring her to Pickton for him to “take care of.”<sup>156</sup>

Caldwell had had conversations with Ellingsen as well as Menard. She had told him that she had assisted Pickton in picking up street prostitutes, as he was having difficulty

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<sup>155</sup> MWI [#98], *supra* note 43 at 21; MWI [#40], *supra* note 155 at 7, 16, 131-137, 141-9; MWI, *Exhibit 40 – Document entitled – Compilation and comparison of information*; MWI [#2C], *supra* note 134 at 30.

<sup>156</sup> MWI [#98], *supra* note 43 at 21; MWI [#40], *supra* note 155 at 7, 16, 131-137, 141-9; MWI [#2C], *supra* note 134 at 30.

doing so alone. Women had become more careful about leaving the DTES with their clients because of the publicity around the missing women cases. Pickton supplied money for Ellingsen to buy the drugs used to entice women into the vehicle. Pickton did not drink alcohol or use drugs but Ellingsen would share the drugs with the women. Ellingsen told Caldwell that the trailer had a false wall, that an automatic handgun was kept in the trailer and that Pickton kept identifications, jewellery and credit cards of his victims.<sup>157</sup>

Ellingsen related the story of the “body in the barn” to Caldwell. In March or April of 1999 she was living with Pickton in the trailer. The two of them had driven to the DTES to solicit a street prostitute. They picked up one woman and Pickton drove them to the Pickton property. Once the woman arrived at the trailer, she and Pickton went to the back bedroom for what the woman understood would be consensual sex. Ellingsen heard the woman yelling, calling for her to help her. The woman called Ellingsen “girl” and begged for assistance. Ellingsen went into the bedroom where Pickton was attempting anal sex with the woman and being very rough with her. Ellingsen told the woman to calm down or it would be worse. She left the room; the woman continued to call for assistance from Ellingsen. Then there was silence. Pickton left with the woman restrained by handcuffs; Ellingsen was not sure if the woman was conscious.<sup>158</sup>

Sometime later, Ellingsen left the trailer and went to the barn where she saw a light. The woman was standing on a platform in the barn. Ellingsen left the barn, coming back later to see the woman hanging from a chain. Pickton was skinning her legs “like a pig.” Ellingsen was not sure if the woman was dead at this point. In a statement that lent credence to her

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<sup>157</sup> MWI [#40], *supra* note 155 at 140; MWI [#2C], *supra* note 134 at 24-6.

<sup>158</sup> In her testimony at the trial, the portion of her story regarding the woman calling for help or leaving with Pickton was not provided. *R. v. Pickton* [2009] B.C.J. No. 1251 at 15.



story, Ellingsen commented that she had not been aware that human fat was yellow. She did not see the woman or her body after this and assumed her body was put into the industrial meat grinder Pickton used to grind up butchered pigs. In some accounts, Pickton threatened to do the same to her if she told anyone about the murder. She promised to keep quiet and asked for money to purchase more drugs. She left the Pickton property by taxi that evening.<sup>159</sup> Ellingsen returned to the property to extort money from Pickton in exchange for her silence about the event in the barn.<sup>160</sup>

Caldwell offered to be an agent of the police if it would be helpful. He did not inquire about compensation for becoming an agent or about the reward. He said only that if it would prevent other deaths, he would become an agent. The VPD enlisted the RCMP's participation in a follow-up interview of Caldwell. The alleged body in the barn incident occurred in their jurisdiction and the RCMP was the agency responsible for investigating the claim. The interview took place on August 15, 1999. Unlike in the previous interviews Caldwell was incoherent, fell asleep and appeared confused. Unfortunately, Caldwell's condition undermined the VPD's ability to secure RCMP concurrence of the seriousness and believability of Caldwell's information. Although Connor believed Caldwell, and that

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<sup>159</sup> There is no evidence of a taxi fare as described by Ellingsen. In some accounts she leaves and goes to a friend's house and in others she inexplicitly punches the driver and runs from the cab a short distance from the Pickton property. Ellingsen claimed to have moved out of the residence shortly after this event. There are, however, two 9-1-1 calls from the Pickton property due to Ellingsen having overdosed on drugs and requiring medical care. The dates of the overdoses were March 29 and May 30, 1999. *Ibid.* See also, Cameron, *supra* note 3 at 246.

<sup>160</sup> To watch an interview with Ellingsen, see: Laszlo Barna. *The Pig Farm*. 2010, Documentary. See also, MWI [#40], *supra* note 155 at 16, 138-140.

Pickton was likely responsible in at least one homicide if not others, other investigators in the Port Coquitlam detachment did not share his assessment.<sup>161</sup>

On August 6, 1999, Leah Best approached the Burnaby RCMP, which referred her to the Port Coquitlam detachment. Best and Ellingsen had a conversation in June 1999 and although she was uncertain if the tale was true, Best felt she needed to tell the police. A woman's body had been found in the area a few days previously that prompted Best to act, two months after the conversation had taken place. Best informed the officers that Ellingsen had told her that Menard had seen women's legs in one of the freezers and that Ellingsen had seen women's identification and belongings on the property, including an earring in a pile of dirt. Best had been to the property briefly and had met Pickton once but had no first-hand information.<sup>162</sup>

During the June 1999 conversation, Best had also been told the story about the body in the barn from Ellingsen. There were some differences in this version. Ellingsen did not mention her role in assisting Pickton in picking up the woman or that the woman had called upon her for assistance. She related only that around 2 a.m. she had been "wandering around" outside and went into the barn. In this version, rather than skinning the woman, Ellingsen said she had witnessed Pickton "gutting" the victim who was obviously deceased. Best related that Ellingsen had said she believed Pickton was involved in additional homicides and that she was afraid of him. Ellingsen had also told Best that she was extorting

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<sup>161</sup> VPD, *supra* note 15 at 25-7, 122-6; MWI [#34], *supra* note 10 at 8-22; MWI [#40], *supra* note 155 at 203-266; MWI [#2C], *supra* note 134 at 52-56; MWI, *Exhibit 173 – Document entitled Mike Connor AGC documents* at 315.

<sup>162</sup> VPD, *supra* note 15 at 125; MWI [#40], *supra* note 155 at 360-401.

money from Pickton. Best offered to be a witness if it would assist police in their investigation of Pickton.<sup>163</sup>

It was decided that an interview with Ellingsen was necessary. Discussions were held between the Port Coquitlam RCMP, the Provincial Unsolved Homicide Unit (PUHU)<sup>164</sup> and VPD officers, including investigators Connor and Frank Henley and Bruce Ballantyne of the PUHU. It was agreed that a “soft approach” would be the most effective way to interview Ellingsen and that Henley and Ballantyne would conduct the interview. Unfortunately, the interviewers did not adhere to the agreed upon plan to take a soft approach. To Connor’s shock, the interviewers also revealed the information from the sources.<sup>165</sup> During the interview on August 10, 1999, Ellingsen denied seeing Pickton harm anyone. She claimed the body in the barn was a pig, not a person and denied ever having told anyone otherwise. Ellingsen did admit that she had been at his residence when Pickton brought a sex worker home but claimed that she had not assisted him in soliciting women at any point and the woman she had seen had not been harmed.<sup>166</sup> On August 26<sup>th</sup>, Ellingsen was interviewed a second time. Despite her threats to leave the interview room when she was pressed by interviewers, Ellingsen agreed to undergo a polygraph examination. The appointment was set up for September 1<sup>st</sup> but Ellingsen later informed the RCMP that her legal counsel had advised against the polygraph.<sup>167</sup>

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<sup>163</sup> VPD, *supra* note 15 at 125; MWI [#40], *supra* note 155 at 360-401; MWI [#2C], *supra* note 134 at 60; Jon Woodward, “Women’s lives could have been saved, Pickton informant says” *The Globe and Mail* (23 August 2010).

<sup>164</sup> Some sources use the acronym UHU rather than PUHU. The PUHU is an integrated unit with officers from the VPP and RCMP. It is still in existence.

<sup>165</sup> MWI [#34], *supra* note 10 at C85.

<sup>166</sup> To listen to the interview, see, MWI, *Exhibit 93 – Exhibit 93 – Document entitled Ellingsen Interview – August 10, 1999 (Audio file)*. See also, VPD, *supra* note 15 at 126; MWI [#40], *supra* note 155 at 185-202; MWI [#2C], *supra* note 134 at 69-73.

<sup>167</sup> VPD, *supra* note 15 at 131.

In August 1999, police interviewed Menard, as well as Lisa Yelds, whom Hiscox had mentioned the year before. In an informal, quick interview on his porch, Menard confirmed that Ellingsen had told him about the body in the barn.<sup>168</sup> Yelds was interviewed the same day. She denied it was possible that Pickton could harm anyone, as he was a very gentle man.<sup>169</sup> Connor interviewed Pat Casanova, the elderly acquaintance of Pickton's who assisted in butchering pigs. Casanova told police he had not seen any suspicious activity on the property. He confirmed that he was aware that Pickton was worried and upset by the police questioning of his friends. Casanova said that he would not have been surprised to learn that Pickton purchased sexual services but that he had never seen Pickton in the company of prostitutes.<sup>170</sup>

In order to investigate the credibility of the story that Ellingsen had allegedly told Best, Menard and Caldwell, Connor spoke to a manager of a meat packing plant. The manager confirmed the colour of pig fat is white, not yellow. Connor then viewed a dead pig to personally confirm this information and learned more information about how pigs are butchered. Pigs are hoisted by their rear legs; Ellingsen had spoken of the woman having been hung by the neck. Connor spoke to a forensic toxicologist to ascertain if cocaine could have caused Ellingsen to hallucinate and believe that she had seen the body in the barn or mistake a pig for a human body. Connor was advised that cocaine is not a hallucinogen but may cause paranoia. From these interviews, Connor concluded that Ellingsen could not have mistaken a human body for a pig and that it was likely she had witnessed a homicide.<sup>171</sup> Unfortunately for the investigation, Connor was promoted and transferred off the Pickton

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<sup>168</sup> *Ibid.* at 126.

<sup>169</sup> *Ibid.*; MWI [#2C], *supra* note 134 at 74.

<sup>170</sup> MWI [#2C], *supra* note 134 at 76.

<sup>171</sup> VPD, *supra* note 15 at 128-9.

investigation. Connor requested to remain on the case but was not permitted to do so unless he declined his promotion.<sup>172</sup>

Following the informants who came forward in the summer of 1999, a second surveillance of Pickton was undertaken. On two occasions, Pickton was seen delivering barrels to West Coast Reduction, a rendering plant located very close to the DTES.<sup>173</sup> Although the police had information from informants that Pickton disposed of human remains at a rendering plant, the barrels were not intercepted or inspected. During this surveillance, officers pulled Pickton over because he had a young child in the car and officers feared for her safety. The officers accompanied Pickton and the child to her home where Gina Houston, the child's mother, informed officers that Pickton was the child's step-father.<sup>174</sup> A civilian employee working at the Port Coquitlam RCMP detachment knew the Picktons; she informed Connor that Pickton was aware he was under surveillance.<sup>175</sup>

August 1999 was a busy time for the Pickton investigation. In addition to the surveillance and interviews, Port Coquitlam RCMP considered obtaining a search warrant for the Pickton residence.<sup>176</sup> Connor drafted an affidavit in support of authorization to intercept communications related to Pickton and Ellingsen. Ellingsen was included because Connor believed she may have been an active participant in the barn homicide or accomplice before or after the fact.<sup>177</sup> The affidavit was not submitted because Crown counsel advised

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<sup>172</sup> *Ibid.* at 128; MWI [#34], *supra* note 10 at 8-20, 8-21.

<sup>173</sup> MWI [#34], *supra* note 10 at C87; Oppal [Vol. IIB], *supra* note 14 at 136-7.

<sup>174</sup> MWI, *supra* note 155; MWI [#40], *supra* note 155 at 149; VPD, *supra* note 15 at 66-7, 21; MWI [#2C], *supra* note 134 at 14, 63. To watch an interview with Houston, see: Barna, *supra* note 160.

<sup>175</sup> MWI [#34], *supra* note 10 at C84.

<sup>176</sup> Cameron, *supra* note 3 at 397, 567.

<sup>177</sup> MWI, *February 09, 2012* at 10-21. The draft affidavit can be found at MWI, *Exhibit 226 – Document entitled – Affidavit of Corporal Robert Michael Connor*.

that there was insufficient information to proceed.<sup>178</sup> Corporal Henley of the PUHU was not assigned to the Pickton investigation but had interviewed Ellingsen and watched the Caldwell interview and did not find him credible. Henley took it upon himself to speak to Pickton “informally” at his residence. During the conversation, Henley informed Pickton he was a suspect in the missing women cases and provided Pickton with the names of the informants.<sup>179</sup>

In a summary to her supervisors, Shenher described Hiscox’s tip about the women’s bloody clothing in bags as being “third-hand information,” although it was in fact second-hand, from Yelds.<sup>180</sup> Shenher spoke with Hiscox over the months, following his initial contact in the summer of 1998. Pickton remained a person of interest for the VPD, but little investigative work was done over the next year.

DC Evans concluded that although there was effective and open communication between the VPD and the RCMP prior to the Ellingsen interview, this “abruptly changed” once Ellingsen denied any knowledge or involvement in the body in the barn homicide.<sup>181</sup> Adam would later explain at the MWI that the impact of Ellingsen having lied to police “cannot be overstated.” Had Ellingsen been truthful in 1999, the interview “would have been the match which ignited a focused investigation.”<sup>182</sup> It was known from Caldwell and Best that Ellingsen was extorting Pickton. Over 57 CPIC entries relating to Ellingsen were available to police for review.<sup>183</sup> Ellingsen was a possible accomplice of Pickton’s; it should not have been surprising that she was uncooperative. Despite Adam’s protests, it appears that

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<sup>178</sup> Connor was promoted and transferred units on August 20, 1999.

<sup>179</sup> MWI [Feb. 9], *supra* note 177 at 22. To watch an interview with Henley, see: Barna, *supra* note 160.

<sup>180</sup> MWI [#98], *supra* note 43 at 21.

<sup>181</sup> MWI [#34], *supra* note 10 at 1-3.

<sup>182</sup> Adam, *supra* note 127.

<sup>183</sup> MWI [#2D], *supra* note 150 at 602-834.

the police simply gave up on the investigation, despite multiple avenues open to them, besides Ellingsen. Neither an undercover operation nor recording conversations between Ellingsen and Best or Caldwell, who had offered to assist with the investigation, were attempted.

In discussions with Connor, Shenher realized confirmation that Pickton frequented the prostitution strolls of the DTES was necessary to be able to link him to the missing women. Photographs of persons of interest, including Pickton, were shown to 130 sex workers in February of 1999 but none reported knowing Pickton as a client.<sup>184</sup> It was later revealed that Pickton was recognized by two sex workers during that survey.<sup>185</sup> It is unclear if the information was not passed on to Shenher or if it was misplaced.<sup>186</sup> Regardless, Pickton had picked up Ringwald from the DTES and off-line CPIC searches would have shown he had been stopped by police numerous times in the DTES and other Lower Mainland prostitution strolls.<sup>187</sup> Further, secondary surveys in August 1999 revealed that several women recognized him. Women in this survey considered Pickton to be obnoxious and a bad, but not violent, date.<sup>188</sup> In April 2000, four more women identified Pickton as frequenting the DTES.<sup>189</sup> Pickton's name was never among those listed on any of the bad date sheets.<sup>190</sup>

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<sup>184</sup> MWI [#114], *supra* note 5 at 114.

<sup>185</sup> MWI, May 9, 2012; MWI, January 20, 2012.

<sup>186</sup> Researchers at the University of British Columbia conducted a survey of street prostitutes between 2005 and 2008. They found 23 women who claimed to have been to the Pickton property and 183 who knew women who had been there. Robert Matas, "Police not told of potential Pickton witnesses" *The Globe and Mail* (18 October 2011).

<sup>187</sup> See e.g., MWI [#34], *supra* note 10; MWI [#2D], *supra* note 150.

<sup>188</sup> MWI [#34], *supra* note 10 at C78.

<sup>189</sup> *Ibid.* at C114-5; Oppal [Vol. IIB], *supra* note 14 at 203.

<sup>190</sup> MWI [#1], *supra* note 24 at 84.

By December 1999, the VPD appears to have left the investigation of Pickton to the Port Coquitlam detachment of the RCMP. The rationale was that as the body in the barn case fell within their jurisdiction, any investigation of Pickton was the sole responsibility of the RCMP. The VPD were aware that the Pickton investigation was not given priority at the RCMP, although he is listed as a high priority in the RCMP files.<sup>191</sup> Other tasks, investigations and suspects took precedence over the Pickton investigation.<sup>192</sup> Ruth Yurkiw attended the Pickton property a few times and left phone messages for him to call her between September and December 1999. Pickton's brother Dave asked that she wait until the rainy season to interview Pickton because they were very busy working; she acquiesced to this request. Yurkiw and other Port Coquitlam officers and managers testified at the MWI that they did not believe Pickton was a serial killer at the time.<sup>193</sup>

Ruth Yurkiw took over the Pickton file from Connor upon his promotion.<sup>194</sup> In January 2000, Yurkiw had a chance meeting with Pickton's close friend Houston at an area hospital. The two discussed the possibility of having Pickton attend the Port Coquitlam detachment for an interview.<sup>195</sup> On January 19, 2000, Pickton arrived with Houston unexpectedly at the RCMP detachment for a voluntary interview. Yurkiw had not prepared for the interview nor did she have an interview plan in place; she explained at the MWI that she did not think he would attend and she was busy with other files. She did not provide the standard warning regarding his rights.<sup>196</sup> Even more detrimentally, Yurkiw and PUHU investigators allowed Pickton and Houston to remain together for the interview. Houston

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<sup>191</sup> MWI [#114], *supra* note 5 at 200; MWI [#2A], *supra* note 22 at 711.

<sup>192</sup> MWI [#114], *supra* note 5 at 200; MWI [#34], *supra* note 10 at 8-27.

<sup>193</sup> James Keller, "RCMP didn't see Pickton as serial killer, allowed file to lay dormant for months" *Global News* (14 May 2012).

<sup>194</sup> Yurikew's last name is now Chapman.

<sup>195</sup> MWI [#34], *supra* note 10 at 8-24.

<sup>196</sup> Oppal [Vol. IIB], *supra* note 14 at 144.



answered questions for Pickton and constantly interrupted. During the interview Pickton stated that if DNA was found in the soil, he would not know how it got there. Although the police had been told by Caldwell that this was a worry of Pickton's, further questioning was not pursued. Nor were many other avenues of questioning, something Yurkiw later acknowledged.<sup>197</sup>

Pickton invited Yurkiw attend his property to look around without a search warrant and to take soil samples to look for DNA; this offer was not taken up.<sup>198</sup> Granted, there were legitimate reasons for not pursuing this offer. Pickton would have been required to sign a document advising him of what the police were looking for and should anything be found there could be concerns that the search was illegitimate. As the property was co-owned by the three Pickton siblings, consent from all three would be advisable, although not required. Pickton would have been able to stop the search at any time, which would prevent officers from looking in, at or under any room, furniture, closet, drawer or building that Pickton did not want examined. A RCMP officer had taken a quick look around the Pickton trailer in November 1998, after she attended due to a theft of equipment reported by Pickton but she saw nothing out of the ordinary. However, Evans stated that these issues could have been mitigated and the search conducted.<sup>199</sup> Further, it does not appear that any of these concerns prevented Yurkiw from pursuing the offer; Pickton was simply not a priority.

In February 2000, a meeting took place between PUHU and Port Coquitlam RCMP officers. One of the officers was tasked with obtaining a search warrant for Pickton's

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<sup>197</sup> MWI [#34], *supra* note 10 at 8-21-5. The entire interview can be found at MWI [#2D], *supra* note 150 at 16-142.

<sup>198</sup> Neal Hall, "Officers never followed up on Pickton search offer, Missing Women inquiry told" *Vancouver Sun* (17 January 2012); MWI, *May 14, 2012* at 52.

<sup>199</sup> MWI, *January 17, 2012* at 123-132.

property and authorization for a wiretap, among other Pickton-related tasks. None of the tasks for the Pickton investigation were completed.<sup>200</sup> Another recommendation from this meeting was to send the handcuffs from the Ringwald case to be tested for the DNA of other victims; this was not done until 2004, two years after Pickton's arrest.<sup>201</sup>

In April 2000, Inspector Moulton advised that he believed the Pickton case was a priority but no further resources would be forthcoming. He acknowledged that a recent homicide meant that work on Pickton could not be done at that point.<sup>202</sup> The lack of resources to address what many in the Port Coquitlam detachment felt was a serious suspect and a dangerous man worried several RCMP members. Later that month, Staff Sergeant Zalys wrote a memo after speaking with Moulton: "– also discussed Pickton again → if he turned out to be responsible → inquiry! → deal with that if the time comes!"<sup>203</sup> Zalys further explained in his notes that due to the belief among some investigators that there was no validity to the allegations against Pickton by the tipsters, Moulton "determined it was getting too expensive to continue so it was terminated against Sgt. (then Cpl.) Connor's wishes & great reluctance."<sup>204</sup> Unfortunately, 11 women would be murdered after this memo was written.

At a meeting of the Port Coquitlam serious crime investigators in April 2001, the Pickton file was again confirmed as a high priority. However, the real priority – meaning resources and attention – was always given to new investigations, not to Pickton. Months would go by without any work being done on the Pickton file. Yurkiw testified it stalled

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<sup>200</sup> MWI, *May 24, 2012* at 41; Cameron Ward. "MWCI: 'A chronicle of inaction...'" *Cameron Ward & Company Blog* (05 June 2012); MWI [#34], *supra* note 10 at 8-29.

<sup>201</sup> MWI, *Exhibit 214 – Document entitled Will Say of Keith Davidson* at 41.

<sup>202</sup> MWI [#34], *supra* note 10 at C114; Oppal [Vol. IIB], *supra* note 14 at 175.

<sup>203</sup> MWI [#34], *supra* note 10 at C115.

<sup>204</sup> MWI, *Exhibit 108 – Document entitled: Cross examination brief – Superintendent Hall – Cameron Ward & Co* at 127.

because there were no new tips related to the file.<sup>205</sup> The tips already received had not fully been explored and further interviews or investigative steps were not pursued in which new leads might emerge. A new tip was discussed by the RCMP in which a Hells Angel member who worked at Piggy's Palace was alleged to have been disposed of in the meat grinder on Pickton's property and fed to his pigs.<sup>206</sup> Nothing was done to investigate this tip. Connor was reassigned to the Port Coquitlam detachment in 2001 and gave the Pickton file to another officer when Yurkiw retired in August 2001. Connor encouraged the new officer assigned to investigate Pickton.<sup>207</sup> The Pickton investigation by Port Coquitlam was always conducted when time allowed; there were no senior officers overseeing subordinates. As Oppal noted, "It appears that the Pickton investigation was not considered to be a major case; if so, this in itself was a serious error."<sup>208</sup> Evenhanded did not have a copy of the Port Coquitlam file on the Pickton investigation; they were provided only with the information the VPD had from 1998 and 1999. Only after Pickton's arrest was the file provided to Evenhanded.<sup>209</sup>

In October 2001, VPD investigators met with Don Adam, head of Evenhanded. Adam told them that he was familiar with the Pickton file and the illegal nightclub, Piggy's Palace, run by the Pickton brothers. However, "he was not sure if information on the Picktons was fact or urban myth."<sup>210</sup> As Project Amelia's files were transferred to Evenhanded, Pickton remained a strong suspect but Adam was insistent that he was just one of many: "People may believe that someone with a history like Pickton is unusual or he

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<sup>205</sup> MWI [May 24], *supra* note 200 at 14; Ward *et al.*, *supra* note 63 at 112.

<sup>206</sup> MWI [#34], *supra* note 10 at C141.

<sup>207</sup> MWI [#34], *supra* note 10 at 8-24, C152.

<sup>208</sup> Oppal [Vol. IIB], *supra* note 14 at 157.

<sup>209</sup> *Ibid.* at 166.

<sup>210</sup> MWI [#114], *supra* note 5 at 291; MWI [#34], *supra* note 10 at C159.

appeared unique back in 2001. This is untrue, as the actual number of men who brutalize sex trade workers is staggering.”<sup>211</sup> Evans, however, felt that the tips received in 1998 and 1999 and the information about the attack on Ringwald should have resulted in an earlier, prolonged investigation into Pickton.<sup>212</sup>

In mid-November 2001, the RCMP was informed that Ellingsen had been assaulted by Menard and noted that another attempt to interview her should be undertaken. Ellingsen was located mid-December 2001 living at a women’s shelter. Due to an unrelated homicide which took precedence over the Pickton investigation, the interview with Ellingsen did not take place until after Pickton’s arrest.<sup>213</sup>

Evenhanded continuation reports show that the names of female associates of Pickton were raised in the investigation, in addition to Ellingsen. Dinah Taylor was noted as having been seen with Angela Joesbury<sup>214</sup> on a daily basis until the time the two had “taken a trick to the Coquitlam area.”<sup>215</sup> There has been widespread speculation that Taylor assisted Pickton in the procurement and luring of women to the property, possibly with the knowledge that the women would be murdered. Adam testified at the MWI that Taylor had, without doubt, procured women for Pickton. Her name has been specifically linked to the disappearances of Joesbury, Sereena Abotsway and Dawn Crey, as well as the attempted abduction of a woman which was witnessed by a street nurse. Her predatory behaviour among the women of the DTES was recognized before Pickton’s arrest by several social service agency personnel,

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<sup>211</sup> Adam, *supra* note 127.

<sup>212</sup> Suzanne Fournier, “Case reviewer: Flood of Pickton tips should have galvanized investigation sooner” *The Province* (19 January 2012).

<sup>213</sup> MWI [#2D], *supra* note 150 at 602, 615, 624.

<sup>214</sup> A continuation report from December 2001 indicates that Taylor, who had been procuring Joesbury, was herself being procured by Joesbury’s husband. MWI [#34], *supra* note 10 at C172.

<sup>215</sup> MWI [#98], *supra* note 43 at 273. See also, MWI, *Exhibit 164 – Document entitled – Executive summary regarding Nancy Ann Clark, aka Nancy Ann Greek and Nancy Jasper* at 4.

which resulted in her being banned from WISH. After Pickton's arrest, Taylor's involvement was mentioned by Pickton and she was interviewed by two Evenhanded officers. She was not charged in relation to any of the murders.<sup>216</sup> Richard (Kellie) Little, 28, was a transgendered Aboriginal woman who worked as a DTES street prostitute. Little had met Houston in prison and occasionally stayed with her. She was last seen by Houston at her home.<sup>217</sup> No evidence has been found suggesting that Yelds aided Pickton in procuring women, although from the Hiscox information, it is likely that she was aware of his crimes.<sup>218</sup>

## V. THE FORMATION OF A JOINT FORCES OPERATION

The VPD approached the PUHU in February 1999 seeking support with their investigation, or for the PUHU to take over the Pickton investigation. However:

PUHU members advised that while the Pickton information was interesting, they would not be in a position to assist until there was no doubt that this individual was involved in a specific or group of homicides.

This is an odd position for a homicide investigator to take given if there was *no doubt* Pickton was involved in a homicide, there would be no need to carry out an investigation, an arrest could be made.<sup>219</sup>

The investigation into the missing women and Pickton as a suspect was left to Project Amelia.

In June 1999, RCMP Staff Sergeant Keith Davidson, a behavioural profiler, completed a criminal behavioural analysis case review of the missing women which he titled

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<sup>216</sup> Her name is spelled Deena in the report. To watch an interview with Taylor, see: Barna, *supra* note 160. See also, Cameron, *supra* note 3 at 292-3, 316, 335, 343, 427, 543, 624-5, 631, 651, 673-4, 680-1, 693-4; MWI, *February 15, 2012* at 43.

<sup>217</sup> Cameron, *supra* note 3 at 163.

<sup>218</sup> To watch an interview with Yelds, see: Barna, *supra* note 160. See also, Cameron, *supra* note 3.

<sup>219</sup> Oppal [Vol. IIB], *supra* note 14 at 141-2. Original emphasis.

Project Orion.<sup>220</sup> In January 2000, Davidson met with Field and a RCMP geographic profiler, Sergeant Scot Filer, regarding the creation of a suspect profile. They also spoke about current persons of interest, including Pickton.<sup>221</sup> At this point the VPD believed the last woman to have gone missing disappeared in January 1999.<sup>222</sup> Marcella Creison, Cindy Feliks and Jacqueline McDonnell were reported missing in 1999 to the VPD, and Jennifer Furminger, Brenda Wolfe, Dawn Crey and Debra Jones were reported missing to the VPD in 2000. Julie Young and Wendy Crawford were reported missing in 1999 to RCMP detachments. These files were either lost or not accounted for in the file and risk assessments.<sup>223</sup>

In a brainstorming session in February 2000 between VPD members and Davidson “several person of interest were discussed, most notably William Robert Picton [sic]...” and one man who was serving a 25-year sentence for the murder of a prostitute at his home.<sup>224</sup> Davidson agreed to recommend to his supervisors that a Joint Forces Operation (JFO) be formed between the VPD and RCMP. A month later, the RCMP met and discussed the possibility of a JFO. Davidson’s February 2000 report concluded that at least three serial killers were operational.<sup>225</sup> The three serial cases identified were 1) the Valley Murders, 2) the 1994 murders of Ramona Wilson and Roxanne Thiara and disappearance of Cecilia Nikal in the Highway 16 area of Northern B.C., and 3) the missing women of the VPD.

The Valley Murder killer had disposed of the bodies off of logging roads that were hours from a main road. The effort taken to dispose of victims is unusual; Davidson postulated that either the same person or someone with the same level of attention to body

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<sup>220</sup> MWI [#214], *supra* note 201 at 25-34.

<sup>221</sup> *Ibid.* at 38.

<sup>222</sup> MWI [#34], *supra* note 10 at C109.

<sup>223</sup> Oppal [Vol. IIB], *supra* note 14 at 92.

<sup>224</sup> MWI [#214], *supra* note 201 at 39.

<sup>225</sup> MWI [#34], *supra* note 10 at 8-33.

disposal could be responsible for the missing women of the DTES.<sup>226</sup> Davidson noted that the “existing investigative efforts are being pursued on a part-time, opportunistic basis. Follow-up is uncoordinated and incomplete. Communication between investigations is limited or non-existent.”<sup>227</sup> One of the investigative strategies proposed was to focus on serial cases, beginning with the Valley Murders.

In May 2000, Davidson agreed to review what had been done and assess the feasibility of the RCMP accepting the files.<sup>228</sup> There is a disagreement between the former RCMP officers, Davidson and then-Superintendent Gary Bass, regarding a meeting in May in which Davidson claims Bass denied the request for a JFO due to resources.<sup>229</sup> Three weeks later, Field attended Major Case Management (MCM) training and presented the missing women cases. The recommendation from the group was to initiate a JFO with the RCMP.<sup>230</sup> The VPD prepared to transfer files to the RCMP for review but there were considerable delay due to incomplete data in the computer systems.<sup>231</sup>

In October 2000, Field attended a homicide conference in Kelowna, B.C. focused on profiling where she presented the missing women case.<sup>232</sup> The consensus of the group of experienced homicide officers was that the cases were most likely all related.<sup>233</sup> Field was questioned about why a JFO had not been created to manage what was likely a very large,

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<sup>226</sup> *Ibid.* at C111; MWI [#214], *supra* note 201 at 4, 47-9.

<sup>227</sup> MWI [#214], *supra* note 201 at 4, 47.

<sup>228</sup> MWI [#98], *supra* note 43 at 170.

<sup>229</sup> MWI [May 23], *supra* note 11 at 126; MWI [#214], *supra* note 201 at 7.

<sup>230</sup> MWI [#98], *supra* note 43 at 171.

<sup>231</sup> MWI [#34], *supra* note 10 at C121.

<sup>232</sup> MWI [#98], *supra* note 43 at 9.

<sup>233</sup> The group also felt that the Valley Murders and the Mount Seymour homicide of Mary Lidguerre were also likely related to the missing women. DNA would eventually clear Pickton in these four homicides. MWI [#98], *supra* note 43 at 11.

cross-jurisdictional serial homicide investigation. A few weeks after this conference, Field penned a memo to her superiors with a recommendation that a JFO be initiated.

On November 21, 2000, the VPD and RCMP again met to discuss a JFO. Staff Sergeant Doug Henderson of the PUHU had been at the same conference at which Field had presented. Henderson had agreed with the group assessment that a joint operation was needed, and that his unit would take the lead. Don Adam was well-known as an expert interviewer who was at this point in charge of Special Projects.<sup>234</sup> Adam was chosen to lead the task force.<sup>235</sup> A follow-up meeting held on January 17, 2001. Adam's meeting notes refer to the new initiative as the "Hooker Task Force."<sup>236</sup> During the MWI, Adam testified that DCC Unger of the VPD told him that the cases had not warranted much attention because "they are just a bunch of hookers."<sup>237</sup>

Adam proceeded on the understanding that DTES women had stopped disappearing in January 1999.<sup>238</sup> As Adam began to organize Evenhanded, Field informed the task force that an additional five women who fit the profile had been identified as missing. One woman was last seen in 1995, two in 1999 and two in 2000. Shortly thereafter an additional three women, two last seen in 2000 and one in 1999, were identified as meeting the profile.<sup>239</sup> The implication was that Evenhanded was now going to be an active serial killer investigation, not a historical review as had been anticipated. As Field noted to her supervisor:

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<sup>234</sup> In interviews conducted in preparation for her report, Evans learned that Adam continued to work on a proposal for a Provincial Interview Team that he had been assigned previously. Evans was critical of this, believing that given the importance of Evenhanded, this work should have been postponed or reassigned. Oppal found that prior to Pickton's arrest, Adam had taken two months of vacation and spent seven days providing interviewer training. He also worked on 21 other cases, although the amount of time spent is not known. Oppal was equally critical of Adam's other duties, and Adam's lack of insight on how this impacted the investigation. MWI [#34], *supra* note 10 at 8-34; Oppal [Vol. IIB], *supra* note 14 at 157-9.

<sup>235</sup> MWI [#98], *supra* note 43 at 31, 33.

<sup>236</sup> *Ibid.* at 34; Adam, *supra* note 127.

<sup>237</sup> MWI, *January 18, 2012* at 92.

<sup>238</sup> Adam, *supra* note 127.

<sup>239</sup> MWI [#98], *supra* note 43 at 70, 74; Gratl, *supra* note 13 at 60, 75.



The only theory we are left to work with is that there is one or more serial killers who have been successful in the removal of the women from the downtown eastside and is adept at disposing of their bodies. Other than the 3 Agasiz homicides, no other bodies or evidence has been located since 1995.<sup>240</sup>

Unfortunately, the implication that a serial killer was active appears to have been invisible to Evenhanded. As the new missing women cases were not seen as indicative of an active serial killer, Adam made no changes to the Evenhanded plan to review, rather than investigate, cases.

The RCMP and VPD agreed that the VPD would continue to investigate any new cases of missing or murdered women from their jurisdiction who fit the profile. This would include both new missing persons cases and any reports of women not seen for some time that were belatedly reported. On average, two to three street sex workers were reported missing monthly, but 60% were located within a week using computer databases and telephone calls. Only when it was determined that the woman appeared to be genuinely missing, or if a new homicide occurred in which the victim fit the profile, would the file be passed to Evenhanded.<sup>241</sup> As noted above, Oppal found this confirmation process to be contrary to the existing policy, rooted in a misunderstanding of the women's lives and creating an unnecessary investigative delay.<sup>242</sup> He further found that unfortunately VPD's response did not improve over time. The missing person cases in 2000 and 2001, those of Sereena Abotsway, Brenda Wolfe, Dawn Crey, Andrea Joesbury and Jennifer Furminger, all illustrated "continued lack of urgency and systemic approach... If anything, the initial investigation of Sereena Abotsway appeared to be particularly sluggish."<sup>243</sup>

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<sup>240</sup> MWI [#98], *supra* note 43 at 97.

<sup>241</sup> *Ibid.* at 132, 224.

<sup>242</sup> Oppal [Vol. IIB], *supra* note 14 at 66.

<sup>243</sup> *Ibid.* at 67.

This process was not efficient, as illustrated by the case of Angela Williams who disappeared from the DTES in December 2001. Williams maintained regular weekly visits with her children who were in care with a family member of the children's father. When Williams failed to attend a scheduled visit with her children on December 16, her children's guardian, Margaret Green, became concerned. When Williams failed to make contact at Christmas, Green went to the DTES to look for her. Unable to find her, Green filed a missing person report with the VPD. On December 30, Green read in the paper that a body had been found in Surrey. The physical description and tattoo of the victim was consistent with Williams; Green called the Surrey police. The body had been found on December 13 and Evenhanded had been advised on the 21<sup>st</sup>. It was not until January 2, 2002, that Green was able to speak to a police officer who requested Williams' dental records.<sup>244</sup> The following day the coroner called to advise that the body was indeed Williams. The missing person report had not been forwarded to Evenhanded. The police had concluded she died of a drug overdose but the toxicology report showed only a trace amount of cocaine in her system. A second autopsy was performed on January 7<sup>th</sup> and showed that Williams had been strangled. Her murder remains unsolved.<sup>245</sup>

## VI. PROJECT EVENHENDED

The JFO was officially announced in April 2001 and was composed of two investigators from both the VPD and RCMP.<sup>246</sup> The official MOU was not signed until June

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<sup>244</sup> Evenhanded's notes regarding this case, dated January 8, 2002, incorrectly provides the date of positive identification as February 2, 2002.

<sup>245</sup> MWI, *October 26, 2011*; Ward, *et al*, *supra* note 63 at 52-55; MWI, *Exhibit 218 – Document entitled – Facsimile transmittal sheet with attached documents (13 pages) related to the death of an unidentified female*.

<sup>246</sup> MWI [#98], *supra* note 43 at 131; "April news release – RCMP and Vancouver Police joint forces to review files related to street trade workers" *RCMP* (10 April 2001); MWI [#34], *supra* note 10 at 8-33.

26, 2001.<sup>247</sup> The VPD continued to reduce the number of investigators assigned to the missing women cases in February 2001, as it was simultaneously negotiating a JFO.<sup>248</sup> During the planning of the JFO, VPD Chief Terry Blythe was advised by Unger that if the JFO was properly resourced from the onset, it could take four years to complete the investigation of the cases.<sup>249</sup> Evenhanded began a planning phase in late January 2001. There was agreement that the Valley Murders were related to the missing women cases,<sup>250</sup> although given that bodies had been found, there was the possibility of separate serial killers.<sup>251</sup> The RCMP agreed to take the lead in the investigations and ensuring there were adequate resources.<sup>252</sup> As the lead investigator, Adam spent several weeks following his appointment in meetings and brainstorming sessions.<sup>253</sup> There was a two-month delay in assigning a file coordinator, a key aspect to MCM cases. Sergeant Wayne Cleary began in late April 2001, which was five months after Adam began and two months after Evenhanded started.<sup>254</sup> Oppal called this delay “inexcusable.”<sup>255</sup>

Adam was adamant that the first phase of the project was to be a file review and rejected suggestions to begin immediate investigative work on suspects.<sup>256</sup> The work on suspects at this time period consisted of ranking suspects. Unfortunately, the ability to dispose of bodies was not a criterion used to narrow the suspect pool.<sup>257</sup> Using the MCM

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<sup>247</sup> MWI [#34], *supra* note 10 at C149.

<sup>248</sup> “Missing women task force downsized” *CBC News* (14 February 2001).

<sup>249</sup> MWI [#114], *supra* note 5 at 249.

<sup>250</sup> Adam, *supra* note 127; MWI [#2A], *supra* note 22 at 118.

<sup>251</sup> MWI [#34], *supra* note 10 at C132.

<sup>252</sup> *Ibid.*

<sup>253</sup> See, MWI [#98], *supra* note 43; Adam, *supra* note 127.

<sup>254</sup> Clary, now a staff sergeant, later worked on the E-PANA file. As of September 2013, Clary was the officer in charge of the E-PANA. See, “Bobby Jack Fowler Highway of Tears investigation stalled” *CBC News* (25 September 2013).

<sup>255</sup> Oppal [Vol. IIB], *supra* note 14 at 158.

<sup>256</sup> Adam, *supra* note 127.

<sup>257</sup> Gratl, *supra* note 13 at 25.

principles, Evenhanded was able to narrow its suspect pool from more than 30,000 to just over 1,500 “Priority 1” suspects.<sup>258</sup> Evenhanded developed several investigative strategies for the historic files, as well as a proactive component. The historic file component was the initial scope of the project, before the recognition of an active serial killer. Rather than focus on the known missing women from the DTES, the plan for Evenhanded was to review all solved and unsolved homicides, and attempted homicides of sex workers and hitchhikers in B.C.<sup>259</sup> Investigators suspected that:

the killer responsible for the missing women would in all probability have committed “lead up crimes”, perhaps gone from attacking them to abduction then murder. Also, that the killer would have made mistakes: potentially left his DNA, be identifiable by a living victim, or had not disposed of a victim’s remains perfectly.<sup>260</sup>

There were 83 unsolved and 85 solved homicide cases. Forty-four of the old cases had to be manually reviewed and examined for the possibility of DNA evidence.<sup>261</sup> A review of the 52 known killers of sex workers was undertaken to seek possible linkages.<sup>262</sup> It was understood that there were two, possibly three, serial killers who had targeted sex workers in the DTES and hitchhikers in Northern B.C.<sup>263</sup> Investigators obtained cast-off DNA samples from suspects in the historic files for possible matches to the Alley and Valley murders.<sup>264</sup> Using DNA samples from the Ringwald case, Pickton’s DNA was tested against the male suspect DNA from the three Valley Murders. In April 2001, Pickton was eliminated as a suspect in the Valley Murders.<sup>265</sup> In December 2001, Evenhanded learned that the suspect DNA in the

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<sup>258</sup> CCSOMWWG, *supra* note 59 at 47.

<sup>259</sup> Adam, *supra* note 127.

<sup>260</sup> *Ibid.*

<sup>261</sup> MWI [#98], *supra* note 43 at 77, 78.

<sup>262</sup> *Ibid.* at 76.

<sup>263</sup> MWI [#214], *supra* note 201 at 47.

<sup>264</sup> MWI [#98], *supra* note 43 at 244.

<sup>265</sup> MWI [#34], *supra* note 10 at 8-141.

Valley and Alley Murders did not match.<sup>266</sup> This information indicated that there were at least four serial killers had operated been in B.C., three of whom targeted sex workers in the Lower Mainland.

The coroner's office and Evenhanded did not think any of the 36 partial or complete sets of unidentified remains in the province would prove to be those of the missing woman. However, a comparison of DNA profiles was necessary to ensure that this was the case.<sup>267</sup> Families of the missing women had known for several years about the unidentified remains and were quite concerned that their loved ones may have been in a coroner's office all along. The coroner's office dedicated one week out of every five to comparison of the missing women files to unidentified human remains.<sup>268</sup> Using Pap smear slides and familial DNA samples where slides were not available, Evenhanded was able to generate a DNA profile for all of the women on the missing list. This was quite a feat, considering that the laboratory at the time was only able to accept six to 10 new samples per month, with the Evenhanded evidence given the lowest priority.<sup>269</sup> Direct DNA from the victim was the preferred method, and cost \$200 to generate a profile, while familial DNA cost \$600 as it was more complicated to produce. Familial DNA, ideally, uses samples from both paternal and maternal relatives as well as the woman's child to create the profile.<sup>270</sup> Profiling DNA from missing women, suspects, unidentified remains and historic case evidence cost \$200,000, which included overtime by laboratory staff.<sup>271</sup>

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<sup>266</sup> *Ibid.* at C175.

<sup>267</sup> MWI [#114], *supra* note 5 at 267.

<sup>268</sup> MWI [#2A], *supra* note 22 at 108.

<sup>269</sup> *Ibid.*

<sup>270</sup> *Ibid.* at 120.

<sup>271</sup> *Ibid.* at 128.

Evenhanded learned lessons from the Air India investigation's problem with handling and dissemination of information to family members, where the families of the missing women "have not been kept abreast of the work the police have been doing, which has left them feeling that nothing has been done."<sup>272</sup> Evenhanded attempted to correct this with family meetings, both before and after Pickton's arrest.<sup>273</sup> Family members were pleased with Adam's handling of family meetings.<sup>274</sup> Families were also contacted to ensure the photos and information used on the posters was accurate and met their approval.<sup>275</sup> Despite the improvement in family contact under Evenhanded, a dedicated family liaison officer was not part of the team structure, in contravention of major case management requirements.<sup>276</sup>

In August 2001, Brian Oger, a summer student employed by the VPD as a data entry clerk, authored a document entitled "The Serial Killer Theory: A Report on the Downtown East-side Missing Prostitutes." The 15 page report was intended to raise awareness of the case to Evenhanded investigators. As Oger entered information into the computer systems he read each document. He was familiar with the documentation and noticed there were new missing women cases that had been overlooked. Evenhanded was, at this point, strictly a historical review; it was believed the serial killer responsible for at least some of the missing women was no longer active. Oger questioned this conclusion. The VPD were not impressed by his report. Oger was accused of being responsible for information that had been leaked to the media. He submitted to a polygraph examination in order to prove he had not done so.<sup>277</sup>

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<sup>272</sup> MWI [#98], *supra* note 43 at 203.

<sup>273</sup> MWI [#114], *supra* note 5 at 279; Lindsey Kines, "600 suspects in missing women case" *The Vancouver Sun* (15 October 2001).

<sup>274</sup> Oppal [Vol. IIB], *supra* note 14 at 55.

<sup>275</sup> MWI [#2A], *supra* note 22 at 120.

<sup>276</sup> Oppal [Vol. IIB], *supra* note 14 at 176.

<sup>277</sup> MWI [#34], *supra* note 10 at 8-35.

Evenhanded asked Henderson to verify Oger's statistics, which he did.<sup>278</sup> Oger was correct; it appeared that an active serial killer was at work and women were going missing at a rate of one every six weeks.<sup>279</sup>

It is not clear from the record, but sometime between Oger's report in August and October 2001, Adam realized that the serial killer was still active.<sup>280</sup> Adam advised RCMP management that "[t]here is a significant urgency that we move quickly to identify a suspect if possible. It is believed that by front end loading this task we will tie up investigators for a shorter period of time."<sup>281</sup> By August 2001, Adam was prepared to advise the VPD and RCMP's upper management that more resources were required.<sup>282</sup> Two additional investigators were added by both the VPD and RCMP in September.<sup>283</sup> A month later, Henderson advised Bass and Moulton that additional resources were going to be needed; Bass replied that the resources would be found.<sup>284</sup> A dedicated media liaison officer is required under the MCM principles; Evenhanded did not staff this position until a year after Adam's appointment. Catherine Galliford, who had held that position in the Air India case, began as the Evenhanded spokesperson in December 2001.<sup>285</sup>

An intensive surveillance and intelligence gathering of the DTES street sex workers and clients was proposed in October 2001. Lack of information regarding what happened to women who went missing in the past led to the conclusion that success was likely only after more women went missing.

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<sup>278</sup> *Ibid.* at C155.

<sup>279</sup> MWI [#98], *supra* note 43 at 237.

<sup>280</sup> MWI [#34], *supra* note 10 at 8-40; Adam, *supra* note 127.

<sup>281</sup> MWI [#98], *supra* note 43 at 189.

<sup>282</sup> *Ibid.* at 204; Adam, *supra* note 127.

<sup>283</sup> MWI [#34], *supra* note 10 at C155.

<sup>284</sup> *Ibid.* at C161.

<sup>285</sup> Oppal [Vol. IIB], *supra* note 14 at 177.

Eventually when a STW goes missing, we should be able to consult our lists and 10 some viable suspects. It may be that a number of women will go missing before a pattern is developed that points to anyone, however, if the work is done thoroughly the pattern should emerge.<sup>286</sup>

Adam explained in his notes that the proactive approach was not intended to remove resources from the review and follow up of historic cases. This was to be a new approach with additional resources of six officers each from the VPD and RCMP for a minimum of eight months. Eight officers were intended for surveillance and intelligence gathering, while the other four were intended to follow up on tips, leads and suspects arising from this work. The request for additional resources made on October 31, 2001, did not result in additional Evenhanded members until mid-January 2002.<sup>287</sup> The proactive phase on the project commenced on January 14, 2002.<sup>288</sup> Pickton's arrest made continuation of this work unnecessary the following month. Evans was critical of the historic review aspect in the face of an active serial killer. She thought that all resources should have been redeployed to proactive investigations. Oppal was equally critical, stating that if a historic review and active investigation required two JFOs, then this is what should have been requested.<sup>289</sup>

Evenhanded investigators met with Washington State investigators in November 2001 to discuss the possibility of overlap between the Yates and Ridgeway cases, and Vancouver's missing women cases. Several sex workers in the Lower Mainland provided statements that they recognized Ridgeway.<sup>290</sup> Although none of the DNA of the missing women was ever found in either of Washington's serial murder cases, the meeting provided Evenhanded with suggestions on how to avoid the difficulties faced in those investigations.

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<sup>286</sup> MWI [#98], *supra* note 43 at 214.

<sup>287</sup> MWI, *January 16, 2012* at 91.

<sup>288</sup> MWI [#98], *supra* note 43 at 227, 244, 289; MWI [#2A], *supra* note 22 at 134; MWI [#34], *supra* note 10 at C178.

<sup>289</sup> Oppal [Vol. IIB], *supra* note 11 at 65.

<sup>290</sup> Jason Proctor, "'Serial killer' at work in B.C.: Police" *The Province* (12 December 2001).



Jurisdictional issues were discussed, as were the problems associated with tip-driven investigations following new homicides, rather than being able to concentrate, at least partially, on the historic cases. The Washington investigations benefited from a proactive approach of working with social agencies and women on the street.<sup>291</sup> The officers from Spokane had explained that it took two officers six months to develop relationships in the community before people with information related to the murdered women began to come forward.<sup>292</sup>

In late 2001, Evenhanded advised the forensic laboratory that there were four types of evidence expected to be submitted the following year. The priorities were the DNA of victims, historic sexual assault and homicide crime scene exhibits, suspect cast-off DNA and finally, unidentified human remains.<sup>293</sup> Approximately 6,000 serious crimes from the previous 15 years had been reviewed with over 1,000 persons of interest identified.<sup>294</sup> Review and prioritization of the files were able to reduce the number. Just days before Pickton's arrest, there were 39 priority one, 32 priority two and 93 priority three suspects.<sup>295</sup> Pickton was among the priority one suspects.<sup>296</sup> Several police officers stated that tunnel vision had to be avoided, hence the reason the number of suspects was so large. Oppal agreed that narrowing in on one suspect to the exclusion of all others was not effective policing, but that nonetheless, prioritization was necessary:

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<sup>291</sup> MWI [#114], *supra* note 5 at 259-262. See also, Kim Bolan and Chad Skelton, "Police eye U.S. suspect in B.C. killings" *Calgary Herald* (05 December 2011); Kim Bolan and Chad Skelton, "Vancouver police seek link to Green River" *Vancouver Sun* (05 December 2011); Adam, *supra* note 127; MWI [#2A], *supra* note 22 at 119.

<sup>292</sup> Oppal [Vol. IIB], *supra* note 14 at 112.

<sup>293</sup> MWI [#2A], *supra* note 22 at 118.

<sup>294</sup> *Ibid.* at 96; MWI [#114], *supra* note 5 at 279-80.

<sup>295</sup> MWI [#98], *supra* note 43 at 307; MWI [#2A], *supra* note 22 at 136.

<sup>296</sup> MWI [#34], *supra* note 10 at C156.

However, pursuing some of the top suspects should have begun at the same time. If the sheer number of potential suspects overwhelmed the investigation, then too much time had been spent building up the list of potential suspects and not enough on their prioritization.<sup>297</sup>

On December 4, 2001, Evenhanded announced that an additional 18 names had been added to the list of missing women. At this point, the task force was composed of 14 investigators and five support staff from both agencies.<sup>298</sup> The VPD, however, was still struggling for resources and was “for all intents and purposes in the startup [sic] phase” without funds to fulfill their mandate.<sup>299</sup> A month later, the total of missing women was at 50 with the addition of five more names on January 14, 2002.<sup>300</sup> Figure 6-2 provides a timeline of the missing women of the Lower Mainland of B.C.

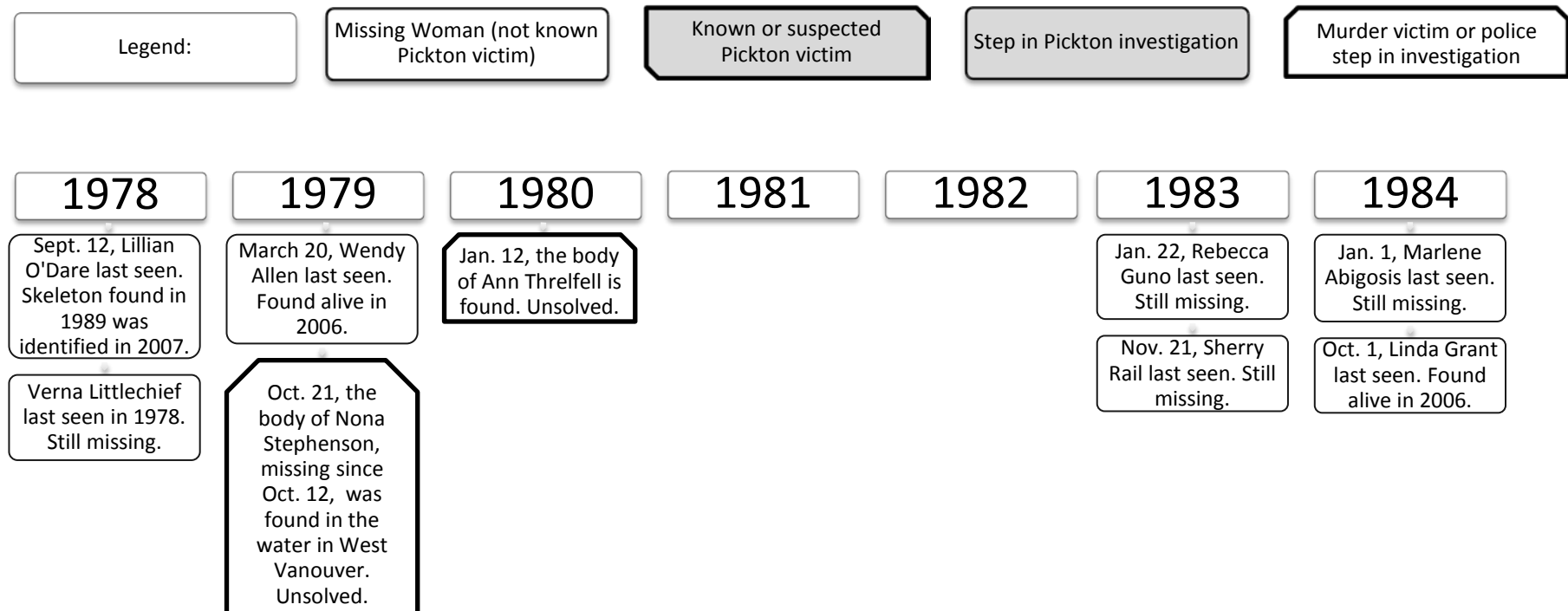
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<sup>297</sup> Oppal [Vol. IIB], *supra* note 14 at 142.

<sup>298</sup> MWI [#114], *supra* note 5 at 282-3; Kim Bolan, “Police raise tally of missing women: Eighteen names are added to Eastside list, bringing it to 45” *The Vancouver Sun* (05 December 2001); Adam, *supra* note 127.

<sup>299</sup> *Ibid.* at 286.

<sup>300</sup> Adam, *supra* note 127; MWI [#34], *supra* note 10 at C178.

**Figure 6-2: Timeline of the Missing and Murdered Women of the Lower Mainland<sup>301</sup>**

<sup>301</sup> This Timeline was based on the LePard and Evans reports. A review of the DD was then conducted to include other missing and murdered women who matched the profiles of the DTES missing women. All the women are missing from the Lower Mainland, unless where their cases are thought to be related to other cases in the Lower Mainland. Where a homicide is listed as “Unsolved,” this is as of information available as of September 2013.

See, MWI [#1], *supra* note 24; MWI [#34], *supra* note 10; Culbert, *supra* note 124; “More names added to list of missing women” *CBC News* (06 October 2004); “Women removed from missing list” *Missing People Net* (26 May 2005); Delisle, *supra* note 122; Robert Matas, “One of the ‘missing’ women found, giving kin hope” *The Globe and Mail* (05 December 2006); “Woman turns up after two decades; RCMP remove her name from missing list” *Canadian Press* (06 June 2006); “A killer’s slip-up gave police a break” *Vancouver Sun* (28 September 2001); Kim Bolan, “Bodies match missing-women profiles: Task force looks at prostitutes’ cases” *Vancouver Sun* (08 January 2002); Kines, *supra* note 123; “Missing Person: Michelle Cheryl-Ann Lynn Delorme” *RCMP News Release* (12 February 2008), *RCMP (‘E’ Division)*; Daphne Bramham, “Danielle LaRue never had chance to succeed” *The Province* (01 March 2008); “Solve a Crime” *West Vancouver Police Department*; Salim Jiwa, “Fifth body linked to serial killer” *The Province* (17 April 1997).

1985

April 1, the body of Pauline Johnson is found in Port Coquitlam. Unsolved; Pickton was a suspect in 1999.

April 11, Marilyn Moore last seen. Still missing.

May 30, Sheryl Donahue last seen. Still missing.

Aug. 1, Laura Mah last seen. Still missing.

Oct. 28, the body of Rachel Turley is found in Richmond. Unsolved.

1986

Feb. 25, the body of Chantal Vene is found in Esquimalt. Unsolved.

March 13, Elaine Allenbach last seen. Still missing.

Aug. 21, the body of Donna Kiss is found. Unsolved.

Oct. 16, Lenora Olding last seen. Still missing.

1987

1988

April 3, the body of Rose Peters is found. Unsolved.

April 7, the body of Margaret Vedan is found. Unsolved.

July 1, Taressa Williams last seen. Human remains found in 1990 were identified as Williams in 2004. Unsolved.

Aug. 13, the body of Lisa Gavin is found. Unsolved.

Sept. 11, the body of Connie Christenson is found. Unsolved.

Sept. 30, the body of Glenna Sowan is found. Unsolved.

Tracey Chartrand last seen in Nov. Her body was found in April 1989. Unsolved.

1989

Jan. 26, the body of Wendy Poole is found in the DTES. A man charged with her death was acquitted. Unsolved.

April 7, the body of Tracey Chartrand, missing since Nov., 1988, is found. Unsolved.

May 31, the body of Catherine Daignault is found in Maple Ridge. Unsolved.

June 4, the body of Frances Grant found in Vancouver. Unsolved.

Aug. 28, Ingrid Soet last seen. Still missing.

Elaine Dumba last seen in 1989. Still missing.

Nov. 3, the body of Umi O'Brien found. Unsolved.

Skeletal remains found; identified in 2007 as Lillian O'Dare. Unsolved.

The body of Linda Tatrai is found in 1989. Unsolved.

1990

Jan. 11, RCMP look for Pickton's truck in a sexual assault case. The file was destroyed by 1997. Unknown outcome.

April 2, the body of Bonnie Whalan is found. Unsolved.

Aug., the body of Nancy Bob is found in Langley. Trevor Peters pled guilty to her murder.

Sept. 9, the body of Cheri Smith, missing since June, was found. Unsolved.

Nov. 21, the body of Kimberley Gallup is found. Unsolved.

The body of Charlene Kerr is found in 1990. Unsolved.

Human remains found in 1990. Identified in 2004 as Taressa Williams, missing since 1988.

1991

Aug. 22, Nancy Clark last seen. She was from Victoira. The Crown declined to charge Pickton. A death certificate has been issued. 1<sup>st</sup> known Pickton victim.

Nov. 12, the body of Bernadine Standingready is found. Unsolved.

Mary Lands last seen in 1991. Found alive in 2006.

1992

Jan. 1, Elsie Sebastian last seen. Still missing.

Jan. 20, the mutilated body of Cheryl Joe is found in Vancouver. Brian Allender is quickly arrested and convicted in her murder.

June 18, Kathleen Wattley last seen. Still missing.

Oct. 5, the body of Norma George was found in Aldergrove. Unsolved.

Karen Smith last seen. In 1999, VPD confirmed she had died; no foul play.

Tanya Emery last seen in 1992. She is found alive in 2002.

1993

Jan., Sherry Baker last seen. Still missing.

Feb., Gloria Fedyshyn last seen. Still missing.

March 4, the body of Vickie Black was found. Unsolved.

April 15, Teresa Triff last seen. Still missing.

Aug. 4, the body of Lisa McLaren, missing since July 31, is found. Marvin Tom was convicted.

Dec. 12, Leigh Miner last seen. Still missing.

Dec., the body of Dayle Patterson was found. Christoher Milke was convicted.

1994

Aug. 19, Angela Arsenault last seen. Still missing.

The body of Charlene Kerr is found in 1994. Unsolved.

| 1995                                                                                                                                                                        | 1996                                                                                                                                                 | 1997                                                                                                                                                | 1998                                                                                                       | 1999                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Feb. 23, Jane Doe skull found in Mission. Further bones were found on farm. Charges against Pickton stayed. 2 <sup>nd</sup> known Pickton victim.                           | April 6, Frances Young last seen. Still missing.                                                                                                     | Jan. 10, Stephanie Lane last seen. The Crown declined to charge Pickton. A death certificate has been issued. 7 <sup>th</sup> known Pickton victim. | Jan. 7, Kerry Koski last seen. Charges against Pickton stayed. 13 <sup>th</sup> known Pickton victim.      | Jan. 13, Confirmation by RCMP that Pickton was suspect in 1985 Pauline Johnson case. Jan. 16, Jacqueline McDonnell last seen. Charges against Pickton stayed. Police postulate that it may have been her body seen by Ellingson in the barn. 17 <sup>th</sup> known Pickton victim. |
| March, Catherine Gonzalez last seen. Still missing.                                                                                                                         | Oct. 29, Tanya Holyk last seen. Charges against Pickton stayed. 4 <sup>th</sup> known Pickton victim.                                                | Jan., Cara Ellis last seen. Charges against Pickton stayed. 8 <sup>th</sup> known Pickton victim.                                                   | Jan. 26, Crown stays attempted murder charges against Pickton.                                             | Feb. 22, Elizabeth Chalmers last seen. Still missing.                                                                                                                                                                                                                               |
| April, Catherine Knight last seen. Still missing.                                                                                                                           | Aug. 16, the body of Mary Lidguerre was found but she is not identified until 1997. Unsolved.                                                        | Jan., Marie Laliberte last seen. Still missing.                                                                                                     | Feb. 26, Inga Hall last seen. Charges against Pickton stayed. 14 <sup>th</sup> known Pickton victim.       | Feb., Brenda Wolfe last seen. Pickton was convicted of her homicide. 18 <sup>th</sup> known Pickton victim.                                                                                                                                                                         |
| Aug. 6, Dorothy Spence last seen. Still missing.                                                                                                                            | Nov., Jacqueline Murdock last seen. The Crown declined to charge Pickton. A death certificate has been issued. 5 <sup>th</sup> known Pickton victim. | Feb., Letter from First Nations Summit regarding missing and murdered Aboriginal women.                                                             | April 13, Sarah de Vries last seen. Charges against Pickton stayed. 15 <sup>th</sup> known Pickton victim. | March 2, Georgina Papin last seen. Pickton was convicted of her homicide. 19 <sup>th</sup> known Pickton victim.                                                                                                                                                                    |
| July 7, Mary Lidguerre last seen. Her body was found in 1996 and identified in 1997. Unsolved; may be related to the Whalen homicide, possibly also the E-Valley homicides. | Dec. 6, Olivia William last seen. Still missing.                                                                                                     | Feb., Tania Petersen last seen. Still missing.                                                                                                      | April, police identify the remains of Mary Lidguerre, missing since 1995, found in 1996.                   | April 30, 2 <sup>nd</sup> surveillance on Pickton begun.                                                                                                                                                                                                                            |
| Sept. 2, the body of Tammy Pipe is found in Aggasiz. Unsolved; one of the three E-Valley homicides.                                                                         | Dec. 25, Sherry Irving last seen. Charges against Pickton stayed. 6 <sup>th</sup> known Pickton victim.                                              | Feb., Sharon Ward last seen. Still missing.                                                                                                         | Spring, VPD civilian employee notes increase in missing women.                                             |                                                                                                                                                                                                                                                                                     |
|                                                                                                                                                                             |                                                                                                                                                      | March 10, Andrea Borhaven last seen in 1997. Charges against Pickton stayed. 10 <sup>th</sup> known Pickton victim.                                 | July 14, Sheila Egan last seen. Still missing.                                                             |                                                                                                                                                                                                                                                                                     |

## 1995 (con't)

Aug. 12, the body of Tracy Olajide is found in Aggasiz. Unsolved; one of the three E-Valley homicides.

Oct. 21, the body of Victoria Younker was found near Mission. Unsolved; one of the three E-Valley homicides.

Dec. 22, Dianne Melnick last seen. Charges against Pickton stayed. 3<sup>rd</sup> known Pickton victim.

## 1996 (con't)

Dawn Cooper last seen in 1996. In 2002, police confirm she died of natural causes in 1997.

## 1997 (con't)

Ringwald attacked by Pickton resulting in life-threatening injuries for Ringwald. Only known surviving Pickton victim. Both victim and Pickton hospitalized.

March 29, CPIC message from RCMP to police in B.C. that Pickton may be responsible for other attacks against STWs.

April 1, Pickton arrested and charged in Ringwald attack.

April 8, Pickton turns himself to police and is charged with attempted murder.

April 23, Kelly Little last seen. Still missing.

April 27, Pickton is released from custody.

June 1, Ruby Hardy last seen. Still missing.

## 1998 (con't)

July 27, tips from Hiscox to Wayne Leng's tip line and to Crime Stoppers.

Sept. 4, VPD Statistical report suggests serial killer likely responsible for the missing women.

Oct. 2-3, 9-10, the 1<sup>st</sup> surveillance on Pickton by RCMP.

Oct. 9, Julie Young last seen. Still missing.

Nov. 20, Angela Jardine last seen. Charges against Pickton stayed. 16<sup>th</sup> known Pickton victim.

Dec. 11, Michelle Gurney last seen. Still missing.

Dec. 27, Marcella Creison last seen. Still missing. Her inhaler found on Pickton farm.

The body of Kari Gordon is found in Pemberton in the spring, 1998. Unsolved.

## 1999 (con't)

May 17, two STWs identify Pickton from photo line-up.

May 25, Project Amelia officially commences.

July 27, \$100K Reward & Poster are announced.

July 19, Caldwell provides information to VPD that Pickton could be responsible for the missing women, and that Pickton told him personally he could "get rid of bodies."

July 27, America's Most Wanted profiles the missing women case.

July 30, 3<sup>rd</sup> surveillance on Pickton begun.

Aug. 4, RCMP learn Ellingson was extorting Pickton over the barn murder.

Aug. 6, Best comes forward to RCMP regarding Pickton having committed a murder.

## 1997 (con't)

June 1, Cassandra Antone was found in Richmond.  
Unsolved.

June 15, Helen Hallmark last seen. Charges against  
Pickton stayed. 9th known Pickton victim.

June 25, Janet Henry last seen. Police think her ID may  
have been seen at Pickton's; neither ID or DNA has  
been found. Still missing.

August 30, Marnie Frey last seen. Pickton was convicted  
of her homicide. 11<sup>th</sup> known Pickton victim.

Aug. 27, VPD writes report about missing women,  
suspecting foul play.

Sept., Cindy Beck last seen. Still missing.

Nov. 26, Cynthia Feliks last seen. Charges against  
Pickton stayed. 12<sup>th</sup> known Pickton victim.

Anne Wolsey last seen in 1997; found alive in 2002.

Karl Gordon was last seen in 1997; had ties to the DTES.  
Found murdered in Pemberton in 1998.

## 1998 (con't)

Tammy Fairbairn last seen. Found alive in  
2005.

## 1999 (con't)

Aug. 12, Menard interviewed by RCMP.

Aug. 13, RCMP attends meat packing plant  
to investigate if pig fat is yellow. Plant  
worker asks if RCMP are investigating  
Pickton.

Sept. 17, VPD determined Linda Coombes  
was deceased. No foul play.

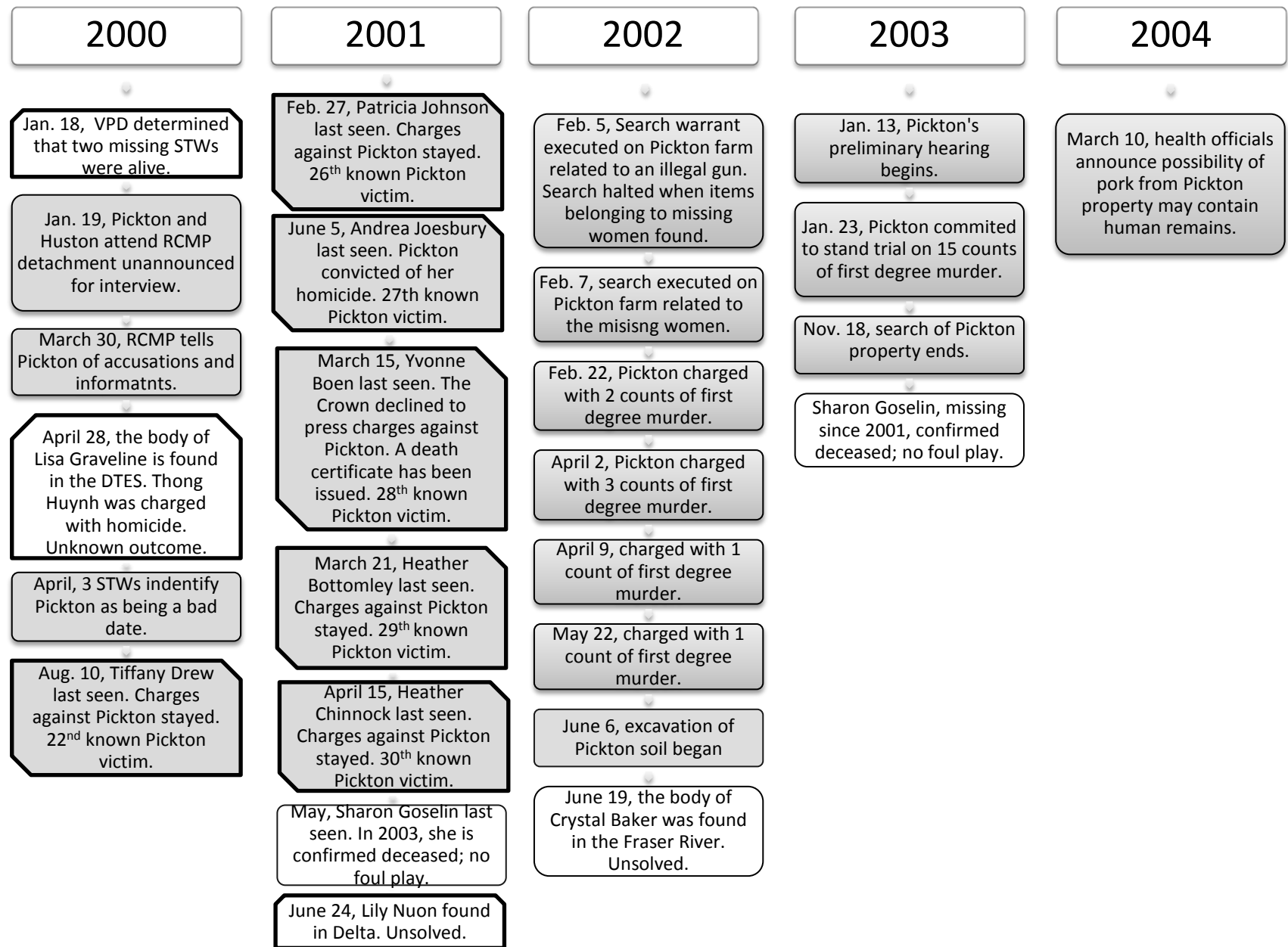
Sept. 22, VPD determined that Karen  
Smith, missing since 1992, was deceased.  
No foul play.

Nov. 24, Wendy Crawford last seen.  
Charges against Pickton stayed. 20<sup>th</sup>  
known Pickton victim.

VPD determined that a STW, missing since  
1994, was alive.

Dec. 27, Jennifer Furminger last seen.  
Charges against Pickton stayed. 21<sup>st</sup>  
known Pickton victim.





## 2000 (con't)

Nov. 1, Dawn Crey last seen. The Crown declined to press charges against Pickton. A death certificate has been issued. 23<sup>rd</sup> known Pickton victim.

Dec. 21, Debra Jones last seen. Charges against Pickton stayed. 24<sup>th</sup> known Pickton victim.

Dec. 25, the body of April Reoch is found..

Dec., Sharon Abraham last seen. The Crown declined to press charges against Pickton. A death certificate has been issued. 25<sup>th</sup> known Pickton victim.

Dec., Danielle LaRue last seen. A note was sent to the police, presumably from her killer. Her body has not been found; unsolved.

## 2001 (con't)

July 10, the body of Violet Herman is found in the DTES. Unsolved.

July 18, Serena Abotsway last seen. Pickton convicted of her homicide. 31<sup>st</sup> known Pickton victim.

Sept. 3, the body of Ry Rong is found in Delta. Unsolved. Her death may be related to those of Williams and Nuon.

Oct. 19, Dianne Rock last seen. Charges against Pickton stayed. 32<sup>nd</sup> known Pickton victim.

Dec. 1, Mona Wilson last seen. Pickton convicted of her homicide. 33<sup>rd</sup> and last known Pickton victim.

Dec. 13, the body of Angie Williams is found in Surrey. Unsolved.

Terrie Gratton escapes from Pickton's truck after being assaulted. Not reported to police.

## 2002 (con't)

Sept. 19, Pickton charged with 4 counts of first degree murder.

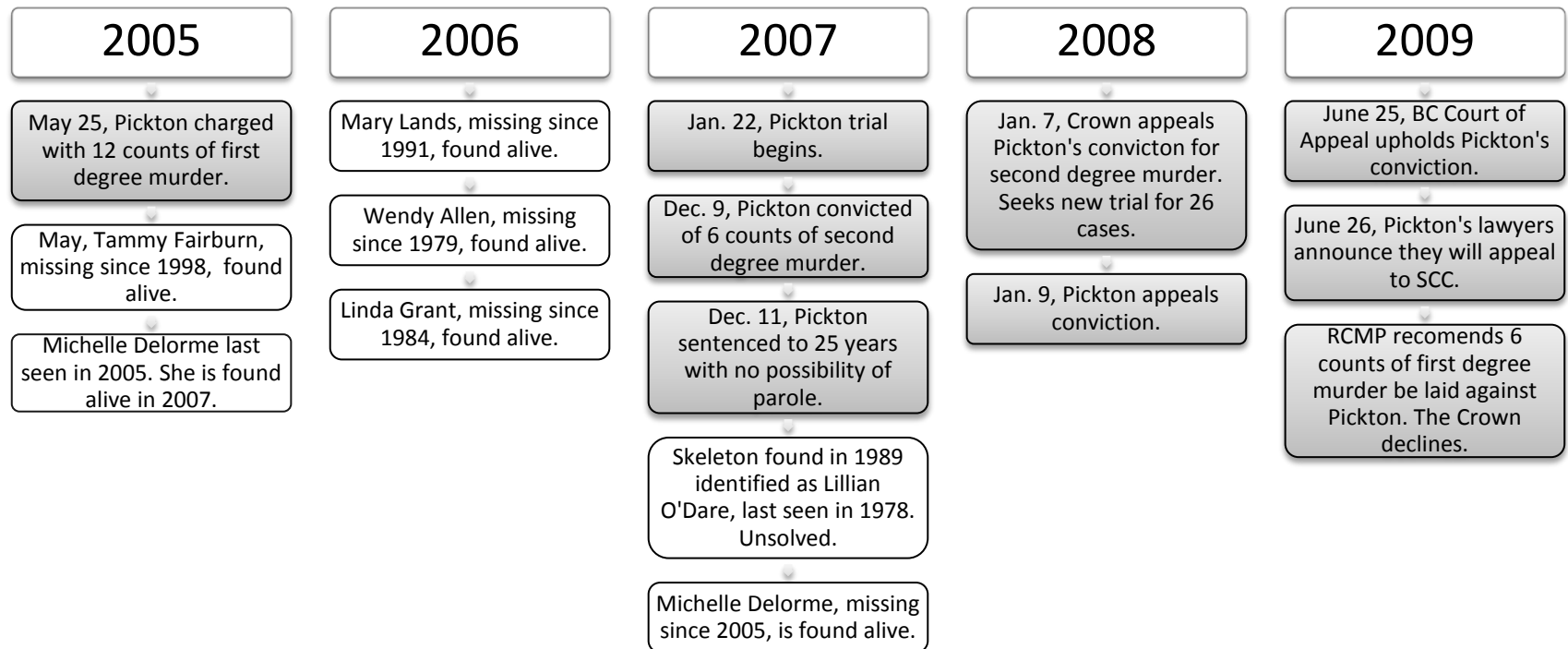
Oct. 2, Pickton charged with 4 counts of first degree murder.

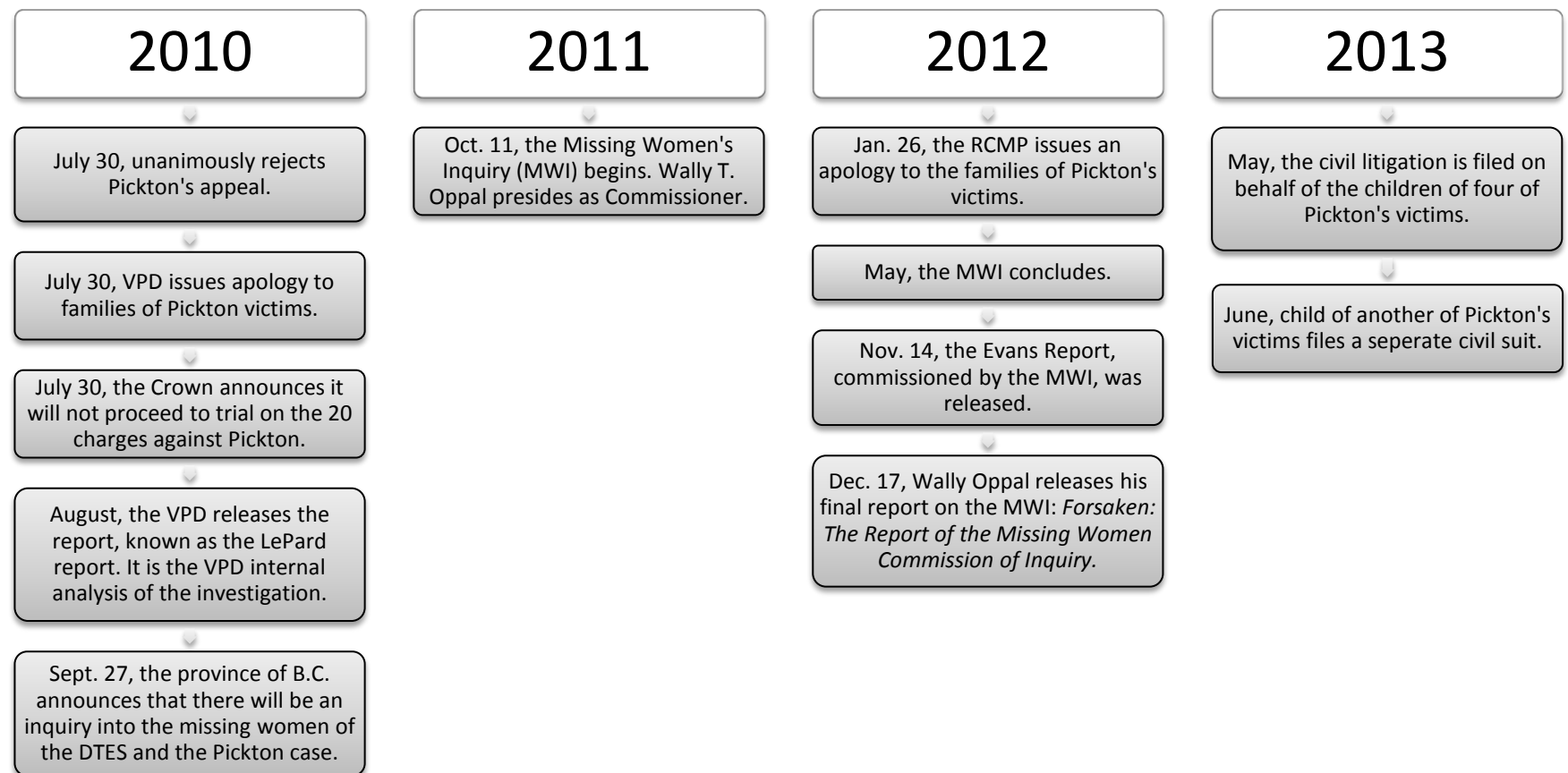
Tanya Emery, missing since 1992, found alive.

Dawn Cooper, missing since 1996, is confirmed deceased of natural causes in 1997.

## 2003 (con't)

## 2004 (con't)





## VII. THE SEARCH OF THE PICKTON PROPERTY

Constable Nathan Wells of the Port Coquitlam RCMP detachment met Scott Chubb in late 2001 when he responded to a 9-1-1 call from the home of Chubb's ex-wife. Chubb had made the telephone call. During the resolution of the minor domestic incident, Wells and Chubb spoke at length and Wells provided Chubb with his contact information. Chubb called Wells on January 25, 2002, and they arranged to meet. Chubb wanted to be paid for information, which the RCMP were prepared to do if the information was important.<sup>302</sup> Chubb's information related to cocaine dealers and marijuana growing operations, however, was not worthy of payment. Chubb asked if the RCMP would pay for information on illegal and unregistered firearms. Wells stated that the RCMP would pay him, if the information was solid, recent and could result in an arrest. On February 1, Chubb called Wells again. He told Wells that Pickton had three illegal guns in his trailer. Pickton had told Chubb about the guns and Chubb had borrowed one of them, later pawning it. Three days later, Chubb confirmed to Wells that at least one of the guns he had seen before was still in the trailer.<sup>303</sup>

On February 1, 2002, Wells conducted a CPIC query on Pickton in preparation for the proposed search of Pickton's trailer at 963 Dominion Avenue in Port Coquitlam. Wells had a discussion with another officer who had been part of the Ringwald investigation who provided background information on Pickton from that case. The CPIC entry advised that Pickton was a person of interest to Evenhanded, which prompted Wells to contact them. He

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<sup>302</sup> Post-arrest, Chubb provided information to Evenhanded about the missing women, about Pickton wanting to kill Ellingsen because of her extortion, that Pickton had offered to dispose of bodies for him and that he had been offered \$1,000 to kill Ellingsen. He was able to identify some of the women from the poster that he had seen with Pickton on the property or around the city. It is unknown why he did not offer this information to police instead of the firearm information. Chubb eventually was paid \$750 for the firearms tip. Cameron, *supra* note 3 at 423-440, 537; Lori Culbert, "Initial police search of farm not just for guns, witness says" *Vancouver Sun* (13 June 2007).

<sup>303</sup> Cameron, *supra* note 3 at 380-392.

alerted Evenhanded that he would be conducting the search on February 5, 2002. Wells planned to obtain a search warrant based on the tip that there were illegal guns on the premises but did not want to interfere with the on-going Evenhanded investigation.<sup>304</sup> It was decided that two members of Evenhanded would accompany the Port Coquitlam officers to the property but would not participate and would remain off the property during the execution of the search warrant.<sup>305</sup> On the same day, a civilian employee of the RCMP, Bev Hyacinthe, who had previously provided information about Pickton, was interviewed by Sergeant Bill Fordy. She told Fordy that her son had found bloody clothing in Pickton's truck, that Pickton knew he had been under surveillance, that both Pickton brothers were Hells Angels associates, and that she had seen one of the missing woman, Dawn Crey, with Pickton at the 1999 New Years' party at Piggy's Palace.<sup>306</sup>

Wells obtained the search warrant at 7:40 p.m. on February 5; the warrant had to be executed by 9 p.m. the same evening. The five officers assigned to execute the search warrant entered the property and rammed the door of the trailer. They identified themselves as police officers. Pickton stuck his head out another door then slammed it shut. Officers entered the trailer and arrested him. Wells left the property to drive Pickton to the detachment. Following Chubb's information the laundry area was searched and a gun found. Further searches revealed a second gun in the same location, this one wrapped in plastic with a dildo attached to the barrel. It was loaded.<sup>307</sup>

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<sup>304</sup> During the MWI, one lawyer, Jason Gratl, suggested that the warrant for the firearms was a pretext to get onto the property. The RCMP deny that this was the case. No documents or evidence were provided to support this supposition. See Gratl, *supra* note 13 at 77, footnote 267.

<sup>305</sup> VPD, *supra* note 15 at 183-4; Cameron, *supra* note 3; Adam, *supra* note 127; MWI [#2A], *supra* note 22 at 137.

<sup>306</sup> Ward *et al.*, *supra* note 65 at 27.

<sup>307</sup> Cameron, *supra* note 3 at 394-409; Lori Culbert and Neal Hall, "Mountie describes bursting in on Pickton" *Vancouver Sun* (08 February 2007); *R. v. Pickton* [2006] B.C.J. No. 3669.

In Pickton's bedroom, handcuffs, women's jewelry and a woman's purse were found. A flare gun was also discovered, which was later determined to have been modified to take shotgun shells. A second set of handcuffs and plastic cable ties used by police as restraints were found, along with two dildos and a collection of kitchen knives.<sup>308</sup> When an officer moved a television stand he found an array of papers and videos, including a wallet containing a birth certificate which bore the name of Heather Bottomley, one of the missing women. In the office area, women's running shoes and an asthma inhaler were found. The patient's name on the inhaler was Sereena Abotsway. The date on the inhaler was July 19, 2001; Abotsway had been last seen on either July 18<sup>th</sup> or August 1<sup>st</sup> of that year.

At this point, the officer radioed the detachment to alert management to the links to women on the Evenhanded missing women list. Evenhanded investigators were called onto the property. Identification belonging to one of Pickton's associates, Dinah Taylor, was found just before Evenhanded officers arrived at the trailer. Evenhanded officers did not enter the trailer, instead having been diverted to an outbuilding by another officer who had found live pigs, two skinned pigs and drums of animal remains. Another officer radioed that he had found a pile of purses and shoes in another outbuilding. A pile of papers sat on top of this pile; one paper bore Ellingsen's name. Constable Phil Little testified at the *voir dire* that at this point he felt that either the search should be suspended or the Evenhanded officers should remove themselves from the search.<sup>309</sup>

Evenhanded officers called Adam about the evidence found but Adam was in an interrogation. Another officer advised them to stop the search immediately and secure the

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<sup>308</sup> Plastic restraints are often referred to as "zap straps."

<sup>309</sup> Cameron, *supra* note 3 at 394-409; Culbert and Hall, *supra* note 308; *R. v. Pickton*, *supra* note 308 at 3.

property. The search was called off at 10 p.m.<sup>310</sup> Once he had been informed of the evening's events, Adam requested an undercover officer be placed in Pickton's cell. By 4 a.m. on February 6, seven hours after Pickton's arrest, an uncover officer entered his cell, which had audio and video capabilities. Adam also requested an Evenhanded officer begin the necessary paperwork for an emergency wiretap authorization. Evenhanded team members were called into the office and forensic experts were awoken to request their attendance the next morning.<sup>311</sup> Three hours later, Adam met with the Evenhanded officers, many of whom had not yet been to bed. Adam advised that the search must be conducted properly and would likely take months. VPD and RCMP senior management immediately offered any resources necessary. VPD committed 27 officers and the RCMP committed almost 100 members to join the Evenhanded team.<sup>312</sup> Evenhanded expanded from 30 to 130 members overnight.<sup>313</sup>

The search of the property did not begin on February 6 because there was a need to conduct logistical planning and for a revised search warrant to be prepared.<sup>314</sup> Before the media was informed of the developments, families of the missing women were telephoned to alert them that a suspect was in custody. Pickton was released on bail early in the afternoon on the 6 but he was not allowed on the property. He was put under constant surveillance.<sup>315</sup>

The search began early in the afternoon of February 7, 2002, with 85 officers and personnel.<sup>316</sup> Initially, officers only videotaped and photographed the trailer. When the search actively began, many more of Bottomley's belongings were found, including her identification and cheque stubs. There were numerous articles of women's clothing,

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<sup>310</sup> *R. v. Pickton*, *supra* note 308 at 3.

<sup>311</sup> Cameron, *supra* note 3; VPD, *supra* note 15 at 183-4; MWI [#2A], *supra* note 22 at 137.

<sup>312</sup> Cameron, *supra* note 3.

<sup>313</sup> *R. v. Pickton* [2006] BCSC 995 at 5.

<sup>314</sup> MWI [#2A], *supra* note 22 at 182.

<sup>315</sup> Cameron, *supra* note 3; MWI [#2A], *supra* note 22 at 138.

<sup>316</sup> "3:00 PM media briefing" RCMP (11 February 2002).



jewellery, sex toys, and syringes – some filled with anti-freeze – found in the trailer. In a garbage can outside, more asthma inhalers belonging to Abotsway were found. In another trailer on the property, what appeared to be blood was found in several places.<sup>317</sup> Families of the missing women were notified that the search was underway and that evidence of some of the missing women had been found.<sup>318</sup>

The Picktons had sold off parts of their property to developers; 6.9 hectares remained. The entire site was declared a crime scene. In order to effectively search the property, investigators divided the property into 216 grids of 20 square meters. Over the course of the search, 258,081 cubic meters of soil would eventually be excavated.<sup>319</sup> The dirt had to be sifted for bones, teeth, clothing, jewelry and other evidence. There were seven buildings and trailers, including Dave Pickton's farmhouse, that had to be searched.<sup>320</sup> The Pickton property on nearby Burns Road, where Piggy's Palace was located, was also searched.<sup>321</sup>

Over days, weeks and months, trailers for police offices, bathroom facilities, refrigerated trucks to hold biological samples, heavy equipment and conveyer belts necessary to sort the soil, a perimeter fence and lighting were brought onto the property. A large tent known as the Family Tent or Healing Tent was erected in a nearby Home Depot parking lot, which used to be part of the Pickton property. The tent was located next to the property to provide privacy for the families and protection from the weather.<sup>322</sup>

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<sup>317</sup> Cameron, *supra* note 3.

<sup>318</sup> MWI [#2A], *supra* note 22 at 138.

<sup>319</sup> *R. v. Pickton*, *supra* note 158 at 8.

<sup>320</sup> *Ibid.* at 7. The court decision uses cubic yards; it has been converted to cubic meters.

<sup>321</sup> According to Adam, evidence was planted at the Burns Road location in order to obstruct the Pickton investigation but charges were not laid as they were unable to prove who was responsible. Adam, *supra* note 127.

<sup>322</sup> Cameron, *supra* note 3; Lori Culbert, "Chapter 2 - Search and arrest" *Vancouver Sun* (2007); "Missing women investigation – media briefing 2:00 pm" *RCMP* (13 February 2002).

The work that Evenhanded and the forensic laboratories had conducted to obtain DNA profiles of the missing women would prove to be important in quickly linking the women to the property. Forty-seven DNA profiles of missing women had been developed prior to Pickton's arrest.<sup>323</sup> A week after the search began, DNA linked Sereena Abotsway to items found in the trailer, including a bag with her blood on it. Evenhanded requested that anyone who had been to the property contact them to have their DNA submitted for comparison and elimination. The RCMP guaranteed in writing that the DNA would only be used for the purposes of the Pickton investigation.<sup>324</sup> On February 21, Pickton's last victim, Mona Wilson, became the first confirmed murder victim on the property. Wilson's blood was found on numerous items in the motorhome. The blood evidence and asthma inhalers were sufficient for Evenhanded to receive charge approval from the Crown. Pickton was charged with two counts of first degree murder on February 22 in the Wilson and Abotsway cases.

An undercover officer awaited Pickton's arrival in the jail cell with video and audio capabilities. The jail cell had signs advising inmates that the cells had both video and audio equipment. Pickton was also informed verbally of the recording devices. Pickton spoke freely to the undercover officer in a disjointed, rambling monologue which included topics from his childhood to the Ringwald case. Although it had not yet been raised by police or the media, Pickton told the undercover cell plant that the police thought he had fed victims' bodies to his pigs. He admitted he disposed of the bodies of his victims at a rendering plant. Pickton also divulged that he had killed 49 women. He related that he had hoped to reach

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<sup>323</sup> Adam, *supra* note 127.

<sup>324</sup> "Missing women....," *supra* note 323; "Missing women investigation – media briefing 2:00 pm" *RCMP* (14 February 2002).

“the big five-oh” before taking a break from killing. Pickton explained that after a break he planned to kill a further 25 women. Pickton appeared to be proud that he had killed more women than Ridgeway, the Green River Killer in Seattle.<sup>325</sup>

Pickton was interviewed by the RCMP on February 23. Although he had spoken to his lawyers, they were not present. In 11 hours of questioning Pickton agreed with Adam that the DNA of several women would be found in the various buildings. Pickton said that the remains of one man would be found but that he had not murdered him. He referred to himself as the “head guy” and “head honcho” but would not confirm that anyone else was involved. The interviewers specifically asked about Dave Pickton, Taylor and Ellingsen but Pickton said he would take the fall.<sup>326</sup> He told Adam that he had thought about stopping but that he had “one more [murder] planned, then he had gotten “sloppy.”<sup>327</sup>

Over 300 investigators, civilian searchers, experts and public servants would be part of the Evenhanded investigation of the Pickton property. Laboratory staff across Canada processed 653,000 exhibits. The amount of evidence threatened to overwhelm Canadian laboratories and did impact the various stages of the trial due to delays. The need to effectively manage the number of DNA exhibits led to the creation of a robotic arm to help facilitate the processing of the exhibits.<sup>328</sup> During the 2007 Pickton trial, Williams J. commented on the plethora of forensic evidence produced throughout the search:

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<sup>325</sup> Cameron, *supra* note 3; Lori Culbert and Neal Hall, “Undercover Mountie recalls chilling exchange in cell” *Vancouver Sun* (07 February 2007); “Jailhouse interview with Robert Pickton” *CBC News*.

<sup>326</sup> Portions of the videotaped interview and transcripts of the interview and Pickton’s discussion with the undercover officer in his cell can be found at: “Pickton interrogation video released” *CBC News* (09 August 2010).

<sup>327</sup> *R. v. Pickton*, *supra* note 158 at 30.

<sup>328</sup> “Robert Pickton trial – post verdict statements by Joint Missing Women Task Force” *RCMP* (09 December 2007).

Over the course of the investigation, several hundreds of thousands of exhibits have been submitted for forensic analysis. The result was to virtually swamp the capacity of the RCMP's laboratory facilities across the country.<sup>329</sup>

Over the next two years, the DNA of 33 women would be found; 32 women were identified. Sadly, no whole bodies were found. Many of the women would be identified from tiny traces of blood, bone, teeth, or saliva. In many cases, the DNA found was from extremely small samples. Pickton was eventually charged with 27 counts of first degree murder.

### **i. Count 22: Jane Doe**

In February 1995, the bisected skull of Jane Doe was found in a slough off the Lougheed Highway in Mission. The medical examiner confirmed the woman was a homicide victim. He estimated that she had died between 12 to 24 months (1993 or 1994) prior to the discovery of her skull, but death could have been as early as 1985.<sup>330</sup> He determined that the skull had not been in the slough since her death.<sup>331</sup> This conclusion was based on the fact that there was no sign of animal scavenging and the skull was not coated with adipocere, also known as grave wax or mortuary wax.<sup>332</sup> A search by police in 1995 did not result in finding further remains. She was thought to be a young adult woman of European or Aboriginal descent.<sup>333</sup>

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<sup>329</sup> *R. v. Pickton* [2007] B.C.J. No. 3096 at 2.

<sup>330</sup> MWI [#2A], *supra* note 22 at 90; *R. v. Pickton* [2006] B.C.J. No. 3662 at 4; Cameron, *supra* note 3 at 1-5; Lori Culbert, "Skull found in 1995 linked to bones on farm" *Vancouver Sun* (04 May 2007); MWI [#34], *supra* note 10 at C8.

<sup>331</sup> Cameron, *supra* note 3 at 1-5; Culbert, *supra* note 331.

<sup>332</sup> Adipocere is a naturally occurring transformation of body fat into a greasy substance. It occurs in "warm, moist, oxygen-poor environment. Forms in well-nourished subjects in a matter of weeks or months and may persist for two or more years in exceptional circumstances." Mark Skinner and Richard A. Lazenby. *Found! Human remains: A field manual for the recovery of the recent human skeleton*. (Burnaby: Archaeology Press, Simon Fraser University, 1983).

<sup>333</sup> Lori Culbert, "Witness tells of finding human skull near Mission" *Vancouver Sun* (21 March 2007); "Woman's remains found in 1995 at Mission site" *CBC News*, (22 July 2003); "Man delayed telling police about skull he found, Pickton trial told" *CBC News* (20 March 2007); Adam, *supra* note 127; Cameron, *supra* note 3 at 1-5, 579.

In August 2001, Bob Paulson wrote to Adam about the partial skull, suggesting that it “may represent a shift towards a more elaborate disposal method by a killer.”<sup>334</sup> Paulson postulated that it was possible that Jane Doe was related to the missing women cases.<sup>335</sup> Information about Jane Doe was added into the Evenhanded database.<sup>336</sup>

In April 2002, the bisected heads of Joesbury, Abotsway and Wilson were found in pails on the Pickton property.<sup>337</sup> Investigators, medical examiners and the forensic anthropologist involved were reminded of the unsolved case of the Jane Doe homicide victim from eight years prior. The heads found in the pails were bisected in the same manner as the Jane Doe skull. The cause of death for Jane Doe was unknown. In the Joesbury, Abotsway and Wilson cases, bullet holes and bullets were found in the victims’ skulls.<sup>338</sup> Bones found in the 2002 excavation of the Pickton property were analyzed and the DNA matched the Mission slough Jane Doe.<sup>339</sup> Count 22 of the B.C. Supreme Court indictment against Pickton was related to an unknown woman, known as Jane Doe.<sup>340</sup>

Following the confirmation that the Mission Jane Doe’s DNA was on the Pickton property, a search involving half of the 104 archeology students assigned to the Pickton property was undertaken at the Mission site where Jane Doe’s skull was found in 1995. No further remains were located.<sup>341</sup>

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<sup>334</sup> MWI [#98], *supra* note 43 at 176.

<sup>335</sup> Paulson is now the Commissioner of the RCMP.

<sup>336</sup> MWI [#34], *supra* note 10 at C157.

<sup>337</sup> Blood evidence in the motorhome suggested that Wilson had been whipped with a handheld shower head and stabbed before she was shot.

<sup>338</sup> Lori Culbert, “3 women died of gunshots, trial heard” *Vancouver Sun* (03 May 2007); Lori Culbert, “Women’s skulls cut with power saw, expert says” *Vancouver Sun* (09 May 2007); Cameron, *supra* note 3 at 547-551.

<sup>339</sup> Steve Mertyl, “Accused killer Robert Pickton facing 12 new first degree murder charges” *MacLeans* (25 May 2005); “The Robert Pickton...,” *supra* note 124; Culbert, *supra* note 331.

<sup>340</sup> *John Doe* or *Jane Doe* is the usual name given to a person who cannot be named or human remains of decedents who have not been identified.

<sup>341</sup> Cameron, *supra* note 3 at 629; Adam, *supra* note 127.

## ii. Public Health Notices of Potentially Contaminated Pork Products

In a case already defined by shocking information and horrific finds, the discovery of eight packages of solid and ground meat in the freezer led to further revulsion. The packages were determined to be the remains of Cindy Feliks and Inga Hall.<sup>342</sup> The evidence had been found in July 2002 and identified as containing human flesh in November.<sup>343</sup>

Police had long suspected that Pickton had disposed of his victim's bodies by feeding them to his pigs and through rendering plants. That Pickton had cannibalized the women seemed not to have been thought of as a possibility until the DNA results on the packages were revealed. Caldwell had told police in 1999 that he believed he had been fed human flesh, which prompted him to move off the property. Witnesses in the trial testified about Pickton giving away pork to friends, especially to women and children.<sup>344</sup>

Provincial health officials did not issue a public health warning regarding the potential of contaminated pork until March 2004. The health alert requested that anyone who had frozen pork products from the Pickton property should bring it to police. The release did not state that the meat products might be human remains or even that they might have been contaminated by human remains.<sup>345</sup> The alert was vague as to how the pork could have been contaminated but stated that there was no proof that anyone had consumed contaminated meat.<sup>346</sup> The B.C. Centre for Disease Control (BCCDC) investigated the issue and concluded that:

there is no evidence of any disease transmission related to products from the farm. BCCDC officials have added the risk to human health for those who

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<sup>342</sup> Cameron, *supra* note 3 at 574, 600; MWI, *April 17, 2012*; Ethan Baron, "Details of trial can now be revealed" *The Province* (05 August 2010).

<sup>343</sup> Cameron, *supra* note 3 at 574, 647.

<sup>344</sup> Cameron, *supra* note 3; Baron, *supra* note 343.

<sup>345</sup> "Human remains from pig farm may have gotten in meat" *Seattle Post Intelligencer* (11 March 2004).

<sup>346</sup> Petti Fong and Amy O'Brian, "Human remains suspected in Pickton meat" *Vancouver Sun* (11 March 2004).

consumed the products is extremely remote, based on the fact most pork products are typically well cooked, which is known to effectively destroy most infectious agents.<sup>347</sup>

Many of the women whose remains were identified at the Pickton farm, and those still missing, were known to have HIV and hepatitis C. The risk of illness was considered remote but the full state of the situation was understated in the alert. At a press conference the provincial health officer discussed the possibility that contamination of pork products with human DNA could have occurred because of the unsanitary conditions of the slaughterhouse. However, the possibility that the recalled meat might be human was not released.<sup>348</sup> The RCMP further advised that there was no evidence of the meat having been sold retail, despite the numerous Pickton associates who claimed otherwise.<sup>349</sup> The reason for the two-year delay in issuing an alert has not been explained, nor has the obfuscation about the extent and ways people could have consumed human flesh.<sup>350</sup>

The reaction from the public was one of horror and concern over disease transmission. For the family and friends of the murdered women, the thought of victims being fed to pigs was unfathomable.<sup>351</sup> The families of Feliks and Hall had only been told that DNA had been found confirming the women were dead. The details of what was in the packages were revealed during the voir dire hearing, which was a shocking disclosure for all

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<sup>347</sup> B.C.. Public Affairs Bureau, Ministry of Health Services and the RCMP. *Information bulletin: Provincial health officer issues alert*. (Vancouver: Ministry of Health Services and the RCMP, 10 March 2004).

<sup>348</sup> Allan Dowd, "Meat from Canada farm may have had human remains" *Reuters* (10 March 2004); Petti Fong and Amy O'Brian, "Human remains suspected in Pickton meat" *Vancouver Sun* (11 March 2004); Amy Carmichael, "Police warning about pig farm meat unleashes storm of emotion" *Canadian Press* (11 March 2004).

<sup>349</sup> Cameron, *supra* note 3 at 574, 647; "Missing Women Joint Task Force seeks help" *RCMP* (10 March 2004).

<sup>350</sup> In July 1999, an informant had first told police that he suspected he had been fed human flesh by Pickton. VPD, *supra* note 15 at 119.

<sup>351</sup> Amy Carmichael, "Police warning about pig farm meat unleashes storm of emotion" *Canadian Press* (11 March 2004).

the families but none more so than for the families of Feliks and Hall.<sup>352</sup> Inexplicitly, a charge against Pickton for the Feliks homicide was not laid until May 2005.

### iii. The List of Missing Women Continues to Grow

Following Pickton's arrest, Evenhanded issued a request to the public to call and report family members of women in the Lower Mainland if they had not been heard from in some time, were involved in the sex trade or were a drug addict. Lori Ann Ellis called to report her sister-in-law, Cara Ellis, missing in February 2002. A few weeks later, two members of Evenhanded came to her home in Calgary to make further inquiries. Information about Ellis was provided, including information that her last known boyfriend was a member of the Hells Angels. Two years later, three victim's support members with Evenhanded journeyed to Calgary to inform the family that Ellis' DNA had been found on the Pickton property.<sup>353</sup>

Police continued to issue updates on women who had been reported as possible missing persons or Pickton victims. On March 28, 2002, the task force informed the public that Anne Wolsey had been found alive, but that investigators were attempting to determine if Yvonne Boen, Tiffany Drew, Maria Laliberte and Ruby Hardy were missing.<sup>354</sup> Boen and Drew would eventually be identified as Pickton victims. Laliberte and Hardy remain missing.

On September 19, 2002, Yvonne Abigosis, Wendy Allen, Dawn Cooper, Sheryl Donahue, Tanya Emery, Linda Grant, Richard (Kellie) Little, Teresa Triff and Lillian O'Dare were officially added to the missing list. The RCMP advised that since Pickton's

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<sup>352</sup> Ward *et al.*, *supra* note 63 at 77; Cameron, *supra* note 3 at 600; MWI [Apr. 17], *supra* note 343 at 49.

<sup>353</sup> Ward *et al.*, *supra* note 63 at 45.

<sup>354</sup> "Missing Women Joint Task Force – news media update" RCMP (28 March 2002).



arrest, 19 women had been found alive and two had been confirmed dead. None of these eight missing women was a known Pickton victim. Emery and Allen were eventually found alive, Cooper was confirmed dead of natural causes and O'Dare was identified from skeletal remains. In November 2002, Marilyn Moore and Verna Littlechief were added to the official list. Two missing women, Lenora Olding and Elizabeth Chalmers, were investigated but were not added to the list as they did not fit the profile of the missing women. As of December 2002, the number of missing women stood at 61.<sup>355</sup> Pickton had claimed to have killed 49 women. If this was true, it would leave 16 of his victims unidentified. This would leave 45 missing women unrelated to the Pickton case.

On November 20, 2003, the JFO asked for assistance in locating four more women. They were Sharon Goselin, Cara Ellis, Gloria Fedyshyn and Sharon Ward.<sup>356</sup> The following week, it was announced that Goselin had been located; she had died in 2001. At this point, the JFO had located 66 women alive, and seven who were dead in various manners unrelated to the Pickton file.<sup>357</sup>

After 19 months, the search at the Pickton property was concluded although the evidence continued to be processed for several more years. The Pickton properties on Dominion Avenue and Burns Road and the Mission area slough had been thoroughly searched, soil sifted and buildings demolished. The Pickton property had once been 16 hectares but had been sold to developers for millions. There were houses, a school and

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<sup>355</sup> "Missing Women Joint Task Force news media advisory" *RCMP* (25 July 2002); "Sought by Missing Women's Joint Task Force" *Vancouver Sun* (26 July 2002); "'Missing' woman died five years ago" *Canada.com* (10 December 2002); "Missing Women Joint Task Force locates on [sic] the 63 missing women" *RCMP* (04 December 2002); "Statement issued by Joint Missing Task Force (with update)" *RCMP* (27 November 2002).

<sup>356</sup> "Missing Women Joint Task Force seek public's assistance locating 4 women" *RCMP* (20 November 2003).

<sup>357</sup> "Updated: Sharon Anne Goselin located" *RCMP* (01 December 2003); "Missing Women Joint Task Force seek public's assistance locating 4 women" *RCMP* (20 November 2003).

shopping centres on former Pickton land. The topsoil from the land had been sent all over the Lower Mainland.<sup>358</sup> There remains the possibility that there were bones and teeth in that dirt that will never be recovered.

Pickton's earliest identified victim, Nancy Clark, disappeared from Victoria in 1991 and there are no confirmed murder victims of Pickton before 1991. Pickton was a person of interest in the 1985 murder of Pauline Johnson but charges were never laid.<sup>359</sup> The majority of his identified victims were last seen between 1997 and 2001. Figure 6-3 details the year Pickton's known or suspected victims were last seen or attacked, including Ringald.<sup>360</sup>

Jane Doe's bisected skull was found in Mission in 1995, which suggested that Pickton had disposed of at least one of his victims in rural areas. There were no confirmed victims between 1991 and 1995. The year of Jane Doe's death could not be conclusively determined and was likely sometime between 1992 and 1994. Adam explained to the MWI that Jane Doe:

was killed by Pickton probably. What it really meant is that by – as you're well aware, of course, Pickton's first time he killed [sic] was in 1991. We have – we've identified a victim on his farm from '91. But what this told us later is that he was a fully functioning serial killer by '95 who had perfected his method of – of not allowing the remains to be identified. So it was something he clearly was very aware of. He clearly was removing those identifiable parts from his farm as early as 1995.<sup>361</sup>

If Pickton had indeed murdered 49 women as he had told his cellmate, the remains of his other 16 victims are not likely to be found.

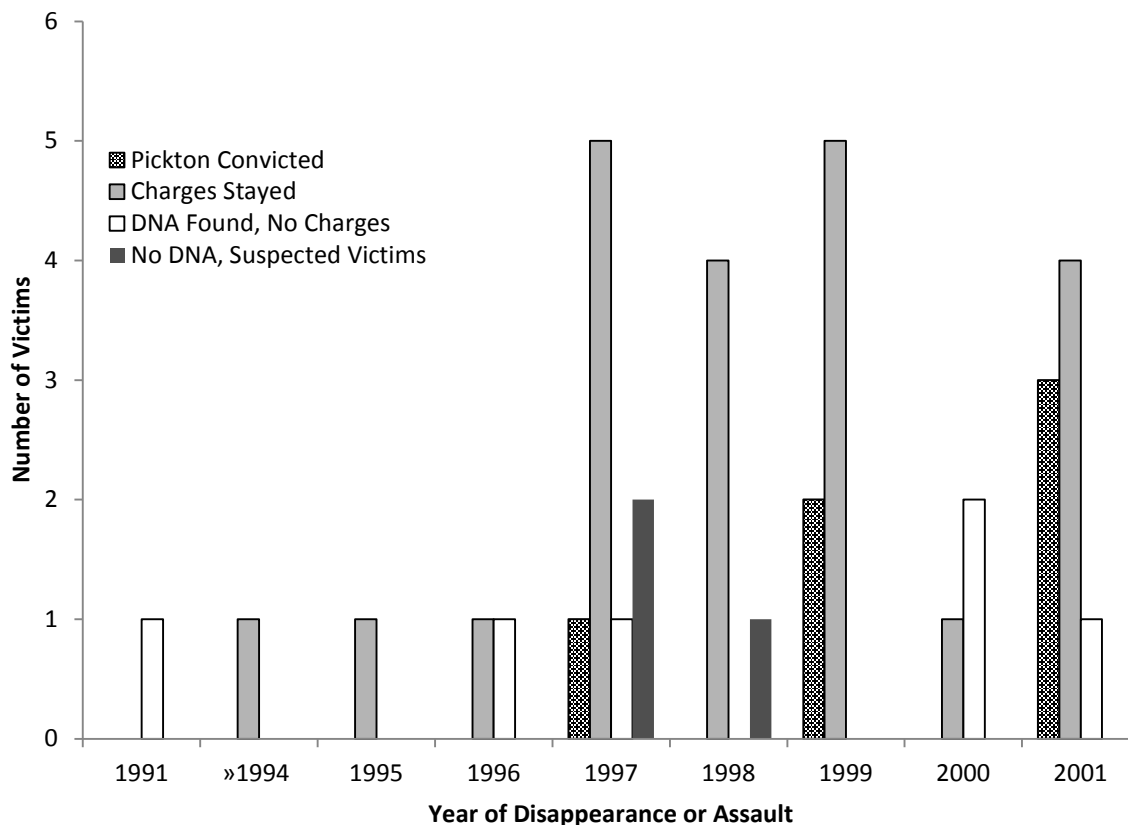
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<sup>358</sup> Cameron, *supra* note 3 at 18, 565, 642.

<sup>359</sup> MWI [#34], *supra* note 10 at 8-69.

<sup>360</sup> Victims in this chart include Ringwald in "Charges Stayed" category, and Little, Creison and Henry in the "No DNA, Suspected Victims" category. Jane Doe's year of death is listed as ≈1994 (approximately 1994), the most likely year of her death.

<sup>361</sup> MWI [Feb. 15], *supra* note 216 at 14.

**Figure 6-3: Year Pickton Victim Last Seen or Attacked (N=37)<sup>362</sup>**

Approximately 80 DNA profiles found during the investigation of the Pickton property have not been identified, of which 50 are male and 30 are female. Evenhanded had collected 750 DNA profiles from investigators, Pickton associates and family, the families of missing women and anyone who might have visited the property. The DNA does not denote that any harm came to the contributors; just that they had been to the property and have not provided a sample to be compared against the found DNA. However, one of the unidentified female DNA samples was found on a sex toy in Dave Pickton's home, a floor vent in

<sup>362</sup> The year of disappearance is taken from the Evans and LePard reports. See, MWI [#34], *supra* note 10 at Sections C and D; MWI [#1], *supra* note 24 at 402-5.

Pickton's trailer and inside a freezer in the slaughterhouse where other women's heads, hands and feet were found, which suggests one more possible victim.<sup>363</sup>

## VIII. THE PICKTON TRIAL

On January 13, 2003, Pickton's preliminary trial on 15 counts of first degree murder began. A publication ban was imposed at the request of the defence although Stone J. declined their request to close the courtroom.<sup>364</sup> Police, experts, Pickton associates and friends testified for months. Pickton's only living victim, Ringwald, testified about the events leading to the 1997 attempted murder charges against Pickton. Ringwald no longer used drugs and was a strong, confident witness. The preliminary trial concluded on July 23, 2003.

During the course of the preliminary trial, the RCMP charged Pickton with seven additional counts of first degree murder. Stone J. committed Pickton to stand trial on the fifteen counts that were laid prior to the preliminary trial. The last seven counts, he ruled, should be included through a direct indictment as they had been laid after the commencement of the preliminary trial.<sup>365</sup> On May 25, 2005, a direct indictment was filed; Pickton faced a total of 27 counts of first degree murder.<sup>366</sup>

On January 30, 2006, the *voir dire* commenced under the direction of Justice James Williams. The publication ban remained in effect. Pickton pleaded not guilty to 26 counts of first degree murder. He refused to enter a plea to Count 22, that of Jane Doe.<sup>367</sup> The direct indictment had read: "Robert PICKTON, before the 23rd day of February, 1995, at or near

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<sup>363</sup> Lori Culbert, "Pickton jury learns who is linked by DNA to evidence" *Vancouver Sun* (06 April 2007); Lori Culbert, "Pickton trial gets massive amount of DNA evidence" *Vancouver Sun* (30 April 2007).

<sup>364</sup> *R. v. Pickton* [2002] B.C.J. No. 2830.

<sup>365</sup> Cameron, *supra* note 3 at 589-607, 627-639.

<sup>366</sup> *R. v. Pickton*, *supra* note 331 at 2.

<sup>367</sup> A new sketch of Jane Doe was released in 2011 but she remains unidentified. Lori Culbert, "Police release sketch to identify Pickton-linked Jane Doe" *Ottawa Citizen* (21 February 2011), A3.

Port Coquitlam, in the province of British Columbia, did commit the first degree murder of Jane Doe, contrary to Section 235(1) of the Criminal Code.”<sup>368</sup> The defence moved to quash Count 22. Their position was that, among other arguments, the vague assertions of location and lack of identity made the advancement of a defence for this alleged crime impossible.<sup>369</sup> The Crown sought to amend the charge to read “between the 23rd day of February, 1985 and the 23rd day of February, 1995.”<sup>370</sup> Williams J. ruled that the inability to identify Jane Doe itself may not nullify the count but the vague timelines surrounding her death and the inability to describe the victim made it “impossible to identify the transaction to which Count 22 relates in the circumstances of this particular case.”<sup>371</sup> He declared the charge a nullity and quashed the count.<sup>372</sup>

Williams J. ruled on the admissibility of evidence including the firearm search, interviews and surveillance in numerous decisions. Then-Corporal Dana Lillies was a new member of the RCMP investigative team assigned to interview and profile Pickton.<sup>373</sup> She was chosen to speak to Pickton during the weeks before his arrest on murder charges. She did introduce herself as a police officer and warned him that anything he told her could be used in evidence. However, Lillies did not disclose she was part of the investigation into the missing women and portrayed herself as a rogue officer, outside of the fold. Williams J. ruled that the voluntariness of Pickton’s statements to Lillies was in question. The taped conversations and her testimony were precluded from introduction as evidence in the trial. In

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<sup>368</sup> *R. v. Pickton*, *supra* note 331 at 2.

<sup>369</sup> *Ibid.*

<sup>370</sup> *Ibid.* at 12.

<sup>371</sup> *Ibid.* at 10.

<sup>372</sup> *Ibid.* at 14; Lori Culbert, “Pickton judge throws out evidence” *Vancouver Sun* (11 September 2007); Lori Culbert, “Pickton case loses its Jane Doe” *Vancouver Sun* (11 September 2007); Culbert, *supra* note 339; “Remains on Pickton farm resembled those in unsolved case: testimony” *CBC News* (26 February 2007).

<sup>373</sup> For a description of Lillies’ interactions with Pickton, see: Cameron, *supra* note 3 at 442-53, 461-67.

the same ruling, Williams J. deemed that the formal statement of Pickton following his arrest and the undercover cell plant evidence was admissible.<sup>374</sup> The audio and video surveillance from the jail was admitted.<sup>375</sup> Pickton's application to exclude evidence found as a result of the firearm search was dismissed.<sup>376</sup> Ellingsen's testimony regarding the body in the barn was deemed admissible, as were statements made by Pickton to Chubb.<sup>377</sup>

Pickton's legal team made several requests for information related to Ringwald, described in the proceedings as "Person X."<sup>378</sup> The defence sought to exclude the evidence from the 1997 attack including his clothing and handcuffs which remained in evidence. Evenhanded had taken custody of the material and ordered it forensically tested in March 2002. Despite some breaches related to the handling of the clothing, Williams J. ruled that the evidence was admissible.<sup>379</sup> However, at a later ruling, Ringwald's testimony was determined to have minimum probative value, and due to the potential for prejudice, Ringwald was not allowed to testify at Pickton's trial.<sup>380</sup>

The defence argued that it was necessary to sever the charges based on a "logical factual division between the counts that favours proceeding on a shortened indictment of six counts."<sup>381</sup> Defence counsel argued that without a severance, the case would take between 96½ to 99½ weeks. With a severance they anticipated the trial would take a year. They further argued that this would require far more time, instruction and evidence than one jury

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<sup>374</sup> *R. v. Pickton*, *supra* note 314 at 7-8, 158.

<sup>375</sup> *R. v. Pickton* [2006] B.C.J. No. 3663.

<sup>376</sup> *R. v. Pickton*, *supra* note 308.

<sup>377</sup> *R. v. Pickton* [2006] B.C.J. No. 3681; *R. v. Pickton* [2006] B.C.J. No. 3674; *R. v. Pickton* [2006] BCSC 1448.

<sup>378</sup> *R. v. Pickton* [2006] B.C.J. No. 3668; *R. v. Pickton* [2005] B.C.J. No. 3248.

<sup>379</sup> *R. v. Pickton* [2006] B.C.J. No. 3670.

<sup>380</sup> *R. v. Pickton* [2006] B.C.J. No. 3672.

<sup>381</sup> *R. v. Pickton* [2006] B.C.J. No. 3671.

could reasonably manage.<sup>382</sup> The Crown objected to a severance and argued that the 26 remaining counts on the indictment “cried out” to be tried in one trial.<sup>383</sup>

The Crown submits that since the proof of any one count on the Indictment depends principally on DNA analysis, the number of counts does not add appreciably to the complexity of the trial. While each of the 26 counts is specifically proved by the evidence of the named woman’s disappearance, presumed death and DNA findings, that is done against the identical backdrop of the circumstantial evidence discovered during the investigation, the evidence of witnesses who had direct dealings with Mr. Pickton, and Mr. Pickton’s own statements. Thus, it says, severance would have a relatively limited impact on the overall length of the trial. The Crown disputes Mr. Pickton’s estimates of trial length, and calculates that a trial on all 26 counts could complete in approximately 11 months.<sup>384</sup>

Williams J. granted a severance of the charges. The reason given for proceeding on six counts was that there was proof of death in these cases whereas the other cases were, for the most part, related to women whose DNA had been found on the property but whose remains had not been located.

There is direct evidence that the victims in Counts 1, 2, 6, 7, 11 and 16 are dead, as a portion of their remains were found on Mr. Pickton’s property. The fact that there is no issue that they are dead and were at the property dramatically reduces the amount of circumstantial evidence to be called by the Crown. In contrast, the Crown will be required to call extensive evidence with respect to the circumstances in which the other 20 women went missing.<sup>385</sup>

The six cases were those of Abotsway, Wilson, Joesbury, Wolfe, Papin and Frey.

Williams J. agreed that the severance was necessary so as to avoid an undue burden on the jury and because the factual evidence was different. He ordered that the requested six counts continue to trial.

The Crown was opposed to any order for severance and therefore did not advance a position as to an appropriate division of counts in the event I found

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<sup>382</sup> *Ibid.* at 3.

<sup>383</sup> *Ibid.* at 4.

<sup>384</sup> *Ibid.*

<sup>385</sup> *Ibid.* at 3.

severance to be necessary. I find merit to Mr. Pickton's proposed manner of severance insofar as it pertains to the Six Counts standing together on one indictment, and I order that all counts other than those six be severed from the Indictment.<sup>386</sup>

The remaining 20 would not be tried at the same time although Williams J. was clear that the Crown could proceed to trial with these counts in the future.<sup>387</sup>

The Crown brought forward an application to include the cases of Crawford, Feliks and Hall. These were not among the counts proposed by the defence to form the first trial. A partial bone belonging to Crawford had been identified. In the cases of Feliks and Hall, their flesh had been found in packages in freezers. The three women were certainly deceased. The Crown argued that these cases involved similar fact evidence and should be included in the first trial with the other six counts. Abotsway, Wilson and Joesbury were all found to have died as a result of gunshots before they were dismembered and their heads were cut in half with a saw. Wolfe's partial mandible had tool mark evidence consistent with having been cut with a saw. Papin's hand bones and Frey's mandible had no tool marks. The defence agreed that the evidence indicated that all six women were dead. Feliks' DNA had been found in and on two freezers and within core samples of seven packages of meat that contained both human and swine protein. One package contained a mixed profile with Hall as a possible contributor to that sample. Hall's DNA was identified from a clump of hair in a bag, from within two packages of meat and from within a freezer. The packages of meat were found in the same freezer where Joesbury's and Abotsway's remains were found. Crawford's DNA

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<sup>386</sup> *Ibid.* at 16.

<sup>387</sup> *Ibid.* at 16-7.



was identified from a 7-cm piece of bone. Pickton's defence alleged that this bone was an Aboriginal artifact that had become contaminated with Crawford's DNA.<sup>388</sup>

Williams J. concluded that the DNA evidence showed that Feliks and Hall had been murdered and dismembered. He further noted that he was satisfied that the same person murdered Joesbury, Wilson and Abotsway. However, he found that there was no definitive link between the freezers, the remains and Pickton.<sup>389</sup> With regard to Crawford, he found that it was likely, although not without some doubt, that the bone was hers:

Accepting, then, that the bone is a piece of long bone originating from Ms. Crawford and that she has not been seen since late 1999, I am also satisfied on a balance of probabilities that she is dead, was murdered and was dismembered.<sup>390</sup>

He was not satisfied that there was sufficient evidence to support the allegation that Pickton was responsible for her death and dismemberment.<sup>391</sup> Despite the physical evidence that confirmed with certainty that Feliks and Hall were deceased, Williams J. ruled that the three cases would not be included in the first trial.<sup>392</sup> The trial would proceed with only six cases, with the expectation that the other 20 cases would follow.<sup>393</sup> Figure 6-4 provides an overview of known and suspected Pickton victims, the evidence that linked them to Pickton or his property, whether charges were laid, and the outcome.

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<sup>388</sup> *R. v. Pickton* [2006] B.C.J. No. 3676 at 1-10.

<sup>389</sup> *Ibid.* at 11-14.

<sup>390</sup> *Ibid.* at 15-16.

<sup>391</sup> *Ibid.* at 17.

<sup>392</sup> *Ibid.* at 20.

<sup>393</sup> *R. v. Pickton*, *supra* note 3382 at 2.

**Figure 6-4: Evidence Linking Known and Suspected Victims to Pickton or his Property**<sup>394</sup>

| # | Name                 | Last Seen               | Outcome                                                                                                                                                                                                                     | Evidence Linking Victim to Pickton or the Pickton Property                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---|----------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Sereena Abotsway, 29 | July 18 or Aug. 1, 2001 | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Feb. 22, 2002, in first set of two charges</li> <li>–Count 1</li> <li>–Pickton convicted of second degree murder Dec. 10, 2007</li> </ul> | <ul style="list-style-type: none"> <li>–4 asthma inhalers</li> <li>–Abotsway’s bisected head, hands and feet found in a bucket in a freezer</li> <li>–Possessions identified as belonging to Abotsway</li> <li>–One hair</li> <li>–DNA on syringes, along with another DNA profile</li> <li>–Blood on her belongings and items in the trailer</li> <li>–Unknown male DNA was found on Abotsway’s teeth</li> <li>–A friend of Abotsway testified she had seen Abotsway with a man she believed to be Pickton in the summer she disappeared</li> <li>–Houston testified she had seen Taylor with Abotsway at Pickton’s trailer and that the two were arguing</li> </ul> |
| 2 | Mona Wilson, 26      | Dec. 1, 2001            | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Feb. 22, 2002, in first set of two charges</li> <li>–Count 2</li> <li>–Pickton convicted of second degree murder Dec. 10, 2007</li> </ul> | <ul style="list-style-type: none"> <li>–Wilson’s blood on a mattress and numerous items and surfaces in motorhome</li> <li>–Wilson and Pickton’s DNA was identified on a sex toy (dildo) found on a firearm</li> <li>–Wilson’s bisected head, hands and feet found in a bucket in a building (not in a freezer)</li> <li>–Wilson’s DNA on the slaughterhouse door was mixed with that of Casanova</li> <li>–Taylor’s DNA was found on Wilson’s rosary</li> <li>–Houston testified she heard a woman screaming in the background when she was on the phone. Post-arrest, Pickton admitted the woman was Wilson</li> </ul>                                              |

<sup>394</sup> Lori Culbert, “Key witness dies before top court can rule on killer pig farmer” *Vancouver Sun* (11 April 2010); Lori Culbert, “Pickton murders: Explosive evidence the jury never heard” *Vancouver Sun* (05 August 2010); MWI, *Exhibit 36 – Document entitled – Supreme Court of British Columbia indictment Against Robert Pickton (RCMP-002-008007)*; “Man charged in connection with Missing Women Joint Task Force investigation” *RCMP* (22 February 2002); “Joint Missing Women Task Force – news briefing 2:00 pm.” *RCMP* (02 April 2002); “Joint Missing Women Task Force – news briefing 11:00 am” *RCMP* (17 April 2002); “Joint Missing Women Task Force – news briefing 1:00 pm” *RCMP* (22 May 2002); “Media advisory!!! News conference today at 9:30 AM” *RCMP* (19 September 2002); “Missing Women Joint Task Force – news briefing” *RCMP* (02 October 2002); “Missing Women Joint Task Force media statement” *RCMP* (27 January 2004); Lori Culbert, “Chapter 3 - The evidence” *Vancouver Sun* (2007); Suzanne Fournier, “Six more charges likely for Pickton” *The Province* (29 October 2009); Steve Mertl, “Accused killer Robert Pickton facing 12 new first degree murder charges” *MacLeans* (25 May 2005); Lori Culbert, “Friend of dead woman says she saw victim with Pickton” *Vancouver Sun* (18 May 2007); Lori Culbert, “Witness tells of paid sex on Pickton’s bed” *Vancouver Sun* (06 June 2007); Neal Hall, “Officer recalls stopping Pickton’s truck” *Vancouver Sun* (11 July 2007); MWI [Feb. 15], *supra* note 216 at 45; MWI, *Exhibit 47 – Documents introduced by the VPD by DCC Lepard* [sic] at 315; Ward, *et al.*, *supra* note 63 at 58.

| # | Name                    | Last Seen               | Outcome                                                                                                                                                                                                                    | Evidence Linking Victim to Pickton or the Pickton Property                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---|-------------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3 | Jacqueline McDonell, 26 | Jan. 21, 1999           | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, April 2, 2002, in second set of three charges</li> <li>–Count 3</li> <li>–Charge stayed</li> </ul>                                       | <ul style="list-style-type: none"> <li>–DNA of Pickton and McDonell on handcuffs</li> <li>–McDonell's blood on handcuffs</li> <li>–McDonell may have been the woman Ellingsen saw murdered in the barn, although it is more likely to have been Georgina Papin</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4 | Dianne Rock, 34         | Oct. 19, 2001           | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, April 2, 2002, in second set of three charges</li> <li>–Count 4</li> <li>–Charge stayed</li> </ul>                                       | <ul style="list-style-type: none"> <li>–Friend of Rock's had picked up Rock in August 2001, after having been raped by multiple men at the Pickton property</li> <li>–Rock's blood and clumps of hair in the motorhome</li> <li>–Pickton's DNA found in a tied condom found in purse belonging to Rock</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 5 | Heather Bottomley, 25   | March 21, 2001          | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, April 2, 2002, in second set of three charges</li> <li>–Count 5</li> <li>–Charge stayed</li> </ul>                                       | <ul style="list-style-type: none"> <li>–Identification papers</li> <li>–Wallet</li> <li>–Bottomley's blood on a mattress in trailer</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 6 | Andrea Joesbury, 22     | June 5, 2001            | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, April 9, 2002, in third set of one charge</li> <li>–Count 6</li> <li>–Pickton convicted of second degree murder Dec. 10, 2007</li> </ul> | <ul style="list-style-type: none"> <li>–Joesbury's bisected head, hands and feet found in a bucket in a freezer</li> <li>–DNA of Joesbury in a garbage bag in the slaughterhouse;</li> <li>–Joesbury's DNA on lipstick</li> <li>–Joesbury's DNA on boot found in trailer</li> <li>–Blood evidence</li> <li>–Unknown male DNA was found on Joesbury's teeth</li> <li>–Casanova admitted that Taylor procured Joesbury for him and he had sex with Joesbury in the Pickton trailer</li> <li>–Joesbury last seen at the Roosevelt Hotel with Taylor</li> <li>–Houston testified she had met Joesbury through Pickton's friend, she had seen Taylor with Joesbury and that Taylor had threatened to kill Joesbury because she was jealous of Pickton giving her money to clean his trailer</li> <li>–Houston, Taylor and Joesbury were together at a friends' home where Pickton was also present</li> </ul> |
| 7 | Brenda Wolfe, 31        | Feb. 1 or March 5, 1999 | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, May 22, 2002, in fourth set of one charge</li> <li>–Count 7</li> <li>–Pickton convicted of second degree murder Dec. 10, 2007</li> </ul> | <ul style="list-style-type: none"> <li>–Wolfe's partial jawbone and five teeth which had been cut in the same way as the bisected heads found on the property</li> <li>–Wolfe's DNA on jacket and two lipsticks in trailer</li> <li>–Taylor's DNA was mixed with Wolfe's DNA on one lipstick</li> <li>–Wolfe's DNA on handcuffs, key, handguns, leg cuffs and jewelry</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| #  | Name                    | Last Seen      | Outcome                                                                                                                                                                                                                        | Evidence Linking Victim to Pickton or the Pickton Property                                                                                                                                                                                                               |
|----|-------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8  | Jennifer Furminger, 28  | Dec. 27, 1999  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Sept. 19, 2002, in fifth set of four charges</li> <li>–Count 8</li> <li>–Charge stayed</li> </ul>                                            | <ul style="list-style-type: none"> <li>–Furminger's DNA on a saw in the slaughterhouse</li> <li>–Blood evidence on 2 jackets</li> <li>–Furminger's DNA found on a watch</li> <li>–Clothing Furminger was last seen wearing identified at the Pickton property</li> </ul> |
| 9  | Helen Hallmark, 30/31   | June 15, 1999  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Sept. 19, 2002, in fifth set of four charges</li> <li>–Count 9</li> <li>–Charge stayed</li> </ul>                                            | <ul style="list-style-type: none"> <li>–Hallmark's DNA identified</li> </ul>                                                                                                                                                                                             |
| 10 | Patricia Johnson, 26    | Feb. 27, 2001  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Sept. 19, 2002, in fifth set of four charges</li> <li>–Count 10</li> <li>–Charge stayed</li> </ul>                                           | <ul style="list-style-type: none"> <li>–Johnson's DNA identified</li> </ul>                                                                                                                                                                                              |
| 11 | Georgina Papin, 37      | March 1, 1999  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Sept. 19, 2002, in fifth set of four charges</li> <li>–Count 11</li> <li>–Pickton convicted of second degree murder Dec. 10, 2007</li> </ul> | <ul style="list-style-type: none"> <li>– Papin's left wrist bones</li> <li>–Chubb had seen Pickton with Papin in Port Coquitlam</li> <li>–Ellingsen testified that it was Papin she saw hanging and being butchered by Pickton in the barn in 1999</li> </ul>            |
| 12 | Heather Chinnock, 30/33 | April 15, 2001 | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Oct. 2, 2002, in sixth set of four charges</li> <li>–Count 12</li> <li>–Charge stayed</li> </ul>                                             | <ul style="list-style-type: none"> <li>–Chinnock's ring found in pigpen</li> <li>–Chinnock's DNA on handle of bucket in outbuilding</li> </ul>                                                                                                                           |
| 13 | Tanya Holyk, 21-24      | Oct. 29, 1996  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Oct. 2, 2002, in sixth set of four charges</li> <li>–Count 13</li> <li>–Charge stayed</li> </ul>                                             | <ul style="list-style-type: none"> <li>–Holyk's DNA found in outbuilding</li> </ul>                                                                                                                                                                                      |
| 14 | Sherry Irving, 25       | March 18, 1997 | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Oct. 2, 2002, in sixth set of four charges</li> <li>–Count 14</li> <li>–Charge stayed</li> </ul>                                             | <ul style="list-style-type: none"> <li>–Irving had been driven to Pickton's trailer by a friend of Irving, at the request of his brother, Dave, on date last seen</li> <li>–Irving's DNA found in freezer</li> </ul>                                                     |
| 15 | Inga Hall, 46/47        | Feb. 26, 1998  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, Oct. 2, 2002, in sixth set of four charges</li> <li>–Count 15</li> <li>–Charge stayed</li> </ul>                                             | <ul style="list-style-type: none"> <li>–Hall's DNA found in packages of ground and solid meat in freezers</li> <li>–Clump of hair found in a bag was identified as belonging to Hall</li> </ul>                                                                          |
| 16 | Marine Frey, 24         | Aug. 30, 1997  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges</li> <li>–Count 16</li> <li>–Pickton convicted of second degree murder Dec. 10, 2007</li> </ul>   | <ul style="list-style-type: none"> <li>–Frey's partial jaw bone and 3 teeth were found. Experts were unable to determine if Frey's head had been bisected as the other victims had been because of decomposition and fractures on the bone</li> </ul>                    |

| #  | Name                   | Last Seen                     | Outcome                                                                                                                                | Evidence Linking Victim to Pickton or the Pickton Property                                                                                                             |
|----|------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 17 | Tiffany Drew, 24-27    | Aug. 20, 1999                 | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 17<br>–Charge stayed                   | –Drew’s DNA identified on a syringe containing antifreeze                                                                                                              |
| 18 | Sarah de Vries, 29     | April 13, 1998                | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 18<br>–Charge stayed                   | –de Vries’ DNA found on two lipsticks found in her purse<br>–Pickton’s DNA found on a used condom found in a purse belonging to de Vries                               |
| 19 | Cindy Felix, 43        | Nov. 26, 1997                 | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 19<br>–Charge stayed                   | –Felix’s DNA found in packages of ground and solid meat in freezers                                                                                                    |
| 20 | Angela Jardine, 27/28  | Nov. 20, 1998                 | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 20<br>–Charge stayed                   | –Jardine’s DNA identified                                                                                                                                              |
| 21 | Diana Melnick, 20      | Dec. 22, 1995                 | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 21<br>–Charge stayed                   | –Melnick’s DNA identified                                                                                                                                              |
| 22 | Jane Doe               | Unknown, before Feb. 23, 1995 | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 22<br>–Charge quashed on March 1, 2006 | –Half of her bisected skull found in Mission in 1995<br>–Partial leg and rib bones found on Pickton property identified as belonging to Mission Jane Doe               |
| 23 | Debra Jones, 43        | Dec. 21, 2000                 | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 23<br>–Charges stayed                  | –Jones’ DNA identified                                                                                                                                                 |
| 24 | Wendy Crawford, 43     | Nov. 24, 1999                 | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 24<br>–Charges stayed                  | –Fragment of Crawford’s leg bone found                                                                                                                                 |
| 25 | Kerry Koski, 39        | Jan. 2, 1998                  | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 25<br>–Charges stayed                  | –Koski’s DNA identified on two earrings under the floorboards of the trailer                                                                                           |
| 26 | Andrea Borhaven, 25/27 | March 10, 1997                | –Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges<br>–Count 26<br>–Charges stayed                  | –Borhaven’s DNA and blood on earrings under floorboards in trailer<br>–Borhaven’s DNA on Pickton’s boots held in evidence from the 1997 Ringwald attempted murder case |

| #  | Name                   | Last Seen      | Outcome                                                                                                                                                                                                                   | Evidence Linking Victim to Pickton or the Pickton Property                                                                                                                                                                                                                                                                |
|----|------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 27 | Cara Ellis, 25         | Jan. 20, 1997  | <ul style="list-style-type: none"> <li>–Pickton charged with first degree murder, May 25, 2005, in seventh set of 12 charges</li> <li>–Count 27</li> <li>–Charges stayed</li> </ul>                                       | <ul style="list-style-type: none"> <li>–Ellis’ DNA on Pickton’s jacket held in evidence from the 1997 Ringwald attempted murder case</li> <li>–Ellis’ DNA on a prayer card and methadone card belonging to Ellis found on a shelf in the trailer</li> </ul>                                                               |
| 28 | Jacqueline Murdock, 28 | Nov. 1996      | <ul style="list-style-type: none"> <li>–RCMP recommend first degree murder charges be laid against Pickton, October 29, 2009;</li> <li>–Crown declines to approve charges;</li> <li>–Death certificate issued.</li> </ul> | –Murdock’s DNA identified on a condom package held in evidence from the 1997 Ringwald attempted murder case.                                                                                                                                                                                                              |
| 29 | Nancy Clark, 25        | Aug. 22, 1991  | <ul style="list-style-type: none"> <li>–RCMP recommend first degree murder charges be laid against Pickton, Oct. 29, 2009</li> <li>–Crown declines to approve charges</li> <li>–Death certificate issued</li> </ul>       | –Clark’s DNA identified                                                                                                                                                                                                                                                                                                   |
| 30 | Yvonne Boen, 33/34     | March 15, 2001 | <ul style="list-style-type: none"> <li>–RCMP recommend first degree murder charges be laid against Pickton, Oct. 29, 2009</li> <li>–Crown declines to approve charges</li> <li>–Death certificate issued</li> </ul>       | –Boen’s DNA identified at Pickton property and in a “crack house” in Surrey                                                                                                                                                                                                                                               |
| 31 | Dawn Crey, 43          | Nov. 1, 2000   | <ul style="list-style-type: none"> <li>–RCMP recommend first degree murder charges be laid against Pickton, Oct. 29, 2009</li> <li>–Crown declines to approve charges</li> <li>–Death certificate issued</li> </ul>       | <ul style="list-style-type: none"> <li>–Crey’s DNA identified from blood on an undergarment in Pickton’s trailer</li> <li>–RCMP civilian employee told police post-arrest that she had been at a party at Piggy’s Palace, owned by the Pickton brothers, on New Year’s Eve 1999 and that Crey was with Pickton</li> </ul> |
| 32 | Sharon Abraham, 35/39  | Dec. 2000      | <ul style="list-style-type: none"> <li>–RCMP recommend first degree murder charges be laid against Pickton, Oct. 29, 2009</li> <li>–Crown declines to approve charges</li> <li>–Death certificate issued</li> </ul>       | –Abraham’s DNA identified                                                                                                                                                                                                                                                                                                 |
| 33 | Stephanie Lane, 20/23  | Jan. 10, 1997  | <ul style="list-style-type: none"> <li>–RCMP recommend first degree murder charges be laid against Pickton, Oct. 29, 2009;</li> <li>–Crown declines to approve charges;</li> <li>–Death certificate issued.</li> </ul>    | –Lane’s DNA identified.                                                                                                                                                                                                                                                                                                   |
| 34 | Janet Henry, 37        | June 25, 1997  | –No charges laid                                                                                                                                                                                                          | <ul style="list-style-type: none"> <li>–Her identification is thought to have been seen by Yelds in 1998 but has not been found</li> <li>–Police have told family they are certain she died at the Pickton property but no belongings or DNA linked to Henry has been found on the Pickton property</li> </ul>            |

| #  | Name                        | Last Seen      | Outcome          | Evidence Linking Victim to Pickton or the Pickton Property                                                                                    |
|----|-----------------------------|----------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 35 | Richard (Kellie) Little, 28 | April 24, 1997 | –No charges laid | –Little last seen at Pickton associate Houston’s home <sup>395</sup><br>–No belongings or DNA linked to Little identified on Pickton property |
| 36 | Marcella Creison, 20        | Dec. 27, 1998  | –No charges laid | –Inhaler with Creison’s name on it found on Pickton property<br>–No DNA of Creison identified on Pickton property <sup>396</sup>              |

The trial began on January 22, 2007.<sup>397</sup> There were several applications and rulings during the proceedings. The defence sought to have two portions of the conversation with the undercover cell plant excluded. The transcript and videotape had been admitted in a previous ruling. Pickton’s lawyer sought to exclude the portion of the videotape which showed him masturbating in his cell while alone, as well as portions of the transcript and videotape regarding his admission to having killed 49 women and his discussion about Ringwald. The masturbation scene and Ringwald portions of the videotape were deemed inadmissible but the “confession” portion was allowed.<sup>398</sup> The defence then argued that his formal interview should be likewise edited, including the portions related to Ringwald and the “I was going to do one more but got sloppy” confession to Adam. All portions related to Ringwald were

<sup>395</sup> Following Pickton’s arrest, Evenhanded was contacted by a family member of Tracy Olajide, one of the Valley Murder victims. Olajide was apparently seen with Houston several times before her death. MWI [#34], *supra* note 10 at C181.

<sup>396</sup> To my knowledge, Creison has not been publically identified as having been a possible Pickton victim. She has been on the official missing list since the first posters were issued; she remains among the missing. However, when reviewing publically available trial evidence photos, her name is clearly visible on an inhaler found on the property. The photos are from the trial and are available on the *Vancouver Sun* website ([www2.canada.com/vancouversun/gallery/picktonchapter3.html?g=9](http://www2.canada.com/vancouversun/gallery/picktonchapter3.html?g=9)). Her father filed suit against police in relation to his daughter’s case. See the photo gallery of evidence at: Culbert, *supra* note 395; “Pickton evaded busy RCMP officers: report: *CTV News* (25 January 2011); MWI [#2A], *supra* note 22 at 157-58. For the Statement of Claim see, MWI [#2A], *supra* note 22 at 746-8.

<sup>397</sup> Cameron, *supra* note 3 at 667.

<sup>398</sup> *R. v. Pickton* [2007] B.C.J. No. 3075.

ordered removed, along with some commentary by another officer but the interview with Adam was allowed.<sup>399</sup>

Although the Jane Doe count had been quashed in 2005, the Crown was permitted to introduce evidence related to the case as similar fact evidence to the counts of Wilson, Joesbury and Abotsway.<sup>400</sup> After many experts had testified about Jane Doe's remains, Williams J. instructed the jury to ignore all Jane Doe evidence.<sup>401</sup> He had previously allowed the evidence, believing it met the legal threshold in *R. v. Arp*.<sup>402</sup> However, in August 2007, Williams J. agreed with an application from the defence that objected to its admissibility, seeking either a mistrial or a strong warning to the jury about the evidence. He ruled that:

It is my conclusion that the evidence that has been adduced in this trial to this point fails to meet the standard prescribed for the second stage of the *Arp* test. Accordingly, the evidence of the Jane Doe remains will not be before the jury as similar fact evidence to support the contention that Mr. Pickton is the person responsible for the commission of the offences on the Indictment.<sup>403</sup>

The defence was content not to seek a mistrial as the judge agreed to warn the jury about the evidence.

Pickton applied to have evidence related to firearms, ammunition and an inflatable sex doll excluded from evidence. A flare gun and barrel inserts were deemed admissible but the firearms and ammunition were excluded. The sex doll was described by Williams J. as

peculiar and bizarre in appearance. The thought that Mr. Pickton engaged in sexual activity with this item could reasonably be expected to repulse members of the jury. In my view, there is a real concern that admission of the

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<sup>399</sup> *R. v. Pickton* [2007] B.C.J. No. 3076.

<sup>400</sup> *R. v. Pickton* [2006] B.C.J. No. 3675; *R. v. Pickton* [2007] B.C.J. No. 3089.

<sup>401</sup> Cameron, *supra* note 3 at 675.

<sup>402</sup> *R. v. Arp* [1998] 129 C.C.C. (3d) 321 (S.C.C.).

<sup>403</sup> *R. v. Pickton* [2007] B.C.J. No. 3087 at 10. See also, Culbert, *supra* note 334; Culbert, *supra* note 331; "Woman's remains...", *supra* note 334; Culbert, *supra* note 373; Culbert, *supra* note 373; Cameron, *supra* note 3 at 1-5, 579; Culbert, *supra* note 331.



doll would be prejudicial, as it could lead the jury to conclude that Mr. Pickton is a sexually maladjusted individual and a person of bad character.<sup>404</sup>

The sex doll was excluded. In her book, Cameron related that in the debriefing for the 2002 firearm search warrant, Chubb told police that Pickton was known to keep an inflatable pig sex doll in his office. The RCMP nicknamed the novelty sex toy the “fuckable pig.”<sup>405</sup>

In another application, Pickton’s legal team asked that several exhibits be excluded, including jewelry not identified as belonging to any specific individual. The defence argued that the jurors might conclude these items were trophies. Other items they wanted excluded were the belongings of the women in the 20 stayed counts, a saw blade with the blood and DNA of Furminger, plastic restraints and further firearm evidence. Some belongings of the women not included on the indictment were excluded as was part of the firearm evidence. The “Furminger saw” was allowed but any mention of forensic evidence on it was excluded.<sup>406</sup>

Graphic and disturbing photographs of the dismembered remains were taken *in situ* in the pails and during the autopsies of Abotsway, Joesbury and Wilson. The defence sought to exclude these from evidence. Williams J. reviewed the proposed evidence and acknowledged that the photos were extremely unpleasant. He admitted photos that he considered probative and excluded those which he decided did not have clear probative value or could be described verbally. The majority of the photographs were deemed admissible.<sup>407</sup>

Houston, sick with cancer during the trial, testified for the Crown. She was permitted to relate the discussion she had with Pickton a few days before the first murder charges were

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<sup>404</sup> *R. v. Pickton* [2007] B.C.J. No. 3077 at 8.

<sup>405</sup> Cameron, *supra* note 3 at 425.

<sup>406</sup> *R. v. Pickton* [2007] B.C.J. No. 3079.

<sup>407</sup> *R. v. Pickton* [2007] B.C.J. No. 3080.

laid. Pickton was suicidal and wanted Houston to kill herself with him. He blamed Taylor for several of the murders and denied that he was responsible for any homicides. He did, however, state that there were between three and seven bodies in the “piggery” outbuilding.<sup>408</sup>

Before the defence began, Pickton’s counsel sought to have Count Six of the indictment severed. This was the Frey count, in which a portion of her mandible was found. The defence argued that it was inadmissible as similar fact evidence because there were no tool marks on the bone as were found in the other cases. Williams J. ruled it was premature to make a decision on severing the case until after all the evidence had been adduced.<sup>409</sup> Ultimately, the Frey count was not severed. It is unknown why the same argument was not made in regards to the Papin count, as no tool marks were found on her hand bones.

The Crown called 98 witnesses before closing its case on August 13, 2007.<sup>410</sup> Pickton’s defence argued that Pickton was of below-normal intelligence and that he could not be responsible for the homicides. Defence experts placed his global IQ at 86 which is in the 18<sup>th</sup> percentile. The Crown countered that he was able to run his butchering business, purchase vehicles at auction and had a contract with the VPD regarding salvage vehicles.<sup>411</sup> Williams J. acknowledged at various times that Pickton appeared “to be a simple person.”<sup>412</sup>

The credibility of the Crown witnesses, including Houston and Ellingsen, was seriously questioned and their drug and criminal histories brought out.<sup>413</sup> Chubb and another Pickton associate, Andy Bellwood, both testified that Pickton had discussed methods of

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<sup>408</sup> *R. v. Pickton*, *supra* note 158 at 12.

<sup>409</sup> *R. v. Pickton* [2007] B.C.J. No. 3102.

<sup>410</sup> *R. v. Pickton*, *supra* note 158 at 6.

<sup>411</sup> *R. v. Pickton*, *supra* note 312 at 48.

<sup>412</sup> For e.g., *R. v. Pickton* [2006] BCSC 3663 at 19.

<sup>413</sup> *R. v. Pickton* [2007] B.C.J. No. 3081; *R. v. Pickton* [2007] B.C.J. No. 3101.

killing women with them. Chubb stated that Pickton had told him that an effective method for killing “junkies” was to inject them with antifreeze.<sup>414</sup> A toxicologist testified that it would take 150 to 375 injections to kill a person in this manner.<sup>415</sup> Bellwood testified that Pickton had pantomimed engaging in sex from behind, then strangling women with a wire garrotte or belt. After killing a woman, Pickton told Bellwood, he would feed some of the corpse to his pig and dispose of the remainder at the rendering plant. According to Bellwood, Pickton had found it difficult on occasion to convince women to come to the property. He often had to offer more money and/or drugs in order to entice the woman to travel such a long distance from the DTES.<sup>416</sup>

Bellwood had been interviewed by Project KARE investigators. He claimed it was only due to his association with Pickton and he testified he had been eliminated as a person of interest. The defence was not permitted to suggest that if Bellwood was a person of interest to KARE, he might also be responsible for some of the missing and murdered women, including those included in the indictment. However, the defence argued that in addition to the material benefits derived from his interactions with the police, his elimination in the KARE investigation was done without significant scrutiny. The defence argued that Evenhanded investigators influenced their colleagues at KARE to limit the focus on Bellwood and eliminate him.<sup>417</sup>

The defence argued in the trial that Pickton was not responsible for or involved in the murders. Pickton had made statements to Houston, the undercover cell plant and to police that there were others involved in the homicides. Pickton had told the undercover cell plant

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<sup>414</sup> Culbert, *supra* note 303.

<sup>415</sup> *R. v. Pickton*, *supra* note 158 at 16.

<sup>416</sup> *Ibid.* at 18. See also, Neal Hall, “Pickton talked about killing, witness says” *Vancouver Sun* (17 July 2007).

<sup>417</sup> *R. v. Pickton*, *supra* note 414.

that approximately 15 other people were involved and that some would “go down the tank.”<sup>418</sup> As Justice Low explained in the appeal:

Put at its best, the defense theory is that possibly another, perhaps Dinah Taylor, or others, used the appellant’s workplace and his adjacent residence as their own private killing field without the appellant being criminally involved.<sup>419</sup>

Four of Pickton’s friends - Houston, Ellingsen, Taylor and Casanova - and his younger brother, Dave, were identified by the defence as possible perpetrators. Houston testified that she overheard a male and female arguing and a woman screaming, then sounds of “scuffling” or a physical assault, while she was on the telephone with Pickton before he hung up on her in December 2001.<sup>420</sup> The implication was that an unknown man was responsible for this murder, which Pickton later admitted to her was “Mona” (Wilson). Houston testified to having seen Taylor with Joesbury several times. Taylor had uttered threats and expressed animosity towards her, including an incident where Taylor, Joesbury and Houston had all been together at a friend’s home with Pickton. The defence argued that Taylor killed Joesbury.<sup>421</sup> Taylor’s DNA was found on items that also had Joesbury’s DNA.<sup>422</sup>

Indeed, it was Taylor who was identified by the defence as the most likely person responsible for the six homicides.<sup>423</sup> Taylor was arrested on February 9, 2002, but was never charged in relation to the case.<sup>424</sup> Taylor’s DNA was also found on approximately 15 syringes and other items, such as a meat cleaver. One of the items had a mixed DNA sample

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<sup>418</sup> *R. v. Pickton*, *supra* note 158 at 48.

<sup>419</sup> *Ibid.* at 7.

<sup>420</sup> *R. v. Pickton* [2007] B.C.J. No. 3083 at 2.

<sup>421</sup> *Ibid.* at 5-6; *R. v. Pickton* [2007] B.C.J. No. 3103.

<sup>422</sup> *Ibid.* at 20-22.

<sup>423</sup> *R. v. Pickton*, *supra* note 158 at 50.

<sup>424</sup> Lori Culbert and Neal Hall, “Pickton arrest followed unexpected break in case: officer” *Vancouver Sun* (06 February 2007).

of Taylor and Wolfe.<sup>425</sup> She was uncooperative with police and “reluctant” to answer questions.<sup>426</sup> Taylor did not testify at any of the hearings or at the trial although she apparently attended the trial.<sup>427</sup> Williams J. focused several paragraphs of his charge to the jury based on Taylor’s possible involvement.<sup>428</sup>

Ellingsen was arrested on February 10, 2002.<sup>429</sup> Although Ellingsen had been investigated as a possible accomplice or participant in the homicide of the woman in the barn, police signed an agreement confirming she was a witness, and not a suspect.<sup>430</sup> Ellingsen testified at the trial. Houston was not arrested and testified at Pickton’s trial.<sup>431</sup> Casanova had been under surveillance from October 2002 until his arrest on January 23, 2003, in relation to 15 murders, but no charges were laid. A saw seized from his home had human DNA on it.<sup>432</sup> Casanova testified at the trial and denied any knowledge or involvement in the homicides.

The defence argued that Evenhanded had tunnel vision post-arrest and did an inadequate investigation into other suspects.<sup>433</sup> Adam testified that Ellingsen and Taylor had been considered early on as possible “aiders or abettors” and that Taylor and Casanova were investigated extensively following Pickton’s arrest. Adam and another Evenhanded officer, Wayne Clary, testified that there was not enough evidence to lay charges against any of the

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<sup>425</sup> Culbert, *supra* note 364.

<sup>426</sup> To watch an interview with Taylor, see: Barna, *supra* note 160.

<sup>427</sup> See photo gallery of trial photos, which shows Taylor at the courthouse in 2007. Lori Culbert, “Chapter 6 – Guilty or not guilty?” *Vancouver Sun* (2007),

<sup>428</sup> *R. v. Pickton*, *supra* note 158 at 51.

<sup>429</sup> Culbert and Hall, *supra* note 425; Lori Culbert, “Did Pickton have a partner in crime?” *Vancouver Sun* (04 August 2010).

<sup>430</sup> Cameron, *supra* note 3 at 528.

<sup>431</sup> “I’m the other suspect-neighbour” *The Province* (18 March 2002).

<sup>432</sup> Culbert and Hall, *supra* note 425; Lori Culbert, “Pickton employee saw nothing unusual” *Vancouver Sun* (20 June 2007).

<sup>433</sup> *R. v. Pickton* [2007] B.C.J. No. 3099.

three.<sup>434</sup> Pickton's younger brother Dave was also identified by the defence as a person possibly responsible for the murders. Adam testified Dave Pickton had been investigated but had not been arrested. He had been convicted of one sexual assault and was a suspect in a second unrelated case. Following Pickton's arrest, Adam testified that Dave Pickton had told him that he knew there were bodies on the property.<sup>435</sup>

In October, there were allegations that one of the jurors had made improper remarks to two people. Although the judge was suspicious he did not dismiss the juror.<sup>436</sup> The defence called 31 witnesses and closed its case on October 16, 2007.<sup>437</sup> On November 27, Williams J. began his three-day charge to the jury. He went through all the evidence and witness testimony as it related to each of the six counts. Deliberations began on November 30<sup>th</sup>. On December 6, the jury returned with questions for the judge. The foreperson explained that the jury did not understand one aspect of the instructions. Williams J. had advised that:

If you find Mr. Pickton shot Miss Abotsway you should find the Crown has proven this element. On the other hand, if you have a reasonable doubt about whether or not he shot her, you must return a verdict of not guilty on the charge of murdering her.<sup>438</sup>

This paragraph of the charge had been added on the final day of instructions at the urging of the defence; the Crown did not object. Identical paragraphs were added for Wilson and Joesbury.<sup>439</sup> The jury wanted to know "When considering Element 3 on one or more of the counts, are we able to say 'yes', if we infer that the accused acted indirectly?"<sup>440</sup> The defence

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<sup>434</sup> *R. v. Pickton*, *supra* note 158 at 47.

<sup>435</sup> Ethan Baron, "Brother, friends under police scrutiny" *The Province* (10 December 2007); Lori Culbert, "DNA led police to probe Pickton's brother, trial told" *Vancouver Sun* (20 April 2007).

<sup>436</sup> *R. v. Pickton* [2007] B.C.J. No. 3113. See also Cameron, *supra* note 3 at 677-9.

<sup>437</sup> *R. v. Pickton*, *supra* note 158 at 6.

<sup>438</sup> Cameron, *supra* note 3 at 688.

<sup>439</sup> *R. v. Pickton* [2007] B.C.J. No. 3017 at 2.

<sup>440</sup> *R. v. Pickton*, *supra* note 158 at 61.

opposed reinstructions being provided to the jury; the Crown was in favour of doing so.<sup>441</sup>

Williams J. reiterated his original instruction after conferring with counsel.<sup>442</sup> A break was called and 90 minutes later Williams J. provided reinstructions to the jury.<sup>443</sup> Williams J. acknowledged that the error had been his in accepting the last minute inclusion of the paragraphs that too narrowly defined the burden of proof that the Crown must meet for the jury to find Pickton guilty.<sup>444</sup> The revised instruction was:

If you find that Mr. Pickton shot Ms. Abotsway or was otherwise an active participant in her killing, you should find that the Crown has proven this element. On the other hand, if you have a reasonable doubt about whether or not he was an active participant in her killing, you must return a verdict of not guilty.<sup>445</sup>

As before, the identical instruction was given for the Wilson and Joesbury counts.<sup>446</sup>

On December 9, 2007, Pickton was convicted of second degree murder in the deaths of the six women.<sup>447</sup> There was shock and confusion in the courtroom as the verdicts of not-guilty to first degree murder were read.<sup>448</sup> Reaction from the friends and families of the six murdered women was mixed. Although they were relieved Pickton would be going to prison

<sup>441</sup> *R. v. Pickton*, *supra* note 440 at 2-3.

<sup>442</sup> *R. v. Pickton*, *supra* note 158 at 82.

<sup>443</sup> Cameron, *supra* note 3 at 688.

<sup>444</sup> *R. v. Pickton*, *supra* note 440 at 4.

<sup>445</sup> *Ibid.* at 3.

<sup>446</sup> Lori Culbert, "Pickton jury may consider lesser charges: judge" *Ottawa Citizen* (01 December 2007), A4; Lori Culbert, "Jury's last-minute question sparked courtroom firestorm" *Ottawa Citizen* (10 December 2007), A5.

<sup>447</sup> Lori Culbert and Neal Hall, "Pickton guilty: Serial killer convicted in deaths of 6 women" *Ottawa Citizen* (10 December 2007), A1; Lori Culbert, "Pickton now a convicted serial killer" *Vancouver Sun* (December 2007); Lori Culbert, "Oppal pleased with verdict" *Vancouver Sun* (09 December 2007; Culbert, *supra* note 447).

<sup>448</sup> See especially, Cameron, *supra* note 3 at 690-5. See also, Lori Culbert, Neal Hall and Jeff Lee, "Tears flow as families hear the verdict" *Ottawa Citizen* (10 December 2007), A3; Lori Culbert and Neal Hall, "Emotional end to Pickton trial" *Vancouver Sun* (10 December 2007).

it seemed impossible that the jury could find him guilty of the lesser charges of second degree murder.<sup>449</sup> Adam was incredulous:<sup>450</sup>

Full justice was not done. If there is a person here who doesn't know Pickton planned these murders, then I'm on the wrong planet. That he walked away and we legally consider him innocent of that – that wasn't right.<sup>451</sup>

Adam, now retired, later would describe the defence lawyers as magicians, although he was clear that they had acted with the “highest degree of professionalism.”<sup>452</sup> Indeed, it is rare for such a verdict in serial murders. In the cases discussed in the previous chapter and Appendix G, charges and convictions on second degree murder were more common in Canada than the U.S. Seven of the 13 Canadian cases had manslaughter or second degree charges or convictions.<sup>453</sup> In the U.S. cases, second degree convictions or guilty pleas were usually in addition to first degree convictions or pleas; 11 of the 98 cases involved second or third degree convictions or pleas. In several cases, the offender was permitted to plead guilty to first or second degree murder in order to avoid the death penalty.<sup>454</sup>

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<sup>449</sup> “Pickton verdict evokes ‘elation,’ ‘disappointment’ from victims’ friends, family” *CBC News* (09 December 2007).

<sup>450</sup> See also, Adam, *supra* note 127.

<sup>451</sup> Cameron, *supra* note 3 at 694.

<sup>452</sup> Adam, *supra* note 127.

<sup>453</sup> Davey Butorac was found guilty on two counts of second degree murder in 2010 in B.C.; John Crawford was convicted of two counts of second degree and one count of first degree murder in Saskatchewan in 1996. Shawn Lamb has been charged with three counts of second degree murder in Manitoba in 2012; the case has not gone to trial. Thomas Svekla was charged and convicted of one count of second degree murder and acquitted on a second count in Alberta in 2008. The victims in the Butorac, Crawford, Lamb and Svekla cases were women involved in the sex trade, with the exception of one of Lamb's alleged victims, who lived a high-risk lifestyle but was not a sex worker. Peter MacDonald had one of the four counts of first degree murder quashed and a second degree count entered; this was for a male victim who exchanged sex for shelter. At the time of his death, Samuel Pirrera was negotiating to plead guilty to two counts of second degree murder for the deaths of his wife, an exotic dancer, and a street prostitute. Paul Jordan was convicted of manslaughter.

<sup>454</sup> In the U.S. Robert Berdella was allowed to plead guilty to second degree murder of four victims, after first pleading guilty to first degree murder in two additional cases. Robert Cooper and Charles MacKay pled guilty or no contest to a number of homicides, as well as being convicted on second degree charges. David Gerard entered an Alfred plea in one case of second degree murder, after an earlier conviction for first degree murder. Vincent Groves was convicted of one count of first degree and one count of second degree murder, having served time for an earlier second degree murder. Victor Malone was convicted of two counts of second degree murder in separate trials, with a third trial resulting in a first degree murder conviction. The Supreme Court



Eighteen family members read or submitted victim impact statements, which were heard two days following the verdict during the sentencing phase.<sup>455</sup> Williams J. sentenced Pickton to six concurrent life terms without the possibility of parole for 25 years.<sup>456</sup> A prohibition on firearms for 10 years following his release and inclusion of his DNA into the national police databank was also ordered. Williams J. waived the victim surcharge.<sup>457</sup> Given that Pickton's property was worth a great deal,<sup>458</sup> the surcharge is nominal and his expensive defence was paid by the province,<sup>459</sup> this might have been an option worthy of consideration, at least as a token gesture.

Neither the Crown nor the defence was pleased with the outcome of the trial; both served notice they would appeal. The defence argued that Williams J. had erred in his main charge to the jury, his response to jury questions and in his reinstruction. They further argued

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overturned the first degree conviction of James Randall, replacing it with a second degree conviction. David Rogers was convicted on one count each of first and second degree murder. Wilbur Jennings was convicted of both first and second degree murder. Richard Cottingham was convicted on multiple counts of second degree murder. William Christenson was convicted of third degree murder after a previous conviction for first degree murder.

<sup>455</sup> Bonnie Fowler. "Victim impact statement of Georgina Papin's sister Bonnie Fowler" *Robert Pickton Trial* (11 December 2007); Brittney Frey. "Victim impact statement of Brittney Frey, 15, Marnie Frey's daughter" *Robert Pickton Trial* (11 December 2007); Rick Frey. "Victim impact statement of Marnie Frey's father Rick" *Robert Pickton Trial* (11 December 2007); Elana Papin. "Victim impact statement of Georgina Papin's sister Elana" *Robert Pickton Trial* (11 December 2007); Randall Knight. "Victim impact statement of Georgina Papin's brother Randall Knight" *Robert Pickton Trial* (11 December 2007).

<sup>456</sup> Neal Hall, "Cheers greet Pickton's sentence: 25 years without parole" *Vancouver Sun* (12 December 2007).

<sup>457</sup> *R. v. Pickton* [2007] B.C.J. No. 3109. A victim surcharge is allowed under section 737 of the *Criminal Code*. For an indictable offence, the amount is \$100.00.

<sup>458</sup> The Pickton property was jointly owned by the three siblings. Dave Pickton and Linda Wright launched a suit against the RCMP and province for damage to the property, buildings and topsoil and loss of chattels resulting from the search of the property. In January 2013, the lawsuit was dropped. The three siblings also argued against the rezoning of the property. The property was assessed at \$2,580,300 on July 1, 2003 and \$4,223,000 on July 1, 2004 after it was reclassified; the application was dismissed. See, Sarah Payton, "Pickton siblings drop lawsuit" *Tri-City News* (15 January 2013); *Pickton v. British Columbia (Minister of Public Safety and Solicitor General)* [2011] B.C.J. No. 422; *Pickton v. Assessor of Area #10 – North Fraser Region* [2008 BCSC 1635].

<sup>459</sup> A \$375,000 lien was placed on the Pickton property when Ritchie was engaged to represent Pickton. In October 2002, Ritchie announced he would have to quit the case if more money was not forthcoming. A legal aid request had been rejected. Associate Chief Justice Dohm heard Ritchie's arguments for funding for six lawyers to deal with the numerous counts of murder and over 200,000 DNA samples expected to be entered into evidence. An undisclosed amount was negotiated between Ritchie and government officials, facilitated by Dohm J. See, Cameron, *supra* note 3 at 593-4.

that errors were made related to similar fact evidence and in allowing Pickton's statements to be entered. They sought a new trial on the six charges.<sup>460</sup> The Crown appealed on the basis that Williams J. had erred when he severed the charges, on instruction and exclusion of similar fact evidence, exclusion of the Jane Doe evidence, on instruction regarding whether the murders were planned and deliberate, and instruction on post-offence behaviour, specifically the dismemberment and disposal of the victims. During the appeal, the Crown argued that the exclusion of the Ringwald evidence was an error, as it was similar fact evidence.<sup>461</sup> The Crown sought a new trial on the 26 cases, but did not seek to include a count of first degree murder for Jane Doe.<sup>462</sup>

The appeal was heard in March and April of 2009.<sup>463</sup> On June 25, Pickton's appeal was dismissed in a split decision.<sup>464</sup> B.C. Supreme Court Justices Low and Finch agreed that Williams J. had erred in the inclusion of the defence-requested paragraphs but that to not have corrected them would have been a further error. They felt that the final instruction regarding co-principal liability was sufficient and recommended dismissal of the appeal.<sup>465</sup>

Donald J.A. provided the dissenting opinion. He felt that the question by the jury:

opened up party liability. They were likely referring to the possibility that he was either a co-principal or an aider or abettor. The judge did not provide the jury with an instruction on the law of aiding and abetting and how it may apply to the circumstances of this case. In my opinion, this was an error of law.<sup>466</sup>

The Crown had maintained that Pickton had acted alone until the question by the jury was raised. However, the defence had consistently put forward the assertion that Pickton's

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<sup>460</sup> *R. v. Pickton* [2008] Notice of Appeal (Defence).

<sup>461</sup> *R. v. Pickton*, *supra* note 158 at 94.

<sup>462</sup> *R. v. Pickton* [2008] Notice of Appeal (Crown).

<sup>463</sup> "Pickton appeal hearing scheduled for 2009" *CBC News* (03 March 2008).

<sup>464</sup> "Pickton loses appeal in B.C. court" *CBC News* (24 June 2009).

<sup>465</sup> *R. v. Pickton*, *supra* note 158 at 80.

<sup>466</sup> *Ibid.* at 81.

various friends and brother were responsible. Although the possibility of others' involvement was presented to the jury by Williams J. in the main charge, Donald J.A. felt it was not sufficient in the first place or after the question by the jury because "he left open the prospect that the jury might rely on actions that amount to neither primary nor secondary liability."<sup>467</sup> He opined that: "The jury was given no guidance as to the *actus reus* or *mens rea* in aiding and abetting; neither did they get a review of what evidence would support secondary liability and what evidence would not."<sup>468</sup> He recommended a new trial be ordered.<sup>469</sup>

On the same day, the court delivered its decision on the Crown's appeal. The defence had argued that the judge had not erred in law in any of the aspects brought forth by the Crown. The appellate court agreed that the severing of the counts was an error. In their decision, the judges echoed the sentiment long-felt by police, the Crown, and the families and friends of the victims:

The trial judge erred in his assessment of the probative value of the cross-count similar fact evidence by failing to apply the proper standard for its admissibility. That legal error was capable of separation from the factual considerations that informed the trial judge's decision to sever the six counts from the 20. The trial judge lost sight of the global impact of the evidence on all 26 counts and of its probative value to show a *modus operandi* which underpinned the Crown's case of planned and deliberate murder. The trial judge was led away from a correct analysis on the probative value of the cross-count similar fact evidence by his acceptance of the defence admission that death could be proven in respect of the six women. Death of the victims was an issue on all 26 counts. In asking whether the evidence on the 20 counts could be admitted as similar fact evidence with respect to the six counts, the trial judge should have asked whether the evidence in respect of each of the 26 counts was sufficiently similar to the evidence in respect of the other counts that the perpetrator of one was probably the perpetrator of one or more of the others.<sup>470</sup>

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<sup>467</sup> *Ibid.* at 83.

<sup>468</sup> *Ibid.* at 86.

<sup>469</sup> *Ibid.* at 89.

<sup>470</sup> *R. v. Pickton* [2009] B.C.J. No. 2831 at 2.

Having excluded evidence on the other 20 counts, the defence “was able to attack the credibility of Bellwood and Ellingsen as unconfirmed, when in fact there was other forensic evidence that supported their testimony.”<sup>471</sup> The Crown’s position during the trial had been that Pickton had planned and killed all 27 women, including Jane Doe. Cross-count similar fact evidence would have been important for the Crown:

Indeed, inherent in the allegation that one person killed 26 persons all having the same personal profile is the idea that the perpetrator must have planned and deliberated on the death of each. It simply defies common sense to suggest that any of 26 killings carried out by the *modus operandi* alleged could have been the result of anything other than planning and deliberation.<sup>472</sup>

An appeal based on this ground was allowed. The Court found that Williams J. erred when he excluded the testimony and evidence of Ringwald and the Jane Doe evidence.<sup>473</sup> An appeal was also allowed on the ground that Williams J. had not permitted the cases of Hall, Feliks and Crawford to be added to the revised indictment. The court found there was sufficient evidence to allow these cases to be tried with the other six.<sup>474</sup> The appellate judges did not find error with the trial judge’s *Vetrovec* warning to the jury regarding the testimony of Bellwood and Ellingsen.<sup>475</sup> Nor did they find error in regards to the charge to the jury on the use of similar fact evidence on the issue of planning and deliberation.<sup>476</sup>

The Crown did not seek to retry Pickton on the six charges as it would merely be a “relabeling” of the crimes from second degree to first degree murder. The sentence would not change, since life without parole for 25 years was the highest penalty possible in law. They requested their remedy be conditional on further appellate decisions. If further appeals

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<sup>471</sup> *Ibid.* at 29.

<sup>472</sup> *Ibid.* at 30.

<sup>473</sup> Following the SCC decision, the publication ban on identifying Ringwald was upheld. *R. v. Pickton* [2010] B.C.J. No. 1669.

<sup>474</sup> *R. v. Pickton*, *supra* note 471 at 46.

<sup>475</sup> *Ibid.* at 48.

<sup>476</sup> *Ibid.* at 49.

for Pickton were dismissed, the Crown would not retry him on the six cases. If Pickton was successful in his appeal, the Crown would retry him on all 26 cases. The Court agreed with the Crown's position and gave the defence the option to appeal to the SCC.<sup>477</sup> A time extension was granted to the defence to prepare a lengthy factum and the SCC allowed the scope of the appeal to be broadened.<sup>478</sup>

In October 2009, the RCMP recommended the Crown bring six additional first degree murder charges against Pickton.<sup>479</sup> The Crown declined to charge Pickton in the cases of Jacqueline Murdock, Nancy Clark, Yvonne Boen, Dawn Crey, Stephanie Lane and Sharon Abraham. In all, the body parts, bones, ground flesh and DNA of 33 missing women have been found on the Pickton property; 32 women have been identified.<sup>480</sup>

On July 30, 2010, the SCC, ruling unanimously in the result, rejected the appeal.<sup>481</sup> The Court agreed that the inclusion of the paragraph requested by the defence should not have been permitted and that Williams J. was correct in reinstructing the jury.<sup>482</sup> They agreed with Low J.A.'s assessment that "the Crown should have been adamantly opposed to these paragraphs and...the failure to oppose them was the root cause of the jury question."<sup>483</sup> There

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<sup>477</sup> *Ibid.* at 52. "Pickton appeal verdict leaves victims' families dissatisfied" *CBC News* (24 June 2009).

<sup>478</sup> *R. v. Pickton* [2009] S.C.C.A. No. 325. See also, "Supreme Court broadens Pickton's grounds for appeal" *CBC News* (26 November 2009).

<sup>479</sup> Suzanne Fournier, "RCMP recommends 6 more charges for Pickton" *The Province* (29 October 2009); Lori Culbert, "Victoria woman's DNA at pig farm" *Vancouver Sun* (12 October 2006); Lori Culbert, "Victoria sex-trade worker linked to Pickton case" *Vancouver Sun* (11 October 2006); Lori Culbert, "List of items bearing DNA of missing women grows" *Vancouver Sun* (12 April 2007).

<sup>480</sup> Kirk Makin and Robert Matas, "Pickton responsible for the death of at least 33 women; possibly 49 says RCMP" *Globe and Mail* (30 July 2010); Lori Culbert, "Victim's DNA found on see-through top, jury hears" *Vancouver Sun* (11 April 2007); Culbert, *supra* note 364; Culbert, *supra* note 364; Lori Culbert, "Forensic lab found 'rouge' DNA on victims' teeth" *Vancouver Sun* (19 April 2007); Lori Culbert, "Another day, more DNA" *Vancouver Sun* (17 April 2007); Lori Culbert, "Pickton farm yields another missing woman's DNA" *Vancouver Sun* (19 December 2007); Lori Culbert, "Another woman's DNA found on Pickton pig farm" *Vancouver Sun* (20 December 2007); Culbert, *supra* note 368; "Man delayed..." *supra* note 334.

<sup>481</sup> Norma Greenaway, "Supreme Court rejects Pickton bid for new trial" *National Post* (30 July 2010).

<sup>482</sup> *R. v. Pickton*, *supra* note 130 at 5.

<sup>483</sup> *Ibid.* at 20.

was agreement that Williams J. had not erred when he limited his discussion with the jury in order to avoid intruding on the deliberations underway. The failure to include instruction on aiding and abetting was ruled to only be to Pickton's benefit:

There was overwhelming evidence of the accused's participation in the murders and, from whichever perspective his participation is considered, he was necessarily either a principal or an aider or abettor. Indeed, a properly instructed jury would likely have convicted the accused of first degree rather than second degree murder.<sup>484</sup>

Charron J., writing for the majority, discussed the evidence in regards to the possible involvement of others:

To be clear, this compelling evidence of participation was not about Mr. Pickton having played some minor role in the murders; it was about his having been actively involved in the actual killing of the victims, either by acting alone *or* in concert with others. I add "or in concert with others" as I take issue with LeBel J. when he says that the only logical conclusion was "that only one person, i.e. the person wielding the gun, could have caused the deaths of the victims in each of the counts."<sup>485</sup>

Charron J. advised that she would affirm Pickton's convictions and dismiss the appeal.<sup>486</sup>

LeBel, J. writing for the minority, disagreed with Justice Charron's assessment of the charge and reinstruction to the jury. LeBel J. did not believe that the jury had been adequately instructed on party liability:

There was no evidence that there may have been one person holding the gun, and one person who pulled the trigger, and thus two participants in the unlawful act causing death. Potential liability for other forms of participation in those murders had to flow, not through co-principal liability, but through aiding and abetting.<sup>487</sup>

LeBel J. found that the instructions to the jury constituted an error but that overall the trial was fair. If anything, the errors made by Williams J. in his charge were of benefit to Pickton:

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<sup>484</sup> *Ibid.* at 6.

<sup>485</sup> *Ibid.* at 23.

<sup>486</sup> *Ibid.* at 25.

<sup>487</sup> *Ibid.* at 41.

It is indeed hazardous to speculate on the process of the jury's deliberation, but, the unusual verdict of second degree murder returned by the jury after they posed their question may well suggest that the instructions in this case were inadequate. However, as there exists on the record overwhelming evidence of Mr. Pickton's guilt, and no miscarriage of justice was occasioned by this error in the instructions, I would...dismiss the appeal, and affirm the convictions.<sup>488</sup>

Despite belief in some quarters that Pickton did not operate alone, no one else has been charged in relation to any of the missing women as the authorities concluded there was insufficient evidence to warrant charges.<sup>489</sup>

The SCC decision was the conclusion of criminal actions against Pickton. The same day as the SCC decision was released, DCC LePard publically apologized for the VPD for mistakes made and for not capturing Pickton earlier.<sup>490</sup> Calls for a public inquiry from families of the victims began immediately. Although the families had long believed the remaining 20 cases would be tried in either a separate or new trial, this was not to be the case. After the SCC decision, the Criminal Justice Branch (CJB) of the Ministry of the Attorney General (AG) announced it would not try Pickton again: "In reaching this position, the branch has taken into account the fact that any additional convictions could not result in any increase to the sentence that Mr. Pickton has already received."<sup>491</sup> Five days later, on August 4, the Crown stayed the remaining 20 charges.<sup>492</sup> For the families of the 20 women named in the stayed charges, there was a terrible disappointment that there would not be

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<sup>488</sup> *Ibid.* at 27.

<sup>489</sup> Adam, *supra* note 127.

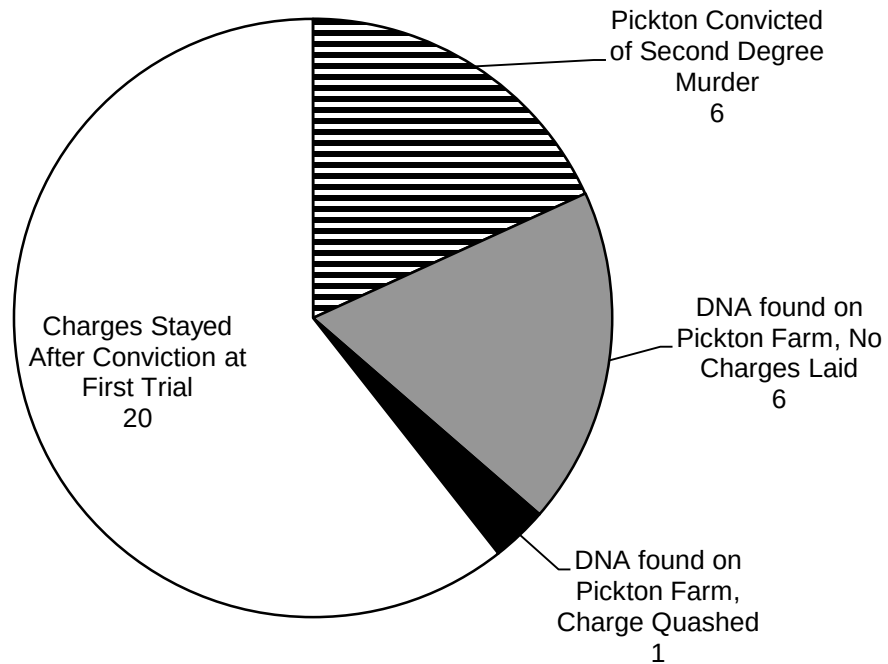
<sup>490</sup> Chad Skelton, "Vancouver police apologize for not catching Robert Pickton sooner" *Vancouver Sun* (30 July 2010).

<sup>491</sup> "Robert Pickton won't get new trial: top court" *CBC News* (30 July 2010).

<sup>492</sup> "20 Pickton murder charges not to be tried" *CBC News* (04 August 2010); Cameron, *supra* note 3 at 600; MWI [Apr. 17], *supra* note 343.

justice, closure or certainty in the cases of their loved ones.<sup>493</sup> Pickton had been charged with 33 counts of first degree murder. Figure 6-5 provides a summary of these cases, by status.

**Figure 6-5: Pickton's Murder Victims, by Case Status (N=33)**



The Crown did not seek a dangerous offender designation for Pickton before sentencing. The National Parole Board has advised that Pickton will be eligible for day parole on February 22, 2024, at age 74. Three years later, Pickton will be eligible for full parole but he will not automatically receive this. He will be 77 years old.<sup>494</sup>

<sup>493</sup> "Robert Pickton won't get new trial: top court" *CBC News* (30 July 2010); Stephanie Levitz, "Stories of 20 women linked to Pickton untold" *Metro News* (05 August 2010).

<sup>494</sup> Makin and Matas, *supra* note 481.



## IX. PLACING BLAME AND ACCEPTING RESPONSIBILITY

In February 2002, two weeks after Pickton's arrest, the VPD's media spokesperson, Scott Driemel, and media expert, Eli Sopow, along with Inspector Beach, met the Vancouver Police Board. The Board was provided a summary of the missing women case.<sup>495</sup> In order to assure the Board that it need not concern itself with the negative comments made in the media, disparaging and private information regarding "prolific parties constantly cited in the media" was also provided.<sup>496</sup> These parties were families and friends of the missing women, sources of Pickton tips and Rossmo.<sup>497</sup>

With the election of former coroner Larry Campbell as mayor of Vancouver and the appointment of a new police chief, Jamie Graham, the VPD began to alter its attitude and looked to learn from the mistakes it made.<sup>498</sup> The VPD apologized to the families of Pickton's victims and other missing women hours after the SCC's decision on Pickton's appeal.<sup>499</sup> An audit of the MPU was ordered by the Chief, as was an internal review which was written by (now) DCC LePard. The report was completed in 2005 but not released until after the SCC ruled on the appeals in the Pickton case and the decision was made not to go to trial on the stayed charges in August 2010.<sup>500</sup> Figure 6-6 provides a breakdown of the status of the women outlined in the LePard report.

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<sup>495</sup> MWI [#114], *supra* note 5 at 300-5.

<sup>496</sup> *Ibid.* at 304-5. See also, Gratl, *supra* note 13 at 90.

<sup>497</sup> The information is provided in the sources above, some of which is redacted but the individuals are still identifiable. The information on Rossmo centred on his failed lawsuit. As a former VPD member, its inclusion is understandable. The information related to family, friends and tipsters included alleged sexual proclivities, mental health problems, psychiatric hospital admissions and family relationships. As these individuals are civilian co-victims of Pickton, I have chosen not to repeat this information.

<sup>498</sup> Cameron, *supra* note 3 at 573.

<sup>499</sup> Jim Chu, Chief Constable, Vancouver Police Department. "Statement of Chief Constable Jim Chu" *Vancouver Police Department* (20 August 2010).

<sup>500</sup> Greenaway, *supra* note 482; Lindsay Kines, "Vancouver police back calls for full public inquiry into missing-women case" *Times Colonist* (29 November 2009).

LePard conceded without hesitation that there were errors made; the report was clearly critical of the VPD operation, especially upper management of the time.<sup>501</sup> The report is self-reflective and provides an unflinching analysis of the errors of the people within the organization. Its failing is continuing to ascribe blame for failure to fully investigate Pickton on the Port Coquitlam RCMP, taking no responsibility after 1999. The VPD supported calls for a public inquiry and apologized to each family member who took the stand.<sup>502</sup>

**Figure 6-6: Status of Missing Women in VPD (LePard) Report<sup>503</sup>**

| Status                                                                  | Missing Women by Date Reported Missing |
|-------------------------------------------------------------------------|----------------------------------------|
| Missing <sup>504</sup>                                                  | 28                                     |
| Unsolved Homicide                                                       | 1                                      |
| Found Alive                                                             | 2                                      |
| Suspicious Death                                                        | 1                                      |
| Pickton Convicted                                                       | 6                                      |
| Charges Stayed Against Pickton <sup>505</sup>                           | 19                                     |
| DNA Found on Pickton Property; No Charges Have Been Laid <sup>506</sup> | 5                                      |
| <b>Total<sup>507</sup></b>                                              | <b>61</b>                              |

On September 27, 2010, an inquiry into the missing women of the DTES was announced by the Province of B.C. Wally Oppal presided as the Commissioner for the Missing Women Inquiry (MWI), which heard evidence between October 2011 and May

<sup>501</sup> Kines, *supra* note 501.

<sup>502</sup> Robert Matas, "Pickton inquiry has benefit of hindsight, Vancouver police lawyer warns" *The Globe and Mail* (12 October 2011); Kines, *supra* note 501; Chu, *supra* note 500; Lori Shenher. Detective Constable, Vancouver Police Department. "Statement of Det/Cst Lori Shenher Regarding DCC LePard's Report on the Missing Women" *Vancouver Police Department* (20 August 2010).

<sup>503</sup> The information for this chart is taken from the schematics in the VPD report. VPD, *supra* note 15at 400-02.

<sup>504</sup> In the two schematics ("Missing Women by Date Reported Missing" and "Missing women by Date Last Seen"), there is a discrepancy in the total. Leigh Miner was last seen in 1993 and was reported missing in 1994. She is included only in the VPD schematic labeled "Missing Women by Date Reported Missing." All other names are the same in both schematics.

<sup>505</sup> The murder charge against Pickton for the murder of Cara Ellis was stayed in 2010. Ellis' case was not included in either of the schematics because she was not reported as missing until after Pickton's arrest.

<sup>506</sup> Sharon Abraham's DNA was found on the Pickton property; her name is not included in either the VPD graphics/schematics.

<sup>507</sup> The total of both of the two schematics prepared by VPD (60 and 61) do not equal the total of the final number of women listed on the DTES poster that equaled 69 in 2004. The women listed on the 2004 Missing Women Poster who are not included on the schematics are: Sherry Baker, Gloria Fedyshyn, Tania Petersen, Tammy Fairbairn, Sharon Abraham, Mary Lands, Cara Ellis, Sharon Ward and Sheila Egan. See, VPD, *supra* note 15at 400-02.

2012.<sup>508</sup> The terms of reference covered the missing women investigations from January 23, 1997, until February 5, 2002, which included the decision to stay the charges against Pickton regarding Ringwald.<sup>509</sup>

The MWI was plagued by controversy before it began. The first concerns centered on the fact that Oppal was the Attorney General for B.C. from 2005 to 2009. In that role he had publicly praised the Pickton investigation, the decision to stay charges against Pickton and had stated he did not believe an inquiry was necessary. Family members, media and the Union of B.C. Indian Chiefs objected and called for him to step aside as Commissioner to no avail.<sup>510</sup> At a VPD-called “town hall” meeting in the DTES, Oppal was escorted out by security after the crowd jeered and called for his resignation.<sup>511</sup>

Another controversy resulted from a decision by the B.C. provincial government regarding funding for legal representation for those groups that had received standing such as NWAC, Amnesty International, Pivot Legal Society, B.C. Civil Liberties Association and local Aboriginal, women’s and DTES organizations.<sup>512</sup> Twenty-three applications for standing had been initially received by Oppal, with two individuals (Marion Bryce and Doug Fell) later requesting standing, and all had received full or limited standing status.<sup>513</sup> Fourteen

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<sup>508</sup> MWI, *About this Commission*.

<sup>509</sup> Stephen Thomson, “Questions raised over scope of Pickton inquiry and independence of commissioner Wally Oppal” *Georgia Straight* (28 September 2010); MWI, *Terms of Reference*.

<sup>510</sup> Lindsey Kines, “Oppal the wrong man for Pickton inquiry” *Times Columnist (Victoria)* (02 October 2010); Ian Smith, “Oppal should step aside from Pickton inquiry says brother of missing woman” *Vancouver Sun* (04 October 2010); Lori Culbert, “Oppal’s alleged conflict-of-interest out of its hands, law society says” *Vancouver Sun* (27 November 2010).

<sup>511</sup> Mike Howell, “Angry crowds targets head of missing women inquiry” *Vancouver Courier* (13 October 2010).

<sup>512</sup> Gary Bellett, “Missing Woman Commission hears from groups seeking official status” *Vancouver Sun* (31 January 2011).

<sup>513</sup> Participants with limited standing had full access to documents and the right to provide final submissions. They would not have an automatic right to cross-examine witnesses; cross-examination could be requested. Oppal noted that none of the limited participants were denied an opportunity to cross-examine. MWI, *Ruling on Participation and Funding Recommendations* (02 May 2011) at 7; Oppal [Vol. IV], *supra* note 28 at 9.

groups or organizations had requested funding assistance. However, only the families and individual current or former police officers were granted funding. None of the other groups were granted funding for legal representation by the provincial government, although it had agreed to fund some coalitions of participants, an offer rejected by the participants.<sup>514</sup> Oppal requested additional funding for these groups but the province declined.<sup>515</sup> The result was a month of daily protests and a large-scale withdrawal of the organizations from the MWI.<sup>516</sup> In future inquiries, Oppal urged governments to consult with stakeholders on the development of terms of reference on subjects of complex social importance.<sup>517</sup> Similarly, distrust of police and government institutions and the MWI staff's lack of relationships with stakeholder contacts in the DTES resulted in reduced cooperation of witnesses. Oppal recommended that future inquiries should include an advisor or group with experience and contacts to be a liaison in order to facilitate the participation of vulnerable and marginalized witnesses.<sup>518</sup>

Oppal appointed two lawyers to act as friends of the court. One lawyer was appointed to represent Aboriginal interests and the second to represent DTES community interests.<sup>519</sup> The lawyer representing Aboriginal interests, Robin Gervais, resigned partway through the MWI citing a plethora of police witnesses resulting in a lack of Aboriginal witnesses and

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<sup>514</sup> B.C. Civil Liberties Association (BCCLA), West Coast LEAF and Pivot Legal Society. *Blueprint for an Inquiry* (2012), by Darcie Bennett, David Eby, Kasari Govender and Katrina Pacey, at 23; MWI [#114], *supra* note 507; MWI, *Ruling on Participation – Cst. Doug Fell* (21 September 2011); MWI, *Ruling on Participation – Ms. Marion Bryce* (18 August 2011).

<sup>515</sup> Ian Austin, "Groups to protest as Missing Women's Inquiry begin Tuesday" *The Province* (11 October 2011); Oppal [Vol. I], *supra* note 11 at 7.

<sup>516</sup> Ian Mulgrew, "Missing women probe becomes sad spectacle" *Vancouver Sun* (12 October 2011); Editorial, "A sad irony: women missing from Missing Women's Inquiry" *Vancouver Sun* (13 September 2011); Neal Hall, "DTES women's coalition pulls out of Missing Women inquiry" *Vancouver Sun* (03 October 2011).

<sup>517</sup> Oppal [Vol. IV], *supra* note 28 at 5.

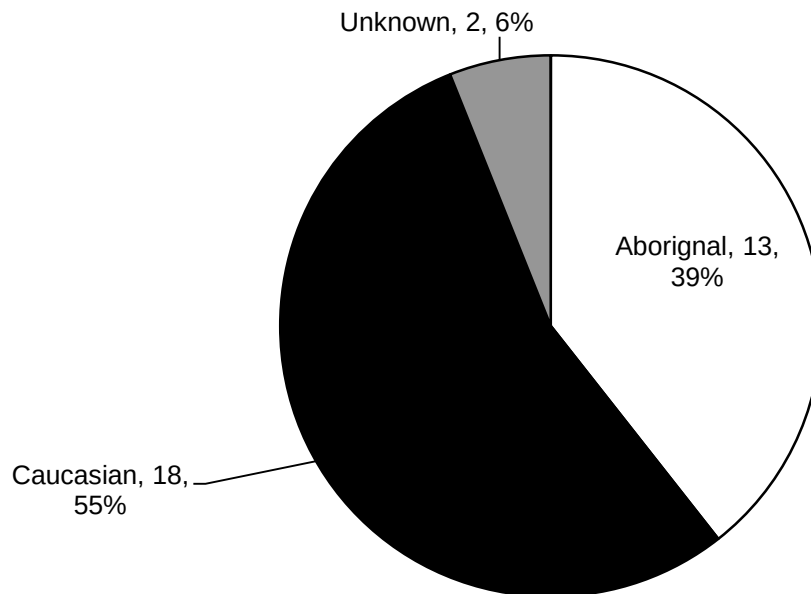
<sup>518</sup> *Ibid.* at 14.

<sup>519</sup> Suzanne Fournier, "All but one group exits B.C. Missing Women Inquiry" *The Province* (06 October 2011).

narrow terms of reference.<sup>520</sup> “Given that these hearings are largely about missing and murdered aboriginal, [sic] I didn’t think I’d have to fight to have their voices heard.”<sup>521</sup>

Figure 6-7 identifies Pickton’s victims by ethnicity; 39.4% of his victims were Aboriginal.

**Figure 6-7: Pickton Murder Victims, By Ethnicity (N=33)**



Gervais was not alone in her allegations that Oppal showed preference for police interests.<sup>522</sup>

Two lawyers replaced her, but this caused a two week delay in an already bogged down and rushed inquiry.<sup>523</sup>

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<sup>520</sup> Brian Hutchinson, “Missing women inquiry beset by ‘sexism’: Ex-staff” *National Post* (03 April 2012); Judith Lavoie, “‘I saw I couldn’t do my job,’ says lawyer who quit missing women inquiry” *Times Colonist* (22 March 2012); MWI, *Media Release: March 21, 2012 – Appointment of independent counsel presenting issues related to Aboriginal interests announced*.

<sup>521</sup> “Oppal defends Pickton probe after inquiry lawyer quits” *CBC News* (06 March 2012).

<sup>522</sup> Brian Hutchinson, “Pickton inquiry under fire to the end” *National Post* (05 June 2012); Yolande Cole, “B.C. missing women inquiry concludes amid criticism from families” *Georgia Straight* (06 June 2012); BCCLA, *et al.*, *supra* note 515 at 21.

<sup>523</sup> MWI, *Media Release: March 12, 2012 – Missing Women Commission of Inquiry to stand down until April 2, 2012*; Kelly Sinoski, “Wally Oppal appoints two lawyers to represent Aboriginal issues at inquiry” *Vancouver*

Two lawyers, Cameron Ward and Neil Chantler, were funded to represent the families. Initially, three families were involved but by the time the evidentiary hearings commenced, Ward and Chantler were representing 18 families.<sup>524</sup> At the conclusion of the hearings, the number of participating families under their representation had increased to 26.<sup>525</sup> One additional family member was represented by separate counsel.<sup>526</sup> By the end of the proceedings, at least 25 lawyers were publicly-funded to represent the VPD, RCMP and individual police officers.<sup>527</sup> There were nine lawyers working for the MWI itself.<sup>528</sup> The salaries of the commission lawyers and staff were also an area of controversy following the close of evidentiary hearings.<sup>529</sup>

The lack of funding for non-profit organizations resulted in a boycott of the proceedings by some of the organizations representing vulnerable populations affected by the inquiry.<sup>530</sup> The terms of reference were another area that upset participants and activists. The time range meant that the women who went missing prior to January of 1997 were not included in the review, although several of these cases were reviewed by Evans in her review report. The terms of reference also limited the focus to the DTES, meaning that cases from the Highway of Tears in Northern B.C. were excluded. The province granted Oppal's request

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*Sun* (21 March 2012); Neal Hall, "Missing Women inquiry adjourned to April 2 to allow appointment of Aboriginal counsel" *Vancouver Sun* (12 March 2012).

<sup>524</sup> Marion Bryce, mother of Patricia Johnson, had separate counsel, Darryl Roberts and Irwin Nathanson, who acted *pro bono*, as did Bryan Baynham, who appeared on behalf of Aboriginal interests. Oppal [Vol. IV], *supra* note 28 at 27.

<sup>525</sup> Ian Austin, "Groups to protest as Missing Women's Inquiry begin Tuesday" *The Province* (11 October 2011); Ward, *et al.*, *supra* note 63 at 31.

<sup>526</sup> MWI [Ruling...Bryce] *supra* note 515.

<sup>527</sup> Neal Hall, "Police lawyers 'coming out of the woodwork,' missing women inquiry hears" *Vancouver Sun* (25 January 2012). See also, BCCLA, *et al.*, *supra* note 515 at 10, 25.

<sup>528</sup> BCCLA, *et al.*, *supra* note 515 at 51.

<sup>529</sup> Brian Hutchinson, "Missing Women inquiry workers paid more than BCs longest serving judges" *National Post* (10 August 2012); BCCLA, *et al.*, *supra* note 515 at 26.

<sup>530</sup> See, MWI [About...], *supra* note 503.

to expand his mandate to include a study commission as well as a hearing commission.<sup>531</sup> In order to address some of the criticism over these perceived gaps, Oppal held seven community forums in Northern B.C. Following the end of the evidentiary hearings, Oppal also held six policy forums in downtown Vancouver. The forums were open to all.<sup>532</sup> An estimated 385 people made submissions through the consultative process.<sup>533</sup>

Criticism was levied over Oppal's treatment of Ward, the families' lawyer, and his rulings on Ward's submissions. Oppal and Ward had frequent verbal exchanges throughout the inquiry, which caused the families to feel further disrespected.<sup>534</sup> Full disclosure of documents did not occur prior to the inquiry's commencement, causing frustration for the lawyers. Evans also expressed frustration at failures and delays by police in disclosure that she experienced in writing the report for the Commission.<sup>535</sup> Requests for witnesses, production of evidence or submission of evidence into the record was often delayed by months and changes to the schedule were often last minute. Family-requested witnesses were denied but police witnesses were rarely, if ever, denied.<sup>536</sup> Ward wanted to call many of the key players and trial witnesses such as Hiscox, Caldwell, Ellingsen and Menard. These witnesses were rejected and a MWI official told the media that the request would be denied months before Oppal issued his ruling.<sup>537</sup> Oppal refused to allow evidence or witnesses to address questions surrounding the Pickton brothers' association with the Hells Angels and

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<sup>531</sup> Oppal [Vol. IV], *supra* note 28 at 6.

<sup>532</sup> MWI, *Media Release: August 25, 2011 – Dates and venues announced for Missing Women Commission of Inquiry community forums in Northern B.C.*; MWI, *Media release: December 1, 2011 – Policy forums invitation*.

<sup>533</sup> Wally T. Oppal. *Volume III – Gone, but not forgotten: Building the women's legacy of safety together* (December 2012) at 6.

<sup>534</sup> Hutchinson, *supra* note 523.

<sup>535</sup> *Ibid*; MWI [Jan. 16], *supra* note 288 at 85; MWI, *2012-03-02 Ruling on document disclosure application*.

<sup>536</sup> Cameron Ward. "MWI: Families' witnesses rejected" *Cameron Ward & Company Blog* (04 May 2012).

<sup>537</sup> Brian Hutchingson, "Pickton inquiry gives cold shoulder to key witness" *National Post* (13 February 2012); BCCLA, *et al.*, *supra* note 515 at 36.

the activities at the Pickton nightclub, Piggy's Palace.<sup>538</sup> Despite the families' request to delve into the possibility of Pickton having had accomplices, Oppal ruled that the terms of reference and function of the MWI did not allow for these lines of inquiry.<sup>539</sup> Ward stated that the failure of the RCMP to disclose documents, missing pages, private correspondence between the MWI and police agencies and the MWI's entering into agreements about document disclosure without allowing the other participants' involvement "has all the familiar hallmarks of a police cover-up. And I'm afraid the inquiry may be enabling it."<sup>540</sup> Oppal strenuously denied that there was anything untoward at the MWI and denounced Ward's comments.<sup>541</sup> In his final report, Oppal called Ward's allegations reckless and sympathized with the VPD's assertion that Ward's position was "ludicrous, flippant, unsupported by evidence and unprofessional."<sup>542</sup>

Further controversy arose from Oppal's actions during the MWI time period while the MWI was not in session. First, Oppal portrayed a victim of a serial killer in a film, causing considerable criticism from participants, families and the media for insensitivity to Pickton's victims.<sup>543</sup> Oppal was later seen hugging a Hells Angel member after he ruled that possible organized crime involvement was excluded from the MWI.<sup>544</sup>

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<sup>538</sup> Cameron Ward, "MWCI: The LePard report and the Commission...did the public get the whole story?" *Cameron Ward & Company Blog* (06 June 2012); Suzanne Fournier, "Lawyer demands inquiry to release all info on Picktons, Hells Angels and Piggy's Palace" *The Province* (13 February 2012).

<sup>539</sup> Oppal [Vol. IIB], *supra* note 14 at 281.

<sup>540</sup> Brian Hutchinson, "Pickton case 'has all the familiar hallmarks of a police cover-up': lawyer" *National Post* (03 February 2012). See also, Ward *et al.*, *supra* note 63.

<sup>541</sup> Brian Hutchinson, "Robert Pickton inquiry chief riled by police 'cover-up' charge" *National Post* (07 February 2012).

<sup>542</sup> Oppal [Vol. IIB], *supra* note 14 at 280.

<sup>543</sup> Hutchinson, *supra* note 523.

<sup>544</sup> David P. Ball, "Cover-ups and controversy" *David P. Ball* (01 September 2012).



The families were also upset by the treatment and perceived indifference of police officers and their lawyers.<sup>545</sup> During the testimony of family members, many of the lawyers representing police interests were absent.<sup>546</sup> Lynn Frey, the stepmother of Marnie Frey, one of the six women Pickton was convicted of killing, was incensed by what she perceived as an attack on her credibility during her cross-examination by VPD counsel and in the testimony offered by Shenher and LePard.<sup>547</sup> Commission counsel offered RCMP members (and former members) the opportunity to offer an apology which none would do; Oppal was disappointed by the response.

I think at the very least the families were entitled to some form of apology or contrition. The RCMP issued a limited, qualified formal apology relating to its role in the missing and murdered women investigations on January 27, 2012. Much of the Government of Canada's submissions on behalf of the RCMP focused on blaming the VPD for the investigative failures. Again, I was disappointed by this position. Taking responsibility for the failures is a crucial first step in the healing and reconciliation process and lays the foundation for reform.<sup>548</sup>

The RCMP, through the B.C. RCMP Assistant Commissioner Craig Callens, issued an apology on January 26, 2012, after members and ex-members had begun to take the stand at the MWI.<sup>549</sup>

Since the release of LePard's public report in 2010, in media interviews and releases and at the MWI, the VPD acknowledged widespread and systemic errors in the missing women's investigations. In contrast to the RCMP officers, many of the VPD officers who

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<sup>545</sup> For the most part, counsel for police interests asked few questions of family members. For their part, counsel for the VPD expressed their apologies, offered condolences and thanked family members for testifying.

<sup>546</sup> Suzanne Fournier, "Police lawyers' absence noted: They 'can't be bothered to even listen' says victim's family" *The Province* (16 April 2012).

<sup>547</sup> Robert Matas, "Witness shocked Pickton testimony contradicted by Vancouver Police" *The Globe and Mail* (22 November 2011).

<sup>548</sup> Oppal [Vol. III], *supra* note 534 at 49.

<sup>549</sup> Douglas Quan, "Tories tried to limit RCMP's apology to Robert Pickton victims" *Postmedia News* (12 June 2012); Neal Hall, "Senior Mountie declines to apologize for RCMP failures in Pickton investigation, deferring to managers" *Vancouver Sun* (12 January 2012); MWI, *January 12, 2012* at 34.

testified at the MWI offered spontaneous apologies.<sup>550</sup> Despite the apology and acknowledgement of errors made by Callens, senior RCMP managers consistently stated that although they regretted Pickton had not been caught sooner, they would not have changed their plans and actions. Williams was not involved in the Pickton investigation; he had penned a report in 2002 in which he found no shortcomings in the Pickton investigation. Williams conceded that the RCMP handling of Ellingsen was somewhat contentious and that it was unfortunate that other high profile investigations prevented further work on the Pickton file. However, Williams maintained that sufficient resources were provided to the detachment for the investigative work.<sup>551</sup> Nearly 10 years later, Williams reiterated that opinion at the MWI, although he conceded there were shortcomings and “perhaps” things could have been done differently.<sup>552</sup> Retired RCMP Port Coquitlam Superintendent Ric Hall testified at the MWI that he, as the top officer of the detachment, would not have acted differently:

I’ve thought about that an awful lot, and I still would hold the position that I would not be interfering with the Serious Crime investigators, with their operations, unless they came to me to ask for some assistance.<sup>553</sup>

Adam and other RCMP managers also repeatedly reiterated that they would not have changed anything about Evenhanded.<sup>554</sup>

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<sup>550</sup> In most cases, the apologies were received with a nod of the head or a thank-you. Lilliane Beaudoin, sister of Dianne Rock, however, would not accept the apology. Beaudoin responded to the VPD lawyer’s apology: “And I’m sorry, but I don’t accept the apology. Had the police been doing their job at the time my sister would not have been murdered.” MWI, *October 27, 2011* at 114. See also, Eddie Chau, “Apology rejected by Wellander at Pickton inquiry” *QMI Agency* (10 December 2011).

<sup>551</sup> MWI [#2], *supra* note 21 at 27.

<sup>552</sup> MWI [Jan. 12], *supra* note 550 at 16; Hall, *supra* note 550.

<sup>553</sup> MWI, *February 23, 2012* at 37; Suzanne Fournier, “Top cop still wonders how he could have handled Pickton investigation better, inquiry hears” *The Province* (23 February 2012).

<sup>554</sup> Suzanne Fournier, “Families of Pickton victims outraged by RCMP officer’s stand” *The Province* (17 February 2012); Fournier, *supra* note 554.

The Crown decision to stay the charges against Pickton for the attempted murder of Ringwald was an important part of the inquiry. Ringwald had testified at the preliminary trial and *voir dire* hearing but was not permitted to testify at Pickton's trial. She was expected to testify at the MWI. However, fearing for her safety and wellbeing, she declined to participate just before she was to testify.<sup>555</sup>

John Boddie was the MWI executive director hired by Oppal. Boddie was an ex-VPD member who was alleged to have assisted Evans in her independent review.<sup>556</sup> In April 2002, allegations of harassment and a "highly sexualized" work environment within the MWI were reported by five ex-staff members.<sup>557</sup> An independent investigator was brought in and Boddie took paid administrative leave.<sup>558</sup> The independent review found no evidence of sexism, gender discrimination or harassment on the part of any current or former staff member, including Boddie.<sup>559</sup>

In final written submissions, the lawyers representing the families stated that: "With the greatest of regret, and nearly 21 months since the Order in Council that established this Commission, the Families contend that it has failed to fulfill this obligation and properly achieve its mandate."<sup>560</sup> This was not a universally belief held among the families:

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<sup>555</sup> Counselling support was provided to MWI participants but was rarely utilized. Protection of the identity of vulnerable victims was also in place to assist Aboriginal women, victims of sexual assault and current or former sex workers in testifying. BCCLA, *et al.*, *supra* note 515 at 33-4; MWI, *Ruling on the vulnerable witness protection protocol* (16 November 2011); Cameron Ward. "MWCI: Hearing to start at 1:00 p.m. today" *Cameron Ward & Company Blog* (10 April 2012).

<sup>556</sup> Brian Hutchinson, "Missing Women Commission official told to 'help' on arms length report" *National Post* (04 April 2012); BCCLA, *et al.*, *supra* note 515 at 9.

<sup>557</sup> Brian Hutchinson, "Missing women inquiry beset by 'sexism': Ex-staff" *National Post* (03 April 2012).

<sup>558</sup> Neal Hall, "Oppal appoints investigator to probe Missing Women inquiry staff harassment allegations" *Vancouver Sun* (04 April 2012); Neal Hall, "Executive director of Missing Women inquiry put on leave while probe conducted" *Vancouver Sun* (05 April 2012); MWI, *Media release: April 4, 2012 – Response from Commissioner Wally Oppal To allegations in the National Post*.

<sup>559</sup> Neal Hall, "No evidence of sexism by staff at Missing Women inquiry, probe finds" *Vancouver Sun* (13 June 2012).

<sup>560</sup> Ward, *et al.*, *supra* note 63 at 5.

That said, for some family members, their participation in this process was not in vain. Some had waited more than a decade for the opportunity to tell their family's story in a public forum where they could finally express their frustration and disappointment with the police and government institutions that had failed them. For some, this was partly to humanize and memorialize their loved ones. For others, particularly those who did not get a trial, it was to give them some sense of closure.<sup>561</sup>

For many families of the missing and murdered women, the MWI did not provide them with what they sought most: answers, respect and justice.<sup>562</sup>

The evidentiary hearings began on October 11, 2011, and concluded on June 6, 2012. The MWI was available through live-streaming on its website, including the policy forums held in May 2012.<sup>563</sup> Public access to the live-streaming varied, reaching almost 900 viewers on one day.<sup>564</sup> As Oppal realized that the MWI could not finish in the time allotted, he made process directives that allowed for panels of witnesses and instituted time limits on cross examinations.<sup>565</sup> The final report was originally due December 31, 2011, but the Commission was granted several extensions including an extension to hold evidentiary hearings.<sup>566</sup> Two weeks before the deadline for submission, three human rights organizations issued a report critical of many aspects of the MWI.<sup>567</sup> Oppal's 1,488 page report was finally released to the provincial government on November 22, 2012, and to the public on December 17.<sup>568</sup> In his final report Oppal concluded that the investigation was "a blatant failure."<sup>569</sup>

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<sup>561</sup> *Ibid.*

<sup>562</sup> "Victims' families deeply disappointed in Missing Women's inquiry" *CBC News* (19 November 2012).

<sup>563</sup> The live-streaming was not without its limitations: it often froze, was unavailable for hours, or the video or audio portion was not accessible. I made several complaints to the CBC, as did Wayne Leng (personal communication).

<sup>564</sup> Oppal [Vol. IV], *supra* note 28 at 7, 24.

<sup>565</sup> *Ibid.* at 20-22.

<sup>566</sup> Thomson, *supra* note 510; Fournier, *supra* note 520.

<sup>567</sup> BCCLA, *et al.*, *supra* note 515.

<sup>568</sup> MWI, November 22, 2012 – Media statement from Commissioner Wally Oppal, Q.C.; "Missing Women Inquiry report handed to B.C. government" *Vancouver Sun* (22 November 2012).

<sup>569</sup> Oppal [Vol. IIB], *supra* note 14 at 1.

Oppal's report did not apportion blame to individuals due to the passage of time and because most of the police involved had since retired.<sup>570</sup> He also accepted that all officers involved in the investigation had acted in good faith, even if there were errors in judgement.<sup>571</sup> He did criticize some of the key actors of higher rank, such as the VPD's DCC Blythe,<sup>572</sup> DCC McGuinness,<sup>573</sup> Inspector Biddlecombe,<sup>574</sup> DCC Unger,<sup>575</sup> and Acting Inspector Dureau.<sup>576</sup> The criticisms were for passive management styles, being uninformed of their subordinate's work when there was evidence that they should have known, not prioritizing the investigation, failure to understand the urgency of the situation, failure to issue a public warning and failure to provide adequate resources. The RCMP's Adam was also singled-out, largely for his failure to recognize that he was in charge of an active serial killer investigation.<sup>577</sup>

The focus of the report was on the systemic errors as well as the actions of the VPD and RCMP. Oppal believed that the police had an obligation to initiate crime prevention and safety measures. This included sharing of information on the investigation with women and community members and with officers working in the DTES. These were two key elements stressed by the Green River Task Force. The proactive element of Evenhanded did not commence until 18 months after police recognized that women continued to go missing and five months after Evenhanded recognized it was an active serial killer investigation.<sup>578</sup> Likewise, the failure to issue a public warning was highly criticized. Oppal cited the case of

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<sup>570</sup> Oppal [Vol. I], *supra* note 11 at 172.

<sup>571</sup> Oppal [Vol. IIB], *supra* note 14 at 4.

<sup>572</sup> *Ibid.* at 242.

<sup>573</sup> *Ibid.* at 200, 244.

<sup>574</sup> *Ibid.* at 245, 247, 249, 270.

<sup>575</sup> *Ibid.* at 200.

<sup>576</sup> *Ibid.* at 244, 246.

<sup>577</sup> *Ibid.* at 94, 98, 142, 157-9, 276.

<sup>578</sup> *Ibid.* at 99-100.

*Jane Doe v. Metro Toronto Police* in which the court ruled that the police had a legal obligation to warn potential victims of known risks.<sup>579</sup> Oppal found that warnings should have been issued to women in the DTES and to Aboriginal communities throughout the province.<sup>580</sup>

The VPD was under an obligation to warn women in the DTES and they utterly failed to do so. There is no sound evidence of investigative reasons not to issue a warning. In fact the opposite is true: both DC Evans and DCC LePard acknowledged that such a warning could have elicited tips.<sup>581</sup>

Oppal also noted that Evenhanded had not issued a public warning even after it was accepted that there was an active serial killer.<sup>582</sup> The main investigative strategies in which errors made were identified by Oppal as:

1. Failure to employ an Aboriginal-specific investigation strategy;
2. Restricted involvement of family members, the community and media in the investigations;
3. Lack of follow up on tips and mismanagement of informants and information sources;
4. Delays in pursuing a suspect-based strategy and failure to confirm or rule out suspects; and
5. Limited use of other investigative avenues: surveillance, undercover operations, search warrants and forensic evidence.<sup>583</sup>

The last four elements are discussed later in this and the following chapter. Aboriginal social service agencies were not engaged to assist with the missing women cases, including failing to inquire about background information on the women, asking them to put up posters and failure to seek information from RCMP Aboriginal police services.<sup>584</sup> Oppal was shocked by this omission in the investigative strategy: “The police completely overlooked the Aboriginal

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<sup>579</sup> *Jane Doe v. Board of Commissioners of Police for the Municipality of Metropolitan Toronto et al.* [1997] 39 O.R. (3d).

<sup>580</sup> Oppal [Vol. IIB], *supra* note 14 at 100-3.

<sup>581</sup> *Ibid.* at 103.

<sup>582</sup> *Ibid.* at 105.

<sup>583</sup> *Ibid.* at 106.

<sup>584</sup> *Ibid.* at 107-109.

dimensions of the missing women crisis throughout the investigations. This systemic blindness to the distinctiveness and specificity of the Aboriginal communities is staggering in light of the number of Aboriginal victims.”<sup>585</sup> Oppal found that the RCMP in particular should have been quicker to prioritize the missing women cases, given their long involvement in acts of colonization, such as removing children to be sent to residential schools.<sup>586</sup>

The jurisdictional issues and arguments over who had the responsibility to investigate Pickton continued into the MWI. LePard believed the crimes began at the Pickton property, thus becoming the responsibility for Port Coquitlam. Evans disagreed; she believed the crimes began in Vancouver. Daryl Roberts, counsel for Marion Bryce, the mother of Patricia Johnson, argued throughout the MWI that the VPD should have considered the crime of kidnapping by fraud. This would have placed the beginning of the crime in the DTES, under the jurisdiction of the VPD.<sup>587</sup> Ringwald’s recount of her ordeal began with Pickton offering her an unusually high price for sexual services if she accompanied him to his home. On the drive there, he refused to stop to let her use a gas station bathroom; she also believed he was pacing his speed to ensure that he did not get stopped at red lights, which would have given her the opportunity to jump from the truck. The information from Hiscox and Caldwell supported this supposition. Although Evans did not consider kidnapping (by fraud or force), she believed the VPD should have taken the lead in the cases. Oppal found that both the VPD and the RCMP had a shared responsibility to investigate Pickton but that “as the

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<sup>585</sup> *Ibid.* at 108.

<sup>586</sup> *Ibid.* at 236.

<sup>587</sup> *Ibid.* at 188-191.

policing agency with overall responsibility for investigating the missing women, the VPD is ultimately accountable for the failed multi-jurisdictional investigation.”<sup>588</sup>

Oppal’s recommendations were broad and far-reaching. The larger recommendations such as the creation of a regional police force, a national DNA databank for missing persons and the mandatory use of the MCM model are discussed in the next chapter. However, other recommendations included:

*Support to Families:*

- The appointment of two advisors, including an Aboriginal Elder, to meet with families and affected parties regarding a) public acknowledgement and apologies, and b) to discuss options for a facilitated reconciliation;<sup>589</sup>
- The establishment of a compensation fund for the children of the missing and murdered women;<sup>590</sup>
- The establishment of a healing fund for counselling and support for the families of missing and murdered women;<sup>591</sup>
- The development of a holistic approach to providing support to the families and friends of missing persons;<sup>592</sup>
- An invitation to members of the media to join a provincial committee to establish protocols related to missing persons;<sup>593</sup>

*Improvements to the way in which missing people can be reported to police:*

- The establishment of a provincial missing person website with information, tools and prevention strategies, such as is found in Saskatchewan and with tools such as those developed by NWAC;<sup>594</sup>
- The establishment of a 1-800 number for reporting missing persons and accessing case information;<sup>595</sup>
- The consideration of enhancements to the existing provincial missing persons centre or the creation of an independent civilian-based agency;<sup>596</sup>

*Improvements to non-biased and harm reduction in policing:*

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<sup>588</sup> *Ibid.* at 191.

<sup>589</sup> Oppal [Vol. III], *supra* note 534 at 49, 52.

<sup>590</sup> *Ibid.*

<sup>591</sup> *Ibid.* at 51-2.

<sup>592</sup> *Ibid.* at 173.

<sup>593</sup> *Ibid.* at 175.

<sup>594</sup> *Ibid.* at 164.

<sup>595</sup> *Ibid.* at 166.

<sup>596</sup> *Ibid.* at 177.



- The commencement of [gender-based] equality audits in all police agencies operating in B.C., including the RCMP;<sup>597</sup>
- The development and implementation of a non-discriminatory policing standard similar to the one existing in Alberta;<sup>598</sup>
- The development of a statutory provision on the legal duty to warn [to issue public warnings] and a protocol on the interpretation and application of warnings;<sup>599</sup>
- The establishment of a working group to develop a guide regarding methods and mechanisms for communication of officers that transcends hierarchical structures;<sup>600</sup>
- Mandatory police training on a variety of issues including VAW, vulnerable witnesses, Aboriginal people and non-biased policing;<sup>601</sup>
- The evaluation of the VPD's *SisterWatch* program for further refinement and exportation to other jurisdictions;<sup>602</sup>
- The commitment of named parties in the *Living in Community* (LIC) initiative to work together to reduce problems associated with the street sex trade and enhance safety of women engaged in street prostitution;<sup>603</sup>
- Funding for additional sex trade liaison positions in the VPD, and the creation of such positions in other jurisdictions;<sup>604</sup>
- The need for studies regarding the re-establishment of an organization similar to the now-closed VPNS to assist the Aboriginal community in the DTES navigate and work with the VPD;<sup>605</sup>

*Improvements in police accountability:*

- The province engage the RCMP to bring them into the more transparent provincial police complaints process rather than a separate process;<sup>606</sup>
- Amendments to the *Police Act* to ensure that municipal mayors are *ex officio* members of police boards but have no voting authority;<sup>607</sup>
- Increased representation of vulnerable, marginalized and Aboriginal people on police boards;<sup>608</sup>

*Improvements in the manner that the Crown exercises its discretion in regards to marginalized and vulnerable witnesses:*

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<sup>597</sup> *Ibid.* at 60.

<sup>598</sup> *Ibid.* at 64.

<sup>599</sup> *Ibid.* at 65.

<sup>600</sup> *Ibid.* at 78;

<sup>601</sup> *Ibid.* at 79.

<sup>602</sup> *Ibid.* at 92.

<sup>603</sup> *Ibid.* at 95.

<sup>604</sup> *Ibid.* at 96.

<sup>605</sup> *Ibid.* at 97.

<sup>606</sup> *Ibid.* at 81.

<sup>607</sup> *Ibid.* at 208.

<sup>608</sup> *Ibid.*

- The adoption of a) an explicit inclusion of equality in the Crown Policy manual, similar to the one existing in Ontario and b) a general policy statement regarding marginalized witnesses, where there is a risk of non-prosecution of offences against them due to Crown discretion;<sup>609</sup>
- a) The need for research to understand the effects on memory of substance use and ways of supporting those who have substance abuse issues in order that they can testify; b) The funding of a law reform project regarding possible changes to the law of evidence to better allow witnesses to testify; and, c) The development of guidelines to support witnesses based on best practices from other jurisdictions;<sup>610</sup>

*Improvement in investigating cases of missing persons, especially vulnerable, high risk and marginalized women and methods to proactively improve their safety:*

- The establishment of voluntary databases and protocols regarding investigation of marginalized and vulnerable women;<sup>611</sup>
- Other provincial policing agencies adopt similar guidelines as the VPD regarding policing of sex trade workers;<sup>612</sup>
- The assessment of ways to a) reduce the number of court orders for minor infractions (jaywalking, public urination/defecation, etc.) that result in police distrust, failure to attend, jail time, fines and avoidance of police, including when an assault has occurred against them; b) facilitate and inform on police discretion; c) quash failure to appear offences earlier in the judicial process, specifically noting the 2012 Portland initiatives and an amnesty day for bench warrants as options; and, d) develop protocols regarding police discretion to enforce court warrants that do not usurp the authority of the courts;<sup>613</sup>
- The development of legislative options to protect women from sexual exploitation, such as the Manitoba *Child Sexual Exploitation and Human Trafficking Act*;<sup>614</sup>
- The creation of additional monitoring of high risk offenders;<sup>615</sup>
- The development of provincial standards for missing person cases, which includes 15 specific areas for standardization;<sup>616</sup>
- The establishment of protocols for the collaboration of key partners (non-governmental and social service agencies, Aboriginal organizations, the media, police) in missing person cases;<sup>617</sup>

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<sup>609</sup> *Ibid.* at 69-71.

<sup>610</sup> *Ibid.* at 73-6.

<sup>611</sup> *Ibid.* at 100.

<sup>612</sup> *Ibid.* 100-3.

<sup>613</sup> *Ibid.* at 105-8.

<sup>614</sup> *Ibid.* at 107-8; Manitoba, *Child Sexual Exploitation and Human Trafficking Act* (2012).

<sup>615</sup> Oppal [Vol. III], *supra* note 534 at 111.

<sup>616</sup> *Ibid.* at 143.

<sup>617</sup> *Ibid.* at 160.

- The establishment of an independent agency to coordinate information, establish patterns and review police investigations into missing person cases, but not to investigate cases;<sup>618</sup>
- The enactment of missing persons legislation to allow timely access to personal information, such as the acts in place in Alberta and Manitoba;<sup>619</sup>

*Recommendations regarding the Highway of Tears area and improving the safety of rural women:*

- a) The full implementation of the 2005 *Highway of Tears Symposium* report's action plan; and, b) That the action plan be updated and its implementation be inclusive of all affected areas;<sup>620</sup>
- Regarding Aboriginal youth moving from rural, Northern or remote areas or reserves to urban centres: a) The enhancement of safety in these areas to reduce the movement to urban centres; b) The creation of culturally sensitive safe and transition homes to meet the needs of Aboriginal people when they have moved to urban areas; and, c) The reduction of sexual exploitation of Aboriginal women in transitioning from rural to urban areas;<sup>621</sup>

Immediately following the release of the MWI report, the Minister of Justice, Shirley Bond, announced that the government, while requiring time to further study the recommendations, was moving on three recommendations. The first was the appointment of Steven Point as a “champion” to chair an advisory committee on the safety and security of vulnerable women. Point is an Aboriginal man and former Lieutenant Governor of the province. The second was a commitment to meet with communities along Highway 16 to explore transportation needs for rural, Aboriginal women to reduce the reliance on hitchhiking. Finally, Bond announced a grant of \$750,000 for WISH, in order to expand services to DTES women 24 hours a day, seven days a week.<sup>622</sup> Unfortunately, funding for PEERS, the only organization in the DTES to provide services for women attempting to exit the sex trade, was not provided. PEERS could not secure funding and was forced to close at

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<sup>618</sup> *Ibid.* at 162.

<sup>619</sup> *Ibid.* at 181-2.

<sup>620</sup> *Ibid.* at 124-5.

<sup>621</sup> *Ibid.* at 126-8.

<sup>622</sup> B.C. Ministry of Attorney General. *Government takes immediate action on missing women report* (17 December 2012).

the end of March 2012.<sup>623</sup> However, the funding to WISH was not only practical; it was also highly symbolic. Many of the missing and murdered women of the DTES were regular clients of WISH. Elaine Allen, the executive director of WISH from April 1998 until April 2001, knew 16 of the 33 women whose DNA was found at the Pickton property.<sup>624</sup>

## **X. THE DTES, VPD AND PROJECT EVENHANDED POST-PICKTON**

In July 2010, there were 51 investigators assigned to Evenhanded.<sup>625</sup> Former team commander Adam advised the MWI that in addition to Pickton, 13 murders of sex workers and 130 violent sexual assaults were solved through the investigative work of Evenhanded.<sup>626</sup> At the close of the Pickton trial there were 39 unsolved missing women's cases still under investigation.<sup>627</sup> As of 2012, Evenhanded remained operational, investigating cases that were not closed by Pickton's six convictions and the 13 homicides unrelated to Pickton.<sup>628</sup> Evenhanded continues its efforts to identify Jane Doe and in 2011 issued a revised sketch.<sup>629</sup> Police are confident that Pickton is responsible for the death of the 33 women whose DNA or remains were found on his property, and possibly the 49 that he admitted to killing when speaking to his cellmate in February 2002.<sup>630</sup> The identities of 16 of the women he may have killed are unknown but Evenhanded continues to try to make links between Pickton and the missing women. According to the DOJ, Evenhanded had 70 active files as of May 2012.<sup>631</sup>

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<sup>623</sup> Oppal [Vol. III], *supra* note 534 at 16.

<sup>624</sup> Robert Matas, "Police ignored report on missing prostitute, inquiry told" *The Globe and Mail* (01 November 2011); MWI [Nov. 1], *supra* note 3 at 49.

<sup>625</sup> Makin and Matas, *supra* note 481; Greenaway, *supra* note 482.

<sup>626</sup> MWI [Feb. 15], *supra* note 216 at 85.

<sup>627</sup> "Robert Pickton...", *supra* note 329.

<sup>628</sup> MWI [Feb. 15], *supra* note 216 at 26.

<sup>629</sup> Culbert, *supra* note 360; "Police seek public's assistance in identifying Jane Doe" *RCMP News Release* (22 February 2011); "Renewed effort spark tips in Jane Doe mystery" *RCMP News Release* (23 February 2011).

<sup>630</sup> Makin and Matas, *supra* note 481.

<sup>631</sup> Oppal [Vol. I], *supra* note 11 at 21.

With confirmation that there would be no further trials for Pickton, the physical remains of the women were released to the families. The Frey family was upset with the news that the remains would be sent by mail.<sup>632</sup> Ultimately the Freys were able to pick up the cremated remains of their daughter in person. They had wanted to have her cremated themselves in their home town of Campbell River but the coroner advised that he had already cremated the remains. According to Lynn Frey's testimony at the MWI, the coroner did not have the authority to cremate their daughter against her explicit request to have the remains returned. A cremation certificate was not issued and the funeral home told Frey that the remains had not been cremated before being placed in the urn. Instead, the funeral director explained that the bone appeared to have been broken with an instrument so that it would fit into the tiny urn. The media reported that the forensic anthropologist who examined the bone for the Pickton trial had concurred that the bone had not been cremated. In early 2013, the province's Chief Coroner, Lisa Lapointe, announced that the crematorium is under investigation.<sup>633</sup> In September 2013, the Frey's assertions about the crushing of bone were confirmed by the Coroner's Office; they were issued an apology.<sup>634</sup>

The Papin family was able to arrange for the cremation of the hand bones that were all that remained of Georgina.<sup>635</sup> For most of the 32 known families of women linked to the Pickton property, there was nothing to return. Their family member's DNA was found on items, walls or tools, but no remains had been found.

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<sup>632</sup> Suzanne Fournier, "'Insensitive' coroner's staff rub more salt into victims' wounds" *The Province* (25 June 2009).

<sup>633</sup> MWI, *October 24, 2011* at 83-5; "Pickton victim's remains mishandled, family says" *CBC News* (13 February 2013).

<sup>634</sup> "Pickton victim suffered indignity by coroner, family says" *CBC News* (20 September 2013).

<sup>635</sup> Lori Culbert, "Family says goodbye, 11 years after murder" *Vancouver Sun* (22 September 2010).

In 2011, the coroner issued death certificates for the final six women for whose murders the RCMP had recommended charges be laid against Pickton. Death certificates were not issued earlier because the coroner awaited a decision on how the Crown planned to proceed with the cases. The death certificates placed their deaths at the Pickton property in Port Coquitlam.<sup>636</sup> Other details regarding the death certificates are not known. There are only five official “Manners of Death:” accident, suicide, homicide, natural cases and undetermined.<sup>637</sup> The coroner could have put Homicide or Undetermined for cases in which a small DNA profile or belongings linked a woman to Pickton’s property. For the 21 women, including Jane Doe, where the charges were stayed or quashed, the coroner should have undoubtedly determined it was homicide, even if the cause of death could not be determined.

Former Pickton employee Hiscox was the first person to provide information to police a year before the reward was offered.<sup>638</sup> Hiscox formally applied to claim the reward in 2003 but was rejected because the reward could not be issued prior to the resolution of the case.<sup>639</sup> Chubb also attempted to claim the \$100,000 reward posted by the VPD in the Missing Women’s Case.<sup>640</sup> After the SCC’s decision, the Vancouver Police Board divided the reward among six unnamed individuals.<sup>641</sup>

The province has offered compensation to the families of Pickton’s victims. The five children of Dianne Rock received between \$5,000 and \$7,000, and her mother and siblings

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<sup>636</sup> Robert Matas, “Coroner’s certificates place missing women’s deaths at Pickton farm” *The Globe and Mail* (10 March 2011); Robert Matas, “Death certificates place missing women’s deaths at Pickton’s farm” *The Globe and Mail* (04 March 2011).

<sup>637</sup> Stefan Timmermans, *Postmortem: How medical examiners explain suspicious deaths*. (Chicago: The University of Chicago Press, 2006) at 6.

<sup>638</sup> Suzanne Fournier, “Pickton tape given to police in 1998” *The Province* (25 April 2002). See also, Rosie Dimanno, “More strange stories from Pickton’s farm” *The Star* (05 December 2007).

<sup>639</sup> Suzanne Fournier, “Informant in Pickton case fails in bid to claim reward” *The Province* (26 June 2003).

<sup>640</sup> *Ibid.*; *R. v. Pickton*, *supra* note 158 at 16.

<sup>641</sup> “6 tipsters split \$100K in Pickton rewards” *CBC News* (25 August 2010).

also received undisclosed amounts.<sup>642</sup> Brenda Wolfe's only child, Angela, was offered \$10,000 but rejected the offer.<sup>643</sup> At the end of 2012, \$1.44-million had been awarded.<sup>644</sup> With the MWI concluded, it was widely assumed that the families of the missing women would initiate civil action based on the failure of the VPD and RCMP to properly investigate the missing women cases and Pickton. In May 2013, Jason Gratl, who had represented the DTES interest in the MWI, launched a civil suit on behalf of the children of four of Pickton's victims:<sup>645</sup> Dianne Rock,<sup>646</sup> Sarah de Vries,<sup>647</sup> Cynthia Feliks<sup>648</sup> and Yvonne Boen.<sup>649</sup> The children of Georgina Papin,<sup>650</sup> Brenda Wolfe,<sup>651</sup> Stephanie Lane,<sup>652</sup> Jacqueline Murdock<sup>653</sup>

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<sup>642</sup> Ian Bailey and Sunny Dhillon, "Compensating children of missing B.C. women is complicated: Oppal" *The Globe and Mail* (19 December 2012).

<sup>643</sup> MWI [Oct. 27], *supra* note 551 at 77; Ward *et al.*, *supra* note 63 at 60.

<sup>644</sup> Bailey and Dhillon, *supra* note 645.

<sup>645</sup> "Dismiss Pickton lawsuit against Crown prosecutors, says B.C." *CBC News* (05 July 2013); "Children of alleged Pickton victims launch civil lawsuit" *CBC News* (09 May 2013).

<sup>646</sup> See the RCMP defendants' response to the children of Dianne Rock: *Melissa Marin, Carole Cote and Donald Cote v. Her Majesty the Queen in Right of the Province of British Columbia (Minister of Justice), The City of Vancouver, Robert William Pickton, David Francis Pickton, Linda Louise Wright, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, RCMP Defendant's Response to Civil Claim (07 October 2013).

<sup>647</sup> See the RCMP defendants' response to the daughter of Sarah de Vries: *Sarah Jean de Vries v. Her Majesty the Queen in Right of the Province of British Columbia (Minister of Justice), The City of Vancouver, Robert William Pickton, David Francis Pickton, Linda Louise Wright, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, RCMP Defendant's Response to Civil Claim (07 October 2013).

<sup>648</sup> See the RCMP defendants' response to the daughter of Cynthia Feliks: *Theresa Mongovius v. Her Majesty the Queen in Right of the Province of British Columbia (Minister of Justice), The City of Vancouver, The City of New Westminster, Robert William Pickton, David Francis Pickton, Linda Louise Wright, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, RCMP Defendant's Response to Civil Claim (07 October 2013).

<sup>649</sup> See the RCMP defendants' response to the sons of Yvonne Boen: *Troy Boen and Joel Boen v. Her Majesty the Queen in Right of the Province of British Columbia (Minister of Justice), The City of Vancouver, Robert William Pickton, David Francis Pickton, Linda Louise Wright, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, RCMP Defendant's Response to Civil Claim (07 October 2013).

<sup>650</sup> See the RCMP defendants' response to the daughter of Georgina Papin: *Kristina Bateman v. Her Majesty the Queen in Right of the Province of British Columbia, The City of Vancouver, Robert William Pickton, David Francis Pickton, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, RCMP Defendant's Response to Civil Claim (07 October 2013).

<sup>651</sup> See the RCMP defendants' response to the daughter of Brenda Wolfe: *Angel Wolfe v. Her Majesty the Queen in Right of the Province of British Columbia, The City of Vancouver, Robert William Pickton, David Francis Pickton, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, RCMP Defendant's Response to Civil Claim (07 October 2013).

<sup>652</sup> "Another family of Pickton victim sues RCMP, Vancouver police" *The Province* (16 July 2013).

<sup>653</sup> "Lawsuit becomes sixth to target police, Pickton over murders" *The Globe and Mail* (01 August 2013).

and Marnie Frey<sup>654</sup> also joined the civil suit. The VPD and RCMP responded to the nine civil suits in October 2013<sup>655</sup>

The civil suits name Robert and David Pickton, the province of B.C., the City of Vancouver, the RCMP and former RCMP officers Ruth Chapman (nee Yurkiw), Richard Hall, Frank Henley, Earl Moulton, and Brad Zalys. Some of the suits also name Pickton's sister Linda Wright.<sup>656</sup> No VPD officers or any RCMP members of Evenhanded were individually named as defendants. Although many of the key players from the PUHU and Port Coquitlam detachment were named, Corporal Connor was not.

In the response to the suits filed October 7, 2013, the Counsel for the RCMP stated that the defendants did not receive any reports regarding the disappearance of the plaintiff's mothers, were not assigned to investigate the disappearances, were not under any duty to do so and did not investigate the disappearances. They further dispute that the RCMP had any duty to warn the plaintiffs, individually or as members of a specific group, of the threat posed by Pickton, by an unknown serial killer, or that their deaths was "contributed to by the absence of a warning regarding Robert Pickton or another potential serial killer is purely speculative, and put the Plaintiff[s] to the strict proof thereof."<sup>657</sup> The RCMP officers'

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<sup>654</sup> See the City of Vancouver's response to the daughter of Marnie Frey: *Brittney Frey v. Her Majesty the Queen in Right of the Province of British Columbia, The City of Vancouver, Robert William Pickton, David Francis Pickton, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, City of Vancouver's (Defendant) Defendant's Response to Civil Claim (04 October 2013).

See the RCMP defendants' response to the daughter of Marnie Frey: *Brittney Frey v. Her Majesty the Queen in Right of the Province of British Columbia, The City of Vancouver, Robert William Pickton, David Francis Pickton, Richard Hall, Earl Moulton, Brad Zalys, Ruth Chapman and Frank Henley*, RCMP Defendant's Response to Civil Claim (07 October 2013).

<sup>655</sup> Vancouver police force insists it made 'reasonable efforts' to find missing women found on Pickton's farm" *The Province* (07 October 2013); James Keller, "Robert Pickton lawsuit: Vancouver defends VPD's record" *Huffington Post* (07 October 2013); "Another three victims' families sue Robert Pickton, police, bringing total to nine" *Vancouver Sun* (20 August 2013).

<sup>656</sup> Wright is included in the Boen, de Vries, Rock and Feliks claims.

<sup>657</sup> *Sarah Jean de Vries v. Her Majesty...*, *supra* note 648 at 3.



lawyers also refuted the assertion that investigations into the attempted murder of Ringwald or to the “body in the barn” in 1999 were negligent.

In the response to the Frey claim, the City of Vancouver claim that there is no proof that Frey went missing from Vancouver, and that “At all material times, the Vancouver Police made reasonable efforts to locate and investigate the disappearances of women upon receipt of information or reports.”<sup>658</sup> They further argue that the women left Vancouver willingly with Pickton, out of their jurisdiction.<sup>659</sup> The City of Vancouver points to the LePard report<sup>660</sup> as its version of events.<sup>661</sup> Shortly after the first civil suits were launched, Steven Point resigned as the chair of the advisory committee on the safety and security of vulnerable women. He stated that the civil litigation put him in a precarious legal position, as anything he said as chair of the committee could be used in the litigation.<sup>662</sup> Bond, prior to leaving the position of A.G. in mid-2013, advised that due to the litigation, the work of the committee could be constrained. An informal committee of 20 advocacy organizations sent an open letter to the new A.G., Suzanne Anton, requesting immediate action and attention to the file.<sup>663</sup> As of October 2013, a new chair has not been named.

## **XI. CONCLUSION: ANALYSIS OF THE MISSING WOMEN CASES**

The failures of Evenhanded and Project Amelia have been well documented through the media, the Lepard and Evans reports, Stevie Cameron’s books and the MWI. The lack of resources is paramount in the projects’ failures. Resources were not forthcoming at first

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<sup>658</sup> *Brittney Frey v. Her Majesty...*, *supra* note 655 at 2.

<sup>659</sup> Keller, *supra* note 656.

<sup>660</sup> VPD, *supra* note 15.

<sup>661</sup> *Brittney Frey v. Her Majesty...*, *supra* note 655 at 2-3

<sup>662</sup> “Steven Point resigns from vulnerable womens’[sic] committee” *CBC News* (17 May 2013).

<sup>663</sup> Union of B.C. Indians. *Advocacy groups object to stalling by B.C. since conclusion of Missing Women Commission of Inquiry* (10 July 2013).

because of management's refusal to accept the serial killer theory and then due to a low priority. Racism, apathy and blatant disdain for the marginalized women whose life circumstances were anathema to police management led to inaction. These women were not afforded the same protection before they disappeared and the same concern, time and resources after they had gone missing, that would have been afforded to citizens deemed more worthy.

The VPD had the potential to make an early intervention into the missing women's cases. Its investigation in early 1997 into the list of missing women, augmented by its own officer, Dickson, alerted it to a potential problem. It was 14 months until Shenher was assigned to begin an investigation. An inexperienced investigator alone with 28 cases with virtually no supervision, Shenher can hardly be criticized for being unable to make significant progress. Evans reviewed many of the missing women's files and provided an outline of what was done in each of the cases reviewed.<sup>664</sup> She identified that in many cases the standard investigative steps were not conducted. These included a failure to attend (or sometimes even to identify) the last known residence, to interview neighbours, family, friends and boyfriends, to make contact with and send posters to Band Councils and Aboriginal organizations, to take samples for DNA, to check date books, address books, and so, or to engage community organizations such as WISH, DEYAS or the Aboriginal Front Door Society. Oppal concluded that lack of standard investigative steps, such as interviews at hotels and rooming houses, missed opportunities to link Pickton to the missing women earlier. Further, Oppal concluded that "more comprehensive and systematic follow up on the individual missing women files had the strong potential to generate further links and

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<sup>664</sup> The review of the cases is found in Appendix D of her report. See, MWI [#34], *supra* note 10.

evidence about Pickton.”<sup>665</sup> VPD management received repeated requests from Shenher and Field that resources were needed but assistance was not approved for almost a year. When resources were added, it was a minimal increase; after less than a year, Project Amelia began to “wind down.”

Civilian clerk Sandy Cameron of the MPU is alleged to have made racist, insensitive and anti-sex worker remarks to officers and family members alike, told family members the VPD did not look for “missing hookers,” and routinely advised family members that the women were away on holidays, were probably out “partying” or could be found in a local bar if they went to look for themselves. The MWI heard that Cameron had introduced herself as a police officer and threatened Holyk’s mother that she would call the child protection services regarding her infant son who had been “abandoned.”<sup>666</sup> Cameron denied all charges against her.<sup>667</sup> While Cameron’s conduct was egregious, unprofessional and indefensible, the VPD failed to act upon complaints from the public, the Vancouver Police Native Liaison Society (VPNLS), family and their own police officers. Their inaction allowed this behaviour to continue unabated for years.

Cameron certainly was not the only problem in the MPU. Repeated refusal to accept reports from family or friends and lost files resulted in a lack of follow-up, distrust of police and a loss of potential evidence early on in the investigation. When reports were taken by VPD officers, 9-1-1 or forwarded by other police departments, the files were not given priority, sat uninvestigated for months or sometimes years and were closed without confirmation of resolution or notifying the family. The VPNLS, which operated as a quasi-

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<sup>665</sup> Oppal [Vol. IIB], *supra* note 14 at 67-8

<sup>666</sup> Gratl, *supra* note 13 at 52-6.

<sup>667</sup> MWI, *April 23, 2012*.

police station without the benefit of officers, was supposed to be an alternative for family members to report missing loved ones, but it was underfunded. Its staff did not believe the submission of a missing persons report would be acted upon by the VPD, although they did pass along the reports to the MPU.<sup>668</sup>

After Rossmo's analysis suggested that the missing women were probably victims of foul play, there was a reasonable basis for accepting that a serial killer might be at work. A practical plan based on successful similar investigations from around the world was proposed by Rossmo in September 1998, which included the creation of a JFO. Rossmo had been promoted several ranks by a previous chief after completion of his doctorate, which made him a target of jealousy and exclusion by those in the rank of inspector and above. Personality conflicts, professional jealousy, derision and skepticism of statistics and research and lack of support by Biddlecombe derailed the investigation from the beginning. A JFO undertaken in 1998 which utilized MCM models and had sufficient investigative resources could, and likely would have, captured Pickton years earlier. Oppal agreed:

there was ample justification for a JFO of some kind at that time, as it was clear that a coordinated response was needed; the groundwork could have been set right from the beginning and expanded as needs were assessed in light of developments. This conclusion is consistent with standards for multijurisdictional case management that call for a formalized joint investigation to be initiated as soon as there is the potential for a multi-jurisdictional case.<sup>669</sup>

At the latest, a JFO should have been established by the summer of 1999 when the Caldwell, Menard and Best information was received.<sup>670</sup> Field's part-time supervision of the Project Amelia team members affected the progress of the project but her lack of attention to

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<sup>668</sup> MWI, April 2, 2012; MWI, April 3, 2012.

<sup>669</sup> Oppal [Vol. IIB], *supra* note 14 at 194.

<sup>670</sup> *Ibid.* at 259.

Project Amelia needs to be looked at in context. Field was simultaneously in charge of a homicide unit as well as Project Amelia. Field repeatedly requested a sergeant be assigned to Project Amelia and further resources. She worked on Project Amelia “from the side of [her] desk” because her direct supervisors and senior management would not provide additional resources. Field should have, however, expressed the seriousness of the situation to supervisors who did not believe there was a serial killer rather than accepting their rejections of her requests without argument.

The missing women of the DTES were not prioritized and Project Amelia was a project that paid lip service to the missing women in order to appease public concern and family pressure. Wayne Leng’s website, tip line and poster campaign alerted the media and public to the situation. It was Leng who contacted *America’s Most Wanted*, bringing international attention to the situation. From the documents released in the MWI it is clear Leng’s work on raising awareness was a constant annoyance to the VPD, which Oppal affirmed in his report.<sup>671</sup> The poster and website alerted other families that they were not alone in searching for a missing daughter or sister. Families banded together to seek answers and push for action to be taken. Likewise, sex worker advocate Jamie Hamilton staged demonstrations and demanded reward money be issued. Grandma’s House, a safe house/brothel operated by Hamilton, was raided and she was charged.

The VPD, Vancouver Police Board and Vancouver City Council needed to *appear* to care about the missing women. The tip line and the creation of Project Amelia was an effort to handle the expected calls following the airing of the AMW episode, a year after Leng had

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<sup>671</sup> *Ibid.* at 117.

set up a tip line using his cellular telephone.<sup>672</sup> Shenher testified that she felt Project Amelia needed six full-time investigators but that request was “reaching for the stars.”<sup>673</sup>

Investigators involved in American investigations, as well as Rossmo, had advised that considerably more – a hundred or more officers – was needed but Shenher lacked the experience to fully recognize the needs of the investigation. It was the responsibility of Field and her superiors to advocate for Project Amelia and to increase its priority within the department. Resources were scarce due to budget cuts but the Home Invasion Task Force was eventually prioritized and resources were not withheld. Following Pickton’s arrest, it took only hours for the VPD to commit resources to assist in the investigation. Where there was a will on the part of VPD management to secure resources, it was done quickly.

The VPD lack of priority and resources can, in some cases, be rightly attributed to a lack of concern of management for “less-worthy” citizens. In other cases it appears to be a lack of understanding of the lives of the women and the refusal to accept that there was a serial killer active. The investigators on the task force, especially Shenher, Dickson and Clark, did the best they could with inadequate resources and supervision, computer systems that were insufficient, a lack of data entry personnel or a dedicated file coordinator. They all appeared to care deeply about the cases, the women and their families, and wanted to find solutions. Project Amelia met obstacles at every turn that could have been overcome with the support of senior management.

The creation of Evenhanded and its investigation was an excellent step – but three years too late. Adam had the MCM training and his previous work suggested he had the management skills necessary to lead the investigation. However, Adam’s management of

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<sup>672</sup> MWI, *Exhibit 110 – Document entitled – chronology of involvement with the missing women investigations*.

<sup>673</sup> MWI [Jan. 31], *supra* note 88 at 70.

Evenhanded did not conform to the requirements of the MCM; he assumed tasks were performed without following up.<sup>674</sup> The MCM requires that resources be provided at the onset in order to assess the file and the danger to the public.

It is essential to allocate enough resources to quickly determine the extent of the problem; if a major case fails to materialize, extra personnel can be returned to normal duties. On the other hand, if a major case does evolve, an appropriate team is ready to intervene “effectively and aggressively.”<sup>675</sup>

Evenhanded did not conform to this model. The belief that the missing women were related to the Valley Murders was ultimately proven to be incorrect, but it was a reasonable thesis and a starting point was needed. Further, Evenhanded should have been pursuing multiple theories in parallel to the Valley Murders. The major issues with Evenhanded, besides its late start, included its early and extended focus on file review and historic crimes and its failure to investigate suspects.

Ultimately, Evenhanded was based upon a false premise. Evans wrote that “the original Project Plan for Evenhanded was flawed from the beginning as they failed to recognize and operate that women continued to go missing and were not found.”<sup>676</sup> The VPD advised Adam that the disappearances appeared to have stopped and this was accepted without question by the RCMP. The assertion that women were no longer disappearing is curious considering that many of the reports of missing women came in months or years after the woman had been last seen. How could the VPD have been confident that there were no further missing women given their experience with the missing women cases? Adam took two months of summer vacation in the summer of 2001. He did not believe there would be any detrimental impact on the project because Evenhanded was still in its file review phase

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<sup>674</sup> Oppal [Vol. IIB], *supra* note 14 at 176.

<sup>675</sup> *Ibid.* at 159.

<sup>676</sup> MWI [#34], *supra* note 10 at 8-34.

and was operating on the premise that the serial killer or killers were no longer active.<sup>677</sup> The operational plan was not immediately amended to reflect that the investigation was now seeking an active serial killer.<sup>678</sup> There was no sense of urgency for Evenhanded.

When Oger penned his report on the case, neither the RCMP nor VPD paid it much heed and the VPD even accused Oger of media leaks. There were numerous suspects, among them Pickton. Prioritization of suspects was a necessary step, but failure to include a criterion that would have prioritized suspects with the ability to dispose of bodies resulted in casting a wider net than was necessary. Officers should have been assigned much earlier to investigate suspects.

As an investigation into Pickton was already underway in Port Coquitlam, although effectively stalled, the obvious step was for Evenhanded to work with that detachment to fully investigate him, as a true priority. Evenhanded, however, did not have a copy of the Port Coquitlam file on Pickton until after his arrest. The Port Coquitlam detachment had several officers who strongly believed that Pickton had killed at least one woman, the body in the barn. However, other major crime cases took precedence because they were recent. Resources were needed for Port Coquitlam to pursue Pickton aggressively. One officer wrote in his notebook that if Pickton was later found to be the man responsible for the missing women, there would be an inquiry. As with the VPD, the lower ranked officers without the authority to ensure resources, were worried that a potential serial killer was being allowed to continue with impunity.

Some items of evidence seized in the 1997 Ringwald attempted murder investigation had been examined by forensic experts but others remained in an evidence locker. It was not

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<sup>677</sup> *Ibid.* at C147.

<sup>678</sup> Oppal [Vol. IIB], *supra* note 14 at 159.



until 2004 that these items were sent for testing. Had it been done earlier, the DNA profiles of at least three of the women would likely have been found.<sup>679</sup> With the DNA samples of missing women to compare to the profiles derived from the evidence, it would have been possible to identify the women, but would have been a warning sign for police to investigate further.<sup>680</sup> Even without a match, it is possible that the samples could have strengthened and solidified the focus on Pickton and provided support to the “body in the barn” story, especially the human DNA on Pickton’s jacket and boots.

The investigation into Pickton by Port Coquitlam and Evenhanded should have provided other avenues of investigation. Pickton appeared quick to offer jobs and housing to people he hardly knew. Hiscox, Caldwell and Bellwood were introduced through female friends of Pickton. Both Caldwell and Bellwood did not know Pickton long before he shared details about killing women or offered to dispose of bodies for them. Any of the four people who came forward to police could have been used to introduce an undercover operative. A “Mr. Big” or other undercover operation with the goal to get Pickton confess to police was not attempted. Oppal found that an undercover operation of Ellingsen, as well as Pickton, was also warranted.<sup>681</sup> Nor were offers by witnesses to become agents of the police advanced. Given the drug addiction and other difficulties posed by some of the witnesses, these were issues that required consideration. Management of witnesses with disordered lives is not new for police; significant effort was expended with the same witnesses in preparation for Pickton’s trial.

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<sup>679</sup> *Ibid.* at 140.

<sup>680</sup> MWI, *April 4, 2012* at 70.

<sup>681</sup> Oppal [Vol. IIB I], *supra* note 14 at 139.

A search warrant was not attempted after the Hiscox tip in 1998 or any of the other tips in 1999.<sup>682</sup> Connor had drafted an affidavit in support of a search warrant but the Crown advised it would not be approved and did not proceed. The information contained within this draft was used by the RCMP to obtain a warrant after Wells found items belonging to the missing women.<sup>683</sup> The lawyers for the Pickton victims' families noted in their final submissions, the notorious Piggy's Palace and the Picktons' association with Hells Angels could have been used as a way of obtaining a search warrant before the 2002 tip regarding the firearms.<sup>684</sup> Cockfights were known to happen weekly during the summer months in the barn. This illegal and cruel activity could have been pursued as reasonable cause to raid the property or to obtain a search warrant.<sup>685</sup> In 1999, there was evidence from the tipsters that Pickton was soliciting people to find and bring Ringwald to him to kill. Although Connor verbally warned her about the threats, nothing more was done to ensure her safety. Pickton was not interviewed, and he was not charged with uttering threats.<sup>686</sup>

Evenhanded continues to investigate missing women cases and unsolved murders. No information has been provided publicly on which cases are within the project's responsibility, how many officers are currently assigned or any progress on linking further victims to Pickton. Counsel for the DTES interests at the MWI acknowledged the importance of the comparison of historical cases to DNA samples of known offenders. "Sgt. Adam's attempt to initiate a 'wide net' investigation to compare historical DNA to known sex

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<sup>682</sup> Ward *et al.*, *supra* note 63 at 27.

<sup>683</sup> MWI [#226], *supra* note 175; Oppal [Vol. IIB], *supra* note 14 at 139.

<sup>684</sup> Ward *et al.*, *supra* note 63 at 29.

<sup>685</sup> MWI, *Exhibit 187 – Document entitled “Cockfighting charges cause a flat” – (news article)*; MWI [#226], *supra* note 175 at 18.

<sup>686</sup> MWI, *Exhibit 228 – Document entitled interview 980821... (RCMP-017-000665)*; MWI [Feb. 6], *supra* note 144 at 39.

offender DNA is a worthy project. This investigation should be conducted.”<sup>687</sup> This portion of Evenhanded’s plan was well-considered and practical for historic cases where a serial killer was no longer operational. Other major police projects have learned from both the errors and the best practices initiated by Adam.

The attempted murder of Ringwald in 1997 was a very serious crime. It cost Pickton \$80,000 for Peter Ritchie to defend him on those charges.<sup>688</sup> That case never went to trial.<sup>689</sup> Pickton was not remanded into custody following his release from the hospital. Neither the Crown nor RCMP opposed his release. Connor sent a CPIC message to all police departments in the Lower Mainland to alert them to Pickton in case prostitutes were murdered in their jurisdictions. Pickton was accused of a serious crime against a stranger; why was he not held in custody?

The Port Coquitlam RCMP did a thorough and professional investigation following the attack on Ringwald. The Crown approved the charges recommended by the police and added one charge.<sup>690</sup> A search was done of his trailer and vehicle following the attack on Ringwald and nothing suspicious was found.<sup>691</sup> There was no reason at that point to expand a search to outbuildings such as the barn or piggery. However, Shenher was assigned to the MPU in July 1998, six months after the charges against Pickton for the Ringwald attack were stayed. Within weeks of her assignment, Shenher received Hiscox’s tip. A full investigation

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<sup>687</sup> Gratl, *supra* note 13 at 98.

<sup>688</sup> Ritchie also represented Pickton after his arrest in 2002.

<sup>689</sup> *R. v. Pickton*, *supra* note 401 at 13.

<sup>690</sup> Ward *et al.*, *supra* note 63 at 96.

<sup>691</sup> The police intended to search the location that the stabbing had occurred. Ringwald had run to a residence across the street from the Pickton property seeking assistance following the attack. There was considerable amount of blood on the door and around the house and she had been picked up by a couple at this address; the bloody knife was dropped at this location. The police initially thought the attack had occurred there, at 930 Dominion Street. This was actually the Hells Angels’ clubhouse. The first search warrant identified this address as the location of the attack and a search warrant was executed. When the search warrant was executed, a marijuana growing operation was discovered. Ward *et al.*, *supra* note 63 at 92; Cameron, *supra* note 3 at 154.

at that point, based on Hiscox's tip and the Ringwald case should have been launched. The Ringwald assault linked Pickton to the DTES.<sup>692</sup> At this point, the Ringwald case should have been reviewed with the possibility of it being re-opened and the Port Coquitlam RCMP and VPD police should have conducted a full investigation of Pickton.

An RCMP staff sergeant wrote to the Crown concerned that eight officers had been notified they were all to attend at the same time for a 30-minute group interview the day the trial was scheduled to start. The officers were expected to testify the same day as the group interview.<sup>693</sup> The strength of the case against Pickton cannot fully be known due to the destruction of the file. Witnesses include the couple who found Ringwald, doctors and emergency personnel and Ringwald herself. Evidence included the handcuff key in Pickton's pocket that opened the cuffs still on Ringwald's hand. The Crown Counsel, Randi Connor, testified that Ringwald's drug addiction made her unfit to testify but counsel for the families and DTES interests argued it was lack of preparation that influenced her decision.

For the prosecutors to decide to stay the charges, not adjourn the trial, they had to have concluded that Ms. Anderson was permanently incapacitated. If that decision was correct, then no person who attempted to murder an incapacitated person could ever be successfully prosecuted. Alcoholics, drug addicts, the mentally infirm, the very young, could all be viciously attacked with impunity. No right-thinking Canadian would countenance such a state of affairs.<sup>694</sup>

Even if Ringwald was unfit to testify on the day Connor interviewed her, it was not a certainty she would be so at trial if there were proper interventions.

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<sup>692</sup> Oppal [Vol. IIB], *supra* note 14 at 105-6.

<sup>693</sup> Ward *et al.*, *supra* note 63 at 102.

<sup>694</sup> *Ibid.* at 103.

Approximately \$3,000 was paid to former Pickton employee Bellwood for meals, cigarettes and drug rehabilitation.<sup>695</sup> The RCMP provided drug rehabilitation for Bellwood which cost \$11,000, along with \$1,000 for his wife to attend a support group.<sup>696</sup> Ellingsen received \$16,264 over a five year period for rent, clothes, medical and moving expenses, employment training, business tickets, hotels, miscellaneous bills and food.<sup>697</sup> Chubb received \$25,102 from the RCMP, including \$13,440 in one month. Costs were for rent, living and moving expenses and a new vehicle.<sup>698</sup> Considerable time and money were spent to assist the witnesses in the Pickton case to receive drug rehabilitation, secure employment and settle into ordered lifestyles.<sup>699</sup> This was in stark contrast to Pickton's living victim, Ringwald, who was given no such support in 1998 to assist in her ability to testify against Pickton on attempted murder charges.

The severance of the charges left the Crown with the decision whether or not to go to trial on the other 20 counts. There were also six additional charges that could have been laid but the Crown declined to do so. Although many of the families of the 26 women would have preferred to see Pickton convicted in each case, it would not have resulted in further time in prison. Houston and Casanova, key witnesses, were dead. The DNA evidence for many of the women was small, consisting of contact DNA on an object or surface wall. It linked the woman to the property but did not include blood, bone or human remains

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<sup>695</sup> Lori Culbert, "Task force paid for witness's drug rehab" *Vancouver Sun* (20 March 2007); Neal Hall, "Police paid for rehab of witness" *Vancouver Sun* (19 July 2007). See also, *R. v. Pickton*, *supra* note 414.

<sup>696</sup> *R. v. Pickton*, *supra* note 158 at 18.

<sup>697</sup> Lori Culbert, "Key witness given RCMP money, court told" *Vancouver Sun* (29 June 2007). See also, Elaine O'Connor with files from Ethan Baron, "Costs could exceed those of Air India case" *The Province* (05 December 2007); *R. v. Pickton*, *supra* note 158 at 16.

<sup>698</sup> Lori Culbert, "Witness stands by key Pickton conversation" *Vancouver Sun* (15 June 2007). See also, Lori Culbert, "Informant claims he was threatened by Pickton's brother" *Vancouver Sun* (14 June 2007). See generally, Culbert, *supra* note 303; Culbert, *supra* note 698; *R. v. Pickton*, *supra* note 158 at 16.

<sup>699</sup> See e.g., *R. v. Pickton* [2007] B.C.J. No. 3085; *R. v. Pickton* [2007] B.C.J. No. 3100.

constituting definitive proof of her death. There are approximately 80 unknown DNA profiles, of which 50 are male and 30 female, from the Pickton property.<sup>700</sup> With the exception of the three women whose bone or flesh was found, to proceed on the remaining counts would have been a difficult, but not impossible, venture without the similar fact evidence from the six women in the first trial.

Senior police officers, including Evans and LePard, Commissioner Oppal, and various police counsel, have stated their belief in the truth of Pickton's confession to the undercover officer planted in his cell that he murdered 49 women. Evenhanded is attempting to identify further victims. That still leaves approximately 20 women from the official missing women list who were not victims of Pickton. The Valley and Alley Murders remain unsolved, as do so many of the other murders of addicted sex workers from the DTES.

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<sup>700</sup> MWI [Apr. 4], *supra* note 681 at 62.

## CHAPTER SEVEN

### INVESTIGATING CASES OF MISSING AND MURDERED VULNERABLE WOMEN

#### I. INTRODUCTION<sup>1</sup>

This chapter reviews the common investigative strategies, challenges and opportunities of cases of vulnerable women who have gone missing or been murdered. Not every such murder or disappearance will be part of a serial murder case, but examples in Canada and elsewhere illustrate that vulnerable women are at a greater risk of predation by serial offenders. Relevant recommendations stemming from the Clifford Olson and Paul Bernardo cases are discussed.

Steven Egger reviewed serial killers from the twentieth century and found seven common obstacles in investigations:

1. Inability to find linkages between the crimes;
2. Victims are usually from lower social strata and therefore do not get the attention of police or that of the larger society that sets out priorities for police;
3. Investigators are often unwilling to admit they have a serial killer in their jurisdiction;
4. Police often do not know how to manage large amounts of information;
5. The inability to co-ordinate between multiple police forces;
6. Investigations are often hampered by an adversarial relationship with the media; and,
7. They are not aware of how past serial murder investigations were successful.<sup>2</sup>

In the cases reviewed in Chapter 5 and Appendix G regarding vulnerable women, the first five obstacles are overwhelmingly present. The relationship with the media has not been an

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> Steven A. Egger. *Killers among us*, 2<sup>nd</sup> Edition. (Upper Saddle River: Prentice Hall Publishing, 2002); See also, Wally T. Oppal. *Volume I – The women, their lives and the framework of Inquiry: Setting the context for understanding and change* (December 2012) at 165.

overwhelming issue although certainly the police have not always been appreciative of the reporting. This was particularly true regarding media reports about the possibility of a serial killer despite police denials and criticism of the investigation(s). Canadian police appeared to regularly communicate with other jurisdictions, including the U.S. and the U.K., regarding similar cases. Suggestions from other police agencies, however, are not often followed, especially regarding the resources necessary. This chapter focuses not only on the errors and mistakes, but also the best practices and innovations from Canada, the U.S., the U.K. and Australia. This chapter draws on the information found in case summaries in the previous two chapters and Appendix G, the RCMP-led initiatives found below in Chapter Eight, and additional research.

In recent research, Egger found that 65% of victims of serial killers in the U.S. are female and of those victims, 65% are prostitutes.<sup>3</sup> Another U.S. study<sup>4</sup> found that an estimated 35% of all homicides of prostitutes are committed by serial killers.<sup>5</sup> In her research, Quinet found that 32% of female victims of serial killers were prostitutes and that killers of prostitutes amass more victims than serial killers who target non-prostitute women.<sup>6</sup> Quinet noted that “despite an observed dramatic decline in the total number of serial murder cases from the 1980s to the 1990s, the likelihood that the victim was a female

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<sup>3</sup> Steven A. Eggar. *The need to kill: Inside the world of the serial killer*. (Upper Saddle River: Prentice Hall Publishing, 2003), in Kenna Quinet, “Prostitutes as victims of serial homicide: Trends and case characteristics, 1970-2009” (2011) 15 Homicide Studies at 75.

<sup>4</sup> It is difficult to compare studies due to the different methods of data collection (police files, newspaper clippings, interviews, scholarly research or multiple methods), the time span covered, different definitions of serial murder, and because some researchers use both unsolved and solved cases, whereas others use only solved cases. Further, some sources use terms such as “high-risk” or “street-people” which includes prostitutes, hitch-hikers, the homeless, transient or street-entrenched, therefore making it difficult to distinguish and quantify prostitute victims only.

<sup>5</sup> Devon D. Brewer, John J., Stephen Q. Potterat, Roberts John M. Muth, Jr. and Donald E. Woodhouse, “Extent, trends, and perpetrators of prostitution-related homicide in the United States” (2006) 51 J. of Forensic Sci., at 1106.

<sup>6</sup> Kenna Quinet, “Prostitutes as victims of serial homicide: Trends and case characteristics, 1970-2009” (2011) 15 Homicide Studies at 74.



prostitute increased.”<sup>7</sup> Egger found 74% of serial murders, the offender and victim were strangers.<sup>8</sup> Research indicates that 1% to 4% of homicides (serial and otherwise) across North America are sexual homicides, which:

leads to difficulties apprehending and prosecuting these offenders. Detectives working on these cases cannot necessarily rely on their experience of previous investigations. Moreover, sexual homicide cases can be difficult to solve, particularly when they involve a stranger victim ... Because of the complexity of sexual homicide cases, such investigations are not immune to criminal investigative failures ...<sup>9</sup>

Most victims of sexual homicides are female victims who did not know, or were only casually acquainted with their killers.<sup>10</sup> Many of the serial murders of Aboriginal women, sex trade workers, hitchhikers, and other vulnerable women are stranger killings; these are the most difficult to solve.

In 1996, Justice Archie Campbell presided over the Bernardo Inquiry. In his report, he outlined five major requirements for cases involving serial predators:

1. First, a change in attitude to recognize that the capture of a serial predator requires a wider law enforcement response than the response available from any one police force or agency.
2. Second, a system to recognize links between crimes early enough to pool the information about the linked offences and converge the separate investigations onto the same target.
3. Third, a centrally supported organizational structure, based on co-operation among individual police forces, that combines unified leadership across police jurisdictions with organized case management procedures and inter-disciplinary support from forensic scientists and other agencies.
4. Fourth, common case management computer and information systems to ensure that information crucial to a serial predator investigation can be consolidated and recognized and shared.

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<sup>7</sup> *Ibid.* at 93.

<sup>8</sup> Eric W. Hickey, *Serial murderers and their victims*, 5<sup>th</sup> Edition. (California: Wadsworth, 2010) at 284.

<sup>9</sup> Eric Beauregard and Melissa Martineau, “A descriptive study of sexual homicide in Canada: Implications for police investigation” (2012) 56 *Int. J. of Off. Therapy & Comparative Crim.* at 2.

<sup>10</sup> *Ibid.* at 3.

5. Fifth, training in major case management, and more general training be highly maintained.<sup>11</sup>

Unfortunately, police agencies across the country were slow to respond and act upon the recommendations from the Bernardo Inquiry. As was seen in the previous chapter, slow acceptance of a serial predator, jurisdictional issues, lack of computer systems and few officers with major case management training were significant factors in the failures of the DTES missing women cases.

## II. CHALLENGES AND OPPORTUNITIES LOST

A review of the multiple missing persons and homicide investigations discussed in the previous two chapters reveals many commonalities in the serial murder cases of victims with high-risk lifestyles. These similarities, as well as errors and inaction by police, pose challenges for investigations. In this section, commonalities are identified and discussed, including steps taken by police forces in Canada to address these for future complex, serial murder or missing person investigations of high-risk individuals. The specifics of the RCMP-led projects E-PANA, KARE and Devote are addressed in the following chapter.

### i. Homicides of High-Risk Victims by Strangers

Street prostitutes, hitchhikers and taxi drivers experience high rates of violent victimization partly because they regularly are in the enclosed space of a vehicle with strangers.<sup>12</sup> Both prostitutes and taxi drivers are in cash businesses.<sup>13</sup> Generally, taxi drivers are male, while prostitutes are female. A study in the U.S. found that the homicide rate for

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<sup>11</sup> Justice Archie Campbell. *Bernardo Investigation Review* (June 1996) at 249.

<sup>12</sup> Justice Canada. *Victimization of prostitutes in Calgary and Winnipeg* by Augustine Brannigan. (Ottawa: Department of Justice Canada, 1994) at 33; Beauregard and Martineau, *supra* note 9 at 16.

<sup>13</sup> Quinet, *supra* note 6 at 79.

taxi drivers was 29 per 100,000 whereas the rate for prostitutes was 204 per 100,000.<sup>14</sup> By comparison, the rate of homicide in the U.S. is 4.8 per 100,000.<sup>15</sup> Due to the risk of robbery and violence towards drivers, safety improvements in taxicabs have been made in many North American cities. Most taxicabs have barriers separating drivers from passengers and many now have on-board cameras. Although taxicabs can be hailed from the street, many fares are telephoned into a dispatcher who will have the pick-up and destination locations recorded. Computers and GPS devices are commonly utilized in urban taxis which can alert the dispatch office to the location of the vehicle.

Motivation is different between taxi drivers and prostitute murders. When taxi drivers are killed, robbery is typically the goal, while killers of prostitutes are generally sexually motivated. Although robbery is rarely the overriding motivation for sexual or serial murders, it can be a “bonus” to the killer to steal his victim’s money, as Gary Ridgeway told investigators.<sup>16</sup> Prostitutes may also “place their bodies in compromising positions beneath the killer or with their back to him, often stripping naked”<sup>17</sup> which results in an even more vulnerable situation. As seen, Ridgeway and Pickton described the use of such positions, although not in vehicles, to overpower a victim quickly before she realized she was in danger.

Typical homicide suspects are intimate partners, friends and acquaintances of the victim. This is not generally the case with individuals with high-risk lifestyles. Prostitutes are

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<sup>14</sup> John J. Potterat, Devon D. Brewer, Stephen Q. Muth, Richard B. Rothenberg, Donald E. Woodhouse, John B. Muth, Heather K. Stites, and Stuart Brody, “Mortality in an open cohort of prostitute women” (2004) 159 *Am. J. of Epidemiology* at 783.

<sup>15</sup> Federal Bureau of Investigation (FBI). *About crime in the U.S.* (2012).

<sup>16</sup> See, *State of Washington vs. Gary Leon Ridgeway*, Prosecutor’s summary of the evidence at 20, 131; Quinet, *supra* note 6 at 80.

<sup>17</sup> Lee Mellor. *Cold north killers: Canadian serial murder* (Toronto: Dundurn, 2012) at 123; *State of Washington vs. Gary Leon Ridgeway*, *supra* note 16 at 21.

more likely to be murdered by strangers than someone known to them.<sup>18</sup> In one large U.K. study, not a single case was found where a blood relation killed a prostitute.<sup>19</sup> A 2012 study of Canadian sexual homicides over 62 years found that 89.7% of victims were female and 17.7% of victims were involved in prostitution. The majority of victims were white (62.8%), but a third (33.1%) were Aboriginal.<sup>20</sup> At the time of their deaths, the study found that 20.3% were engaged in domestic activities, 11.4% were “partying,” 9.7% were hitchhiking, 9.7% were at a bar and 8.3% were working as prostitutes.<sup>21</sup>

A proportion of the victims in the current study may be considered vulnerable due to lifestyle. That is, their lifestyle may have contributed to their victimization by making them an easier target for the offender. About a third of the victims abuse alcohol or like to party and one in every four victims abuse drugs. These constitute “vulnerability” factors that may be identified by the offenders prior to selecting their target. Another vulnerability factor significantly present in sexual homicide is prostitution. Almost one in five victims was a prostitute in our sample.<sup>22</sup>

Serious crime investigations where the victim and offender are strangers are difficult.<sup>23</sup> With high-risk victims, the offender is more likely to be a stranger. If it is a missing person case, the circumstances of the victim’s disappearance are more likely to be unknown.

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<sup>18</sup> Coordinating Committee of Senior Officials Missing Women Working Group (CCSOMWWG). *Report & recommendations on issues related to the high number of murdered and missing women in Canada*. (January 2012) at 58.

<sup>19</sup> C. Gabrielle Salfati, Alison R. James, and Lynn Ferguson, “Prostitute homicides: A descriptive study” (2008)

<sup>23</sup> J. Interpersonal Violence at 529.

<sup>20</sup> Beauregard and Martineau, *supra* note 9 at 6-7.

<sup>21</sup> *Ibid.* at 8.

<sup>22</sup> *Ibid.* at 16.

<sup>23</sup> Leonard Cler-Cunningham, in conjunction with Christine Christensen. (2001). *Violence against Women in Vancouver’s street level sex trade*, Prostitution Alternatives Counselling and Education Society (PACE) at 88.

## **ii. Unknown Time and Location of When and Where the Victim was Last Seen**

In most, but not all cases, the exact time that a hitchhiker or prostitute victim enters a vehicle is usually unknown.<sup>24</sup> In the DTES missing women case, investigators attempted to identify possible suspects on the B.C. High Risk Offenders list by comparing timelines of their incarceration and release to missing women reports. This proved to be largely unfruitful without precise information on when and where the women went missing.<sup>25</sup>

Sex workers often provide sexual services in isolated areas such as dark alleys or industrial areas. Hitchhikers seek rides on highways. These isolated locales increase the vulnerability of the victim and reduces the likelihood of witnesses.<sup>26</sup> It has also been found that in prostitute murders, offenders tend to travel farther distances from the place of encounter to where the body is disposed of and are more likely to cross jurisdictional boundaries.<sup>27</sup>

## **iii. Sex Worker Distrust of Police**

As was seen in Chapter Four, the fear of police, of being prosecuted for engaging in sex work or of being arrested on outstanding warrants can result in sex workers not reporting violent encounters.<sup>28</sup> In August 2001, while Evenhanded was operational and the cases of the missing women highly publicized, a street prostitute ran from a vehicle to a residence to seek

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<sup>24</sup> Cases where hitchhikers fail to arrive as expected may benefit from a precise date, time and starting location. Some street workers work in pairs, or have spotters. In two cases of DTES missing women, Sarah de Vries and Tiffany Drew, friends were able to pinpoint their disappearances within approximately 15 minutes and 18 hours respectively. Many other women were reported within two to four days of having been last seen. See, Stevie Cameron, *On the Farm*. (Toronto: Alfred A. Knopf Canada, 2010) at 194, 294.

<sup>25</sup> MWI, *Exhibit 98 – Document entitled Project Evenhanded – Don Adam* at 20.

<sup>26</sup> Salfati, *et al.*, *supra* note 19 at 506; Quinet, *supra* note 6 at 94.

<sup>27</sup> CCSOMWWG, *supra* note 18 at 58.

<sup>28</sup> Cler-Cunningham, *supra* note 23 at 88; Maureen A. Norton-Hawk, “The counterproductivity of incarcerating female street prostitutes” (2001) 22 *Deviant Behavior* at 412; Clarissa Penfold, Gillian Hunter, Rosie Campbell and Leela Barham, “Tackling client violence in female street prostitution: Inter-agency working between outreach agencies and the police” (2004) 14 *Policing and Society* at 367.

help after being assaulted. The responding Burnaby RCMP officers arrested the woman for being intoxicated in a public place and the DNA evidence on her hands from the offender's semen was lost.<sup>29</sup> Police distrust has also been cited as one reason which prevents women or their families from reporting disappearances. For example, Tamara Chipman, 22, was not reported missing for almost two months after disappearing in September 2005. She was last seen hitchhiking on Highway 16 outside of Prince Rupert on the "Highway of Tears."<sup>30</sup> Chipman was a mother of a two-year-old son; she was not a sex worker but she was an Aboriginal woman facing criminal charges. In three separate instances, Chipman had been charged with assault, forcible entry and assault with a weapon. After her disappearance, her family first thought she was avoiding law enforcement. Later, they worried she would be arrested if she was found by police.<sup>31</sup>

Friends and family of a victim may also be involved in the sex trade or criminal activities which they are reluctant to share with police. Their own interactions with police may have been negative, contributing to a reluctance to go to police with information or concerns.<sup>32</sup> They may also fear being charged themselves with an unrelated offence.<sup>33</sup> Families may worry that someone has gone missing on purpose because of police warrants or the danger posed by involvement in criminal activities.<sup>34</sup> This is one of the reasons why the VPD now advocates an operational policy which encourages that enforcement of prostitution

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<sup>29</sup> MWI, *Exhibit 34 – Document entitled DC Evans Report, including Appendices "A", "B", "C" and "D"* at C151.

<sup>30</sup> "Project E-PANA - Police seek assistance on 5 year anniversary into the disappearance of Tamara Chipman" *RCMP News Release* (21 September 2010).

<sup>31</sup> Sharmeen Obaid Chinoy, *Highway of Tears*, DVD: (Jazeera International, 2006). See also, Neal Hall, "The highway of tears" *Vancouver Sun* (10 December 2005); "A father's search for missing daughter" *Vancouver Sun* (12 October 2007).

<sup>32</sup> Merelda Fiddler, "Police urge openness in missing persons cases" *CBC News* (16 February 2012); Lindsey Kines, "Murdered prostitute cases the toughest" *Vancouver Sun* (31 September 1999); CCSOMWWG, *supra* note 18 at 31.

<sup>33</sup> CCSOMWWG, *supra* note 18 at 72.

<sup>34</sup> *Ibid.* at 31.

laws be done only rarely, as “indiscriminate enforcement of the prostitution laws can undermine sex trade workers’ relationships with police and decrease their ability to reach out to police for help.”<sup>35</sup> Police co-operation with social agencies which have an agenda to assist sex workers has been shown to improve relationships between sex workers and police.<sup>36</sup> The failure to do so in the DTES was a criticism in the MWI report.<sup>37</sup> Oppal also noted that it should not be surprising that the photos shown to sex workers were largely unproductive: “It is not difficult to fathom why a woman who was used to being hassled by police officers would not respond to an on-the-spot, public request for information. There are good reasons why she would feel threatened and vulnerable in this situation.”<sup>38</sup>

#### **iv. Delays in Reporting Missing Persons**

One of the biggest challenges facing police investigating missing person cases is a delay in reporting.<sup>39</sup> For example, there were sometimes delays of months and years between the time a woman was last seen and the time she was reported missing in the DTES cases.<sup>40</sup> Several women were reported missing within hours or days of their disappearances, but many were missing for several years before a missing person report was filed with police. Wendy Allen, last seen in 1979, Yvonne Abigosis, last seen in 1984 and Cara Ellis, last seen in 1997, were all reported missing in 2002, after the arrest of Pickton.<sup>41</sup>

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<sup>35</sup> Neal Hall, “Enforcement against sex workers to be used as a ‘last resort,’ VPD report says” *Vancouver Sun* (12 March 2012).

<sup>36</sup> Penfold, et al., *supra* note 28 at 373; MWI, *Exhibit 2A – Document entitled Williams appendices* at 93.

<sup>37</sup> Wally T. Oppal. *Volume IIB – Nobodies: How and why we failed the missing and murdered women, Part 3, 4, and 5* (December 2012) at 110-115.

<sup>38</sup> *Ibid.* at 115.

<sup>39</sup> MWI, *Exhibit 1 – Vancouver Police Department (VPD) Missing Women Investigation Review August 2010* at 27; MWI [#34], *supra* note 29 at 197.

<sup>40</sup> Beauregard and Martineau, *supra* note 9 at 16.

<sup>41</sup> Cara Ellis’ sister-in-law, Lori-Ann Ellis, testified at the MWI that she had called the VPD Missing Persons Unit by phone on a trip to Vancouver from her home in Calgary in July 1998. See, MWI, *October 25, 2011* at 13.

The length of time between the date last seen and the missing person report – or the discovery of a body – limits the ability to effectively locate witnesses and collect physical evidence.<sup>42</sup> Police cite this as a major issue with the investigation of missing high-risk victims. A 2012 Canadian study of sexual murderers found that the average time between a victim's disappearance and when the body is located is 71 days.<sup>43</sup> Annually in Canada, there are over 100,000 people reported missing with 4,800 remaining missing after one year, 270 cases of people who have been missing long-term but not previously reported and 20-30 sets of human remains found.<sup>44</sup> Further, even in the case of the missing women of the DTES, Oppal found that in “contrast to claims made by police, the vast number of women were reported missing within three months of their disappearances, and almost all within one year of disappearance.”<sup>45</sup> Table 7-1 illustrates the year last seen and the year the victim was reported missing to police.

The specific day of disappearance can be important, as a person's movements and interactions with family, friends and acquaintances may be important to the investigation. With long delays, the specific date of disappearance often cannot be determined.<sup>46</sup> The ability of police to collect evidence, establish patterns or identify the date last seen is hampered where the victims have high-risk lifestyles. This becomes increasingly more difficult with the passage of time. Landlords and roommates may dispose of the belongings

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<sup>42</sup> Don Adam, “Top Robert Pickton cop breaks his silence” *Vancouver Sun* (27 November 2010).

<sup>43</sup> Beauregard and Martineau, *supra* note 9 at 18.

<sup>44</sup> Oppal [Vol. I], *supra* note 2 at 136.

<sup>45</sup> Oppal [Vol. IIB], *supra* note 37 at 11 (see also Figure IIB-1).

<sup>46</sup> Gary Ridgeway, the Green River Killer, acknowledged to police and prosecutors that his selection of prostitutes as victims was due largely to the fact that it was likely a missing person report would not be filed, and that when the bodies were found, it would be very difficult for police to determine when and where they had been taken from, and that he had a hatred of prostitutes. *State of Washington vs. Gary Leon Ridgeway*, *supra* note 16 at 17; Quinet, *supra* note 6 at 82.



of missing persons when rent is not paid after their disappearances.<sup>47</sup> In some cases, the last time a woman signed for her welfare cheque,<sup>48</sup> picked up a prescription,<sup>49</sup> or saw her doctor<sup>50</sup> was the most concrete date that could be found by police.<sup>51</sup>

**Figure 7-1: Forsaken's Overview of Time Delays in Reporting**<sup>52</sup>

| Time between Date Last Seen and Date Reported Missing to Police | Number of women in this category based on police estimates | Number of women in this category based on family estimates |
|-----------------------------------------------------------------|------------------------------------------------------------|------------------------------------------------------------|
| 1-3 days                                                        | 6                                                          | 6                                                          |
| 4 days to 1 week                                                | 9                                                          | 11                                                         |
| Up to 2 weeks                                                   | 4                                                          | 5                                                          |
| Up to 3 weeks                                                   | 5                                                          | 6                                                          |
| Up to 4 weeks                                                   | 1                                                          | 2                                                          |
| 1-2 months                                                      | 7                                                          | 5                                                          |
| 2-3 months                                                      | 5                                                          | 6                                                          |
| 3-4 months                                                      |                                                            |                                                            |
| 4-5 months                                                      | 2                                                          | 1                                                          |
| 5-6 months                                                      | 2                                                          | 2                                                          |
| 6-9 months                                                      | 5                                                          | 3                                                          |
| 9-12 months                                                     | 2                                                          | 3                                                          |
| 1 - 1 ½ years                                                   | 2                                                          | 1                                                          |
| 1 ½ - 2 years                                                   | 1                                                          | 3                                                          |
| 2-3 years                                                       | 2                                                          | 1                                                          |
| 3-4 years                                                       |                                                            |                                                            |
| 4-5 years                                                       |                                                            |                                                            |
| 6-10 years                                                      | 3                                                          | 2                                                          |
| More than 10 years                                              | 2                                                          | 1                                                          |
| <b>TOTAL</b>                                                    | <b>58</b>                                                  | <b>58</b>                                                  |

There are many reasons for delays in reporting a missing person. In addition to fear of disclosure to police discussed above, shame and stigma may be barriers for family members in talking to police about their loved ones. Additionally, there can be a fear that if the person does return, their image and name will have been released to the media with the

<sup>47</sup> See e.g., MWI [#98], *supra* note 25 at 268.

<sup>48</sup> See e.g., VPD, *supra* note 39 at 53, 202.

<sup>49</sup> See e.g., Lori Culbert, "Chapter 5 - The women" *Vancouver Sun* (2007).

<sup>50</sup> *Ibid.*

<sup>51</sup> The majority, if not all, of the DTES missing women were on social assistance. Many had serious health conditions including hepatitis C, HIV and heart conditions, which required frequent appointments with doctors, pharmacists and other medical professionals. Methadone treatments require daily appointments at pharmacies or clinics.

<sup>52</sup> This chart was presented as Table IIB-2 in the final MWI report. The only change to the table was to spell out the acronyms DLS (Date Last Seen) and DRM (Date Reported Missing). See, Oppal [Vol. IIB], *supra* note 37 at 9-10.

information that she is involved in sex work or other high-risk activities.<sup>53</sup> There may also be language issues which prevent families from contacting police.<sup>54</sup>

Many of the women were estranged from families or had only sporadic contact. Where there was an estrangement, family members may not have known the woman has disappeared or they may not be willing to make a report once they become aware.<sup>55</sup> Some victims are never reported missing. This fact prompted one researcher to argue that the actual number of missing persons and possible victims of serial homicides is undercounted. The “missing missing” are generally those in high-risk categories such as runaways, the homeless, street prostitutes and transient individuals.<sup>56</sup> For some of Pickton’s victims, their families reported them missing only after the JFO requested that families of sex trade workers who may be missing contact them following Pickton’s arrest.<sup>57</sup> If a woman is not reported missing, there is a gap in police intelligence which can result in a delay in linking cases.<sup>58</sup>

In other cases, the police refused to take a missing persons report because it was not a family member who was attempting to file it. For example, Wayne Leng, a close friend of Sarah de Vries, tried to report her disappearance but was unable to do so. Leng contacted Sarah’s sister, Maggie de Vries, who filed the report.<sup>59</sup> Delays also occurred because police allegedly did not believe some of the women were actually missing, including Tiffany Drew,

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<sup>53</sup> Fiddler, *supra* note 32.

<sup>54</sup> CCSOMWWG, *supra* note 18 at 31.

<sup>55</sup> *Ibid.*

<sup>56</sup> Kenna Quinet, “The missing missing: Toward a quantification of serial murder victimization in the United States” (2007) 11 *Homicide Studies*, 319. See also, Michael Newton. *The encyclopedia of serial killers*, Second Edition. (New York: Checkmark Books, 2006) at 179.

<sup>57</sup> In the Green River case in Washington State, 11 (23%) of Ridgway’s known victims whose remains have been identified were not reported missing. Five victims remain unidentified. Quinet, *supra* note 56 at 227.

<sup>58</sup> Quinet, *supra* note 6 at 95.

<sup>59</sup> MWI, *February 27, 2012* at 124; Cameron, *supra* note 24 at 195.

whose friend Aschu<sup>60</sup> attempted to report her missing through Women's Information and Safe House (WISH).<sup>61</sup> Advocacy organizations, however, can act as "buffers" between family members and police, inform family members about the process, the importance of filing a missing person report, and reassure families that the information revealed will be used only to assist in the missing person investigation.<sup>62</sup> Such agencies can, in some cases, assist police in locating missing persons through their networks.

A policy in place at the time of the missing women in the DTES contributed to further difficulties. A missing person report was required to be taken by the police agency in the jurisdiction in which the person normally resided.<sup>63</sup> There are multiple municipalities in close proximity in the Lower Mainland of Vancouver; family members could be referred to several different agencies before a report was filed. This policy has since changed.<sup>64</sup>

Although Oppal was impressed with many of the changes made to the policies, training and functions of VPD's MPU post-Pickton, what remains lacking is a way to identify trends in missing person or homicide cases across jurisdictions.<sup>65</sup> Likewise, the RCMP has made improvements to their missing person policies including an increase in resources and the use of Major Case Management (MCM) models for all high-risk missing persons.<sup>66</sup> Other changes include reviews by experienced officers external to the file at the three-to-five-day and six-to-eight-week point post-missing, and specific responsibilities for the officer,

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<sup>60</sup> Aschu is also known as Ashwan in various reports, the MWI and in Cameron's book. See, Cameron, *supra* note 24.

<sup>61</sup> *Ibid.* at 294; MWI, *November 1, 2011* at 33.

<sup>62</sup> Fiddler, *supra* note 32.

<sup>63</sup> VPD, *supra* note 39 at 245.

<sup>64</sup> *Ibid.*

<sup>65</sup> Wally T. Oppal. *Volume III – Gone, but not forgotten: Building the women's legacy of safety together* (December 2012) at 21.

<sup>66</sup> *Ibid.* at 23.

supervisor and commander.<sup>67</sup> The RCMP established the B.C. Police Missing Persons Centre (BCPMPC) in 2004 which reviews all high-risk missing person files.<sup>68</sup> The BCPMPC has a staff of 10, and is an integrated unit within the Major Crime Section of “E” Division. It co-ordinates missing person files across the province and can make jurisdictional determinations and daily reviews of high-risk missing person cases. It is also responsible for Amber Alert management and assisting the Coroner’s Service with the identification of human remains. This office also includes a Provincial Prostitution Unit (PPU) which liaises with sex workers throughout the province.<sup>69</sup> A risk assessment tool, first implemented in Surrey, is used throughout the Lower Mainland. In missing person files, foul play cannot be ruled out unless it is specifically demonstrated *not* to be a case of foul play. Where there are jurisdictional issues, a file cannot be closed until the other jurisdiction has demonstrated in writing its ownership of the investigation.<sup>70</sup>

These problems are not unique to the DTES. A government report on missing women found examples of issues related to jurisdictional barriers that prevented the reporting of missing persons. In one case, the family of a missing 24-year-old woman tried for 19 years to report her missing without success because she was transient.<sup>71</sup> Across Canada, the policies for acceptance of reports from outside jurisdictions vary but generally the accepting agency will forward the report to the agency of residence of the missing person.<sup>72</sup> There is also a commonly held public belief that a person must be missing for 24 or 48 hours before a report

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<sup>67</sup> *Ibid.* at 135.

<sup>68</sup> *Ibid.* at 23, 135.

<sup>69</sup> The BCPMPC does not have a website. See, Wen’s Writings. “B.C. police missing persons centre does not have a public website” *Wen’s Writings* (10 March 2012); Oppal [Vol. III], *supra* note 65 at 23, 136-7.

<sup>70</sup> Oppal [Vol. III], *supra* note 65 at 135-6.

<sup>71</sup> No name was provided, but the report indicates that the case was solved, despite the delays. Details as to how the case was concluded were not provided. CCSOMWWG, *supra* note 18 at 29.

<sup>72</sup> MWI, *Policies and practices in the investigation of missing persons and suspected multiple homicides* at 9.

can be filed.<sup>73</sup> Some police agencies do have either formal or informal policies on the length of time a person has been missing before a report will be taken, but generally there are no restrictions.<sup>74</sup>

Families of missing people have advised that there is a need for clear information on how to report missing loved ones and what to anticipate as the case is investigated.<sup>75</sup> On its website, Project KARE includes the guide for families developed by NWAC, in consultation with the RCMP.<sup>76</sup> There has been outreach by police across Canada, especially to marginalized groups, regarding the importance of contacting the police as soon as possible when a person has broken their regular pattern and efforts to locate them in person, by telephone or text, have failed.<sup>77</sup> A national brochure or website that provides plain language information and a checklist for all families and friends of missing people would be an inexpensive and effective initiative for the new RCMP missing persons centre to undertake.<sup>78</sup>

#### **v. Lack of Crime Scenes, Bodies or Evidence of a Crime**

In missing person cases, the absence of human remains has been taken as proof of no foul play with dire results. The mantra “no bodies, no evidence, no crime” was pervasive during the DTES missing women investigation.<sup>79</sup> VPD officer Shenher believed that the cases were linked early on in her investigation. However, senior management did not agree with her assessment. Oppal concluded that faulty risk analysis and risk assessment impacted the investigations from the onset: “Police actions depended upon an accurate assessment of

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<sup>73</sup> Fiddler, *supra* note 32.

<sup>74</sup> MWI [Policies...], *supra* note 72 at 10.

<sup>75</sup> Saskatchewan. Final report of the Provincial Partnership Committee on Missing Persons (October 2007) at 3.

<sup>76</sup> NWAC. Navigating the missing persons process (December 2008).

<sup>77</sup> Fiddler, *supra* note 32; “E-PANA news conference” *RCMP* (25 September 2012).

<sup>78</sup> The Australian Federal Police have developed a guide for this purpose. Saskatchewan, *supra* note 75 at 24.

<sup>79</sup> MWI [#34], *supra* note 29 at 8-10, 8-36; MWI, *Exhibit 69 – Document entitled – excerpts from the book “Criminal Investigative Failures” by D. Kim Rossmo* at 31.

three related risks: the risk that the women had been murdered, the risk that a serial killer was responsible, and the ongoing risk to public safety in terms of future potential victims.”<sup>80</sup>

These erroneous assumptions continued to hinder decision-making and resource allocation over several years despite mounting evidence of the likelihood of foul play. The three consequences were the refusal to accept that the women were likely murdered; the refusal to accept the serial killer theory; and the decision that Project Evenhanded should focus on a historical review. These faulty risk assessments detracted from the sense of urgency required to drive the investigations forward as speedily as demanded by the threat and actuality that more women were going missing and being murdered.<sup>81</sup>

Rossmo, Shenher, Dickson and other officers did indeed understand the implications.

Rossmo’s statistical analysis addressed all three of the related risks and recommended a plan of action, including a public warning and the creation of a JFO.

Typical homicide cases begin with the discovery of a body. The lack of human remains, although not typical in serial murder investigations, is not unknown where there are multiple people missing under suspicious circumstances. Gacy hid the bodies of his victims in his home. He killed 33 people before police linked his crimes during the missing person investigation of his last victim, who had been last seen with Gacy.<sup>82</sup> During the DTES investigation, Shenher contacted the police in Poughkeepsie, New York, after the arrest of Francois for the murders of eight street prostitutes.<sup>83</sup> As with the DTES investigation, police in New York had missing women but no bodies. Francois killed eight women and hid their bodies in the home he shared with his parents and sister. Francois had been known to police for violence against sex workers before his arrest. Poughkeepsie police recommended that the VPD conduct a questionnaire of sex workers for leads on suspects known to be bad dates

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<sup>80</sup> Oppal [Vol. IIB], *supra* note 37 at 69.

<sup>81</sup> *Ibid.* at 70.

<sup>82</sup> Robert D. Keppel and William J. Birnes. *The psychology of serial killer investigations: The grisly business unit*. (San Diego: Academic Press, 2003) at 6.

<sup>83</sup> MWI, *January 31, 2012* at 34.

even if they had not been reported to police. In their experience, the offender would not kill on every occasion he purchased services from sex workers, hence some sex workers might have had multiple, non-violent interactions with the offender that might prove useful to the investigation.<sup>84</sup> This was also true in the Green River case, as Ridgeway would sometimes have normal encounters with sex workers at locations of their choosing so that they would feel safe with him. Later, the women would recognize him and consider him to be a good client, allowing him to take them to his home, where he killed them.<sup>85</sup>

The suggestion to conduct surveys among street sex workers was ultimately followed.<sup>86</sup> In July 1999, approximately 60 questionnaires were given to sex trade workers at a meeting held at WISH. Approximately 40 were completed and returned to the investigators.<sup>87</sup> The questionnaire was not reviewed by academics or social scientists prior to its distribution.<sup>88</sup> Kate Shannon testified at the MWI that questions regarding which sex acts the women would not engage in were intrusive, inappropriate and the questionnaire was administered improperly.<sup>89</sup> The purpose of these types of questions was to test the theory that women could have been lured to areas outside of the DTES by the promise of higher than normal payment or drugs, as was the case with Ringwald. However, Shannon described that the process for eliciting such information is best done in stages, with interviews and further explanations.<sup>90</sup>

As Evans noted in her review of the Pickton investigation, “[i]n missing person cases, as evidenced in Vancouver, where there are indicators of foul play, homicide officers should

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<sup>84</sup> *Ibid.* at 51.

<sup>85</sup> *State of Washington vs. Gary Leon Ridgeway*, *supra* note 16 at 20.

<sup>86</sup> MWI, *supra* note 83 at 53.

<sup>87</sup> MWI [#1], *supra* note 39 at 103.

<sup>88</sup> To review the questionnaire see, MWI, *Exhibit 7 – Sex trade workers investigation questionnaire (VPD-001-000561 to 000565)*.

<sup>89</sup> MWI, *October 18, 2011* at 46.

<sup>90</sup> MWI, *October 17, 2011*.

become involved from the onset of the investigation.”<sup>91</sup> There are generally more resources available to investigate homicides or suspicious missing person cases than a routine missing person case.<sup>92</sup> As a result, when old cases are re-examined, the amount of work done initially and the evidence available is greater in cases which have been investigated by homicide units rather than by officers from missing person units.<sup>93</sup>

In many jurisdictions, as a result of the issues raised in the case of the missing DTES women, changes were made to missing person policies. Many police forces now utilize objective criteria for assessing missing person investigations. High-risk individuals who have gone missing are often investigated by specially trained officers or a task force. A government report in 2012 recognized the changes that have been made: “For example, in Vancouver and Edmonton, a missing woman who fits the profile of a high-risk individual would immediately receive focused resources. In Vancouver, such a case would be referred to the Missing Women’s Task Force.”<sup>94</sup> In Alberta, the file may be transferred to Project KARE. The risks faced by high-risk individuals have become better understood by police forces as a result of the tragedy of the Pickton case, and concrete steps have been taken to improve the investigation of cases of missing and murdered women, particularly Canada’s most vulnerable women.

#### **vi. Police Refusal to Believe in the Possibility of a Serial Offender**

The inability, delay, reluctance or refusal of police to accept the possibility or probability of a serial killer who is responsible for missing or murdered women has repeatedly proven to be an obstacle.

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<sup>91</sup> MWI [#34], *supra* note 29 at 8-36.

<sup>92</sup> CCSOMWWG, *supra* note 18 at 58.

<sup>93</sup> *Ibid.*, at 58.

<sup>94</sup> *Ibid.*, at 57.



There are three main methods used to link murders prior to a killer's apprehension. They are (1) physical evidence, (2) offender description, and (3) crime scene behavior. Each method has its strengths and weaknesses. It is not uncommon for a series of crimes to be connected through a combination of these means.<sup>95</sup>

There have been several reasons for the police refusal, including the mindset of "no body, no crime" which was pervasive in the missing women's cases of the DTES.<sup>96</sup> Considerable time was spent at the MWI as a result of the VPD's refusal to accept the serial killer theory.

Journalists,<sup>97</sup> advocates<sup>98</sup> and family members,<sup>99</sup> as well as some police officers<sup>100</sup> working on the missing women's cases, believed a serial killer was responsible as far back as 1997. It was the two letters sent from the First Nations Summit (FNS) that first prompted a review of missing and murdered Aboriginal women in the DTES.

some homicide departments were reluctant to declare a serial murder case because the investigations were expensive, sometimes futile, and ultimately frustrating endeavors that, more often than not, made the members of a task force look confused and inept. In other words, the very act of taking the first step to solving the case is also, in the minds of police commanders, the first step in encountering failure, a resulting loss of morale, and, perhaps, even public humiliation. Therefore, denial sets in at the very beginning to protect the institution from the possibility of failure.<sup>101</sup>

Serial murder investigations are very expensive, complicated, and – especially when the victims are high-risk – sometimes unsuccessful. A lack of available or dedicated resources

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<sup>95</sup> D. Kim Rossmo. *Geographic profiling*. (Boca Raton: CRC Press, 2000) at 104.

<sup>96</sup> VPD, *supra* note 39 at 149. See also, Kim Barker, "No bodies, no clues: Women disappearing without a trace" *Seattle Times* (03 August 1999); "Serial killer stocking [sic] eastside prostitutes" *The Province* (15 June 1999).

<sup>97</sup> See, Daniel Wood, "Vancouver's missing prostitutes" *Elm Street* (November 1999); Lindsey Kines, "Missing on the mean streets – Part 1" *Vancouver Sun* (03 March 1999); Lindsey Kines, "Cases probed" *Vancouver Sun* (18 September 1998); Lindsey Kines, "Police target big increase in missing women" *Vancouver Sun* (08 July 1998). especially, Trevor Greene. *Bad date: The lost girls of Vancouver's low track*. (Toronto: ECW Press, 2001).

<sup>98</sup> See e.g., Kines, *supra* note 97; Robert Anthony Phillips, "Cadaver dogs to hunt for missing hookers" *APBNews* (11 June 1999).

<sup>99</sup> See e.g., MWI, *supra* note 59 at 148; Phillips, *supra* note 98.

<sup>100</sup> VPD, *supra* note 39 at 82.

<sup>101</sup> Keppel and Birnes, *supra* note 82 at 4.

has been found to be one of the reasons police are reluctant to admit, announce or consider a serial killer theory.<sup>102</sup> In his testimony at the MWI Rossmo stated that:

No police agency wants to have a serial murder case. It creates a lot of problems, it creates political pressure, it generates media interests, it might raise levels of community fear, it requires them to respond with a suitable level of resources when maybe they'd rather be doing something else with their resources. In some cases I'm aware of the political reaction has been huge. And in the United States where there are places where the political influence on the police departments is much greater than in the United States [sic] I've even been aware of instances where the mayor has told the police chief we do not have a serial murder case even when it's clearly obvious they do. So it is difficult and one of the most challenging types of police investigations, and police departments don't want one, and historically many have responded by denying the existence of something they don't want.<sup>103</sup>

The cost of a serial murder investigation perhaps answers RCMP Staff Sergeant Davidson's question: "I have never fully understood why it's a better thing to have 20 killers to find versus one."<sup>104</sup>

The announcement that a serial murderer is, or may be, at large is often not made until there is clear evidence that this is so. Criminal behavioural analysis, suspicions, hunches and theories are not usually sufficient for most police agencies to issue warnings or make pronouncements of the possibility of a serial killer. VPD management failed to accept the linkage of the missing women cases and would not issue a public statement about a serial killer stalking prostitutes. The same was the case with the Green River Task Force in Seattle, Washington. Despite having 50 officers assigned in multiple counties, police would not acknowledge that a serial killer was responsible for the more than 50 women missing or found murdered.<sup>105</sup>

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<sup>102</sup> *Ibid.* at 25.

<sup>103</sup> MWI, *January 24, 2012* at 44.

<sup>104</sup> Oppal [Vol. IIB], *supra* note 37 at 90.

<sup>105</sup> *Ibid.*

The lack of bodies is not unique to the DTES cases. In Edmonton, over 30 high-risk women have been murdered or gone missing. Family members claim that the response of police has historically been to “wait for a body.”<sup>106</sup> This response was similar to the experience of the families of the DTES missing women during the same timeframe. These investigations are now under Project KARE (KARE), discussed in the next chapter. KARE changed the way the police respond to cases of missing women and their families in Alberta.

One of the reasons given by the VPD for not warning sex workers was that it would not alter the behaviour of women, because of their entrenchment in drug addiction and sex work. However, testimony at the MWI showed that sex workers regularly reviewed bad date sheets, attended weekly safety meetings at WISH and used condoms with clients in an effort to increase their health and safety. This is consistent with research that has shown that prostitutes report high rates of safer sex practices using condoms for anal and vaginal intercourse.<sup>107</sup> Further, the many posters put up by Leng and family members was one of the first ways that the DTES community became aware of the missing women and this encouraged further safety measures such as working in pairs.<sup>108</sup>

High resource costs and disbelief among senior management were two of the reasons for the delay in admitting to the possibility of a serial killer. VPD senior management also

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<sup>106</sup> Bielski Zosia, “So many victims” *National Post* (15 December 2007).

<sup>107</sup> Michael Bloor, Alastair Leyland, Marina Barnard and Neil McKeganey, “Estimating hidden populations: A new method of calculating the prevalence of drug-injecting and non-injecting female street prostitution” (1991) 86 *British J. of Addiction* at 1477; Marie A. Barnard, “Violence and Vulnerability: Conditions of Work for Streetwalking Prostitutes” (1993) 15 *Soc. of Health & Illness* at 688; Lois A. Jackson, Barbara Sowinski, Carolyn Bennett and Devota Ryan, “Female sex trade workers, condoms, and the public-private divide” (2005) 17 *J. of Psych. & Human Sexuality* at 85; Cecilia Benoit and Alison Millar, (2001). *Dispelling myths and understanding realities: Working conditions, health status, and exiting experiences of sex workers* at 73; Linda Cusick, “Widening the harm reduction agenda: From drug use to sex work” (2006) 17 *International J. of Drug Policy* at 6; Teela Sanders, “Female sex workers as health educators with men who buy sex: Utilising narratives of rationalisation” (2007) 62 *Social Sci. & Med.* at 2434.

<sup>108</sup> Cameron Ward, Neil Chantler, and Robin Whitehead. *Missing Women Commission of Inquiry: Final Submissions (Families, Public Version)* at 118-9.

did not want to alarm the public “unnecessarily.”<sup>109</sup> This explanation seems preposterous because the media, families and advocacy organizations had speculated about the possibility of a serial killer since 1997. Experts have indicated that an announcement of the possibility of a serial killer often creates new investigative strategies for police, puts pressure on the killer and warns the public to be vigilant, perhaps saving lives.<sup>110</sup> The VPD has since identified that communication with sex workers, issuances of warnings and the monitoring of high-risk offenders are required to prevent future tragedies.<sup>111</sup> The Ottawa Police Service took a lesson from the failure of the VPD to warn the public, specifically sex workers, of a possible serial offender. In 2011, a public warning was issued after links were made between at least two cases of murdered prostitutes.<sup>112</sup>

The failure to recognize a pattern that may be the result of a serial killer is referred to as linkage blindness.<sup>113</sup> There are several reasons why linkage blindness occurs. The first is groupthink, in which investigators follow leads, selectively gather information and make conclusions that support a given theory.<sup>114</sup> Poor communication between police agencies has been identified as leading to linkage blindness.<sup>115</sup> Incrementalism, also known as tunnel vision, arises when investigators focus on a narrow range of possibilities or suspects,

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<sup>109</sup> “Serial Killer...,” *supra* note 96.

<sup>110</sup> Keppel and Birnes, *supra* note 82at 25.

<sup>111</sup> VPD. *Avoiding future tragedies: Improving investigations of missing women*. (Vancouver, May 2012).

<sup>112</sup> Mark Brownlee, “Chief to speak on women’s safety” *Ottawa Citizen* (09 December 2011), C1; Chris Cobb, “Chief tells women: be ‘aware, vigilant and safe’” *Ottawa Citizen* (10 December 2011), A1; Meghan Hurley, “Victim’s sister not surprised by police warning” *Ottawa Citizen* (14 December 2011), C3; “Ottawa police link serial predator to 2008 slaying” *CBC News* (12 December 2011); “Ottawa sex workers alerted to pattern of violence” *CBC News* (09 December 2011).

<sup>113</sup> See esp., S. A. Egger, “A working definition of serial murder and the reduction of linkage blindness: (1984) 12 J. of Police & Sci. Admin., 348. See also, Newton, *supra* note 56at 159; Nicole L. Mott, “Serial murder: Patterns in unsolved cases” (1999) 3 Homicide Studies, 243; CCSOMWWG, *supra* note 18 at 44.

<sup>114</sup> D. Kim Rossmo. *Criminal Investigative Failures*. (New York: CRC Press, 2009) at 44.

<sup>115</sup> CCSOMWWG, *supra* note 18 at 44.

preventing other scenarios, options and linkages from being considered.<sup>116</sup> Expert opinions are ignored or not sought out and police do not conduct a critical assessment of their own conclusions.<sup>117</sup> If the lead investigator or senior police management is not supportive of a serial killer theory, their dominant personality or superior rank can act to silence those with opposing views.<sup>118</sup> Shenher told the MWI that it was difficult to be an “out-of-the-box-thinker” in the VPD during the timeframe of the missing women investigations.<sup>119</sup> A government report on issues of missing and murdered women warned that linkage blindness “can be exacerbated by uncooperative or unreliable witnesses and a slow response from authorities if the person is transient and marginalized.”<sup>120</sup>

The FBI found similar issues in U.S. investigations. Its advice was that supervisors must act as buffers between investigators and management.<sup>121</sup> Management, particularly at the VPD, was a first level of barrier to resources, rather than acting as buffers for the investigators.<sup>122</sup> Alan Askey wrote in regards to the Olson investigation that it was imperative for senior management to conduct a review of serious cases where there was a risk of public safety. A central review was most important in cases that crossed multiple jurisdictions.<sup>123</sup> Unfortunately, the recommendations from the Olson investigation were not in evidence in the investigation into the missing women of the DTES.

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<sup>116</sup> Rossmo, *supra* note 114 at 13. See also, “Pickton not ignored due to ‘tunnel vision,’ officers say” *CBC News* (09 May 2012).

<sup>117</sup> MWI [#69], *supra* note 79 at 29. See also, “Serial killer...,” *supra* note 96; Lindsay Kines, “Former VPD geographic profiler finds little solace in Pickton report” *Vancouver Sun* (24 August 2010).

<sup>118</sup> MWI [#69], *supra* note 79 at 29; MWI [#34], *supra* note 29 at 8-2.

<sup>119</sup> “Officer weeps while testifying at Pickton inquiry” *CBC News* (31 January 2012).

<sup>120</sup> CCSOMWWG, *supra* note 18 at 44.

<sup>121</sup> FBI. *Serial murder: Multi-disciplinary perspectives for investigators* (07 July 2008).

<sup>122</sup> See e.g., MWI [#34], *supra* note 29 at 9-2.

<sup>123</sup> Dr. Alan Askey. *Coroner’s Report of Inquiry on the Olson Murders* (1982) at 3, quoted in Oppal [Vol. I], *supra* note 2 at 165.

**vii. Jurisdictional Issues**

Difficulties, tensions or poor communication between law enforcement agencies across jurisdictions is a common failure in serial murder cases. Poor communication can result in linkage blindness as well as “turf” wars, a lack of commitment, responsibility and ownership of tasks and files, and a failure to share files, tips and important information in a timely manner.<sup>124</sup> As Campbell J. noted in his 1996 report on the Bernardo investigation:

Virtually every interjurisdictional serial killer case including Sutcliffe (the Yorkshire Ripper) and Black (the cross-border child killer) in England, Ted Bundy and the Green River Killer in the United States and Clifford Olsen in Canada, demonstrate the same problems and raise the same questions. And always the answer turns out to be the same – systemic failure. Always the problems turn out to be the same, the mistakes the same, and the systemic failures the same.<sup>125</sup>

Unfortunately, B.C. was “slow to adopt the lessons of serial killer cases in other jurisdictions.”<sup>126</sup>

the work of the most dedicated, skillful, and highly motivated investigators, supervisors and forensic scientists can be defeated by the lack of effective case management systems and the lack of systems to ensure communication and cooperation among law enforcement agencies.<sup>127</sup>

Indeed, the lessons gleaned from another large, notorious case of serial murder from within B.C. borders almost two decades before were ignored.<sup>128</sup> After Clifford Olson murdered 11 children in the early 1980s in the Lower Mainland, it was revealed that jurisdictional issues hampered the ability of police to connect the cases.<sup>129</sup>

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<sup>124</sup> Newton, *supra* note 56 at 159; FBI, *supra* note 121.

<sup>125</sup> Campbell, *supra* note 11 at 1.

<sup>126</sup> Kines, *supra* note 117.

<sup>127</sup> CCSOMWWG, *supra* note 18 at 26. See also, Lindsay Kines, Lori Culbert and Kim Bolan, “B.C. slow to adopt lessons of Bernardo” *The Vancouver Sun* (26 September 2001).

<sup>128</sup> Lindsay Kines, “‘Uncannily accurate’ but largely ignored investigator finds little solace in report” *Vancouver Sun* (25 August 2010); Kate Lunau, “The Macleans.ca interview: Stevie Cameron” *Macleans* (27 June 2007); Mellor, *supra* note 16 at 82.

<sup>129</sup> Saskatchewan, *supra* note 75 at 46.

Jurisdiction was certainly a factor in the DTES missing women case. Before the JFO for Evenhanded was launched, there were failures to communicate and work collaboratively. In 2000, the VPD and RCMP met in Kelowna to discuss unsolved murders of prostitutes from around B.C. and the missing women from Vancouver. There were a minimum of three separate serial killers thought to be responsible. Files, suspect lists, suspect DNA and other forensic evidence was not shared, nor did this meeting correct the lack of co-operation.<sup>130</sup> Prior to the JFO, in many cases the files were not transferred to the VPD for investigation in a timely manner from the receiving agency. Seven of the files had been taken by RCMP detachments; it averaged a year to transfer a file to the VPD to investigate (all of which eventually were transferred to Evenhanded). The VPD, however, did not accept responsibility for at least one case, that of Wendy Crawford.<sup>131</sup> After Evenhanded began, the JFO did not investigate new cases of missing women; new cases continued to be the responsibility of the municipal force in which the woman lived.<sup>132</sup> In the case of Georgina Papin, her disappearance was reported by one RCMP detachment and investigated by another with VPD assistance, but Evenhanded did not take over the investigation for seven months after being advised of the file by the VPD.<sup>133</sup> Oppal concluded that:

The missing women investigations failed, in large part, because the approach was always one of multiple investigations. No one was in charge of the case as a whole. Even after Project Evenhanded was fully up and running, it did not assert authority or even effectively co-ordinate with the Coquitlam RCMP's investigation of Pickton.<sup>134</sup>

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<sup>130</sup> MWI [#34], *supra* note 29 at 8-33.

<sup>131</sup> Oppal [Vol. IIB], *supra* note 37 at 63-4.

<sup>132</sup> Lori Culbert, Lindsay Kines and Kim Bolan, "Investigation turns up startling new numbers: Police to announce expanded probe" *Vancouver Sun* (21 September 2001).

<sup>133</sup> Oppal [Vol. IIB], *supra* note 37 at 64.

<sup>134</sup> *Ibid.* at 181.

Oppal noted that regionalized forces are common in Ontario and although some municipalities in B.C. have concerns with regionalization, it is necessary.<sup>135</sup>

A regional police force was a recommendation from the Olson Inquiry, but did not happen.<sup>136</sup> There are 22 separate municipal and RCMP police forces in the Lower Mainland, serving two million people.<sup>137</sup> The DTES missing women case has led to another discussion of the need for an integrated municipal police force.<sup>138</sup> It should be noted that in recent years, specialized integrated teams, such as the Integrated Homicide Investigation Team (IHIT) and the Missing Persons Coordination Unit (MPCU), have been created to reduce jurisdictional issues in the province.<sup>139</sup> However, Oppal concluded that “integration is an insufficient response.”<sup>140</sup> It should also be remembered that the Provincial Unsolved Homicide Unit (PUHU) provided no assistance to the VPD when they sought help in the investigation of the missing women of the DTES.

#### **viii. Lack of Understanding of the Lives of Vulnerable People**

A failure to recognize and understand the lives of the missing women was a serious impediment to the police investigation into the DTES women and elsewhere. Despite police management’s belief that the missing women lived transient lives due to their drug addiction,

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<sup>135</sup> Oppal [Vol. III], *supra* note 65 at 189-98.

<sup>136</sup> It is not only serial murder investigations that have prompted calls for a regional police force. For example, in 2007, a murder-suicide might have been averted if the victim’s call had not been re-routed to other police forces, if Oak Bay officers had entered the home rather than waiting for Saanich officers, or if before her murder Sunny Park had not been referred to three different police forces when trying to report that her husband was threatening to kill her. Ultimately, Park, her parents Kum Le Chun and Moon Kyu Park, and her son Christian were killed by Peter Lee before he killed himself. See, “Patchwork policing: 3 case studies” *Times Colonist* (22 September 2010).

<sup>137</sup> Lindsay Kines, Katie Derosa and Jack Knox, “Our fractured police forces: Is it time to overhaul B.C.’s police system?” *Times Colonist* (22 September 2010); Oppal [Vol. I], *supra* note 2 at 127

<sup>138</sup> Kines, et al., *supra* note 137; MWI, *Revisiting the regionalization debate: A dialogue on the structure and organization of policing in British Columbia*; MWI [#1], *supra* note 39 at 19; Katie Derosa, “Ex-cops fault policing structures” *Times Colonist* (21 August 2010); Katie Derosa, “Disjointed system led to botched probe, ex-cops say” *Times Colonist* (21 August 2010).

<sup>139</sup> Derosa, *supra* note 138.

<sup>140</sup> Oppal [Vol. III], *supra* note 65 at 190-1.



frequent homelessness and often sporadic familial contact, the investigating officers understood that the women did in fact have predictable schedules and were tied to the DTES.<sup>141</sup> However, some researchers disagree, arguing that:

prostitutes are known to be highly mobile and less likely to inform their family or friends when moving to a different city or state/province. This has direct consequences for the criminal investigation, as their disappearance is less likely to be immediately noticed and reported to the police .... This was illustrated with the recent case of Robert Pickton in British Columbia who has been convicted of killing six prostitutes – and suspected of having killed 43 more – from the Downtown East Side, a neighborhood of Vancouver, Canada.<sup>142</sup>

Some escorts and prostitutes from the high-track stroll may be quite mobile. From the research on the Pickton case, it can be argued that the women were not mobile as far as moving between cities or provinces. However, many were not in regular contact with family and moved within the DTES often, but had many friends and community supports. Adam argued that the DTES “with its extensive support systems, was the only place many of our victims could function.”<sup>143</sup> Oppal concurred, stating that: “While some women working in certain sectors of the sex trade may have been highly mobile, this was not true of this particular group of missing women.”<sup>144</sup> In other Canadian cases, there are women who went missing who lead more transient lives than the mainstream population, but they were rarely involved in prostitution. The women may have had substance abuse issues, but in many cases, the vulnerabilities associated with their murders or disappearances were attendance at drinking establishments late at night (often leaving with people they met), being Aboriginal, and hitchhiking. In Canada, the vast majority of sex workers who have gone missing or been

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<sup>141</sup> Lori Culbert, “Pickton trial learns about victims’ lives” *Vancouver Sun* (11 May 2007); MWI [#34], *supra* note 29 at 9-1.

<sup>142</sup> Beauregard and Martineau, *supra* note 9 at 16.

<sup>143</sup> Adam, *supra* note 42.

<sup>144</sup> Oppal [Vol. IIB], *supra* note 37 at 71.

murdered were street prostitutes who had connections to an area, generally a downtown area where drugs could be easily purchased.

It was the management of both the VPD and RCMP, not the investigators themselves, who “attempted to rationalize the disappearance of so many women by wrongly assuming that these women simply did not want to be found, or were transient in nature, thus doubting foul play was a factor in their disappearance.”<sup>145</sup> The lead officer on the investigation “consistently pointed out that many of the Missing Women were in frequent contact with family members and government agencies prior to their disappearances.”<sup>146</sup> The missing women of the DTES were generally welfare recipients, and as few had reliable housing, were required to attend the social services office to sign for their cheques. The missing women all had lived in the DTES for at least one year, had strong connections to the area and most had histories of maintaining contact with their children in care and their extended family.<sup>147</sup> In his testimony, LePard “concurred that victim characteristics did play a role in assumptions about the urgency of the case[s] that were made, and that police often believed sex trade workers would go missing for a short time and then return.”<sup>148</sup> Oppal made a finding of fact that “the missing women investigations were shaped, in large part, by the police failure to get to know the women – an essential step in any investigation of this type is to learn as much as possible about the victim or potential victim.”<sup>149</sup>

Many of the women had very serious health issues, requiring frequent appointments with doctors, specialists, methadone clinics and pharmacies. Pickton victims Sereena

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<sup>145</sup> MWI [#34], *supra* note 29 at 8-36.

<sup>146</sup> MWI [#1], *supra* note 39 at 196. See also, MWI, *Exhibit 114 – Document entitled Panel – District 2 Police – document brief (Commission)* at 98.

<sup>147</sup> MWI [#98], *supra* note 25 at 19.

<sup>148</sup> Oppal [Vol. IIB], *supra* note 37 at 11.

<sup>149</sup> *Ibid.* at 66.

Abotsway and Andrea Joesbury both had over 300 prescriptions over six years, Mona Wilson had over 700 in the same time period, and Brenda Wolfe had more than 280 over three years.<sup>150</sup> Dr. Adilman of the Native Health Centre in the DTES contacted Evenhanded in October 2001, because the police had not contacted him. He had been the doctor for Abotsway, Dawn Crey and Michelle Gurney.<sup>151</sup> It was Dr. Adilman who reported Crey missing when she failed to make an appointment.<sup>152</sup> Likewise, Dr. Gutowski, who treated Wendy Crawford, contacted investigators to offer information disclosed to him regarding the murders of Crawford's brothers.<sup>153</sup> It was medical professionals who first noticed Joesbury's disappearance<sup>154</sup> and Crawford was reported missing by social services after missing an appointment with her mental health worker.<sup>155</sup>

#### **ix. Communication and Treatment of Families of Victims**

In many cases, the manner in which police treated families and friends has compromised their ability to learn important information about a missing woman or murder victim. Police behaviour reinforced beliefs held by some family members, friends of victims and community groups that the police did not care about the fate of the women. Failure to effectively communicate with family members impedes the ability to return for more information if new information is found, or if the case is re-investigated at a later date.<sup>156</sup>

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<sup>150</sup> Culbert, *supra* note 141.

<sup>151</sup> MWI [#34], *supra* note 29 at C160.

<sup>152</sup> Ward, *et al.*, *supra* note 108 at 57.

<sup>153</sup> MWI, *Exhibit 200A – Document entitled affidavit of Kenny Holmberg – Volume A to E* at 27.

<sup>154</sup> Sources relate three different medical professionals who were responsible for reporting Joesbury missing. Some sources state that Joesbury was reported missing by her pharmacist and others that it was a public health street nurse. A third source states that her doctor contacted her grandfather after she failed to appear for an appointment, but that it was the street nurse that reported her missing. See, Laszlo Barna. *The Pig Farm*. 2010, Documentary; Culbert, *supra* note 141; Cameron, *supra* note 24 at 335; MWI [#34], *supra* note 29 at C146; Oppal, *Volume IIA – Nobodies: How and why we failed the missing and murdered women, Part 1 and 2* (December 2012) at 125.

<sup>155</sup> Oppal [Vol. IIB], *supra* note 37 at 37.

<sup>156</sup> Fiddler, *supra* note 32; CCSOMWWG, *supra* note 18 at 31.

LePard commented how the behaviour of Sandy Cameron, a civilian member of the VPD's MPU affected the future relationships of the missing women investigation:

This was unfortunate; even though Detective Constable Shenher took over all dealings with family members of the Missing Women when she came to the Missing Persons Unit in 1998, the relationship between the VPD and many family members had been terribly and apparently irrevocably poisoned.<sup>157</sup>

Effective communication with family members has been shown to increase the probability of solving a crime, both at the commencement of the investigation and when older cases are being reinvestigated.<sup>158</sup>

Poor communication also creates an atmosphere of mistrust, and resentment exacerbates an already heartbreaking situation. Families of the missing and murdered suffer endlessly as "co-victims."<sup>159</sup> Karen Caughlin, 14, was murdered in 1974 in Sarnia, Ontario; her murder remains unsolved. There was a 25-year period when the family did not hear from the police.<sup>160</sup> Family members of missing women in the DTES generally felt that they were "disturbing" police when they called, and rarely heard from police on the status of their loved one's case.<sup>161</sup> In 1994, Erin McGrath reported her sister, Leigh Miner, 35, missing. The VPD did not call to update her, would not return her telephone calls. In 2001, McGrath discovered that the file was lost; it was eventually found on microfiche.<sup>162</sup> The situation was similar for the family of Kelly Morriveau murdered in Gatineau, Quebec, in 2006. Her aunt alleged that the detective in charge of the case ignored messages, would not pick up if he saw

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<sup>157</sup> MWI [#1], *supra* note 39 at 213.

<sup>158</sup> CCSOMWWG, *supra* note 18 at 60.

<sup>159</sup> *Ibid.*; Office of Justice Programs (U.S.). *Homicide survivors/co-victims*; Peterson Armour, "Experiences of covictims of homicide: Implications for research and practice" (2002) 3 *Trauma, Violence & Abuse*, 109.

<sup>160</sup> Megan Gillis, "Study aids unsolved crime victims' kin" *Ottawa Sun* (10 February 2005).

<sup>161</sup> Culbert, *et al.*, *supra* note 132.

<sup>162</sup> MWI [#34], *supra* note 29 at C173.

her telephone number on his caller identification, and when she finally was able to speak to him by telephone, he canceled a meeting that had been arranged.<sup>163</sup>

Even more upsetting to family members was hearing about details or progress in the case of a loved one through the media or in court, as was the case with many families of Pickton's victims.<sup>164</sup> Cindy Feliks' step-mother, Marilyn Renter, attended the *voir dire* hearing.<sup>165</sup> She knew that Feliks' DNA had been found on the property but no further details. During the hearing she learned that six packages of ground flesh in a freezer had been tested and contained the remains of Feliks.<sup>166</sup> Renter had not been warned by the police, Crown Counsel or victim service workers. Renter further recounted that as she leaned forward, head in hands, in the courtroom to regain her composure, the victim service worker rebuked her for "falling asleep" during the proceedings.<sup>167</sup> Renter, in Calgary, had initially learned of Feliks' DNA being found on the Pickton farm in 2002 when telephoned by Evenhanded officers. She was alone and without support; she related that the more compassionate approach would have been to have had the Calgary<sup>168</sup> police attend her home to do the notification.<sup>169</sup>

Other family members of Pickton's victims who did not reside in the Lower Mainland also heard the news through telephone calls, including Lilliane Beaudoin of

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<sup>163</sup> Mia Rabson, "Murder after murder" *Winnipeg Free Press* (04 October 2009).

<sup>164</sup> CCSOMWWG, *supra* note 18 at 69; Saskatchewan. *Report on the 2011 Western Regional Forum on Supporting Families of Missing Persons* (26 May 2011) at 15.

<sup>165</sup> Renter previously went by the surname Kraft. Cameron, *supra* note 24.

<sup>166</sup> *Ibid.* at 600; MWI, *April 17, 2012* at 49.

<sup>167</sup> Cameron, *supra* note 24 at 50. Suzanne Fournier, "Daughter's fate revealed when expert detailed drilling 'holes in meat packages' from Pickton farm" *The Province* (17 April 2012).

<sup>168</sup> The Ellis family, however, had victim support workers come to Calgary to inform them that Cara's DNA had been identified on the Pickton farm. Ward *et al.*, *supra* note 108 at 45.

<sup>169</sup> Neal Hall, "Mother tells inquiry about shocking phone call in 2002 about missing daughter" *Vancouver Sun* (17 April 2012).

Welland, sister of Dianne Rock.<sup>170</sup> Beaudoin had received a call from Evenhanded officers in November 2001 about two bags of her sister's belongings being left at her residence. The officer did not tell her she had been reported missing or that she was part of a larger investigation into a possible serial killer.<sup>171</sup> Evenhanded attended the home of one of Rock's children to inform her of her mother's death. The rest of the family had not been informed of the news before the media announced the information. One of Rock's siblings learned of her death from the newspaper.<sup>172</sup> Mona Wilson's sisters also learned that Pickton was charged with Wilson's murder through the media, including the grisly details that Wilson's bisected head, hands and feet had been found in a pail.<sup>173</sup> Two years after last speaking to her mother, Brenda, eight-year-old Angel Wolfe was visited in her foster home by police to advise her that her mother's remains had been found on "a pig farm." Ten years later Wolfe described how police, without allowing her time to process the information or ask questions, proceeded to make inquiries about her mother and her lifestyle, recording the conversation.<sup>174</sup>

Other family members and friends have been angry about how the police have referred to their loved ones in official news releases or to the media. Jennifer Tichborne, best friend to a woman slain by alleged Winnipeg serial killer Shawn Lamb, found that police and media focused primarily on Carolyn Sinclair's involvement in prostitution:

When all the headlines read 'Sex trade worker found in trash bag', quoted by the police, ....It's like my sister said before to to [sic] one of the sergeants [sic]....if she were to go up missing, you wouldn't see somebody put 'Cleaner....found dead' ....no, you wouldn't see that on her headline, ever.<sup>175</sup>

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<sup>170</sup> Eddie Chau, "Apology rejected by Wellander at Pickton inquiry" *QMI Agency* (10 December 2011).

<sup>171</sup> Ward *et al.*, *supra* note 108 at 62.

<sup>172</sup> MWI, *October 27, 2011* at 101; Ward *et al.*, *supra* note 108 at 63.

<sup>173</sup> Ward *et al.*, *supra* note 108 at 82.

<sup>174</sup> *Ibid.* at 59-61; MWI [Oct. 27], *supra* note 172 at 67.

<sup>175</sup> Donna Carreiro, "The Sinclair Project: Carolyn Sinclair" *CBC News* (12 October 2012).

Police presentation of information to the public can be insensitive to the families of victims. Project Devote (Devote), discussed in the following chapter, is investigating 28 unsolved murders and suspicious disappearances of high-risk victims. One of the cases is a 1961 homicide that was featured on the Winnipeg Police's Cold Case Unit's website for several years.<sup>176</sup> The description of the victim read: "43 year old Jean Mocharski could be best be described as an alcoholic prostitute..."<sup>177</sup> Mocharski's seven children remember her as a loving mother struggling to raise her children alone. Although she did have an addiction to alcohol, they deny she was involved in prostitution.<sup>178</sup> Regardless, Mocharski could be "best described" in any number of ways, but the crass, flippant text by police was unnecessary, may deter public sympathy and does not further the investigation.

Focus on high-risk behaviour has the perhaps unintended consequence of conveying that the women facilitated the violence they suffered:

Somehow it has been made excusable for these women to go missing because they may be involved in some risky behaviour such as hitchhiking or prostitution. This is unacceptable to blame the victim. We ask our government to take the steps necessary to hold the offenders accountable.<sup>179</sup>

Describing the circumstances of the crime and details about the victim's lifestyle is required, as much as families may not be comfortable with all the details. However, it can, and should, be done respectfully.

Although prostitution is one aspect of a victims' life, it is not the only one. Even when the media attempts to provide a more comprehensive view of a victim, headlines

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<sup>176</sup> The last updated date on the original poster was 2006. I printed the link in 2009 or 2010 but the link no longer exists on the Winnipeg Police Service site. It was copied to both the *Winnipeg Homicide* site ([www.winnipeghomicide.org](http://www.winnipeghomicide.org)) and the *Unsolved Murders/Missing Persons* discussion group ([www.unsolvedcanada.ca](http://www.unsolvedcanada.ca)), both of which were available as of October 6, 2013.

<sup>177</sup> "Unsolved Cases: Homicides" *Winnipeg Police Service*.

<sup>178</sup> "Manitoba homicide victim's family surprised with new probe" *CBC News* (17 July 2012).

<sup>179</sup> Oppal [Vol. III], *supra* note 65 at 43.

continue to be inflammatory, using words such as “hooker” to describe the victims.<sup>180</sup> As the horrors of the Pickton case became known, changes have occurred in how the public and police alike react to the fate of high-risk missing and murdered women.<sup>181</sup> This has made the police more aware of the importance of and need for good family communication, beyond just investigative reasons.

Federal and provincial reports noted that the appointment of a family spokesperson or key contact is an effective method for information dissemination and ease of providing updates on the file by police.<sup>182</sup> A dedicated family liaison officer is a required position within the MCM, to which Evenhanded did not conform.<sup>183</sup> In the state of Colorado, police are mandated to provide yearly updates to families, and a failure to do so must be justified.<sup>184</sup> This policy is one that police forces in Canada should consider adopting. Families should be informed at the onset of an investigation, however, that some information may not be released to them to protect the investigations.<sup>185</sup>

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<sup>180</sup> Mark Bonokoski, “Is there a connection between an Ottawa hooker hater and a murdered teenage prostitute?” *Toronto Sun* (22 October 2006); Kenneth Jackson, “Hookers fearful in wake of killing” *Ottawa Sun* (24 August 2010); Kevin Martin, “Possible deal for accused in Calgary hooker slaying” *Sun Media* (16 December 2007); Robert Matas, “Sister outraged at ‘just hookers’ remark” *The Globe and Mail* (23 November 2011); Dan Palmer, “Family extends hand to slain hooker’s kin” *Edmonton Sun* (28 June 2004); Robert Anthony Phillips, “Mayor: No reward in missing hookers case” *APBNews* (09 April 1999); Kevin Spak, “Florida cops suspect hooker serial killer is back” *Newser* (13 January 2008).

For examples of the use of the word “hooker” during the DTES missing women’s investigation, see, MWI, *Exhibit 48 – Document entitled – Media use of the word ‘hooker’ including 6 tabs of various press articles, together with a document entitled media headlines using the word ‘hooker’*.

<sup>181</sup> Fiddler, *supra* note 32; Heather Travis, “Journalist closing the case on Pickton” *Western News* (25 November 2010).

<sup>182</sup> CCSOMWWG, *supra* note 18 at 31; Saskatchewan, *supra* note 164 at 9, 17.

<sup>183</sup> Oppal [Vol. IIB], *supra* note 37 at 176.

<sup>184</sup> CCSOMWWG, *supra* note 18 at 60.

<sup>185</sup> Saskatchewan, *supra* note 75 at 20. See also, MWI [#1], *supra* note 39 at 203.



**x. Lack of National DNA Database for Missing Persons and Unidentified Remains**

The lack of a national DNA database for the profiles of missing persons has been identified as an issue by both police and victims' families. The *DNA Identification Act* was enacted in 1998 and updated in 2000, 2005 and 2012, resulting in the creation of a DNA databank with two indices.<sup>186</sup> The convicted offender index (COI) holds DNA from both offenders and military personnel who have been convicted of specifically designated offences. The crime scene index (CSI) contains DNA profiles from:

- (a) any place where a designated offence was committed;
- (b) on or within the body of the victim of a designated offence;
- (c) on anything worn or carried by the victim at the time when a designated offence was committed; or<sup>187</sup>
- (d) on or within the body of any person or thing or at any place associated with the commission of a designated offence.<sup>188</sup>

The designated offences, both primary and secondary, are outlined in section 487.04 of the *Criminal Code*.<sup>189</sup> These cover a broad range of crimes including acts of terrorism, sexual offences, homicide and other violent crimes.<sup>190</sup> The profiles in the two indices are continually compared.<sup>191</sup> As of September 15, 2013, there were 365,081 DNA profiles in the databases.<sup>192</sup> There have been 27,746 matched profiles between the COI and CSI indices and 3,317

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<sup>186</sup> *DNA Identification Act*, S.C. 1998, c. 37.

<sup>187</sup> Had the *Act* been in place at the time of Pickton's attack on Ringwald, his clothing and boots would have been tested and perhaps the DNA of the other two women, Andrea Borhaven and Cara Ellis, might have been found. Condom packages taken into evidence at the time were eventually found to have the DNA of Jacqueline Murdock on them. The forensic specialist, Dr. Kathleen Horley, does not think the boots would have been tested but the jacket would have been. Police would not be able to determine who the women were as they did not have DNA samples of the missing women at that point, but DNA on the jacket might have alerted police to the possibility of further victims. Evidence from the 1997 case was not tested until 2004. However, at a meeting in February 2000, a recommendation was made to send the handcuffs to the laboratory to look for DNA from other victims. It was not done, due to higher priority investigations. MWI, *April 4, 2012*; MWI, *Exhibit 214 – Document entitled Will Say of Keith Davidson* at 41.

<sup>188</sup> *DNA Identification Act*, *supra* at 5.3.

<sup>189</sup> *Criminal Code of Canada*, R.S.C. 1985, c. C-46, s.487.04.

<sup>190</sup> See Appendix C for the full list of offences, definitions and laws regarding the DNA indices.

<sup>191</sup> CCSOMWWG, *supra* note 18 at 49.

<sup>192</sup> Adam Miller, "Exclusion of DNA in missing persons database draws criticism" *The Globe and Mail* (22 July 2012).

matches between crime scenes, indicating the same offender is responsible.<sup>193</sup> The DNA of missing persons and unidentified human remains are not contained in the databank, even when police suspect foul play, as there is no provision for such within the *DNA Identification Act*. Inclusion of missing persons' DNA has been discussed for over a decade. Both the financial cost and privacy issues have been cited as a reason for not proceeding.<sup>194</sup>

The federal government should expand the funding and mandate of the new National Centre for Missing Persons and Unidentified Remains (NCMPUR) to allow for both a Missing Persons and an Unidentified Human Remains index. One of Oppal's less publicized recommendations was that the province of B.C. take active steps to encourage the federal government to implement such a database.<sup>195</sup> DNA of all unidentified human remains should be entered into a database for comparisons to family members, missing persons and crime scene information. This would reduce the costs associated with the creation of a database; the collection and analyses of the samples would be the only significant costs. However, the possibility of solving unsolved cases, identifying remains and making linkages between crimes, unidentified remains and missing persons earlier will help reduce investigative costs.

Evidence to generate DNA samples should be collected at the onset of an investigation, as it may not be available later, may become compromised or degraded, or family members may move or die.<sup>196</sup> As most missing person cases are resolved by locating the person or the person returning voluntarily within one to four weeks post-disappearance, evidence should be preserved but not immediately processed for DNA. After other investigative avenues have been exhausted and the person has not been located within 60

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<sup>193</sup> "National DNA data bank" *Public Safety Canada*.

<sup>194</sup> *Ibid.*; Greg Joyce, "Police agencies tested by huge numbers of missing and murdered women" *Canadian Press* (19 December 2003); CCSOMWWG, *supra* note 18 at 38.

<sup>195</sup> Oppal [Vol. III], *supra* note 65 at 184.

<sup>196</sup> MWI [Apr. 4], *supra* note 187 at 59.

days, for example, the evidence could be processed for DNA and entered into the database. The exception should be if a disappearance is deemed suspicious or indicative of foul play by police. A study to review how other countries manage privacy concerns would be useful. Further, a missing person's DNA can be removed from the database once they are safely located.

Evenhanded recognized that not having the ability to compare DNA of missing persons against found human remains was a potential hindrance to concluding some of the missing women cases.<sup>197</sup> As the police do not classify missing person cases as criminal cases, there was no access to the existing databanks.<sup>198</sup> The cost to create a database was considered "minor"<sup>199</sup> but a provincial review prevented its creation.<sup>200</sup> Forensic laboratory staff met with Evenhanded team members and were "in complete agreement with the investigators that this is a critical area that remains a gap in the overall police operation."<sup>201</sup> Having recognized the need for such a database, a local DNA bank had already been developed by the Coroner's Service, but was kept "very low key in view of the problem of resources to search and enter familial DNA."<sup>202</sup> Adam testified at the MWI that a difficulty of the DTES missing women cases, from his perspective, was "the lack of a missing person DNA bank. I could not overstate to you how damaging it is that our country has chosen not to have a DNA bank for missings,[sic] utterly damaging and at so many levels."<sup>203</sup>

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<sup>197</sup> Adam, *supra* note 42.

<sup>198</sup> CCSOMWWG, *supra* note 18 at 67.

<sup>199</sup> *Ibid.* at 52.

<sup>200</sup> Kim Bolan and Lindsay Kines, "DNA samples are taken but not used: Coroner, police want data bank but B.C. has put it on hold" *Vancouver Sun* (24 September 2001).

<sup>201</sup> Adam, *supra* note 42 at 67.

<sup>202</sup> *Ibid.*

<sup>203</sup> Suzanne Fournier, "DNA bank would have aided probe into serial killer Robert Pickton, inquiry hears" *The Province* (15 February 2012); MWI, *February 15, 2012* at 27.

There has been considerable support from outside the federal government for the creation of a missing persons' DNA index with comparison abilities to existing indices. Generally, police and families want DNA and comparisons when foul play is suspected, the circumstances are suspicious or the person is high-risk.<sup>204</sup> There are approximately 600 unidentified human remains in Canada.<sup>205</sup> Judy Paterson has been advocating for DNA databases for missing persons and unidentified human remains for over a decade.<sup>206</sup> Her 14-year-old daughter Lindsey Nicholls has been missing since 1993.<sup>207</sup>

I remember the very moment I realized that her remains could be among those unidentified samples. I have the right to know if my daughter's body has been found, and Lindsey deserves justice and a proper burial.

To this end, I have lobbied for the passage of what has come to be known as Lindsey's Law, which would allow investigators to collect DNA from missing persons or their close relatives and compare it to DNA from crime scenes and unidentified human remains[.] The quest for a missing persons DNA databank is not just about giving comfort to family members of the missing, however; it is also about the safety of your family and of all Canadians. Until remains are identified, the police cannot begin an investigation, so if Lindsey was abducted and murdered, her murderer is still out there.<sup>208</sup>

A 2003 letter from then-Deputy Commissioner Gary Bass to Paterson also appears to support the idea of inclusion of missing person DNA and linking of the databases.<sup>209</sup> Melanie Alix, mother of Dylan Koshman, 21, who has been missing since 2008, concurs. Constables Sean

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<sup>204</sup> See e.g., Saskatchewan, *supra* note 75 at 59.

<sup>205</sup> Patricia Kozicka, "Mother of missing man on crusade for national DNA data bank" *Global News* (01 March 2012); "Lindsey's Law" *Lindsey Nicholls*.

<sup>206</sup> See e.g., Joanne Hatherly, "Missing girl's mother fights for DNA bank" *National Post* (12 October 2002); "Lindsey's Law...", *supra* note 205; Miller, *supra* note 192.

<sup>207</sup> Nicholls' father, Martin Nicholls, was an RCMP officer at the time of her disappearance. The couple separated shortly after Nicholls disappeared and the two have little contact. However, Nicholls is supportive of Peterson's campaign goals. Raina Delisle, "Losing Lindsey" *Chatelaine* (April 2008). "Missing Children's Database" *RCMP Missing Children's Database*; "The Doe Network: Unexplained Disappearances Geographic Index 2" *The Doe Network*; "RCMP seek public assistance in solving 15 year mystery" *RCMP News Release* (12 September 2008), RCMP ('E' Division); "Media release – Press conference into 15 year old missing person case" *RCMP News Release* (11 September 2008), RCMP ('E' Division); "Missing Persons and Unidentified Bodies Unit" *OPP Missing Persons and Unidentified Bodies Unit*; "Missing Persons" *Crime Stoppers*; "Our Missing Children" *RCMP*; "Lindsey's Law...", *supra* note 205.

<sup>208</sup> "Lindsey's Law...", *supra* note 205.

<sup>209</sup> *Ibid.*

Jenkinson and Jim Gurney of the Edmonton Police Service have stated that inclusion of DNA would assist in identification of remains and alert police to homicide cases.<sup>210</sup>

A Conservative Saskatchewan MP, Ray Boughen, has twice presented a petition to the federal government to collect the DNA of missing persons.<sup>211</sup> Boughen noted that costs could be reduced by integrating DNA of missing persons and unidentified human remains into the two existing DNA indices.<sup>212</sup> In 2003 and 2006, Saanich-Gulf Islands MP Gary Lunn brought a private member's bill to amend the *DNA Identification Act* without success.<sup>213</sup>

The 2010 Speech from the Throne announced funding related to the protection of Aboriginal women and girls.<sup>214</sup> Shortly thereafter, funding in the amount of \$10 million over five years was announced for the creation of a Canadian missing persons centre within the RCMP. The National Centre for Missing Persons and Unidentified Remains (NCMPUR) includes a publically accessible website. By March of 2014, the Centre is scheduled to employ 11 people in full time positions.<sup>215</sup> One position is held by an officer with the National Aboriginal Policing Services (NAPS). Training for agencies on missing person investigations and how to work with NCMPUR began in March 2012.<sup>216</sup>

The NCMPUR website was to be launched by March 2012 but was delayed by over a year.<sup>217</sup> It was launched on January 31, 2013.<sup>218</sup> Descriptive information about human

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<sup>210</sup> Kozicka, *supra* note 205.

<sup>211</sup> Miller, *supra* note 192.

<sup>212</sup> *Ibid.*

<sup>213</sup> Rob Shaw, "Worried mother wants national DNA databank" *Times Columnist (Victoria)* (23 September 2008).

<sup>214</sup> Government of Canada. *Speech from the Throne, 2010* (03 March 2010).

<sup>215</sup> Saskatchewan, *supra* note 164 at 10.

<sup>216</sup> Oppal [Vol. III], *supra* note 65 at 24.

<sup>217</sup> *Ibid.*; Miller, *supra* note 192; Tonda MacCharles, "Priorities change for missing native women" *Toronto Star* (02 March 2011).

<sup>218</sup> "Canada's missing persons cases featured on new website" *CBC News* (31 January 2013); "RCMP launches national public website for missing persons and unidentified remains" *RCMP News Release* (31 January 2013); "Canada's Missing" *RCMP*.

remains, but not DNA, will be contained within a new index.<sup>219</sup> The database will be used by the NCMPUR to search for similarities among missing persons and found human remains.<sup>220</sup> The website, however, is not the effective public tool that the National Missing and Unidentified Persons System (NamUs) provides to the U.S. public. For example, users cannot search by gender on a regular search. Only using the advanced search can a search for more specifics be utilized. The site does have a disclaimer bar on the home page regarding disturbing photographs and descriptions, but it is very small and easily missed. On most sites, this waiver is larger or appears when one does a search for unidentified remains only. Photographs of the deceased and/or their belongings could be quite disturbing for the public. Upon release, the site was unstable and is unable to retain search information. There are some positives to the site, however. Using the advanced search, the gender variable under “appearance” includes transgender as well as male, female and unknown. The database also contains information on associated persons; all but two are parents in suspected or known abductions of children.

The U.S., U.K. and Australia collect, store and check for DNA matches between missing persons and unidentified remains. Canada’s failure to include DNA as part of its missing persons initiative severely limits the ability of police to solve cases and bring closure to families awaiting news of the fate of their loved ones. Linking the indices could possibly find partial matches, indicating siblings, parents or other relatives of unidentified remains. As both offenders and victims are often from vulnerable and high-risk groups, it is possible that

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<sup>219</sup> Miller, *supra* note 192.

<sup>220</sup> “RCMP working on missing persons database” *CBC News* (18 May 2011).

linking the databases could result in matches between recovered human remains and relatives currently or formerly in prison.<sup>221</sup>

### **xi. Issues with DNA and Physical Evidence**

The preservation of evidence is an important element in being able to solve a crime. Physical evidence, photographs, written notes, transcripts, interviews and tips need to be safeguarded for future use. The FBI has identified the need for resources to protect evidence, which is crucial for the ability to solve old cases.<sup>222</sup> Further, due to ongoing advances in forensics the FBI recommends that evidence in unsolved cases be retained for a minimum of 50 years.<sup>223</sup> Following the arrest of Pickton in 2002, it was discovered that the Crown's file for the 1997 attempted murder case had been destroyed in 2001. The destruction of the file was contrary to the official policy which clearly stated that files and evidence of "all serious personal injury offences as defined in section 752 of the Criminal Code"<sup>224</sup> were required to be maintained for 75 years.<sup>225</sup> The loss of the file ensured that Pickton could never be tried for the 1997 attempted murder of Ringwald.<sup>226</sup>

During the review of sexual assault files, Evenhanded investigators found several problems. Despite the policy of retaining evidence for 75 years, exhibits were often destroyed after six months if the file was inactive. The most common reason a file became inactive was the inability to locate a victim. Other exhibits were destroyed after the laboratory returned them to the RCMP detachment. In the event of a DNA match, if the case proceeded to an arrest and trial, those exhibits would be required by the Crown Counsel and

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<sup>221</sup> Austin Lawrence. Personal communication (30 October 2012).

<sup>222</sup> CCSOMWWG, *supra* note 18 at 59.

<sup>223</sup> FBI, *supra* note 121.

<sup>224</sup> MWI, *April 11, 2012* at 51.

<sup>225</sup> *Ibid.* at 49.

<sup>226</sup> The physical evidence from the case was not destroyed, and had been requested by the laboratory for testing in January 2002, prior to Pickton's arrest. MWI [#98], *supra* note 25 at 300.

defence.<sup>227</sup> Forensic experts in the U.S. have stated that it is not uncommon to find multiple DNA samples on victims who were prostitutes, which increases the difficulty of solving the crime.<sup>228</sup> Fibres, body fluids and hair, for example, could result from performing sexual acts in multiple vehicles unrelated to the crime. Multiple DNA samples could provide a defence by an accused who could claim to have been a client but not the murderer.

Although DNA is popularly seen as the most valuable evidence in solving crimes, DNA itself has its own issues.<sup>229</sup> It is, without doubt, an important tool, but DNA alone cannot solve all murders or suspicious missing person cases. Canadian law allows inclusion of DNA in the databank only for those individuals convicted of specific crimes or from crime-scenes. Suspect DNA is not permanently entered into the offender index, although DNA profiles from suspects can be compared against existing profiles from either the offender or crime-scene databank.<sup>230</sup> If the offender's DNA was not already in the database, finding crime-scene DNA evidence would not assist police until such time as a suspect is identified.

Delays in testing forensic samples, especially DNA, have allowed serial offenders to continue unabated. Paul Bernardo was responsible for at least 18 rapes before he murdered three teenage girls in southwestern Ontario.<sup>231</sup> The inquiry into the Bernardo investigation noted that there was a two-year delay between Bernardo's voluntary submission of DNA material and the comparison to samples taken from victims of the Scarborough Rapist.<sup>232</sup> As

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<sup>227</sup> *Ibid.* at 159, 173-4.

<sup>228</sup> Salfati, *et al.*, *supra* note 19 at 507; Richard Saferstein. *Criminalistics: An introduction to forensic science*, 9<sup>th</sup> Edition. (Upper Saddle River: Prentice Hall, 2007) at 586.

<sup>229</sup> See e.g., Osagie K. Obasogie, "High-tech, high-risk forensics" *New York Times* (24 July 2013).

<sup>230</sup> "National DNA...", *supra* note 193.

<sup>231</sup> Campbell, *supra* note 11 at 1.

<sup>232</sup> *Ibid.* at 45.



a result, Bernardo and his wife/accomplice, Karla Homolka, were able to continue and escalate to murder.

Some of the issues with delays in DNA testing were as a result of the limited knowledge of the times. Crime scene evidence collection and storage protocols were not designed with DNA preservation as a goal in the 1970s or 1980s.<sup>233</sup> As a result, evidence has been lost, destroyed or has degraded. In some fortunate instances, the police resubmitted old evidence as technology advanced to try to produce new leads, as shown below in E-PANA's success in the 1974 murder of Colleen MacMillen. The advances in forensic science have resulted in reduced testing times and the size of the sample needed, and have improved the ability to test old and small samples.<sup>234</sup> With DNA collection becoming more commonplace, delays in processing samples often result. The police can instruct that priority be given to evidence in serial or serious crime investigations, but federal and provincial governments need to continually assess and augment resources for forensic laboratories.<sup>235</sup>

## **xii. Living Survivors**

A victim of a serious assault, kidnapping, forcible confinement, sexual assault or attempted murder, especially a victim who fits the profile of a serial killer, may be the key to solving the crime series. A living survivor of a serious crime may be "the one that got away" from a serial killer. Looking for violent offenders with criminal records is an excellent strategy for narrowing a suspect pool in current and historic investigations and is standard practice.<sup>236</sup> Early in the missing women of the DTES investigation, the VPD had 13 main suspects, of which Pickton was one, but the sergeant in charge of the investigation noted that

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<sup>233</sup> See e.g., Mike Hager, "Retired Highway of Tears investigator in awe of DNA science that tracked suspected killer" *Vancouver Sun* (26 September 2012).

<sup>234</sup> *Ibid.*; "Document: RCMP email on integrated task force" *CBC News* (10 September 2009).

<sup>235</sup> FBI, *supra* note 121.

<sup>236</sup> CCSOMWWG, *supra* note 18 at 59.

“there was ‘no end to the number of strange violent men...’ that might be responsible for the Missing Women.”<sup>237</sup> In reviewing older case files, or in requesting police agencies forward new cases immediately, police need to look not only for missing women or bodies that fit a pattern, but also surviving victims of serious crimes.<sup>238</sup> Although certainly old files were reviewed, this investigative lead was not properly followed up during the investigation of the missing women of the DTES. Evenhanded was slow to investigate suspects.

Oppal concluded that the police had not fully investigated the information provided by Ringwald in her hospital interview, which suggested that the assault on her was not likely a “one-off.” Specifically, Ringwald told officers that 1) Pickton had told her he picked up prostitutes from the DTES once a week; 2) Pickton’s brother said he did not own handcuffs; 3) a women’s brassiere found in his vehicle after the police searched it did not belong to Ringwald; and 4) there were three hairbrushes in the trailer, including one with a pink handle (Pickton was balding).<sup>239</sup> Ringwald had also told investigators that she was certain she was not the only victim of Pickton and that “I know it, I just know that there are broads on that property.”<sup>240</sup> Police probed this assertion and discussed it in the context of the missing women from the DTES. She offered to attend the needle exchange to identify women that had gone missing but the police did not request that she do so. Police did not search the vehicle or trailer until 12-14 hours after the assault, and after Pickton’s niece had been in the trailer. Pickton was interviewed only once and Ringwald’s interview was treated as her

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<sup>237</sup> MWI [#1], *supra* note 39 at 27.

<sup>238</sup> Keppel and Birnes, *supra* note 82 at 24.

<sup>239</sup> Oppal [Vol. IIA], *supra* note 154 at 44-5.

<sup>240</sup> *Ibid.* at 45.

statement.<sup>241</sup> Oppal concluded that further interviews of Ringwald could have “changed the investigation in 1997-1998 and, perhaps, the Stay Decision.”<sup>242</sup>

Announcements by police regarding the possibility of a serial killer, along with his suspected patterns, has been found to be a way of getting living victims come forward who did not previously report incidents.<sup>243</sup> This could be extremely productive in cases of missing or murdered sex workers, as their reluctance to report violent incidents to police is well-known. This was, in fact, done several times during the DTES missing women investigation, including a session at WISH in June of 1999, in which four VPD officers and one visiting U.K. officer provided information about what was happening in the case to the women of the DTES.<sup>244</sup> This was contrary to the official VPD position that there was no evidence of a serial killer.

In early FBI analyses, escaped victims who led police to the offender accounted for 8% of solved serial homicide cases, whereas voluntarily released victims accounted for only 1%.<sup>245</sup> More recent U.S. cases found that living victims continue to be the turning point in many serial investigations. For example, Francois Kendall was captured immediately following the release of a victim he had driven to the store to buy cigarettes. She had survived an attack and attempted strangulation. The woman escaped from the car and sought out the police.<sup>246</sup> Bobby Joe Long was captured after fibre evidence found on a victim whom Long released was linked to unsolved homicides.<sup>247</sup>

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<sup>241</sup> Oppal [Vol. IIA], *supra* note 154 at 46.

<sup>242</sup> *Ibid.* at 79.

<sup>243</sup> Keppel and Birnes, *supra* note 82 at 25.

<sup>244</sup> MWI [#1], *supra* note 39 at 103.

<sup>245</sup> John H. White, David Lester, Matthew Gentile and Juliana Rosenbleeth, “The utilization of forensic science and criminal profiling for capturing serial killers” (2011) 209 *Forensic Sci. Inter.* 209, at 162-3.

<sup>246</sup> John Massey, *et al.*, “Kendall Francois” *Department of Psychology, Radford University*; Mark Gado, “Kendall Francois” *True TV*; Greene, *supra* note 97; Newton, *supra* note 56 at 344; James Alan Fox and Jack

In other cases, police did not make links between a living victim and ongoing or future investigations, such as was seen with Ringwald in the Pickton case. A teenager who survived an attack by Olson was deemed unreliable because Olson had forced alcohol on her; Olson was not charged with sexual assault in this case.<sup>248</sup> More recently, Denise, 28, met alleged serial killer Shawn Lamb in January 2011.<sup>249</sup> She recounted a harrowing experience she had with him after they smoked crack together. After Carolyn Sinclair's body was found, Denise went to police concerned that Lamb might be involved with that case and those of other missing women. She alleges that police "just shrugged her off."<sup>250</sup>

In the U.S., five women survived attacks by Sowell but charges were not laid until months after the third woman escaped.<sup>251</sup> When police arrived to arrest Sowell, he was not home, but when police looked through a window they saw two corpses.<sup>252</sup> In another infamous case, Jeffrey Dahmer's 18<sup>th</sup> victim managed to escape and alert police.<sup>253</sup> Sadly, an earlier victim had escaped from Dahmer as well. In 1991, Konerak Sinthasophone, 14, escaped naked and suffering from head wounds. Police were called but Sinthasophone, who

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Levin. *Extreme killing: Understanding serial and mass murder*, 2<sup>nd</sup> Edition. (Thousand Oaks: Sage Publication, 2012) at 121.

<sup>247</sup> White, *et al.*, *supra* note 245 at 162; Long v. *State of Florida* [1997] 83,593; "Bobbie Joe Long" *Wikipedia*; "Bobbie Joe Long" *Serial Killer Central*; Katherine Ramsland, "Bobby Joe Long" *True TV*; Catherine Reynolds, *et al.*, "Bobby Joe Long" *Department of Psychology, Radford University*; Eric W. Hickey. *Serial murderers and their victims*. 5<sup>th</sup> Edition. (California: Wadsworth, 2010) at 151; Katherine Ramsland and Patrick N. McGrain. *Inside the minds of sexual predators*. (Santa Barbara, California: ABC Clio, 2010) at 145; Newton, *supra* note 56 at 159.

<sup>248</sup> Mellor, *supra* note 16 at 85.

<sup>249</sup> No last name was given in the CBC article. See, "Woman tells of escape from alleged serial killer" *CBC News* (26 June 2012).

<sup>250</sup> *Ibid.*

<sup>251</sup> "Diabolical Killers" *Most Evil* (11 October 2012), Documentary, Investigation Discovery; Newton, *supra* note 56 at 59.

<sup>252</sup> "Ohio" *Behind Bars*, Documentary, (07 October 2011); "Anthony Sowell, 'The Cleveland Strangler,' found guilty of murder" *Huntington Post* (21 July 2011); James Bones, "Stench still wafts from home of accused serial killer Anthony Sowell" *The Times* (06 November 2009); Kim Palmer, "Serial killer Anthony Sowell apologizes to victims' families" *Reuters* (08 August 2011); Kim Palmer, "Victims' families want plea deal in Anthony Sowell case" *Reuters* (07 June 2011); Edecio Martinez, "Pictures: Who were the women found at Anthony Sowell's house?" *CBC News* (16 November 2009); "Cleveland: Anthony Sowell sentenced to death" *WKYC News* (12 August 2011).

<sup>253</sup> The Dahmer case is not summarized in this dissertation as his male victims were not sex workers.

spoke little English, was released into Dahmer's custody and subsequently murdered. Had they investigated further, police would have found decomposing body parts in the apartment. Six months later, Dahmer would be charged with 15 counts of murder; he ultimately confessed to 17 murders.<sup>254</sup>

### **xiii. Race, Class, Ethnicity and Prejudice against Vulnerable Victims**

Police and the Crown Counsel have largely denied that the lifestyles, socio-economic status or ethnicity of missing women or murder victims influenced their response or the priority given to the case. Allegations of racism, inaction and bias against the women and their lifestyles by both police and the Crown Counsel have been made by their families, experts, advocacy organizations and researchers over many years.<sup>255</sup> Many cases of inaction and indifference, especially when the victim was Aboriginal, have been detailed by organizations such as Amnesty International and NWAC.<sup>256</sup>

One such example that has not been previously publicized can be found in the MWI exhibits.<sup>257</sup> In December 1998, VPD officer Dickson wrote to his superiors requesting assistance with the North Vancouver RCMP detachment responsible for the Mary Lidguerre homicide. Portions of Lidguerre's skeletal remains were found in a park and identified a year later. In July 1998, during a ceremony for her held at the location where her remains were found, mourners discovered additional bones. Lidguerre's friends collected the bones and contacted the RCMP; the bones were not picked up until October. Officers allegedly

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<sup>254</sup> *The Estate of Konerak Sinthasomphone v. The City of Milwaukee* (05 March 1992); *Balcerzak v. City of Milwaukee, Wis.* [1998] NO. 98-1602, 163 F.3d 993; "Diabolical killers...", *supra* note 251; Newton, *supra* note 56 at 59.

<sup>255</sup> CCSOMWWG, *supra* note 18 at 42.

<sup>256</sup> *Ibid.* See especially: NWAC. Voices of our Sisters in Spirit: A research and policy report to families and communities. (2010); NWAC. (2009). Voices of our Sisters in Spirit: A research and policy report to families and communities, 2<sup>nd</sup> ed.; Amnesty International. Stolen Sisters: A human rights response to discrimination and violence against Indigenous women in Canada, 2004.

<sup>257</sup> Testimony on this case was not given but was found within documents entered into evidence and released to the public.

informed them the bones would not be tested to determine if they belonged to Lidguerre as there were no suspects in her case.

Dickson was concerned not only by the lack of respect shown towards the human remains of a homicide victim, but also to the possibility that the bones belonged to someone else. Although it was most likely that the remains were Lidguerre's, the possibility existed they were not. Dickson recognized that serial killers often use the same location to dispose of bodies (called a cluster dump), lessening the likelihood of discovery.<sup>258</sup> Additionally, bears had been seen in the vicinity of where the remains were found, meaning that further remains may have been scattered. Dickson referred to the missing women case, concerned that Lidguerre's murder may be linked. Officers from the VPD undertook the search on their own because the responsible jurisdiction would not. Dickson took a vacation day to search for remains himself in May of 1999. A few weeks later, Dickson, Shenher and Lepine conducted a second search.<sup>259</sup> It is difficult to imagine a case in which a fulsome search for human remains of a woman from a more affluent area would not be undertaken.

Regardless of ethnicity, there has been widespread evidence that where drug or alcohol addiction, transience or homelessness, or prostitution was evident, police did not give priority to the investigations. Family members believed that the cases of their family members were ignored due to their lifestyles. Erin McGrath's sister, Leigh Miner, disappeared from the DTES in 1994 but was not listed among the missing women until December 2001, despite McGrath's advocacy for her inclusion.<sup>260</sup> "When somebody lives a lifestyle like my sister, they really are looked down upon. It felt like she just didn't matter,

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<sup>258</sup> Rossmo, *supra* note 95 at 299.

<sup>259</sup> MWI [#114], *supra* note 146 at 108-110; MWI [#34], *supra* note 29 at C-40, C-43, C-60, C-63.

<sup>260</sup> See poster, VPD, *supra* note 39 at 181.

and we didn't matter...We were marginalized because of my sister's addictions."<sup>261</sup> The marginalized status of the women from the DTES, said Oppal:

resulted in the women being seen as 'nobodies' in the eyes of society. The term "nobodies" is a harsh one and I choose to use it deliberately giving it its everyday meaning: The women were persons of no importance or influence. Often they were treated not as persons at all, but "sub-humans" – diminished in the eyes of many by their "high-risk lifestyle."<sup>262</sup>

The cases of the women in the DTES were "effectively under-prioritized and under-investigated as a result of systemic bias" by both the VPD and the RCMP.<sup>263</sup>

There are multiple examples of bias against sex workers within the VPD, unrelated to the missing women case. For example, VPD media liaison officer Detective Scott Driemel, who was Evenhanded's co-media lead along with the RCMP's Catherine Galliford, was reported to have made a number of derogatory jokes on two occasions with specific reference to women in the DTES and "hookers." The families were deeply offended by his remarks. He was not removed from his position until another chief took office.<sup>264</sup> In another contemporary incident in July 2000, Acting Inspector Stu Cunningham issued a scathing memo following his review of a report in which the investigating officer referred to the victim of a serious assault as a "junkie prostitute" and failed to follow up on her assault:

The fact that the victim is a 'junkie prostitute' should not lessen the seriousness of this offence. There was potential for extreme injury or worse. These people are the most vulnerable members of our community and their complaints should be taken seriously.<sup>265</sup>

Cunningham requested that the file be fully investigated on its own merits. He referenced the missing women of the DTES and that the suspect in this case would be of interest to Project

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<sup>261</sup> Culbert, *et al.*, *supra* note 132.

<sup>262</sup> Oppal [Vol. IIA], *supra* note 154 at 2.

<sup>263</sup> Oppal [Vol. IIB], *supra* note 37 at 237.

<sup>264</sup> Ward, *et al.*, *supra* note 108 at 154.

<sup>265</sup> MWI [#114], *supra* note 146 at 212.

Amelia. The responding officer's report and inaction is one of many examples of indifference to the plight of victims due to their life situations.

Family members and advocates have long argued that the response from the police in the DTES would have been different if the women were university students or middle-class women from more prosperous neighbourhoods.<sup>266</sup> One U.S. researcher states that:

There is no scientific evidence that police devote less time to the investigation of prostitute homicides. Case management differences are more likely a result of a lack of information about prostitute victims (e.g., no missing persons report) which in and of itself may facilitate longer killing periods and higher numbers of victims for offenders who target prostitutes and other transient populations.<sup>267</sup>

LePard addresses this in his report, citing the “extraordinary resources to the investigation of known serious offences against sex trade workers, and considering the challenges of these investigation, has had remarkable results.”<sup>268</sup> In the cases of missing women in the DTES, what had happened to the women was unknown. The lifestyles, addiction, Aboriginal ancestry, socio-economic status of the women and many of their families clearly impacted the VPD response to their fates. As lawyers for the families stated in final submissions at the MWI:

It is important to recognize that intention to discriminate plays no role in the definition of discrimination adopted by the courts. While it may not have been the intention of the VPD or RCMP as institutions, or the intention of individual officers, to discriminate against the missing women or their families, the effect of their actions and inaction was, in several instances, in our submission, discriminatory.<sup>269</sup>

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<sup>266</sup> Bob Stall, “They aren’t from Kerrisdale” *The Province* (02 April 1999).

<sup>267</sup> Quinet, *supra* note 6 at 81.

<sup>268</sup> MWI [#1], *supra* note 39 at 325. My emphasis.

<sup>269</sup> Ward, *et al.*, *supra* note 108 at 129.



During his testimony at the MWI, Rossmo was blunt in his assessment: “But would the same thing have happened if these women had gone missing from Vancouver’s West Side? No.”<sup>270</sup>

There would have been a different response for several reasons:

One would be much earlier a pattern of missing women would be identified if they were from a middle class or upper class group. The second part of that is there would have been an outcry... the resources available to middle class and upper class people are much more significant and that would have resulted in pressure, there would have been phone calls to the mayor’s office by important people, the media would have been all over it in a very intense fashion. It would have been a very different situation.<sup>271</sup>

In his book on criminal investigation failures, Rossmo asserts that police departments are often slow to react, especially when crimes are committed against marginalized populations.<sup>272</sup> The lack of action is clear in the VPD response to the missing women. Reports were not accepted, lost, or ignored and basic investigative steps were not undertaken. If boyfriends, friends and families were interviewed, it was often months later. Similarly, police often did not visit the last known residences of the missing women until long after their disappearance. In at least one case in the DTES, investigators relied on hotel staff at a SRO to search the room and report back to them, rather than conducting a search themselves.<sup>273</sup> These failures can, in part, be due to a lack of resources but that, too, is a result of a lack of priority given to the missing women. It is not the only reason. Racism was also a factor.

When Elsie Sebastian disappeared, her family went looking for her themselves and stopped by the Vancouver Police Native Liaison Society (VPNLS). They were advised to “‘prepare themselves,’ because ‘nobody wants to looks for [sic] 40-year-old native woman.

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<sup>270</sup> MWI, *Exhibit 67 – Document entitled – Power Point presentation by D. Kim Rossmo.*

<sup>271</sup> MWI, *January 25, 2012* at 85.

<sup>272</sup> Rossmo, *supra* note 114 at 23.

<sup>273</sup> This was the case of Angela Jardine. See, Oppal [Vol. IIB], *supra* note 37 at 57.

They're not interested in looking for her.'"<sup>274</sup> Sebastian disappeared from the DTES in 1992; she was reported to the Port Alberni RCMP detachment that year or the next.<sup>275</sup> In 1993 and 1994 and again in 1999 and 2001, family members attempted to engage the VPD's assistance in looking for Sebastian.<sup>276</sup> The report was only accepted by the VPD in 2001, nine years after she had disappeared and after five attempts had been made to report her missing. Evans' file summary shows that the RCMP closed the file in 1994; the file suggested Sebastian had been located. In 2001, a VPD file was opened and investigation began again. Sebastian had been on Dickson's list of missing women in 1997; he claimed to have discovered that she had relocated to Victoria. However, she had last picked up her welfare cheque in 1992 and there were no further health or welfare contacts with her after this point.<sup>277</sup> She was added to the official missing women list by Evenhanded. Her fate remains unknown. The VPNSL advice seems to have been prophetic. There were many examples and testimony at the MWI of racist behaviour by the civilian clerk of the MPU, which she denied.<sup>278</sup>

The investigations into the missing women of the DTES and other cases of missing and murdered vulnerable women in Canada have sometimes been delayed, inadequate and unfruitful. Although there have been changes, as discussed below in Chapter Eight, historically the women were discriminated against by the various police departments due to who they were, what they did, and how they lived. Section 15 of the *Charter of Rights and Freedoms* states that:

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<sup>274</sup> Ward, *et al.*, *supra* note 108 at 48.

<sup>275</sup> Ward states the report to the RCMP was in 1992 and Evans' report indicates it was a year later. MWI [#34], *supra* note 29 at Appendix D, Sebastien-1; Ward, *et al.*, *supra* note 108 at 48, 126.

<sup>276</sup> Ward, *et al.*, *supra* note 108 at 48, 126.

<sup>277</sup> MWI [#34], *supra* note 29 at Appendix D, Sebastien-1.

<sup>278</sup> MWI, April 23, 2012.

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Many of the cases of missing and murdered women, in the DTES and across the country, were hampered by discrimination. As Oppal noted in his report, discrimination does not need to be intentional or malicious.<sup>279</sup> Oppal favoured a definition from the DOJ in the U.S. which was drafted specifically in relation to policing:

Discriminatory policing occurs when police officers and departments unfairly enforce the law – or fail to enforce the law – based on characteristics such as race, ethnicity, national origin, sex, religion, or LGBT status. Discriminatory policing may take the form of bias-based profiling, in which an officer impermissibly decides whom to stop, search, or arrest based upon one of the above-mentioned characteristics, rather than upon the appropriate consideration of reasonable suspicion or probable cause. Failing to provide police services to some persons or communities because of bias or stereotypes, or by not taking necessary steps to enable meaningful communication, also constitutes discriminatory policing. Discriminatory policing may also result when a police department selects particular enforcement and crime prevention tactics in certain communities or against certain individuals for reasons motivated by bias or stereotype.<sup>280</sup>

There were direct acts of discrimination in the form of racist and demeaning remarks made to families and refusal to take reports. However, police inaction and indifference, lack of timely response, inadequate resourcing and investigation and lack of priority to cases were largely the result of indirect and systemic discrimination based on stereotypes, erroneous assumptions stemming from inadequate knowledge by police management and a lack of concern by police due to the living circumstances of the victims.

Direct, indirect and systemic discrimination all result in detrimental effects that further reinforce disadvantage. Moreover, discrimination perpetuates the view that the individual or group is less capable, less worthy of recognition or

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<sup>279</sup> Oppal [Vol. I], *supra* note 2 at 118.

<sup>280</sup> *Ibid.* at 119.

value as a human being or as a member of Canadian society, or less deserving of concern, respect or consideration.<sup>281</sup>

Women with addictions, unsecure housing and involvement in the sex trade and Aboriginal women suffered from this discrimination in policing policies and practices.

A disproportionate number of missing and murdered vulnerable women in Canada are Aboriginal, as was seen below in Figure 1-9. Figure 1-13 illustrates that 95.1% of the missing and murdered sex workers in Canada are women. Many of the women suffered from drug and/or alcohol addiction, which is a disease. Some others suffered from mental disabilities caused by Fetal Alcohol Spectrum Disorder (FASD), other developmental disorders with which they had been born.

The missing and murdered sex workers were largely socially disadvantaged, on social assistance and come from poor homes. Many grew up under the care of the child welfare system. The violence that has befallen the women has often been viewed by society as a result of their poor life choices and engagement in destructive “lifestyles.” The women, their safety and their fates were of little consequence to the senior police management responsible for assigning priority and the resources necessary to resolve the cases. The police are required to provide services free of bias, regardless of the life circumstances of individuals and communities. As Oppal clearly stated in his report:

in order to provide equal and unbiased services, police have a positive duty to take into account the specific needs of segments within a community: more vulnerable groups or persons should receive particular protection. The failure of police institutions to adapt to the needs of individuals and communities particularly vulnerable to violence can result in under-investigation and a lack of protection. Specifically, police must demonstrate due diligence in responding to violence against women and girls by developing and

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<sup>281</sup> *Ibid.* at 120.

implementing adequate crime prevention measures and prompt and effective investigative procedures.<sup>282</sup>

As Shenher wrote in her unpublished manuscript, released to participants but not entered into evidence at the MWI, “some of the officers within the VPD ‘wouldn’t have pissed on the women if they were on fire.’”<sup>283</sup> When the full story of Pickton’s crimes became known, the pervasive attitude of indifference was understood to have contributed to the situation. The Pickton case has generated change to police policies on missing person cases:

Some jurisdictions, particularly those that have had high profile cases of serial murderers (e.g., Project Evenhanded, Project KARE), have established very clear procedures that reverse a historical tendency for bias to negatively impact the processing of cases involving Aboriginal marginalized women. In these jurisdictions, a woman living a high risk lifestyle who goes missing is now flagged as a priority case for investigation.<sup>284</sup>

This is a positive step, especially for new cases of missing vulnerable women. Unfortunately, these projects are compromised because they are largely composed of older cases with fewer leads and evidence as starting points because of the lack of action taken at the onset.

#### **xiv. Police Resources**

Sufficient resources are crucial to the successful conclusion of large, complicated cases. The Missing Women investigation was woefully under-resourced and under-staffed with “inexperienced and overworked officers.”<sup>285</sup> Field, the sergeant in charge of Project Amelia, was also in charge of the other homicide detectives; she described her participation

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<sup>282</sup> Oppal [Vol. IIB], *supra* note 37 at 218.

<sup>283</sup> Jason Gratl. ‘Wouldn’t piss on them if they were on fire’: How discrimination against sex workers, drug users and Aboriginal women enabled a serial killer. Report of Independent Counsel to the Commissioner of the Missing Women Commission of Inquiry (25 June 2012) at 68.

<sup>284</sup> CCSOMWWG, *supra* note 18 at 43.

<sup>285</sup> Lindsay Kines, Kim Bolan and Lori Culbert, “How the police investigation was flawed: Too few officers, police infighting and lack of experience undermined first probe into disappearances” *The Vancouver Sun* (06 July 2002).

in the missing women's investigation as "off the side of my desk."<sup>286</sup> Many of the officers were only assigned to the investigation part-time.<sup>287</sup>

[The police] have to prioritize the degree of commitment and resources dedicated to each case. The extraordinary resources required for a serial predator investigation cannot be made available for the hundreds of serious sexual assaults and murders faced by the police. Tough choices have to be made. There is a limit to the time and resources that any single force or any joint force operation can devote to any one case, especially if there is no visible progress.<sup>288</sup>

Evenhanded began slowly in January 2001, with officers working on other projects before being fully dedicated to the project. With many cases and few staff, the officer in charge was still permitted to take a long summer holiday.<sup>289</sup> By the end of 2001, there were 16 RCMP and VPD staff members.<sup>290</sup> In comparison, the Green River Task Force in Seattle, which had both missing women and found remains, began with 50 officers but analysis later suggested that the task force should have had at least 150 officers:

For the two years subsequent to forming the task force, investigators ran from one crime scene or bone find to another. There was no let up. Every time someone ventured into the woods to hike or harvest mushrooms and moss, another body was located. It was as if the only function the task force performed was that of an archeological processing team digging up old bones.<sup>291</sup>

Rossmo testified at the MWI that, depending on the scope of the investigation, a typical serial homicide investigation requires between 30 and 200 people.<sup>292</sup>

The problem of insufficient resources was consistently raised throughout the missing women investigations; it was only after Pickton had been arrested that seemingly unlimited

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<sup>286</sup> MWI [#98], *supra* note 25 at 161.

<sup>287</sup> *Ibid.*

<sup>288</sup> Campbell, *supra* note 11 at 248.

<sup>289</sup> MWI [#34], *supra* note 29 at 5-158.

<sup>290</sup> Culbert, *et al.*, *supra* note 132.

<sup>291</sup> Keppel and Birnes, *supra* note 82 at 6.

<sup>292</sup> MWI, January 26, 2012 at 19; Gratl, *supra* note 283 at 17.

resources became available.<sup>293</sup> The media and families pointed to the Home Invasion Task Force (HITF) seeking the people responsible for multiple violent home invasions. This task force was led by then-Inspector LePard at the same time as the missing women cases, beginning in February 1999. Shenher was the only person reviewing 28 cases between July 1998 and May 1999. The priority of the VPD was clearly to put resources, human and financial, into the home invasions. Resources were strained at RCMP detachments and “E” Division as a whole during the period of the missing women cases due to widespread cuts to the RCMP throughout the country. Many positions were not filled, even in the serious crime divisions. The VPD budget had also been reduced significantly. The VPD had more members per population than did the Coquitlam detachment but there was also more crime in metro Vancouver than did the suburban area policed by Coquitlam RCMP.<sup>294</sup> However, senior managers for both institutions testified at the MWI that resources would have been made available if they were necessary.<sup>295</sup>

LePard was one of two members in the VPD with MCM training at the time.<sup>296</sup> Oppal concluded that the lack of MCM would not necessarily impede a complex investigation.<sup>297</sup> In the case of the DTES, it was a case which “cried out for” MCM and the VPD’s lack of conformity of MCM principles negatively impacted the investigation.<sup>298</sup> Oppal disagreed with the Government of Canada’s position that Evenhanded followed the MCM model; he found several missing elements.<sup>299</sup> He also found that the infrequency of file reviews on a

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<sup>293</sup> MWI [#34], *supra* note 29 at 8-159.

<sup>294</sup> Oppal [Vol. IIB], *supra* note 37 at 260-1.

<sup>295</sup> *Ibid.* at 266.

<sup>296</sup> MWI, *Exhibit 37 – Document entitled – Police push the hunt for home invaders – article in The Vancouver Sun dated Tuesday, March 2, 1999*; MWI, *January 18, 2012*; Gratl, *supra* note 283 at 29.

<sup>297</sup> Oppal [Vol. IIB], *supra* note 37 at 146.

<sup>298</sup> *Ibid.* at 148.

<sup>299</sup> *Ibid.* at 178-9.

case-by-case basis was problematic. Both the VPD and RCMP conducted file reviews; it was done by the RCMP more often, more thoroughly, and more often by supervisors.<sup>300</sup>

In serial murder investigations, the initial team should include investigators, crime analysts, data entry and administrative staff.<sup>301</sup> The FBI also recommends that a person be dedicated to liaise with each of the victims' families to provide information on the investigation, as appropriate. Additionally, the family liaison person should warn the family about the "tenacious demands for information by the media."<sup>302</sup> Families should be advised if their police point of contact changes.

In police forces and detachments where there are no dedicated missing person units or officers, each shift should have a designated contact for all missing person reports. Alternatively, all officers should have appropriate training to address a missing person case.<sup>303</sup> Even when there are sufficient resources, turnover of staff can be an impediment to the successful conclusion of missing person, homicide and serial murder cases. Continuity and smooth transition of files is paramount.<sup>304</sup> E-PANA's system of writing a long case summary for each file is an excellent method for ensuring file continuity.

#### **xv. Lack of Compatible Computerized Systems**

A lack of computerized systems, incompatible software or a shortage of trained personnel to run programs has also been noted as problems in serial murder cases.<sup>305</sup> Computerized systems that track crimes and identify possible linkages within and across jurisdictions have been in use since the FBI's creation of the Violent Criminal Apprehension

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<sup>300</sup> *Ibid.* at 52.

<sup>301</sup> FBI, *supra* note 121.

<sup>302</sup> *Ibid.*

<sup>303</sup> Saskatchewan, *supra* note 75 at 43.

<sup>304</sup> *Ibid.* at 24.

<sup>305</sup> Kines, Bolan and Culbert, *supra* note 285; CCSOMWWG, *supra* note 18 at 45; FBI, *supra* note 121.



Program (ViCAP).<sup>306</sup> Created to avoid linkage blindness, computerized programs such as ViCAP are useful in linking crimes committed by the same person.<sup>307</sup> They are particularly effective in linking crimes committed across jurisdictions.<sup>308</sup> The RCMP created their own system, ViCLAS, which is now available in all provinces except for P.E.I., which is served by Nova Scotia's ViCLAS centre.<sup>309</sup> Yukon is served by the B.C. centre, and Alberta serves both Nunavut and the N.W.T. The RCMP manages seven of the centres; the Sûreté du Québec (SQ) and the Ontario Provincial Police (OPP) manage the remaining two.<sup>310</sup> The use of ViCLAS is mandated in Ontario and Quebec.<sup>311</sup> Its use was a recommendation in the Bernardo Inquiry.

ViCLAS is designed to capture information on all homicides that are sexual or predatory in nature, that are apparently random, motiveless or suspected as being part of a series, and all sexual assaults or attempts of a predatory nature, including stranger-to-stranger assaults, date rapes, paedophiliac crimes. It also captures information on missing persons where the circumstances indicate a strong possibility of foul play and where the victim is still missing, unidentified bodies where the manner of death is known or suspected to be homicide, and all non-parental abductions and attempts.<sup>312</sup>

Additionally, ViCLAS can help determine the completeness of an investigation.<sup>313</sup> The computer program alone does not create the linkages; trained analysts are required.<sup>314</sup> A booklet is completed by the investigator, and trained ViCLAS analysts review the submitted material before entering the information into the system, conducting searches and

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<sup>306</sup> Craig Bennell, Brent Snook, Sarah Macdonald, John C. House, and Paul J. Taylor, "Computerized crime linkage systems: A critical review and research agenda" (2012) 39 *Crim. Justice & Behavior* at 621.

<sup>307</sup> CCSOMWWG, *supra* note 18 at 53.

<sup>308</sup> *Ibid.*

<sup>309</sup> "Violent Criminal Linkage System (ViCLAS)" RCMP; Bennell, *et al.*, *supra* note 306 at 621.

<sup>310</sup> "Violent Criminal...", *supra* note 309.

<sup>311</sup> Bennell, *et al.*, *supra* at 306.

<sup>312</sup> Campbell, *supra* note 11 at 278.

<sup>313</sup> Bennell, *et al.*, *supra* note 306 at 621.

<sup>314</sup> *Ibid.*; "Violent Criminal...", *supra* note 309.

interpreting the results.<sup>315</sup> Investigators are provided with a report of the results, whether or not linkages are found.<sup>316</sup>

ViCLAS is considered a “world-class system,” superior to even the pioneering ViCAP system, but it is underutilized.<sup>317</sup> RCMP Inspector Ron MacKay advocated for its usage, not only in solving cases, but also in securing longer sentences of offenders:

The linking of a series of crimes committed by the same offender not only increases investigative efficiency, it also enhances the grounds for multiple charges and dangerous offender status, with resultant indefinite/longer sentences for serial offenders.<sup>318</sup>

ViCLAS was used extensively by Evenhanded. The possibility of linking cases across the province was recognized early on in the investigation and ViCLAS analysis was given priority.<sup>319</sup> Prior to the official launch of Project Amelia, many of the missing women of the DTES had been entered into ViCLAS as part of the standard protocol, although it was often done only after lengthy delays.<sup>320</sup>

The MCM model was recommended in Justice Campbell’s report in large, complicated investigations. It is “considered the standard requirement for officers conducting complex investigations.”<sup>321</sup> As Campbell J. noted:

systems and computers do not solve crimes. Crimes are solved by hard slogging investigative work, sometimes with good breaks and good luck. But systems and computers and organizations can ensure that the investigators have the right support and the right information, and that they do not waste their time duplicating other work and bumping up against other investigators.<sup>322</sup>

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<sup>315</sup> In the U.S., the complicated and lengthy questionnaires have been cited as the reason for low completion rates by investigating forces. Fox and Levin, *supra* note 246 at 130.

<sup>316</sup> “Violent Criminal...,” *supra* note 309.

<sup>317</sup> Newton, *supra* note 56 at 179; Campbell, *supra* note 11 at 270.

<sup>318</sup> “Violent Criminal...,” *supra* note 309.

<sup>319</sup> MWI [#98], *supra* note 25.

<sup>320</sup> *Ibid.* at 25; Oppal [Vol. IIB], *supra* note 37 at 57.

<sup>321</sup> Kines, Bolan and Culbert, *supra* note 285.

<sup>322</sup> Campbell, *supra* note 11 at 248.

The MCM model and accompanying software is now widely used by police forces across Canada.<sup>323</sup> It was not adopted as the standard by the RCMP until 2003-2004, however. Evenhanded utilized MCM principles, but Project Amelia did not.<sup>324</sup> Indeed, Shenher was without any type of database at all from July 1998 until May 1999.<sup>325</sup> Oppal recommended that the use of standardized MCM model principles be mandated throughout the province, and audits be conducted to ensure compliance and explanations required for any major crime case that does not conform to MCM.<sup>326</sup>

The JFO was hampered by the VPD's computer system problems, preventing transfer and entry of the files.<sup>327</sup> On the RCMP side there was a willingness of senior management to fund the estimated \$50,000 for the hardware and software available to conduct the type of analysis Evenhanded planned.<sup>328</sup> After consultations with IBM experts the cost was revealed to be hundreds of thousands of dollars. More worrisome than the costs to management, however, was the length of time to create such a system.<sup>329</sup> Following the terrorist attacks in the U.S. on September 9, 2001, the computer contractor was unable to provide the proper system, forcing Evenhanded to continue to use the existing, problematic system.<sup>330</sup>

The Canadian Police Information Centre (CPIC) is currently the only national computer system for use by police forces across Canada. It has been in use since 1972 and continues to be a valuable tool for law enforcement.<sup>331</sup> CPIC can be used by front-line officers in investigations, traffic stops and other routine encounters with unknown persons.

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<sup>323</sup> Ontario, *Report of the review of large and complex criminal case procedures* (November 2008) by the Honourable Patrick LeSage and Michael Code at 33.

<sup>324</sup> Oppal [Vol. IIB], *supra* note 37 at 148.

<sup>325</sup> Gratl, *supra* note 283 at 18.

<sup>326</sup> Oppal [Vol. III], *supra* note 65 at 182-3.

<sup>327</sup> MWI [#98], *supra* note 25 at 61, 218; MWI [#34], *supra* note 29 at 8-158.

<sup>328</sup> MWI [#98], *supra* note 25 at 51.

<sup>329</sup> *Ibid.* at 76.

<sup>330</sup> Oppal [Vol. IIB], *supra* note 37 at 165.

<sup>331</sup> "Canadian Police Information Centre" *RCMP*.

Typically, an officer uses the name and birthdate of an individual to determine if the person's licence is suspended, if there is an arrest warrant, or other important information. An off-line CPIC search:

retrieves a record of all inquiries to C.P.I.C. about a particular person (or other search criterion such as a vehicle license number) and discloses what inquiries were made about the subject and by what police officer and when.<sup>332</sup>

The RCMP had entered information into CPIC following Pickton's arrest for the Ringwald attempted murder. Corporal Connor alerted all police agencies in the Lower Mainland that should they have attacks on prostitutes in their jurisdiction, Pickton should be considered a suspect.<sup>333</sup> In her assessment of the missing women case, Evans concluded that although the officers appreciated the importance of this tool,<sup>334</sup> she was surprised offline CPIC searches had not been completed until March 1999, nine months after Pickton's name was raised as a person of interest.<sup>335</sup>

## **xvi. Privacy Laws**

Privacy issues and both provincial and federal legislation have also impeded missing persons investigations. Even where legislation allows for access by police, government officials who hold the information may not understand rules regarding access.<sup>336</sup> In Saskatchewan, police can access health records of missing persons, including their type of medication used and medical conditions.<sup>337</sup> In Manitoba, a trustee of health information can be appointed to allow police access but only to demographic information. Police cannot see when or for what reason a missing person last accessed medical services or had prescriptions

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<sup>332</sup> Campbell, *supra* note 11 at 275.

<sup>333</sup> MWI, *Exhibit 2B – Document entitled Williams witness brief – Appendix H (97CQ10797)* at 375-6.

<sup>334</sup> MWI, *January 16, 2012* at 32.

<sup>335</sup> MWI [#34], *supra* note 29 at 8-71.

<sup>336</sup> CCSOMWWG, *supra* note 18 at 35; Saskatchewan, *supra* note 75 at 24.

<sup>337</sup> CCSOMWWG, *supra* note 18 at 35; Saskatchewan. *The Missing Persons and Presumption of Death Act*, 2009.

filled.<sup>338</sup> In Alberta, police must apply to the courts to be able to access personal information related to a missing person where it has not yet been determined that a crime has occurred.<sup>339</sup> Nova Scotia introduced the *Missing Persons Act* which allows police to request personal information such as banking records, Internet searches, Global Positioning System (GPS) coordinates or text messages if a person has disappeared and a crime is believed to have occurred.<sup>340</sup>

As discussed above, access to information from municipal and provincial sources was shown to be an effective and important step in the DTES missing women's investigations. The inability to access this information frustrates and delays the ability of investigators to determine the activity of a person before he or she went missing. In a few DTES cases, police were able to use medical records to locate people who were living in other provinces or identify those who had died. In an innovative step, the VPD was able to have the Pap smear slides for women on the missing list set aside by the BC Cancer Control Agency (BCCCA). The slides were a good opportunity to find DNA directly from the women, rather than using familial DNA. Although the slides were not given to the police, they were set aside to ensure they would not be destroyed. In order to test the slides, the BCCCA advised that a warrant or Coroner's Order to Seize would be required. After further negotiations, on December 31, 2001, an agreement between the VPD, RCMP and BCCCA allowed for the slides of 45 women to be tested for DNA only for the purposes of comparing against any found human remains.<sup>341</sup>

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<sup>338</sup> CCSOMWWG, *supra* note 18 at 36; Manitoba. *The Safer Communities and Neighbourhoods Act*, 2001.

<sup>339</sup> CCSOMWWG, *supra* note 18 at 36; Alberta. *Missing Person Act*, 2012.

<sup>340</sup> Nova Scotia, Department of Justice. *Missing Persons Act will help police find loved ones* (03 December 2012); Robert Devet, "Nova Scotia Missing Persons Act raises privacy concerns" *Halifax Media Co-op* (13 December 2012).

<sup>341</sup> MWI [#98], *supra* note 25 at 23, 212, 284.

Most missing person cases do not involve foul play.<sup>342</sup> The need for police to access personal health, banking and social service information must be balanced against the privacy of citizens. This could be accomplished by the creation of a provincial Ombudsperson for Missing Persons, with information applications approved by the Crown Counsel, justices of the peace or judges, or other mediators. The co-operation of the BCCCA in holding the slides but requiring official authorization before release was a reasonable and appropriate compromise in assisting a criminal investigation and safe-guarding the privacy of patients.

#### **xvii. Management of Vulnerable Victims and Witnesses**

Management of victims and witnesses is important for the successful conclusion of a criminal investigation. Where there are issues of mental health or addiction, transience, or unsecure housing, it can be difficult to ensure a victim's availability to testify. With mental health and addiction issues, it can also be difficult to ensure a victim is in a state to testify. This difficulty is evident in the case of Ringwald, whom Pickton was charged with attempting to kill in 1997.<sup>343</sup> The Crown Counsel assigned to prosecute the case, Randi Connor, met with Ringwald once for two to three hours on either Friday, January 23, or Monday, January 26, 1998.<sup>344</sup> Connor subsequently entered a stay in the attempted murder charge on January 27, believing that Ringwald's drug addiction made her an unreliable witness and that there was not a reasonable likelihood of securing a conviction.

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<sup>342</sup> Saskatchewan, *supra* note 75 at 48.

<sup>343</sup> Although not known at the time, Pickton had allegedly murdered at least eight women before attacking Ringwald. Between being released on bail in April 1997 and the staying of the charges in January 1998, Pickton allegedly murdered five women: Helen Hallmark, Marnie Frey, Cindy Feliks, Andrea Borhaven and Kerry Koski. Following the staying of the charge, Pickton allegedly murdered at least 19 women before his arrest in February 2002. MWI, *Exhibit 87 – Document entitled Report to Crown. (RCMP-037-003058 to RCMP-037-003092 inclusive)* at 34; MWI, *supra* note 330 at 41.

<sup>344</sup> Randi Connor was not the Crown Counsel responsible for charge-approval or the bail hearing in the 1997 Pickton case. MWI, *April 12, 2012* at 36.

Connor did not discuss or request assistance from the victim service worker assigned to Ringwald. Nor did she discuss the problem with police investigators before the decision was made to stay the proceedings, on the same day (or the next business day) as the meeting with Ringwald.<sup>345</sup>

Investigation and prosecution go hand in hand. The relationship between the investigator and the prosecutor is akin to the one between an architect and an engineer – they are parallel professions that interact, respect and engage each other in dialogue. For our justice system to work effectively the Crown and policing agencies must work together; this requires comprehensive, clear, effective and respectful communications. This is particularly the case where the investigation and prosecution are centered on vulnerable victims and/or witnesses.<sup>346</sup>

The investigating officer advised in his report to Crown Counsel that Ringwald had a criminal record but that those RCMP officers who interacted with her felt “she is intelligent and a well meaning individual. Given her circumstances there appears not to be any problem in locating her at or when required for court, etc.”<sup>347</sup> Ringwald was able to provide a lucid and detailed account of her near-fatal encounter with Pickton four days after the event while she was in hospital. She had ingested drugs just moments before the attack and was using drugs regularly at the time of the attack, but when free of drugs for a short amount of time in hospital, she was very clear-headed. Connor could have enlisted Ringwald’s mother, victim services or the police to assist her to remain drug-free for a day or two around the trial. Indeed, this is what was done in order for her to testify at Pickton’s preliminary trial in April 2003.<sup>348</sup>

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<sup>345</sup> See, MWI, *April 10, 2012*; MWI [Apr. 11], *supra* note 224; MWI [Apr. 12], *supra* note 344; Oppal [Vol. IIA], *supra* note 154 at 68-73

<sup>346</sup> Oppal [Vol. IIA], *supra* note 154 at 79-80.

<sup>347</sup> MWI [#87], *supra* note 343 at 33.

<sup>348</sup> Ward *et al.*, *supra* note 108 at 98-100.

Connor did not consider requesting an adjournment in order that Ringwald could receive drug treatment because Ringwald was not receiving treatment at the time of the interview; treatment was also not offered.<sup>349</sup> Nor was there a discussion between Connor and Corporal Connor in August 1998 about the possibility of re-opening the case. Corporal Connor had phoned Ringwald to warn her about second-hand threats to her from Pickton; Ringwald was “normal” and “polite” during this conversation.<sup>350</sup> (Shenher had also interviewed Ringwald at this time while she was incarcerated and was not using drugs; she found her coherent and credible.)<sup>351</sup> This was within the year in which a stay of proceedings could be lifted and the case could proceed to trial.<sup>352</sup>

Likewise, the people who brought forward information about Pickton to the police were similar to Ringwald in that they had criminal records and addiction issues. Police considered Bill Hiscox and Ross Caldwell to be unreliable. The Coquitlam investigation into Pickton was effectively concluded after Caldwell appeared under the influence of drugs during one of his interviews. Oppal opined that:

The strategies undertaken in the summer of 1999 were a colossal failure that derailed the Pickton investigation. It is shocking that the investigators did not properly analyze the information and rely on key principles for assessing credibility and even conducting interviews/interrogations.<sup>353</sup>

The supports provided to witnesses in preparation for the Pickton trial were not offered to these same individuals earlier, during the investigation into Pickton prior to his arrest. The credibility of the informants and their evidence was suspect due to their drug use. If rehabilitation services and other witness supports had been provided

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<sup>349</sup> Oppal [Vol. IIA], *supra* note 154 at 70.

<sup>350</sup> *Ibid.* at 75.

<sup>351</sup> *Ibid.* at 78.

<sup>352</sup> *Ibid.*

<sup>353</sup> Oppal [Vol. IIB], *supra* note 37 at 135.



to help the informants provide evidence and assist the police in gaining intelligence, the Pickton investigation may have advanced three years. The Pickton property yielded the DNA of 17 women who disappeared after Hiscox came forward in 1998, and of 13 women who disappeared after Caldwell came forward in 1999.

Greater use of victim support workers to help prepare victims and witnesses can reduce the difficulties of working with people with disordered lives. Further, corroboration of their evidence through physical evidence or other witnesses can improve the Crown's likelihood of convictions.<sup>354</sup> Following the conclusion of the MWI, the government of B.C. announced a review of policies related to vulnerable witnesses and victims.<sup>355</sup>

#### xviii. Tips

The 1975 Rand study in the U.S. found “that most cases are solved by means of information spontaneously provided by a source other than those developed by the investigator.”<sup>356</sup> In the missing women's investigation, although there were a considerable number of persons of interest, different tips in a one-year period from four separate people pointed to Pickton. Multiple off-line CPIC searches resulted in information about Pickton's activities in the DTES and elsewhere.<sup>357</sup> According to Evans' review, although both the RCMP and VPD saw Pickton as a priority suspect, “neither agency concluded their investigation [into Pickton] and neither agency communicated with each other post September 1999.”<sup>358</sup> The ability to build a case against Pickton was there in 1998 with the first of the tips, from Hiscox. A year later, three more people provided additional

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<sup>354</sup> CCSOMWWG, *supra* note 18 at 74.

<sup>355</sup> British Columbia, Ministry of Attorney General. *Government takes immediate action on missing women report* (17 December 2012).

<sup>356</sup> Peter W. Greenwood and Joan Petersilia. *The criminal investigation process. Volume 1: Summary and policy implications*. (October 1975) at x.

<sup>357</sup> MWI [#34], *supra* note 29 at Section 8.

<sup>358</sup> *Ibid.* at 8-141.

information. The police failed to build upon the tip information and stop Canada's worst serial killer. A study, quoted by Rossmo, found that the three most common groups that assist in solving crimes are the public, patrol officers, and detectives, in this order.<sup>359</sup>

### **III. OPPORTUNITIES AND BEST PRACTICES**

In the review of cases of missing and murdered high-risk women, many challenges, missteps and lost opportunities were identified. In some instances, improvements have now been made by Canadian police forces. Despite the common problems found in such investigations, police are neither incompetent nor callous. Even in the DTES missing women cases, systematic issues, more than a lack of will to find the women or their killer, were the major impediment. It is generally management levels that do not prioritize cases of missing high-risk women and provide the necessary resources. There are also opportunities for police to routinely take advantage of new initiatives and ideas. In this section, additional best practices from Canada, the U.K., the U.S. and Australia are outlined.

#### **i. National Coordination Centres for Missing Persons and Unidentified Remains**

On average, 35,000 people are reported missing every year in Australia. Approximately 1,600 remain missing in the long term. A national coordination centre was created to provide research and information to families, friends and the public, to coordinate among state police and to publicize missing person cases.<sup>360</sup> Only cases which have received approval to be made public are posted online. National information campaigns are organized through the centre.<sup>361</sup> Poster campaigns distribute 5,000 posters bi-annually.<sup>362</sup> Reduction of

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<sup>359</sup> Greenwood and Petersilia, *supra* note 356 at 14.

<sup>360</sup> Saskatchewan, *supra* note 164 at 7; Australia. *National Missing Persons Coordination Centre*. Australian Federal Police.

<sup>361</sup> Australia, *supra* note 360.

the number of missing people is one goal of the centre. To accomplish this, education and information aimed at specific at-risk groups are provided.<sup>363</sup> In the state of Victoria, DNA is collected in missing person cases and checked against unidentified remains.<sup>364</sup>

The U.K. Missing Persons Bureau is located within the Serious Organized Crime Agency (SOCA). This agency provides advice and facilitates contacts with experts, including access to the National Missing Persons DNA Database.<sup>365</sup> The Bureau provides “a unique service that not only assists police forces with missing person investigations, but also assists with the identification of bodies and remains. These cases may otherwise incur substantial investigative cost[s] or remain unidentified.”<sup>366</sup> At the onset of an investigation, national protocol requires a standardized risk assessment, as well as a national decision model.<sup>367</sup> Until recently, the National Policing Improvement Agency (NPIA) also provided support to police forces throughout the U.K., including research and best practices.<sup>368</sup> Analysis and risk assessment is done to allow police to focus on high-risk missing persons while also attempting to reduce the number of new investigations for the same individual through preventive actions once a person has been found.<sup>369</sup> As the majority of individuals who repeatedly go missing are from hospitals and care homes, joint protocols have been established in many jurisdictions.<sup>370</sup>

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<sup>362</sup> Saskatchewan, *supra* note 164 at 7.

<sup>363</sup> *Ibid.* at 7.

<sup>364</sup> Victorian Institute of Forensic Medicine (Australia). *DNA Testing*.

<sup>365</sup> Serious Organized Crime Agency (U.K.). *Missing Persons Bureau*.

<sup>366</sup> *Ibid.*

<sup>367</sup> Serious Organized Crime Agency (U.K.). *Briefing note on the investigation of missing persons* (February 2011).

<sup>368</sup> The NPIA will be closing on October 7, 2013; its functions will be assumed by the SOCA.

<sup>369</sup> National Policing Improvement Agency (U.K.). *Missing person investigations: Good practice examples* (2010).

<sup>370</sup> *Ibid.*

The U.S. Department of Justice launched a publicly-accessible website in 2009, National Missing and Unidentified Persons System (NamUs), which provides searchable information about missing persons and unidentified human remains.<sup>371</sup> The missing person database can be populated by both law enforcement and the general public, but new cases are verified by law enforcement before online publication.<sup>372</sup> A missing poster can be generated as a PDF for all missing person cases. The unidentified human remains database can only be populated by coroners or medical examiners.<sup>373</sup> Use by law enforcement was slow, but has increased as successes are publicized.<sup>374</sup> A third database, for unclaimed persons, was added in 2012 and is populated only by coroners or medical examiners.<sup>375</sup> The decedents within this database are identified, but no family members have been found. The information can be accessed by the public using a name and year of birth.<sup>376</sup>

These databases are expected to generate leads, link missing persons and found remains, and identify remains of people who were not reported missing.<sup>377</sup> New cases are automatically cross-checked against existing cases. Contact information for each case is provided to allow the public and law enforcement to make enquiries quickly. Each case lists the evidence which is available, such as fingerprints, DNA, dental records, tattoos, scars, piercings, and the circumstances of the disappearance or found human remains. In many cases, these records are accessible to the public. A five-star system indicates the potential for

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<sup>371</sup> Department of Justice (DOJ) (U.S.). *National Missing and Unidentified Persons System (NamUs)*; DOJ. *NamUs Background*.

<sup>372</sup> DOJ. *NamUs One-Page Brochure*.

<sup>373</sup> DOJ, *supra* note 371; Steve Karnowski, "Database can crack missing person cases—if used" *Physorg* (08 March 2010).

<sup>374</sup> David Murphy, "NamUs missing person database goes unused by 93 percent of law enforcement" *PC Mag* (03 July 2010); Karnowski, *supra* note 373.

<sup>375</sup> For the past several years, medical examiners in New York City have exhumed remains from "Potter's Fields" in order to cross-check against missing person cases and to populate NamUs. Between 2010 and 2012, 54 bodies had been exhumed, resulting in 50 identifications. Joseph Goldstein, "Unearthing remains in Potter's Field to give Names Back to the Nameless" *New York Times* (08 August 2012).

<sup>376</sup> DOJ, *supra* note 371.

<sup>377</sup> Quinet, *supra* note 6 at 95.

identification, with five being the highest. An interesting feature of the unidentified human remains database is that all missing persons who have been compared and eliminated as a possible match are listed for public view. As there are numerous amateurs who attempt to match missing persons and unidentified remains, this feature reduces the emails and telephone calls to investigators regarding possible matches that have already been eliminated.<sup>378</sup> In addition to providing information, the NamUs initiative “provides free DNA testing and other forensic services, such as anthropology and odontology assistance.”<sup>379</sup>

## ii. Bad Date Sheets

Working with police files and sex worker organizations is a routine investigative step for police. Research suggests that:

a relatively small proportion of all clients may be responsible for a disproportionate number of attacks. Instead, [Kinnell] identified a group of repeat offenders with convictions for rape, sexual assault or murder of sex workers who have a past history of offending against sex workers and other women... She found that half of 16 convictions for sex worker murders involved clients with previous convictions for violence against women (including murder, manslaughter, rape and assault).<sup>380</sup>

There were numerous persons of interest in the DTES missing women cases who had previous arrests and convictions for attacks on sex workers, as has been found throughout North America.

These facts suggest that ongoing proactive surveillance of diverse prostitution strolls (areas of street prostitution) and collection of DNA (45-48) and other samples (e.g., vehicle carpet fibers, tire tread patterns, dental imprints) from

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<sup>378</sup> The Doe Network has an on-line form which allows the public to submit possible matches to the Potential Match Database Administrator. Possible matches are reviewed by the Potential Match Panel. If appropriate, the Area Directors forward the information to law enforcement. Members and the general public are not permitted to contact law enforcement or medical examiners; only Area Directors can do so. The Doe Network has solved or assisted in the solving of 66 cases, including two Canadians, one alive and one deceased. See, “The Doe Network: Membership” *The Doe Network*; “The Doe Network: Submit a Match” *The Doe Network*; “Solves and Assisted Solves” *The Doe Network*.

<sup>379</sup> DOJ, *supra* note 371.

<sup>380</sup> Penfold, *et al.*, *supra* note 28 at 366.

both clients and prostitutes arrested for prostitution or interrogated in the field could help deter and solve prostitute and client homicides.<sup>381</sup>

Canadian legislation does not allow for DNA samples to be taken for prostitution-related offences. However, larger police projects have their own databases and inclusion of this type of information is a useful proactive method. The Bad Date Sheets were reviewed by Projects Amelia and Evenhanded.<sup>382</sup> Evenhanded intended to conduct intensive surveillance on the DTES to identify how many and which women were on the streets each night, as well the clients; Pickton's arrest made this unnecessary.<sup>383</sup>

### iii. Voluntary Databases

Project KARE's Proactive Team collects DNA and other identifying information for sex workers on a voluntary basis. The Winnipeg police began a similar initiative in 2004. However, resources and outreach have fluctuated since then.<sup>384</sup> The Peel Regional Police's progressive approach focuses on pimps and traffickers rather than on sex workers. In 2008, they began a tracking and monitoring program called Avoiding Victimization by Encouraging Reporting and Tracking (AVERT). AVERT is voluntary, and primarily focused on street prostitutes. One of the first police forces to do something like this was the New Westminster Police Department, in the Lower Mainland of B.C., which began doing so in 1999.<sup>385</sup> Registered high-risk women make regular contact with the police; if they fail to do so within a time frame determined between the police and the woman, generally 30 days, a missing person investigation is automatically begun.<sup>386</sup> The creation of voluntary databases and protocols, made in collaboration with vulnerable women, was one of Oppal's

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<sup>381</sup> Brewer, *et al.*, *supra* note 5 at 1107.

<sup>382</sup> MWI [#98], *supra* note 25 at 21.

<sup>383</sup> *Ibid.* at 214.

<sup>384</sup> CCSOMWWG, *supra* note 18 at 50.

<sup>385</sup> Oppal [Vol. III], *supra* note 65 at 98.

<sup>386</sup> CCSOMWWG, *supra* note 18 at 50.

recommendations to improve investigations into marginalized women at a higher risk of violence.<sup>387</sup>

The collection of DNA and physical characteristics is useful for investigators, but the collection and storage of this information should be carefully considered. Women encountered on the street are provided with information on the KARE initiative and asked to provide information and DNA on the spot. The issue of informed consent has been raised and requires further examination.<sup>388</sup> Police should work with sex worker organizations or social service agencies that provide services and have on-going relationships with sex workers, to set up voluntary databases. A safe space, information sessions and an opportunity to discuss all the implications of providing information should be made available. The location for data collection could be a social service office, or an unmarked vehicle. A woman should not be expected to expose her body to strangers on the street to record her tattoos, scars or piercings, in view of onlookers. Once the data collection has been provided, a discussion on safety should be provided, as well as contact information for a counsellor if the woman needs to discuss any fears or worries that the information collection may cause. It should be remembered that police are collecting this information to be used in the case the woman is found murdered; this could obviously be an anxiety-inducing discussion.

In Saskatoon, the voluntary database was designed by police in cooperation with an organization, the Egadz Youth Centre, which works with young sex workers.<sup>389</sup> As of 2012, there were over 100 files of primarily Aboriginal women between the ages of 13 and 30. The information is sealed and kept in a lawyer's office, not by police; it can only be accessed by

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<sup>387</sup> Oppal [Vol. III], *supra* note 65 at 100.

<sup>388</sup> Jane Doe. "Are feminists leaving women behind? The casting of sexually assaulted and sex-working women" in Emily van der Meulen, , Elya M. Durisin, and Victoria Love, (eds). *Selling sex: Experience, advocacy, and research on sex work in Canada*. (Toronto: UBC Press, 2013) at 188.

<sup>389</sup> "Saskatoon sex workers join homicide registry" *CBC News* (18 January 2012).

police if an unidentified body is found. The woman, however, may access her own file and have it destroyed if she exits the sex trade.<sup>390</sup> The process designed in Saskatoon is a best practice for balancing the collection of information to assist police in case of a homicide and protecting the dignity and privacy of vulnerable women.

#### iv. Historic Homicide Units

The creation of historic “cold case” units has been shown to be effective in bringing conclusions to long-standing cases of missing and murdered women.<sup>391</sup> Cold cases are inactive unsolved crimes. There is often a certain period of time before an investigation is designated cold, such as a year or more. However, the National Institute of Justice (NIJ) in the U.S. “currently defines a cold case as any case whose probative investigative leads have been exhausted. In essence, this means a case that is only a few months old may be defined as being ‘cold.’”<sup>392</sup> In 2005, Saskatchewan provided funding for six new investigators to assist in historic homicide cases.<sup>393</sup> Investigators working on such cases from across Saskatchewan meet a minimum of twice a year as part of the Provincial Cold Case Investigators Association.<sup>394</sup> Manitoba announced in 2009 that new resources were to be dedicated to solving old cases of missing women.<sup>395</sup>

In the past few years, several historic cases of vulnerable women in Canada have been solved. For instance, E-PANA was able to identify the now-deceased killer of Colleen MacMillen, murdered in 1974. A previous suspect in MacMillen’s murder, Jerry Baker, became a suspect in the murder of Norma Tashoots, 17, who was hitchhiking at the time of

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<sup>390</sup> *Ibid.*

<sup>391</sup> CCSOMWWG, *supra* note 18 at 58.

<sup>392</sup> National Institute of Justice (NIJ). *Cold Cases: Resources for agencies, resolution for families*, by Charles Heurich, (Washington: National Institute of Justice Journal, 15 July 2008).

<sup>393</sup> Saskatchewan, *supra* note 164 at 11.

<sup>394</sup> Saskatchewan, *supra* note 75 at 39.

<sup>395</sup> *Ibid.*



her 1989 murder. In 2001, an undercover operation was launched which led to Baker's confession and the discovery of the murder weapon. Baker was convicted of Tashoots' murder in 2003.<sup>396</sup> The 1984 murder of Candice Derksen, 13, was solved with the conviction in 2011 of Mark Grant in Winnipeg.<sup>397</sup> In 2012, Melonie Biddersingh was identified as the victim whose body was found in a burning suitcase in the Peel region of Ontario in 1994. Biddersingh's father and stepmother were subsequently charged with her death.<sup>398</sup> These cases were solved through advances in DNA techniques, requested assistance from the public, and reinvestigation of the files. These successes illustrate the viability and importance of keeping old cases active and going back to them throughout the years.

#### **v. Greater Crown Counsel Involvement**

A report by multiple government departments into cases of missing women advocated greater involvement of Crown Counsel in charge decisions, even in provinces and territories where it is not required.<sup>399</sup> In B.C. and Quebec, the laying of charges must be approved by Crown Counsel. In New Brunswick, charges are laid only after Crown Counsel has provided advice. In all other provinces and territories, the responsibility to lay charges lies solely with the police.<sup>400</sup> Early Crown Counsel involvement has proven to be especially useful in large, complicated cases. In some provinces, this has become policy for

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<sup>396</sup> Neal Hall, "Possible Highway of Tears suspects haunts detectives" *Vancouver Sun* (07 March 2010).

<sup>397</sup> "Jury chosen for trial in schoolgirl death" *CBC News* (07 January 2011); Mike McIntyre, "Grant gets maximum sentence for Derksen murder" *Winnipeg Free Press* (26 May 2011); Mike McIntyre, "Winnipeg jury convicts sex offender of 26-year-old crime" *Ottawa Citizen* (20 February 2011), A3.

<sup>398</sup> "Unidentified Adults" *Ontario's Missing Adults*; "The Doe Network: Unidentified Victims" *The Doe Network*; "Unidentified Body Detail Information" *OPP Missing Persons and Unidentified Bodies Unit*; "Occurrence #94-96781 Homicide: Identity Unknown" *Cold Cases*; Ian Robertson, "8 other murders remain unsolved" *Toronto Sun* (05 April 1998); "The particulars of the 'the forgotten'" *Unsolved Murders/Missing People Canada*; "Father, stepmother charged in 1994 suitcase slaying" *CBC News* (21 March 2012); Curtis Rush, Stephanie Findlay and Liam Casey, "Suitcase murder: Dad, stepmom charged in 1994 slaying of 17-year-old Toronto girl" *Toronto Star* (21 March 2012).

<sup>399</sup> CCSOMWWG, *supra* note 18 at 61.

<sup>400</sup> *Ibid.*

complicated cases, organized crime and Internet sexual exploitation cases.<sup>401</sup> An Ontario report agreed that early discussions are beneficial in large, complicated cases; it did not advocate that Crown Counsel approve charges, but rather, that they provide guidance and advice on aspects of the case.<sup>402</sup>

Early discussions between Crown Counsel and the police have also been advocated to ensure smooth, efficient disclosure to the defense early in the proceedings.<sup>403</sup> In large, complicated cases of serial murder, the volume of material to be reviewed and disclosed can be staggering. The Pickton case generated 1.3 million pages and the Svekla case between 750,000 and 1 million pages of evidence.<sup>404</sup> Sufficient resources, including multiple Crown attorneys, support staff and computer software to allow efficient disclosure have been cited as crucial to the success of such cases.<sup>405</sup>

The Crown has the independence to make the decision to prosecute. The importance of this independence has been held up by the Courts. In *R. v. Krieger*, the Courts ruled that the Crown “is not subject to interference by other arms of government.”<sup>406</sup> This is necessary to ensure only strong cases proceed and to avoid abuses by the state. During the MWI, the issue of the Crown’s decision to stay the charges against Pickton for the attempted murder of Ringwald was part of the terms of reference. Lead counsel for the MWI reminded participants that:

As you know and is well known to all, this is a fact finding process to determine –for you [Commissioner Wally Oppal] to determine factually what was done and of course what was not done. But in doing that by law you cannot second guess the Crown decision nor ask [the] Crown to justify the

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<sup>401</sup> *Ibid.*

<sup>402</sup> *Ibid.* at 26.

<sup>403</sup> Ontario, *supra* note 323 at 24.

<sup>404</sup> CCSOMWWG, *supra* note 18 at 62.

<sup>405</sup> *Ibid.*; Ontario, *supra* note 323 at 21.

<sup>406</sup> *Krieger et al v. Law Society of Alberta* [2002] 168 C.C.C. (3d) 97.

decision. As well, you cannot interfere with the exercise of the prosecutorial discretion which is well known to our system of law. To emphasize, it is strictly a fact finding event.<sup>407</sup>

The importance of Crown Counsel independence cannot be doubted. However, this does not prevent bilateral discussions and strategizing on cases between Crown Counsel and police.

The decision to stay the attempted murder charge against Pickton in 1998 was done without discussion with the police investigators. Only a week before the case was to go to trial, the Crown Counsel met with the victim and felt she was not credible due to her drug use.<sup>408</sup>

Writing within weeks following Pickton's 2002 arrest, Connor advised the RCMP that although the 1997 file could not be located:

My recollection of the file is that the case did not proceed because the complainant was a drug addict who was using drugs around the time of trial and was not in good enough shape to testify. As she had stabbed the accused, credibility was going to be an issue in the trial.<sup>409</sup>

Earlier discussions with police and meetings with Ringwald might have altered Connor's decision to stay the charge. The police might have been able to secure additional evidence, assist with witness management or seek greater involvement of victim services.

## vi. Working with Social Services and Sex Worker Organizations

Some police agencies have been working proactively with community organizations that advocate for sex workers. The manner of communication differs. In some cases, self-defence and de-escalation techniques have been taught.<sup>410</sup> Routinely, police provide information on how to report violent incidents, provide sex-worker liaison officers, or work with staff at drop-in centres. For instance, the VPD created a Sex Trade Liaison position

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<sup>407</sup> MWI [Apr. 12], *supra* note 344 at 14.

<sup>408</sup> *Ibid.*; MWI [Apr. 11], *supra* note 224; MWI [#87], *supra* note 343.

<sup>409</sup> MWI [Apr. 11], *supra* note 224 at 43.

<sup>410</sup> CCSOMWWG, *supra* note 18 at 66.

specifically to work with sex workers and organizations.<sup>411</sup> New police recruits now receive training provided by current and former sex workers on the realities of life on the streets and the need for a professional interaction that allows a woman to retain her dignity, whether she is being arrested, stopped for questioning, or assisted as a victim.<sup>412</sup> As with family members, effective bilateral communication with sex workers can assist with current and old investigations and generate intelligence regarding potential persons of interest.<sup>413</sup> The RCMP's Provincial Prostitution Unit (PPU) works with sex trade workers throughout the province of B.C. in order to better understand the need of sex workers.<sup>414</sup>

In the Francois case in New York State, it was this type of interaction that helped police capture him, as a living victim contacted police following her escape. As with Pickton, Francois was well known to sex trade workers. Serial murderers targeting prostitutes do not necessarily kill with every encounter: "the serial killer may be a good date until he kills."<sup>415</sup> A memo from a VPD inspector in late 2001 reiterated this information, citing a then-unpublished study. She noted that a "statistically significant number of these [sex trade workers] could be classed as 'survivors' of predatory homicidal offenders."<sup>416</sup> The VPD had learned from meetings in Spokane that Yates was also well known by prostitutes in the area, and was considered a "model date, generous and non-violent" to those he did not murder.<sup>417</sup>

## **vii. High-Risk Youth and Chronic Runaway Identification**

In many of the cases of missing women and girls, police assumed the women were voluntarily missing or that the girls were runaways. Many of the girls were chronic runaways

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<sup>411</sup> *Ibid.* at 67.

<sup>412</sup> James Keller, "Women still vanishing from Vancouver's eastside" *Toronto Star* (02 August 2010).

<sup>413</sup> *Ibid.*; Quinet, *supra* note 6 at 94.

<sup>414</sup> Oppal [Vol. III], *supra* note 65 at 23.

<sup>415</sup> CCSOMWWG, *supra* note 18 at 67.

<sup>416</sup> MWI [#98], *supra* note 25 at 206.

<sup>417</sup> MWI [#34], *supra* note 29 at C123.

and some women had gone missing on several previous occasions. Thus, it was difficult to distinguish between purposeful disappearances or cases of foul play. In some cases, foul play also occurred during a purposeful disappearance, but this was not known until a body was located. Like many of Olson's victims 30 years ago, many of the recent missing and murdered women in Canada are from low socio-economic homes. Olson killed 11 children, eight girls and three boys, some of whom regularly hitchhiked (as was common at the time) or were thought by police to have simply run away. Missing person reports were often classified as low-priority runaways and not investigated until bodies were discovered.<sup>418</sup> Olson often offered rides, jobs and alcohol to his children and teenage victims before drugging, torturing, sexually assaulting and killing them.<sup>419</sup> There was a delay in linking the cases for several reasons; some of the children were thought to be runaways since their bodies were not found until after Olson's arrest, Olson crossed multiple jurisdictions, he murdered both males and females, and the age of his victims ranged between nine and 18.<sup>420</sup>

Two municipal police forces, Winnipeg and Regina, learned from such tragic cases and have adopted strategies for at-risk, chronic runaways. When a youth is identified as being high-risk, one officer is assigned to meet with them and, if they disappear, investigate. Once located, the officer meets with the youth and their family or guardian again to identify possible reasons why he or she ran away to mitigate these and minimize future disappearances. To avoid bureaucratic delays, protocols are established at the onset regarding the obtaining of information from relevant social service agencies.<sup>421</sup> This best practice

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<sup>418</sup> MWI [Feb. 15], *supra* note 203 at 3.

<sup>419</sup> The RCMP paid \$100,000 in trust to Olson's wife and child in exchange for information about where the undiscovered bodies of his victims were located. Mellor, *supra* note 16 at 82; Jack Levin. *Serial killers and sadistic murderers: Up close and personal*. (New York: Prometheus Books, 2008) at 37.

<sup>420</sup> "Patchwork...", *supra* note 136; Mellor, *supra* note 16 at 82; Levin, *supra* at 419.

<sup>421</sup> CCSOMWWG, *supra* note 18 at 40.

stresses proactive cooperation between police, social agencies and families to reduce the number of missing person cases, the number of disappearances and the length of time police investigate missing people.<sup>422</sup>

A standardized risk assessment tool has been recommended by a provincial committee in Saskatchewan.<sup>423</sup> Such a tool could be used by all police forces to assist in quickly identifying high-risk persons and suspicious circumstances. Smaller police forces which may have limited experience with high-risk missing persons, especially Aboriginal women, sex workers or at-risk youth, may have more difficulty in recognizing suspicious circumstances. Although stereotypes and prejudices may also be in play, with limited experience there may not be an understanding of the risks and realities of the situation. A standardized tool developed in consultation with multiple jurisdictions and police forces, and endorsed by the Canadian Association of Chiefs of Police (CACP), would be an excellent initiative. Due to the diversity of communities served by police forces nationally, it should allow for customization, such as for on-reserve, remote or northern locales. A common approach has also been advocated by the U.S. Department of Justice.<sup>424</sup>

Three Winnipeg cases provide examples of how the situation has changed over time. Amanda Bartlett, 17, was last seen in 1996 when she disappeared from a group home. There was no missing person report made and it is not known why the group home did not file a report. Her family was not overly alarmed at first as Bartlett was known to leave the home and return.<sup>425</sup> When her mother eventually approached police, she was told “they don’t do

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<sup>422</sup> Saskatchewan, *supra* note 75at 55.

<sup>423</sup> *Ibid.* at 42.

<sup>424</sup> DOJ. *Identifying the missing: Model state legislation* (August 2005). See also, Saskatchewan, *supra* note 75at 45.

<sup>425</sup> “Family searches field for missing woman on advice from medium” *CBC News* (28 July 2012); Dave Baxter, “Manitoba woman to search Winnipeg streets for missing teen” *Metro Winnipeg* (20 July 2012); “Missing Person” *Winnipeg Police Service*.

family reunions.”<sup>426</sup> Bartlett is not among the cases assigned to Project Devote although the Winnipeg police now have a missing person file on Bartlett. As of September 2013, she remains missing.

Angelica Godin, 15, was reported missing in February, 2012. There were news reports and a news release alerting the public and declaring that police “considered [Godin] a child in need of protection as she is at high-risk of being exploited or victimized and investigators are concerned for her well-being.”<sup>427</sup> An Internet search to determine if Godin had been found resulted in a media article from July 2008 when she ran away at age 11, with a 12-year-old female friend.<sup>428</sup> As of September 2013, she remains missing.

News stories alerted the public that Jaylynn McIvor, 15, was reported missing in September and October of 2011, and again in January and July of 2012. Police news releases in July 2009, included a bulletin that McIvor, then 13, had been located. In that release, police also noted that McIvor was considered at high-risk to be exploited and that she had gang affiliations. In October 2009, the police notice noted that “MCIVOR is easily influenced and investigators are concerned for her well-being.”<sup>429</sup> As of January 2013, she remains missing.

All three girls are Aboriginal, had a history of running away, are at high-risk of being sexually exploited, and disappeared from the same area of the city. Unlike Bartlett, McIvor and Godin were reported missing and police began to investigate immediately. With changes made in Manitoba and Winnipeg, it is doubtful that a situation like Bartlett’s would reoccur.

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<sup>426</sup> “Family searches...,” *supra* note 425.

<sup>427</sup> “Missing person – Angelica Godin :: R12-16883” *Winnipeg Police Service News* (17 February 2012).

<sup>428</sup> “Two preteen girls missing” *CTV News* (11 July 2008).

<sup>429</sup> “Missing person – Jaylynn Mcivor - located” *Winnipeg Police Service News* (29 July 2009); “Girl, 15, missing from Tuxedo” *Winnipeg Sun* (30 April 2012); “Youth goes missing for third time” *MyStienbach* (10 January 2012); “Police seek public’s help in locating missing teen” *Winnipeg Free Press* (27 July 2012); “Missing person - Jaylynn Mcivor – located” *Winnipeg Police Service News* (05 October 2009).

The group home where Bartlett lived would now be involved with police proactively regarding all its clientele and have a protocol to ensure prompt reporting of missing persons.

#### **IV. NON-POLICE BEST PRACTICES**

The role of police in missing persons and homicide cases is clear. The role of Canadian society at large is not. In this section, recommendations for further improvements and identification of initiatives already in place in Canada and other countries are provided. The majority of these would require funding by various levels of government. Social services and supports for vulnerable people already exist in many forms throughout the country. It is common among non-profit organizations, which rely largely on charitable donations or grants and contributions from various levels of government, to spend considerable time and resources seeking funding, often changing or expanding the organization's mandate to be able to access new or limited funding. Agencies fight over scarce resources, creating duplication in some services, gaps in others, and in-fighting among the agencies.<sup>430</sup>

Funding agencies must consider that to effectively serve the targeted clientele through existing organizations, sufficient funding – including core funding – is necessary. An organization that receives only project funding (as opposed to core funding) does not have the security to institute and sustain long-term activities. If core funding cannot be provided, sufficient administrative costs must be covered to allow for a reasonable portion of the core costs. Organizations serving vulnerable clients need to keep the clients' needs in mind, seek partnerships and consider novel, cost-effective methods to provide services. Evaluations of services should be done co-operatively between funding organizations and

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<sup>430</sup> Cler-Cunningham, *supra* note 23 at 1.



service providers, with the goal being to ensure the services are meeting the intended goals and make adjustments as necessary.

## **i. Recommendations and New Initiatives in the *Criminal Code of Canada***

### **1) Sentencing of Serial Murderers**

While serial murders are rare, they create an enormous amount of fear and pain to the families and communities in which they kill. Rehabilitation appears to be ineffective; the urge to kill typically intensifies over time.<sup>431</sup> Sex murderers are at an extremely high-risk to kill again;<sup>432</sup> the cases discussed show numerous killers who had been incarcerated for one sexually motivated homicide before embarking on serial homicides. Of the 13 Canadian cases in Chapter 5, eight had previous convictions for sexual assault and one had a previous conviction for murder.<sup>433</sup> In the 98 U.S. cases of solved serial cases in Appendix G, eight had previous convictions for sexual assault, seven for previous sexual homicides and two for non-sexual homicides.<sup>434</sup> Continued incarceration is required to protect the public: “Organized predatory serial killers tend to continue until they are dead or in prison.”<sup>435</sup> It would be exceedingly rare, however, for serial killers such as Olson, Bernardo, Pickton or Colonel Russell Williams to be granted parole when they are eligible.

In 2011, the “faint hope clause” was repealed. Offenders convicted of first or second degree murder are no longer able to apply for early parole.<sup>436</sup> Those convicted of first degree

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<sup>431</sup> Barney Warf and Cynthia Waddell, “Heinous spaces, perfidious places: the sinister landscapes of serial killers” (2002) 3 Soc. & Cult. Geog. at 328.

<sup>432</sup> Louis B. Schlesinger, “The potential sex murderer” (2001) 1 J. of Threat Assessment, at 48.

<sup>433</sup> Crawford was convicted of manslaughter and released. Beirnes, Dove, Grant, Gregoire, Roy, Viner, Lamb and Svekla had previous convictions for sexual assault.

<sup>434</sup> Brandt and Suff had previous convictions for non-sexual murders. Ford Heindnik, Long, Randall, Singleton, Christenson, Sowell and Rogers had previous convictions for sexual assault. Groves, Miller, Seibert, Unterweger, Willis, McDuff and Shawcross had previous convictions for sexual homicides.

<sup>435</sup> Campbell, *supra* note 11 at 270.

<sup>436</sup> The SCC has agreed to hear a challenge of this change, and that regarding changes to pre-conviction custody. “Top court orders new trial in Courtepatte killing” *CBC News* (11 April 2013).

murder cannot apply for parole until 25 years have been served. Those convicted of second degree murder must serve the full amount of their parole ineligibility period, which could be as long as 25 years.<sup>437</sup> These changes were largely the result of repeated applications for early parole by Olson.<sup>438</sup> The same year, changes were made to sentencing of multiple murderers. Previously, when sentenced to multiple counts of first or second degree murder, the sentences were served concurrently. Inmates were eligible for parole after the mandated time served, regardless of the number of victims. Under the *Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act*, judges may impose consecutive parole ineligibility periods.<sup>439</sup> The legislation is not retroactive.<sup>440</sup> In future cases such as Pickton, Svelka or Olson, the sentence will better reflect the enormity of the crimes committed against multiple victims. Rob Nicholson, the federal Justice Minister, explained that “Families of murder victims can now take comfort in the fact that the sentencing process will be able to acknowledge the value of each life taken.”<sup>441</sup>

These changes to the sentencing laws are important for both public safety and for public confidence in the law. As was seen in the U.S. cases, concurrent sentences are common in many states; serial murderers can be sentenced to hundreds of years of imprisonment or to death. Further changes to sentencing laws could include an option that excludes the possibility of parole. This option could be specified as applicable only in the

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<sup>437</sup> Justice Canada. *Background: Legislation to repeal the “faint hope” clause* (February 2011).

<sup>438</sup> When it was revealed that Olson had been collecting government benefits while in prison, changes were made in 2010 to prevent inmates from collecting Old Age Security and the Guaranteed Income Supplement. Jim Bronskill, “The legacy of a monster: Olson’s impact on legal world will endure” *Winnipeg Free Press* (24 September 2011); Service Canada. *Changes to the Old Age Security (OAS) Program* (No Date).

<sup>439</sup> The first time that an offender has been sentenced under the new Act was in September 2013. Travis Baumgartner pled guilty to one count of first degree murder, two counts of second degree murder and one count of attempted murder in the 2012 armoured car robbery of his co-workers. Baumgartner faced a parole ineligibility period of 75 years but the Court of Queen’s Bench Associate Chief Justice John Rooke accepted a joint submission of a life sentence with parole ineligibility of 40 years. See, Editorial, “Historic ruling reshapes our view of rehabilitation” *Edmonton Journal* (11 September 2013).

<sup>440</sup> *Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act*, S.C. 2011, c. 5.

<sup>441</sup> Justice Canada. *Background: Ending sentence discounts for multiple murderers* (December 2011).

cases of mass, spree or serial killers. Research has shown that many serial killers cannot be released without risk to the public; they must remain in prison for their entire lives or they will continue to kill.

## **2) Prostitution Laws**

In the upcoming year, the Supreme Court of Canada will rule on the prostitution laws in the Bedford case. The changes to the prostitution laws created by the Ontario Supreme Court ruling are a positive step to improve the safety of those who work indoors.<sup>442</sup> However, these sex workers already face considerably less danger than do those working on the streets. Changes or elimination of the communication law are required to assist in the protection of those most vulnerable. If the communicating law is struck down, it will improve the safety of women working on the street because women could go to the police in cases of robbery or violence without the fear of prosecution, allow for women to work in teams or pairs and to take more time to assess a client and the vehicle prior to leaving the area with a client. This will prevent the police from pushing women into isolated, more dangerous locations to perform sexual services. Oppal concluded that there was “a clear correlation between law enforcement strategies of displacement and containment and increased violence against women engaged in the sex trade.”<sup>443</sup>

It is not the intent to ascribe blame for homicides on the women who get into cars with strangers. Oppal rejected the VPD’s assertion that:

the “real issue” is that women put themselves at risk by getting into cars with potentially dangerous men. This position is a thinly disguised attempt to blame the victim for her “risky” behaviour and lifestyle, a strategy employed to absolve those responsible by shifting the onus to the victim. This approach must be condemned.<sup>444</sup>

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<sup>442</sup> *Bedford v. Canada (Attorney General)* 109 O.R. (3d) 1.

<sup>443</sup> Oppal [Vol. IIA], *supra* note 154 at 2; Oppal [Vol. IIB], *supra* note 37 at 95.

<sup>444</sup> Oppal [Vol. IIB], *supra* note 37 at 97-8.

Oppal concluded that the enforcement and displacement policies put women at a greater risk of violence. He stated that he “entirely reject[s] the position that women put themselves at risk. The view that women engaged in survival sex work do not ‘deserve’ ‘extra’ protection because they choose this way of life is reprehensible.”<sup>445</sup> Once a woman is in a car, alone, with a client, she is vulnerable to violence. It is because women are at such a heightened risk when engaged in street prostitution that extra protection is required. Even if police did not engage in any enforcement of street prostitution, the risks of violence once a woman is in the car is exceptional. Options to reduce street prostitution should be considered on a community-by-community basis; experiential street prostitutes must be part of these discussions. Informal brothels such as Grandma’s House or the use of SRO or low-cost hotels could be an option for women who cannot or do not want to leave the streets. Solicitation could occur on the streets with instructions to meet at such a location. In the Netherlands, although street prostitution is illegal, bus shelter-like structures were set up for street prostitutes to solicit clients, with carwash-like buildings for the sex acts to take place erected to reduce the risk of violence.<sup>446</sup> The managed zones enabled police to monitor for exploitive practices and trafficked women. Safety, not enforcement, is paramount; this increases the trust from sex workers towards police. Communication between sex workers and the police in the Netherlands flows in both directions. Officers and sex workers working

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<sup>445</sup> *Ibid.* at 98.

<sup>446</sup> Ministry of Foreign Affairs (The Netherlands). *Dutch Policy on Prostitution*. (Amsterdam: Ministry of Foreign Affairs, 2005) at 4.

in the red-light districts know each other and the women know they can seek assistance for themselves or other women.<sup>447</sup>

## **ii. Harm Reduction and Social Support for Vulnerable Persons**

### **1) Rural Transportation**

Hitchhikers, primarily females, have long been a target of serial predators.

Hitchhiking was a commonplace practice until approximately the 1980s. Today, hitchhikers are relatively rare except in areas where public transportation is not available, for women with few financial resources, those running away, or as a method of solicitation of clients for prostitution. In communities and on reserves along the Highway of Tears in Northern B.C., it has long been recommended that shuttle buses be introduced.<sup>448</sup> Other suggestions have been an expansion of the “free ride” program offered by the Greyhound Bus Company, especially for women fitting the victim profile of the missing and murdered to reduce hitchhiking.<sup>449</sup> The provision of “safe houses” along Highway 16 to provide places where women can stop could help them avoid having to hitchhike home.<sup>450</sup> Then-Attorney General of B.C., Shirley Bond, made an announcement immediately following the release of the MWI report. One of the announcements was focused on transportation in the Highway of Tears area:

[T]he Ministry of Transportation and Infrastructure is developing a targeted consultation plan to address the commissioner’s recommendation for safer transportation opportunities along the Highway 16 corridor. Ministry staff will meet with communities along the corridor in the new year, to build upon past studies into transit options in the region and identify options that meet their needs.<sup>451</sup>

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<sup>447</sup> Berna Meijer. Prostitution Information Centre. Tour of the Red Light District by Maryanne Pearce (01 November 2008) Amsterdam, the Netherlands; Harold Van Gelder. Inspector, Vice Squad, Politite Amsterdam (Vice Squad). Interview with Maryanne Pearce (04 November 2008) Amsterdam, the Netherlands.

<sup>448</sup> Zosia, *supra* note 106; British Columbia, Ministry of Attorney General. *Stopping violence against Aboriginal women* by Tracy Byrne and Wade Abbott. (23 February 2011) at 32.

<sup>449</sup> B.C. *supra* note 448 at 32.

<sup>450</sup> *Ibid.* at 32.

<sup>451</sup> B.C., *supra* note 355.

This is a welcome, but long-overdue step. Girls and young women have disappeared and been murdered along northern B.C. highways for 40 years.

## **2) Cellular Telephones**

Every year there are fewer places where pay telephones are available as cellular telephones have become commonplace. In the late 1990s, this was not the case. B.C.'s Then-Minister of Equality Sue Hammell announced a plan to purchase cell phones for prostitutes in the DTES in order for them to be able to call 9-1-1. Public outrage caused the ministry to cancel the plan, despite the fact that the telephones would have been altered to allow only 9-1-1 calls. Two donors came forward and provided \$6,000 to purchase the phones which were distributed by Grandma's House.<sup>452</sup> Today, even cellular telephones that do not have a subscription plan can call 9-1-1, as long as the telephone is charged. Many social service agencies collect unwanted cellular telephones and distribute them to their clients.<sup>453</sup> Women with low incomes often do not have home telephones, which places elderly and disabled women at risk if they are unable to call for ambulance services. Retailers could be approached to have drop off boxes for cellular telephones and the chargers in their stores for collection by interested social organizations as a simple and environmentally friendly way of improving the health and safety of poor and marginalized women.

## **3) Social Services, Transition and Detoxification Support**

The cost of the Robert Pickton serial murder investigation, trial and appeals was between \$102 million to \$115 million. The search on the Pickton property, Burns Road and Mission, including the laboratory testing, cost \$70 million. The legal costs for the defence

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<sup>452</sup> Robert Anthony Phillips, "Taxpayers balk at cell phones for hookers" *APBNews* (21 May 1999).

<sup>453</sup> After hearing this information from a CBC interview with a police officer, I began to collect cellular telephones from friends to deliver to the various organizations I volunteer at in Ottawa. Many of the phones can be activated by the user, at their cost. However, as long as the telephones are charged, 9-1-1 can be contacted, but nothing else.

and Crown Counsel cost \$21 million.<sup>454</sup> The MWI cost approximately \$10 million.<sup>455</sup>

Families and sex worker advocates in the DTES have long suggested that this money should have been spent earlier to help protect the women from Pickton. The cost of addiction counselling and treatment, housing, employment counselling and training for the 33 women whose remains or DNA has been found on the Pickton farm would have been far less than the cost of prosecuting their killer. Oppal outlined the impacts of poverty, inadequate housing, entrenchment, food insecurity and addiction issues (including dependency, withdrawal, and withdrawal as a risk to safety) in his report, which were discussed above in Chapter Four. The Victoria, B.C. *Times Colonist* editorial board printed the following after Pickton's conviction:

Yet we choose to spend almost nothing on the kinds of measures that would have prevented the murders in the first place, or at least greatly reduced the risk. We will not pay for efforts to bring some safety to the worst neighbourhoods and most victimized people. We will not provide mental health and addiction services in a form that allows those who most need them to get help. We won't provide affordable housing or the kinds of support that make sex work an option, not a means to survival. And we will not consider the obvious legal solutions to make prostitution – which is legal – also safe for those doing the work. The notion of prostitutes working in a safe area or legal brothel offends us, while we accept the fact that they work daily in desperate and deadly situations.<sup>456</sup>

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<sup>454</sup> See especially, Elaine O'Connor, with files from Ethan Baron, "Cost of Pickton trial could rival \$130-million Air India case: Taxpayers on hook for accused's defence team, seven Crown lawyers" *Ottawa Citizen* (05 December 2007); Elaine O'Connor, with files from Ethan Baron "Costs could exceed those of Air India case" *The Province* (05 December 2007). See also, Neal Hall and Lori Culbert, "Pickton 101: 20 Questions" *Vancouver Sun* (01 December 2007). See generally, Derrick Penner, "Property may be sold to pay cost of defence" *Vancouver Sun* (10 December 2007); Neal Hall, "Serial killer's brother wants more for expropriated land" *Vancouver Sun* (05 December 2008); Kim Bolan, "Pickton's brother and sister sue B.C. government over Port Coquitlam farm" *Vancouver Sun* (05 February 2009); Elaine O'Connor, "Costs could exceed those of Air India case" *The Province* (05 December 2007); "Pickton investigation costs totalled \$102-m" *The Globe and Mail* (23 August 2012).

<sup>455</sup> B.C., *supra* note 355.

<sup>456</sup> "Editorial: We're all complicit in women's deaths" *Times Colonist (Victoria)* (11 December 2007).

Municipalities tax sex trade businesses at a rate much higher than non-sex trade business. Thus, an argument has been made by advocates and academics that there is a responsibility to fund social services and agencies which service sex workers, rather than to strictly enforce prostitution laws.<sup>457</sup> All levels of government choose to spend little on measures that could have reduced the risk or prevented the murders of street prostitutes.

In-house treatment centres for women engaged in street-level sex work are required throughout the country. During the same time KARE was doing its innovative and best practices work in Alberta, funding for Crossroads was cut, forcing the program to close after assisting 76 women to exit sex work in Edmonton.<sup>458</sup>

Mental health and addiction services are lacking in a form that would assist those who are most in need. Female-only detoxification and rehab services are needed; women who have experienced considerable violence in their lives do not feel comfortable in co-ed facilities when they are vulnerable.<sup>459</sup> Nationally, there is a need for affordable housing, living wages and social assistance rates that ensure women can live, eat and clothe themselves and their families. “Reductions in state social spending have been linked to spiraling levels of poverty, homelessness, child apprehension and generalized vulnerability.”<sup>460</sup> Women in extreme poverty turn to street prostitution as a means to survival; it is not a true choice, but a lack of available options.

Immediately after the release of the MWI report, the B.C. government announced a \$750,000 grant to WISH in the DTES. The funding was granted to support the expansion of hours and services.<sup>461</sup> Organizations like WISH are important not only for the daily needs of

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<sup>457</sup> Cler-Cunningham, *supra* note 23 at 7.

<sup>458</sup> Renata D’Aliesio, “Rashmi’s choice: life or the street” *The Edmonton Journal* (17 June 2005).

Oppal [Vol. I], *supra* note 2 at 92.

<sup>460</sup> *Ibid.* at 81.

<sup>461</sup> As of April 2013, WISH has advised that the new funding will allow 14-18 hours of operation daily. “Wish Drop-In Centre Society” *Wish Drop-In Centre Society*; B.C., *supra* note 355; “Cash influx boosts drop-in centre for sex workers” *Vancouver Sun* (20 December 2012).



sex workers, but also to provide support that can lead to permanent health and safety improvements:

Social workers can begin to develop personal relationships by offering basic concrete services such as food, clothing, shelter, HIV tests, and clean needles. Once a prostitute has received something she perceives as beneficial to herself, she is more likely to return to seek help. By traveling to where the clients are at the hours they are working, social workers can demonstrate their concern and develop relationships as they attempt to obtain resources for this vulnerable population.<sup>462</sup>

Some communities have mobile social services that seek women out where centres are not available. Successful projects are those that are developed by, or in consultation with, or are administered by, experiential women. Research has shown that sex workers often feel marginalized by general resources:

Given that this population is in great need of mental health services, these observations suggest a number of program development and policy changes that may assist in effectively reaching female sex workers. First, mental health services need to be integrated into other types of locations where drug-involved sex workers are more likely to visit, such as shelters and substance abuse treatment programs. Second, services need to be sensitive to the barriers faced by this population, such as providing transportation and not requiring identification. Third, and perhaps most importantly, mental health service providers need to create an environment where sex workers and other marginalized populations are treated with respect and are cared for in a non-judgmental manner. From a public health point of view, opportunities for mental health treatment for this population, as well as substance abuse treatment, must be integrated into prevention programs for sex workers in order to effectively decrease risk for HIV and other sexually transmitted infections.<sup>463</sup>

In Ottawa, Minwaashin Lodge operates a mobile van funded by the municipal government.

The Sex Trade Out Reach Mobile (STORM) van provides information and referral to community supports, transportation to emergency shelters, medical facilities, the

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<sup>462</sup> Adele Weiner, "Understanding the social needs of streetwalking prostitutes" (1996) 41 *Social Work* at 102.

<sup>463</sup> Hilary L. Surratt, Steven P. Kurtz, Jason C. Weaver and James A. Inciardi, "The connections of mental health problems, violent life experiences, and the social milieu of the 'stroll' with the HIV risk behaviors of female street sex workers" (2005) 17 *J. of Psych. & Human Sexuality* at 39.

detoxification unit and other locations deemed appropriate, crisis intervention, basic supplies (hygiene products, clothing, and condoms), information on sexual health issues and snacks.<sup>464</sup> Wherever possible, one experiential woman is part of the team of two that serves the area three nights a week.

Experiential women conducted a pilot project on addiction counselling that was designed by and for sex workers. The evaluation found that it was effective and could be provided to both in- and out-patients.<sup>465</sup> A research project centered on housing and addiction among street prostitutes was created in Edmonton, utilizing experiential women. Many women's or homeless shelters do not allow people who are under the influence of drugs or alcohol on the premises. The project found that the ideal model would have two separate areas of supportive housing for the clients: one for women still engaged in street prostitution and entering addiction treatment, and one for those who have undergone treatment and who have largely exited sex work. The latter would likely be best located away from areas in which street prostitution is common.<sup>466</sup> The Shepherds of Good Hope in Ottawa operates Hope Outreach for women who are under the influence of drugs or alcohol. Residents of other shelters may be redirected to Hope Outreach if they are disruptive or aggressive *and* under the influence of drugs or alcohol.<sup>467</sup>

The Prostitution Information Centre (PIC) located in the heart of the red-light district of Amsterdam, provides pamphlets on taxation, labour law, and sexual and psychological health. It provides daily sightseeing tours of the red light district, led by current or former sex

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<sup>464</sup> "S.T.O.R.M: Sex Trade Out Reach Mobile" *Minwaashin Lodge*. See also, Steven Hunt. *Aboriginal Sex Trade: "Survival Sex" on Canadian Streets*. (17 May 2010) Documentary.

<sup>465</sup> Canadian National Coalition of Experiential Women. (March 2008). *Evaluation report: Sex workers addressing treatment (SWAT) Pilot Program*, by Deborah Rutman.

<sup>466</sup> PAAFE. *Models of supportive and tolerant housing for street-involved women* (March 2006).

<sup>467</sup> This information is provided on bulletins to women at some of the women's shelters that I volunteer with in Ottawa. See also, "Women's Services" *Shepherds of Good Hope*.

trade workers. PIC is an advocacy and information centre on prostitution funded through donations, the fees (€15 or approximately \$21 Cdn. as of September 2013) from the walking tours, and from its gift shop. The founder, Mariska Majoor, offers a personal workshop for €65 (approximately \$90 Cdn.) in which someone can learn about sex work, pose in a window and ask questions. Male clients are not permitted in the window during the workshop.<sup>468</sup>

The Prostitution and Health Centre (P&G292) was opened in 2006 by a vote from Amsterdam's city council. This centre expanded upon the work done by an outreach advisor program that began in 1988. This centre has a doctor, public health nurse, social workers and administration staff who provide medical care, including STI/HIV screening and hepatitis B vaccinations, employment and training assistance for exiting sex workers, and information on housing, income, taxes and legal issues. All sex workers, regardless of their immigration status, are welcome. Addiction counselling is referred elsewhere. Translators are available to assist in verbal communication with the prostitutes, as well as translating written material into 14 languages. Both male and female prostitutes are welcome.<sup>469</sup> Health centres dedicated to sex workers may prove less expensive for provincial health departments than the mixed services now available in Canada. A pilot project that expands on current health services, perhaps in Winnipeg, Vancouver or Toronto, would be a useful initiative.

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<sup>468</sup> Berna Meijer. Prostitution Information Centre. Tour of the Red Light District by Maryanne Pearce (01 November 2008) Amsterdam, the Netherlands; "Prostitution Information Centre" *Prostitution Information Centre*.

<sup>469</sup> Prostitution & Health Centre 292. *Information for professionals*. Pamphlet, given to the author by P&G292 in November 2008, Amsterdam. (Amsterdam: Prostitution & Health Centre 292, no date); Thérèse van der Helm. (2008). *Intermediary project for prostitutes: Annual Report 2005 t/m 2007*. (August 2008); Prostitution and Health Centre" *Prostitution and Health Centre*; Thérèse van der Helm. Public Health Nurse, Coordinator Prostitution & Health Centre (P&G292), Amsterdam. Interview with Maryanne Pearce (04 November 2008) Amsterdam, the Netherlands.

#### **4) Early Interventions to Protect Vulnerable Persons**

In previous decades sex education was aimed at high school students; it now begins in late primary school and middle school. Research has indicated that interventions and projects aimed at children and youth involved in the child welfare system, instead of high-school students, would be more appropriate.<sup>470</sup> As seen in Chapter Four, there is a clear relationship between the child welfare system and later involvement in survival sex work.

Like street prostitution, the child welfare system has a vast over-representation of Aboriginal people. This is not an easy problem to solve: it crosses health, policing, social services, economic development, education, housing, and addiction services and programs. A concentrated effort by all levels of government, including First Nations governments, is required to study options for improving parenting, increasing support to at-risk parents and children, monitoring of children in high-risk homes and aiming at family reunification while protecting the safety of children. The cyclical nature of women who were once wards of the Crown whose children eventually are likewise surrendered or apprehended must end. Further studies are needed on how to do this. A starting point would be to provide counselling services to children who have been in the child welfare system to help reduce the likelihood of them being homeless or sexually exploited.

### **iii. Support for Families of Missing and Murdered Persons**

#### **1) National Tip-Line**

In the U.K., a national, free telephone line offers counsellors who provide confidential advice to people who have voluntarily disappeared. Counsellors can forward emails to family or friends from the missing person through an untraceable account and

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<sup>470</sup> Kendra Nixon, Leslie Tutty, Pamela Downe, Kelly Gorkoff and Jane Ursel, "The everyday occurrence: Violence in the lives of girls exploited through prostitution" (2002) 8 *Violence against Women* at 1040.

arrange three-way free telephone calls.<sup>471</sup> A similar service in Canada could assist in reducing police resources in investigating cases. Operators could also accept information about the whereabouts or crimes against missing persons, similar to Crime Stoppers. With further funding, the NCMPUR or a non-profit organization could undertake such an initiative.

## **2) Family Support for Families of Missing and Murdered Persons**

Advocates for families of missing and murdered women have called for counselling and financial support.<sup>472</sup> Various federal and provincial supports already exist for families of crime victims. Support to families through Victim Services is important to the mental health and well-being of families of missing and murdered persons.<sup>473</sup> In October 2012, Manitoba announced two \$30,000 grants to two Aboriginal organizations to provide support for families of missing and murdered Aboriginal women, including one organization serving northern communities.<sup>474</sup> In December 2012, the federal government announced a new program to provide up to \$350 a week for a maximum of 35 weeks to parents of children under 18 who have gone missing or been murdered. Missing children would need to have been missing for over one week and as a result of a likely criminal offence. The government also made amendments to the *Canada Labour Code* to allow for unpaid leave and to protect a worker's job if their child has been murdered or gone missing.<sup>475</sup> Families of missing persons have often faced barriers to free services because there is not a confirmed crime. The new initiatives in 2012 are unusual as they specifically address missing persons.

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<sup>471</sup> Saskatchewan, *supra* note 75 at 54.

<sup>472</sup> *Ibid.* at 3.

<sup>473</sup> *Ibid.* at 50.

<sup>474</sup> Manitoba, *Proceeds of crime to help build safer communities*: Swan (17 October 2012).

<sup>475</sup> Matthew Pearson, "Families of murdered or missing children to get aid" *Ottawa Citizen* (31 December 2012), A5; Government of Canada, *Harper government announces Federal Income Support for Parents of Murdered or Missing Children grant to be available on January 1, 2013* (30 December 2012); Service Canada, *Federal Income Support for Parents of Murdered or Missing Children Grant* (December 2012); *Canada Labour Code* (R.S.C., 1985, c. L-2).

### 3) Monuments to Recognize Missing Persons

The families of missing persons are left in a liminal state not knowing the fates of their loved ones.

Families and friends of missing persons often find they can't negotiate the normal grieving process as there is no identified death of their loved one. When a relative is missing there is no resolution, only what families have termed "continuous grieving" or ambiguous loss.<sup>476</sup>

Some families are unwilling to have memorials or services for a missing person as it may signify the family has given up hope they will be found alive. In 2002, Ireland unveiled a national monument for missing people. A sculpture is located in a private area of Kilkenny Castle, which is publicly owned, where people can sit and reflect. The sculpture is composed of linked hands, cast from the hands of relatives of missing persons.<sup>477</sup> New York State has a similar monument and an annual day of remembrance.<sup>478</sup> A monument in Ottawa, perhaps created by an Aboriginal artist, would be a symbolic but important gesture for families of missing persons across the country.

#### iv. The Media

In reviewing the cases of missing and murdered vulnerable women, similar disinterest as was shown by police was demonstrated by the media. The press did not express the same interest in the Pickton case as was seen in other cases, such as the Bernardo trial:

that [the Bernardo trial] courtroom was always jammed, full of press and public all the time. And the Pickton courtroom – nobody's going to it. Very few reporters show up. The public doesn't go. It could be because the women were prostitutes and drug addicts and there isn't the kind of huge sympathy for that community that there would be in the case of a middle-class girl who was pulled off the street, which is what happened with Bernardo.<sup>479</sup>

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<sup>476</sup> Australian Federal Police, "Life is a puzzle – every piece is important" *Platypus Magazine*, 92 (September 2006). See also, Oppal [Vol. III], *supra* note 65 at 38.

<sup>477</sup> "National Monument to Missing People" *Missing Irish People*.

<sup>478</sup> Saskatchewan, *supra* note 75 at 32; "New York State Missing Persons" *New York State Missing Persons*.

<sup>479</sup> Lunau, *supra* note 128.

Conversely, it was a few writers for the *Vancouver Sun* who kept the missing women in the media from 1998 until Pickton's arrest.<sup>480</sup> In 2006, the Canadian Press did a series of articles devoted to the women named in the 26 counts of the indictment against Pickton. Each article provided a life history of the women that included their involvement in street prostitution and struggles with addiction, but focused on their families, children, talents, hopes and accomplishments.<sup>481</sup> Oppal was critical of the lack of media relations for the DTES case. He found that Project Amelia "did not have a media strategy and Project Evenhanded was very slow in developing its communications plan. If anything, it appears to me that the VPD and RCMP wanted to minimize media exposure."<sup>482</sup>

As homicides are relatively rare in Canada, a double murder trial generally attracts media attention. In the fall of 2012, Michael Durant's trial began in Niagara Falls, Ontario. Durant was charged with two counts of first degree murder. He was charged in relation to Cassey Cichocki, 22, found in 2006, and Diane Dimitri, 32, found in 2003, both sex workers. He pleaded not guilty. The only media coverage of the case that could be found was in the local paper, the *Niagara Falls Review*.

Even when the victims of crime do not live high-risk lifestyles, murdered and missing Aboriginal women receive dramatically less media coverage than do white women.<sup>483</sup> When the woman is both high-risk and Aboriginal, this effect is intensified. Academics analyzing coverage of missing women have consistently found that media coverage of crimes and community reaction to crimes against Aboriginal women differs from that of non-Aboriginal

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<sup>480</sup> Yasmin Jiwani and Mary Lynn Young, "Missing and murdered women: Reproducing marginality in news discourse" (2006) 31 Cdn. J. of Communications; "How Lindsay Kines and Sun reporters broke missing women story" *Vancouver Sun* (06 November 2002).

<sup>481</sup> See, "Missing Lives" *Missing People*.

<sup>482</sup> Oppal [Vol. IIB], *supra* note 37 at 119.

<sup>483</sup> Kristin Gilchrist, "'Newsworthy' victims? Exploring differences in Canadian local press coverage of missing/murdered Aboriginal and White women" (2010) 10 Fem. Media Studies, 373.

women.<sup>484</sup> By way of example, the media reaction about two young white women murdered by strangers in Ottawa and a pregnant Aboriginal street sex worker who was murdered in nearby Gatineau (although she was likely picked up in Ottawa) was vastly different. The murders of Jennifer Teague, 18, in 2005 and Ardeth Wood, 27, in 2003 received multiple pages and headlines.<sup>485</sup> A \$50,000 reward was offered by police in Wood's case.<sup>486</sup> Wendy's Canada restaurant chain, Teague's employer, offered \$50,000 which was matched by the police.<sup>487</sup> There were daily press conferences on the status of the cases.<sup>488</sup> Both cases were solved.

Kelly Morisseau,<sup>489</sup> 26/27, was an Aboriginal woman seven months pregnant with her fourth child when she died. Originally from Manitoba, Morisseau was found stabbed, naked and dying, in a parking lot in Gatineau Park in December of 2006; she later died in hospital. There were a few local news stories in the immediate days after her death, and occasional stories in the years that followed, largely about the lack of attention given by the police and media.<sup>490</sup> A Morisseau family friend noted that although she was relieved that the Woods and Teague cases had been solved, she felt they had received a "Cadillac version" of justice while Morisseau had been afforded only an "economy model."<sup>491</sup>

Crime Stoppers offered a reward of \$2,000 for information in Morisseau's case. The Assembly of First Nations, whose headquarters is in Ottawa, offered \$2,000, stating that the case had not received the attention it deserved. The Society of Obstetricians and

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<sup>484</sup> Saskatchewan, *supra* note 164 at 9.

<sup>485</sup> Gilchrist, *supra* note 483.

<sup>486</sup> "Ottawa police announce break in Ardeth Wood case" *CBC News* (20 October 2005).

<sup>487</sup> "Police double reward in Teague murder" *CBC News* (11 April 2006).

<sup>488</sup> Rabson, *supra* note 163.

<sup>489</sup> Morisseau's aunt, Glenda Morisseau, 19, was murdered in Winnipeg in 1991. Her case remains unsolved. Rabson, *supra* note 163.

<sup>490</sup> "What about Kelly?" *Ottawa Citizen* (10 January 2008), C1; Rabson, *supra* note 163.

<sup>491</sup> "What about Kelly...", *supra* note 482.



Gynaecologists of Canada (SOGC) agreed: “This began with a terrible crime, one that, sadly, went largely unreported here in Ottawa.”<sup>492</sup> The SOGC’s donation of \$10,000 garnered considerable attention from the media.<sup>493</sup> The attention to the discrepancy between the rewards in the Teague and Wood cases prompted Ottawa lawyer Richard Warman and MKI Travel & Conference Management to each contribute \$2,000 and the Women of the Métis Nation to offer \$1,000. An anonymous donation of \$500 brought the reward total to \$20,500.<sup>494</sup> The Gatineau police, the lead on the case as Morisseau was found in their jurisdiction, do not normally offer rewards as the Ottawa police do. However, in the 2011 homicide of Valérie LeBlanc, 18, on a Gatineau CEGEP campus, a \$100,000 reward has been offered.<sup>495</sup>

Media involvement in cases of missing and murdered women can be both beneficial and damaging. Erroneous information or the leaking of details can weaken the ability of police to investigate the crime and Crown Counsel to prosecute. Media stories which portray victims solely as prostitutes often serve to dampen public sympathy.<sup>496</sup> The one-dimensional portrayal of victims hurts families who know these women as mothers, sisters, daughters, aunts and cousins with full lives, histories and dreams. A provincial report has recommended that information on a missing loved one should be vetted by the family for accuracy and cultural sensitivity before a media release by police.<sup>497</sup>

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<sup>492</sup> Society of Obstetricians and Gynaecologists of Canada (SOGC). (September 2007). *SOGC News*. Ottawa: The Society of Obstetricians and Gynaecologists of Canada at 2.

<sup>493</sup> *Ibid.*

<sup>494</sup> “Missing/Murdered Native Women in Canada” *Missing Native Women*; “Family remembers Kelly Morisseau 2 years after unsolved slaying” *CBC News* (10 December 2008); “Reward in Kelly Morisseau killing reaches \$20,500” *Ottawa Citizen* (20 July 2007); Rabson, *supra* note 163.

<sup>495</sup> “Unsolved Homicides” *Ottawa Police*.

<sup>496</sup> Saskatchewan, *supra* note 75 at 27.

<sup>497</sup> *Ibid.* at 24.

Publicizing the cases, however, is necessary to generate tips.<sup>498</sup> On the missing women's posters in the DTES and elsewhere, many of the photographs were clearly from police arrests.<sup>499</sup> Not all official missing person posters include photographs.<sup>500</sup> This may be due to the length of time between the disappearance and the issuing of a poster, family not having recent photographs or the police not having a photograph to use.<sup>501</sup>

The public rarely has interactions with the media and are unaccustomed to such attention. In a time of extreme stress due to a missing or murdered family member, the additional burden of media requests can be overwhelming. However, the media can be instrumental in generating leads, alerting the public to look for a missing person and bringing forward new evidence when the case has stalled. Conversely, providing too much information to the media can compromise an investigation. It is a delicate balance. Providing effective media relations information, tips and simple instructions would be beneficial for family members. It would also reduce release of information police have disclosed to the family that could impede an investigation if publicly known.

Instruction and information aimed at the media to assist with culturally sensitive approaches to working with Aboriginal families and communities would increase cooperation and the effectiveness of family-media relations. The Australian Federal Police provides information on its website and via booklets on media relations for family and

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<sup>498</sup> CCSOMWWG, *supra* note 18 at 68.

<sup>499</sup> *Ibid.* at 69; Saskatchewan, *supra* note 164 at 9.

<sup>500</sup> The VPD in the DTES missing women case was not the only police agency to rely on "mug shots" in missing posters. For example, the official missing posters of Shirley Lonethunder of Saskatchewan, Nancy Dumas of Manitoba, and Catherine Burrell, Lorilee Francis, Elaine Krausher, Shirley Waquan and Laurie Wyley of Alberta all appear to use police photographs from arrests.

<sup>501</sup> For example, the cases of Erestine Kayson of Saskatchewan, Sylvia Klayh, Kimberley-Ann McLean, Betsy Owens, Bernice Redhead, Jean Siegel and Cathy Williams of Manitoba and Carol Big Tobacco, Tyrena Saddleback and Cynthia Weber of Alberta did not include photographs on their official missing person posters.

friends of missing persons.<sup>502</sup> Saskatchewan has also created media kits for families of missing persons.<sup>503</sup>

The FBI has found that media involvement in serial murder investigations to be both problematic and helpful in generating tips. The publishing of unauthorized or incorrect information can jeopardize the investigation and provide misleading or potentially upsetting information to the public and victims' families. Where evidence of a serial murderer has not yet been established or made public, speculation about the existence of a serial killer by the media and experts places police in the position of possibly having to release information about the investigation before it is prepared to do so. As discussed above, however, even a vague warning that does not provide detailed information about the evidence can serve as a warning to persons potentially targeted by a killer.

The Missing Persons website set up after Wayne Leng's friend Sarah disappeared from the DTES was criticized by police as a source of "disinformation" that fuelled the serial killer theory.<sup>504</sup> The website was, and continues to be, a collection of photographs and news articles on missing and murdered women, primarily from the DTES. It was Leng's website that caught the attention of a woman in the U.S.; Linda Grant was one of the women on the missing women poster. She signed the guest book section, as did her daughter. Leng called Grant and then advised Evenhanded of her post. Grant was reunited with her family after 23 years and eventually removed from the missing women poster.<sup>505</sup> In July 2013, the RCMP in "E" Division began to promote historic cases in the hopes of solving old cases. Within a

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<sup>502</sup> Saskatchewan, *supra* note 75 at 26.

<sup>503</sup> Saskatchewan, *supra* note 164 at 15.

<sup>504</sup> See e.g., Oppal [Vol. IIB], *supra* note 37 at 117.

<sup>505</sup> Lori Culbert, "Woman who vanished found alive in the U.S." *Vancouver Sun* (07 June 2006); Lori Culbert, "Police confirm ID of 'missing' woman" *Vancouver Sun* (10 June 2006); Todd Matthews, *Missing Pieces: The Missing Women of Vancouver* (17 October 2006). Episode 7: Interview with Wayne Leng. Internet Radio.

month, Lucy Johnson, missing since 1962 and presumed to be a victim of foul play, was located alive in the Yukon. Johnson's daughter, Linda Evans, had expanded the media coverage from B.C. to the Yukon. The photograph was recognized by Evans' half-sister; a reunion took place in the fall.<sup>506</sup> In October 2013, the RCMP began to highlight the cases of 10 missing Aboriginal women from across Canada over a one week period,<sup>507</sup> using Facebook and Twitter.<sup>508</sup>

Critique and conjecture on the progress of an investigation by "talking heads" has had the same result as media speculation. The FBI warns that the only party to benefit from strained relationships between the police and the media is the offender. Regular and collaborative communication from the onset is recommended to reduce the risk of incorrect or compromising information being released by the media. The FBI further recommends that misinformation be corrected as soon as it is identified.<sup>509</sup> This happened with the E-PANA files in 2008 when private investigator Ray Michalko speculated on the cases. E-PANA quickly issued a statement on the "misinformation" due to the potential impact on family members and because "[t]here is an inherent danger to the investigation and possible future court process when inaccurate information is released."<sup>510</sup>

## V. CONCLUSION

This chapter largely focuses on the failures and challenges of police in cases of missing or murdered vulnerable women. By the time the police become involved, however,

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<sup>506</sup> "Lucy Johnson, missing B.C. woman, found in Yukon after 50 years" *Huffington Post* (19 July 2013); "Missing Sisters" *Missing Sisters*; "Surrey woman reunites with Yukon mom missing for 50 years" *CBC News* (09 October 2013).

<sup>507</sup> "Help us bring these missing Aboriginal women and girls home!" *RCMP News Release* (07 October 2013); Terrence McEachern, "RCMP using social media" *The Leader-Post* (09 October 2013), A4.

<sup>508</sup> The accounts used are: Twitter <[@rcmpgrcpolice](#)> and Facebook (<[facebook.com/rcmpgrc](#)>).

<sup>509</sup> FBI, *supra* note 121.

<sup>510</sup> "E-PANA investigators clarify misinformation" *RCMP* (07 March 2008).

even if everything is done superbly, it is likely too late for the victim. “Police work only becomes an issue after a vulnerable woman has gone missing or been slain. Police have very little role in mitigating the dysfunction, substance abuse and exploitation that seems to almost always precede the violence against these women.”<sup>511</sup> There are no easy answers or quick fixes. Protection of vulnerable women and children is the responsibility of everyone; families, the police, the government and the public at large.

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<sup>511</sup> Dan Lett, “The wrong call” *Winnipeg Free Press* (01 July 2012).

## CHAPTER EIGHT

### LESSONS LEARNED: SEEKING RESOLUTIONS ON A LARGE SCALE

#### I. INTRODUCTION<sup>1</sup>

Stranger abductions and homicides are the most difficult of crimes to solve. Cases involving vulnerable women often add layers of complexities and obstacles, even where there is a determination and commitment to solving such cases. In this chapter, three large, ambitious, multi-jurisdictional projects led by the RCMP are discussed. These projects are all attempts to focus resources on the resolution of a large number of cases of missing or murdered women that appear to be serial crimes. These projects are E-PANA, the project centred on the Highway of Tears in Northern B.C.,<sup>2</sup> the Alberta cases under Project KARE and Project Devote in Manitoba.

There are four similar investigations that are not included because of a lack of publicly available information on the scope or quantum of committed resources. In 2011, police announced that there was an investigation into the possibility of a serial killer in the Ottawa area. The second is an on-going joint investigation between the RCMP's "F" Division and municipal police in Saskatchewan which had 29 murders as of 2009. The third is a task force set up to investigate five homicides of sex trade workers in the Niagara Falls area in Ontario, now disbanded. And finally, Project Advocate, now disbanded, was

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> RCMP Projects all start with the letter denoting the division. B.C. is "E" Division. *Pana* is an Inuit word "describing the spirit goddess that looks after the souls just before they go to heaven or were reincarnated." The name was chosen by the team members. "Project E-PANA Home" *RCMP News Release* (no date); Lori Culbert, "Police analyze DNA samples for Highway of Tears leads" *Vancouver Sun* (06 November 2010).

managed by the Halton and Hamilton Police Services in Ontario. In 2003, Project Advocate investigated two cases of homicide, one missing woman and five serious sexual assaults.<sup>3</sup>

The full complexity of these cases and recommendations on every issue which has arisen cannot be covered in a single chapter. However, a review to highlight areas specific to sex workers, Aboriginal women and other vulnerable women is important in the context of this dissertation. These projects all indicate a shift in policing policy and practices in Canada regarding cases of missing and murdered women, primarily Aboriginal women, hitchhikers and sex workers.

## II. PROJECT KARE (ALBERTA)

The Edmonton Police and the RCMP are an example of a best-practice for the investigation of cases of missing and murdered high-risk women. Initially, Project KARE (KARE) began with the RCMP, without the Edmonton municipal police, despite the number of women that had disappeared from the prostitution strolls in the city. The bodies of over a dozen women had been recovered since 1983. Remains were generally found in areas policed by the RCMP, but the women were last seen within the city limits.<sup>4</sup>

Several police reviews were undertaken at approximately the same time between 2002 and 2003. At this point there were an estimated 400 street sex workers in Edmonton.<sup>5</sup> First, Edmonton police began independently reviewing all files involving missing or

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<sup>3</sup> Wally T. Oppal. *Volume I – The women, their lives and the framework of inquiry: Setting the context for understanding and change* (December 2012) at 21-3; “Ottawa police link serial predator to 2008 slaying” *CBC News* (12 December 2011); “Ottawa sex workers alerted to pattern of violence” *CBC News* (09 December 2011); Alison Langley, “Jury finds Falls man guilty of killing two women” *Niagara Falls Review* (28 November 2012).

<sup>4</sup> Greg Joyce, “Police agencies tested by huge numbers of missing and murdered women” *Canadian Press* (19 December 2003); “Edmonton police, RCMP will cooperate to find women’s killers” *CBC News* (17 January 2003); “Hunt on for a serial killer” *Toronto Star* (18 June 2005).

<sup>5</sup> “Edmonton...,” *supra* note 4; “Slaying spurs review of 12 other deaths” *Winnipeg Free Press* (03 October 2003).

murdered women with the goal of finding linkages.<sup>6</sup> Second, in 2002, “K” Division requested an analysis of cases of high-risk missing females throughout the province of Alberta. The Behavioural Sciences Unit reviewed the cases and stated in its report of November 2002 that it was possible the cases were linked.<sup>7</sup> In January of the following year, recommendations were made to create a team to further review the cases. The High Risk Missing Persons (HRMP) Project was created.<sup>8</sup> The mandate of this project team was to:

identify, collect, collate, evaluate, and analyze all high risk missing persons and unsolved homicide cases in Alberta and the North West Region (Alberta, Saskatchewan, Manitoba, North West Territories, Nunavut) to determine if any cases were “potentially linked” and if possible to identify offenders.<sup>9</sup>

Third, RCMP officers in applicable jurisdictions, as well as Calgary and Edmonton police services, reviewed five unsolved homicides of women involved in prostitution and drugs in Edmonton.<sup>10</sup> The cases reviewed were those of Monique Pitre and Melissa Munch, both found near Sherwood Park; Katie Ballantyne and Edna Bernard, found near Leduc; and Debbie Lake, whose skull was found near Camrose.<sup>11</sup>

In October 2003, the third phase of this project commenced with the establishment by the RCMP of Project KARE.<sup>12</sup> The investigative phase began in 2004.<sup>13</sup> In 2005, the files under review by KARE included 41 homicides and 31 missing persons, dating back to the 1930s, and covering Alberta, Saskatchewan, Manitoba, the Northwest Territories and

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<sup>6</sup> “Edmonton...,” *supra* note 4.

<sup>7</sup> Jana G. Pruden, “Project Kare has made ‘big impact’ in Edmonton missing-women cases in 8 years” *Edmonton Journal* (09 October 2011).

<sup>8</sup> “About Project KARE” *Project Kare*, RCMP “K” Division.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> “OIC Serious Crimes Branch/Team Commander” *Project Kare*, RCMP “K” Division.

<sup>12</sup> KARE was the impetus for two new units which are also part of the Serious Crimes Branch: the Alberta Missing Persons and Unidentified Human Remains (AMPUHR) Project and the Historical Homicide Unit. *Ibid.*; “About Project...,” *supra* note 8.

<sup>13</sup> Pruden, *supra* note 7; Jana G. Pruden, “Missing-women mysteries being solved” *Ottawa Citizen* (11 October 2011), A3.



Nunavut.<sup>14</sup> The Edmonton Police Service joined the project in 2005 and assigned three officers to it.<sup>15</sup> In June 25, 2005, KARE announced a serial killer was operating in Edmonton.<sup>16</sup>

Best practices from across the country were implemented in setting up KARE. KARE investigators included an officer who worked on Project Evenhanded and another from the Bernardo investigation.<sup>17</sup> RCMP Inspector Larry Wilson used the lessons learned from the Green Ribbon Task Force, which investigated Bernardo's murders of Kristen French and Leslie Mahaffy in the 1990s. Wilson created the Person of Interest Priority Assessment Tool (POIPAT) to conduct risk assessments of the persons of interest and suspects being investigated by KARE.<sup>18</sup> KARE also used a database which took three years to populate with 83 files. KARE benefited from having a dedicated Crown prosecutor assigned to the team, who works with the team in its centre.<sup>19</sup>

Unlike other projects that address missing and murdered women, KARE is unique in that one of its investigative objectives is to "minimize the risk of having further 'High Risk Missing Persons' murdered."<sup>20</sup> As part of its investigative strategy, KARE has a Proactive Team that works on the streets throughout the province. The officers do not wear uniforms

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<sup>14</sup> Renata D'Aliesio, "Rashmi's choice: life or the street" *The Edmonton Journal* (17 June 2005).

<sup>15</sup> Andrea Sands, "Edmonton police to reassign Project Kare officers to work cold cases" *Edmonton Journal* (14 August 2012); Andrea Sands, "Project Kare's city officers reassigned" *Edmonton Journal* (15 August 2012); "A committed partner in Project KARE" *Project KARE*.

<sup>16</sup> "deadmonton - kare" *Last Link on the Left*.

<sup>17</sup> Doug Beazley, "Probing uncharted waters: Search for sex-trade serial killer is breaking new ground" *Edmonton Sun* (28 December 2005).

<sup>18</sup> Coordinating Committee of Senior Officials Missing Women Working Group (CCSOMWWG). *Report & recommendations on issues related to the high number of murdered and missing women in Canada*. (January 2012) at 56. See also, Larry Wilson. *Criminal major case management: Persons of Interest Priority Assessment Tool (POIPAT)*. (Boca Raton: CRC Press, 2012).

<sup>19</sup> Beazley, *supra* note 17.

<sup>20</sup> "Project KARE mandate" *Project Kare*, RCMP "K" Division.

when they interact with street sex trade workers.<sup>21</sup> The team collects identifying details such as “name, age, and physical description (e.g., height, weight, hair colour, tattoos, jewellery, and any distinctive marks).”<sup>22</sup> The information is collected on the street where the women are contacted.<sup>23</sup> They collect hair samples for DNA analysis from high-risk people on a voluntary basis to assist in identifying their bodies should they be murdered. “These samples are stored on a paper file in a safe and can only be accessed by the Commanders of Project KARE.”<sup>24</sup> A former vice officer working with street entrenched women explained that, “It’s to identify you so your family has some closure. And the faster we can do that, the quicker we can ask questions about your most recent activities and start the investigation.”<sup>25</sup> This information is used only for the purposes of helping to locate a missing woman or where a body has been found. Prostitution laws are not enforced by KARE officers; their focus is gaining intelligence, forging positive relationships with street-entrenched people and obtaining personal information for the voluntary database.<sup>26</sup>

A government report indicated that as of 2011, 900 (85%) of those sex workers approached had voluntarily registered.<sup>27</sup> The KARE website indicates a rate of 90%, owing their success to the fact that “the Proactive Initiative is not seen as a threat to their livelihood. Working with the Proactive Initiative provides them an opportunity to play an active part in our

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<sup>21</sup> “Proactive initiative” *Project Kare*, RCMP “K” Division.

<sup>22</sup> *Ibid.*; CCSOMWWG, *supra* note 18 at 49.

<sup>23</sup> Jane Doe. “Are feminists leaving women behind? The casting of sexually assaulted and sex-working women” in Emily van der Meulen, , Elya M. Durisin, and Victoria Love (eds). *Selling sex: Experience, advocacy, and research on sex work in Canada*. (Toronto: UBC Press, 2013) at 188.

<sup>24</sup> CCSOMWWG, *supra* note 18 at 49.

<sup>25</sup> Petti Fong, “Edmonton killer preying on prostitutes” *Toronto Star* (06 January 2008).

<sup>26</sup> Some social agencies have created voluntary databases to help find missing people, including the Alzheimer’s Society. See, Saskatchewan. *Final Report of the Provincial Partnership Committee on Missing Persons* (October 2007) at 58.

<sup>27</sup> CCSOMWWG, *supra* note 18 at 49.

investigations...”<sup>28</sup> The success of the initiative in Edmonton led KARE to expand throughout the province, from Fort McMurray to Medicine Hat.<sup>29</sup> Sergeant Beth Leatherdale, who has been part of KARE since its inception, credits the proactive team in preventing deaths and assisting women to exit street sex work.<sup>30</sup> In 2005, KARE confirmed that there was a likelihood of one or more serial killers responsible for some of the murdered and missing sex trade workers.<sup>31</sup> In an attempt to generate tips to assist in solving the cases, a \$100,000 reward was announced in June 2005.<sup>32</sup> The announcement explained that KARE believed “...that one person is responsible for more than one offence but not necessarily for all of these murders.”<sup>33</sup> A profile of a suspect was also included. Figure 8-1 provides a chronology of high-risk women who have gone missing or been murdered in Alberta.<sup>34</sup>

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<sup>28</sup> “Proactive...,” *supra* note 21.

<sup>29</sup> *Ibid.*

<sup>30</sup> Pruden, *supra* note 7.

<sup>31</sup> “Hunt on...,” *supra* note 4.

<sup>32</sup> *Ibid.*; “Project KARE offers reward for information on sex trade worker homicides” *RCMP News Release* (17 June 2005).

<sup>33</sup> “Project KARE...,” *supra* note 32.

<sup>34</sup> This table was created from the following sources: “Tips are providing valuable information for investigators” *RCMP News Release* (12 May 2006); “A year later, police still searching for answers” *Daily Herald Tribune* (16 September 2010); “Police ID woman found dead in river” *CBC News* (22 September 2009); Lee Mellor. *Cold north killers: Canadian serial murder* (Toronto: Dundurn, 2012); “Report to the Edmonton Police Commission” *Edmonton Police Service* (10 October 2008); “Report to the Edmonton Police Commission” *Edmonton Police Service* (31 March 2008); “Missing Person” *Alberta Missing Persons*; “Thomas Svekla declared a dangerous offender” *CBC News* (27 May 2010); “Thomas Svekla: Edmonton’s missing and slain women” *CBC News* (28 May 2008); “Missing Persons” *North American Missing Persons Network*; “Human remains identified as Deanna Bellerose” *Project KARE News Release* (08 June 2012); “Human remains identified as Annette Holywhiteman” *Project KARE News Release* (12 April 2012); “Human remains identified as Krystle Knott” *Project KARE News Release* (17 June 2011); “Human remains identified as Rene Gunning” *Project KARE News Release* (10 June 2011); “Human remains identified as Amber Tuccaro” *Project KARE News Release* (04 September 2012); “Second man charged in homicide investigation of Ellie May Meyer” *RCMP News Release* (30 April 2010); Daryl Slade, “Woman pleads guilty in Friars slaying” *Calgary Herald* (02 November 2007); Kevin Martin, “Possible deal for accused in Calgary hooker slaying” *Sun Media* (16 December 2007); “Cold case files” *Cold Case Files*; “deadmonton...,” *supra* note 16; “Police treating Valleyview death as a homicide” *Edmonton Journal* (24 October 2007); “Man sentenced to 13 years before parole for escort slaying” *CBC News* (08 May 2009); Jeff Cummings, “RCMP Project KARE won’t say where reward money went” *Edmonton Sun* (03 March 2011); “Thomas George Svekla charged ... Rachel Quinney” *RCMP News Release* (02 January 2007); Beazley, *supra* note 17; Jo Ann Lawrence, “KARE looking for assistance in case of missing person Amber Tuccaro” *Beacon News* (28 August 2012).

**Figure 8-1: Chronology of Cases of High-Risk Women in Alberta**<sup>35</sup>

| #  | Victim               | Date Last Seen | Details of Disappearance or Murder                                                                                                                                                                                               | Status           |
|----|----------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| 1  | Tara Jane White      | July 1, 1976   | White, 18, was reported missing two days after she was last seen. On March 24, 1981, skeletal remains were found in a shallow grave in a wooded area off Highway #1 near Morley, Alberta.                                        | Unsolved         |
| 2  | Pauline Brazeau      | Jan. 8, 1976   | Brazeau, 16, was found murdered a day after she had been last seen. Her body was found on Jumping Pound Forestry Road located approximately 22 miles southwest of Cochrane, Alberta.                                             | Unsolved         |
| 3  | Marie Goudreau       | Aug. 2, 1976   | Goudreau, 17, was murdered in Devon, Alberta, along the TransCanada Highway. Her car was found abandoned and with the headlights still on.                                                                                       | Unsolved         |
| 4  | Melissa Rehorek      | Sept. 15, 1976 | When Rehorek was last seen, she was planning on hitchhiking. The day after she was last seen, her body was found in a ditch near Calgary. She had been strangled. Her murder maybe linked to the 1977 murder of Barbara MacLean. | Unsolved         |
| 5  | Barbara MacLean      | Feb. 25, 1977  | MacLean was last seen leaving a bar; she planned to hitchhike. The day after, her body was found near Calgary. Her murder maybe linked to the 1976 murder of Rehorek.                                                            | Unsolved         |
| 6  | Julie Derouin        | Jan. 1980      | Derouin, 23 was reported missing in 1983, three years after she was last seen in Edmonton.                                                                                                                                       | Missing          |
| 7  | <i>Gail Cardinal</i> | 1983           | <i>Skeletal remains of Cardinal, 21, were found 10 km from Fort Saskatchewan. The cause of death is unknown.</i>                                                                                                                 | <i>Unsolved.</i> |
| 8  | Elaine Krausher      | July 19, 1986  | Krausher, 26, was found murdered near Cochrane.                                                                                                                                                                                  | Unsolved         |
| 9  | Melodie Riegel       | Sept. 21, 1986 | Riegel, 21, was found murdered in an Edmonton hotel.                                                                                                                                                                             | Unsolved         |
| 10 | Georgette Flint      | Sept. 13, 1988 | Flint, 20, was found murdered in Elk Island National Park. The cause of is death unknown.                                                                                                                                        | Unsolved         |
| 11 | Bernadette Ahenakew  | Oct. 24, 1989  | Ahenakew, 22, was found murdered in a ditch near Sherwood Park the day after she was last seen in Edmonton.                                                                                                                      | Unsolved         |
| 12 | Mavis Mason          | Oct. 25, 1990  | Mason, 29, was found murdered outside of the city of Edmonton.                                                                                                                                                                   | Unsolved         |

<sup>35</sup> As KARE does not disclose the crimes it is investigating, it is unknown how many of these cases are being investigated by KARE. Crimes publically identified as a KARE case are italicized.

| #  | Victim                         | Date Last Seen   | Details of Disappearance or Murder                                                                                                                                                                                 | Status   |
|----|--------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 13 | Lorraine Wray                  | Dec. 21, 1990    | Wray, 46, was found in her home in Edmonton, strangled.                                                                                                                                                            | Unsolved |
| 14 | Jennifer Janz                  | July 1991        | Janz, 16, was found buried in in a shallow grave near Calgary on Aug. 13.                                                                                                                                          | Unsolved |
| 15 | Jennifer Joyce                 | Aug. 30, 1991    | Joyce, 17, was found murdered near Calgary, buried close to where Janz had been found.                                                                                                                             | Unsolved |
| 16 | Tracey Maunder                 | Oct. 1992        | Maunder was found stabbed to death near Calgary on Oct. 31.                                                                                                                                                        | Unsolved |
| 17 | Heather Miller                 | June 7, 1992     | Miller, 29, was last seen when released from Red Deer RCMP detachment.                                                                                                                                             | Missing  |
| 18 | Elaine Ross                    | Feb. 11, 1993    | Ross, 25, was found murdered in an Edmonton hotel.                                                                                                                                                                 | Unsolved |
| 19 | Linda Giles                    | 1993             | Giles was found murdered in Edmonton.                                                                                                                                                                              | Unsolved |
| 20 | Michelle Harmer                | Nov. 15, 1995    | Harmer, 29, was last seen in Edmonton.                                                                                                                                                                             | Missing  |
| 21 | Joanne Ghostkeeper             | Dec. 25, 1996    | Ghostkeeper, 24, was found in her Edmonton apartment, strangled.                                                                                                                                                   | Unsolved |
| 22 | Charmaine Pidlesny             | 1996             | Pidlesny was found murdered in Edmonton.                                                                                                                                                                           | Unsolved |
| 23 | Jessica Cardinal               | June 14, 1997    | Cardinal, 24, was found murdered behind a commercial building in Edmonton.                                                                                                                                         | Unsolved |
| 24 | Cara King                      | Sept. 1, 1997    | King, 22, was found murdered in Sherwood Park in Edmonton.                                                                                                                                                         | Unsolved |
| 25 | Joyce Hewitt                   | Oct. 19, 1997    | Hewitt, 22, was found murdered in Sherwood Park in Edmonton, near where King had been found. Cause of death unknown.                                                                                               | Unsolved |
| 26 | Michelle McGillon              | Sept. 30, 1997   | McGillon, 43, was last seen in Fort McMurray.                                                                                                                                                                      | Missing  |
| 27 | Catherine Burrell              | May 14, 1999     | Burrell, 40, was found murdered in Edmonton.                                                                                                                                                                       | Unsolved |
| 28 | Kelly Reilly                   | Mid-Jan., 2001   | Reilly, 24, found in a gravel pit near Edmonton, murdered.                                                                                                                                                         | Unsolved |
| 29 | Ginger Bellerose               | April 2001       | Bellerose, 26, was found beaten to death in Edmonton on April 25. In Nov., 2003, Richard Douglas charged with second degree murder in the murder. On Oct. 15, 2005, Douglas was convicted of second degree murder. | Solved   |
| 30 | Deanna Bellerose <sup>36</sup> | Sept. 9/10, 2002 | Bellerose, 29, was last seen in 2002. On May 16, 2012, human remains were found near Morinville. On June 8, 2012, KARE announced the remains were that of Bellerose.                                               | Unsolved |

<sup>36</sup> Ginger and Deanna Bellerose were sisters.

| #  | Victim                   | Date Last Seen         | Details of Disappearance or Murder                                                                                                                                                      | Status                              |
|----|--------------------------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 31 | <i>Edna Bernard</i>      | <i>Sept. 22, 2002</i>  | <i>Bernard was found murdered in a field near Leduc four hours after she was last seen. The cause of death is unknown; her body had been burnt.</i>                                     | <i>Unsolved</i>                     |
| 32 | <i>Debbie Lake</i>       | <i>Nov. 4, 2002</i>    | <i>Lake, 20/21, was last seen in Edmonton. On April 12, 2003, a skull was found near Miquelon Lake Provincial Park. On Aug. 28, 2003 the skull was identified as belonging to Lake.</i> | <i>Unsolved</i>                     |
| 33 | <i>Monique Pitre</i>     | <i>Nov. 24, 2002</i>   | <i>Pitre, 30, was last seen in Edmonton. Jan. 8, 2003, Pitre was found murdered near Fort Saskatchewan.</i>                                                                             | <i>Unsolved</i>                     |
| 34 | <i>Melissa Munch</i>     | <i>Jan. 6-10, 2003</i> | <i>Munch, 20, was last seen in Edmonton. On Jan. 12, Munch was found 10 km from where Pitre's body had been found.</i>                                                                  | <i>Unsolved</i>                     |
| 35 | <i>Katie Ballantyne,</i> | <i>April 27, 2003</i>  | <i>Ballantyne, 40, was last seen in Edmonton. On July 7, Ballantyne was found murdered 20 km south of Edmonton.</i>                                                                     | <i>Unsolved</i>                     |
| 36 | <i>Sharene Oswald</i>    | <i>Sept. 2003</i>      | <i>The last contact with Oswald, 42 was in September. On Feb. 27, 2004, skeletal remains were found near Airdrie. In September 2004, police identified the victim as Oswald.</i>        | <i>Unsolved</i>                     |
| 37 | <i>Bertha Melvin</i>     | <i>Oct. 27, 2003</i>   | <i>Melvin, 46, was last seen in Fort McMurray.</i>                                                                                                                                      | <i>Unsolved</i>                     |
| 38 | <i>Corrie Ottenbreit</i> | <i>May 7/9, 2004</i>   | <i>Ottenbreit, 27, was last seen in Edmonton.</i>                                                                                                                                       | <i>Missing; foul play suspected</i> |
| 39 | <i>Delores Brower</i>    | <i>May 13, 2004</i>    | <i>Brower, 33, was last seen hitchhiking near Edmonton. On Oct. 20, 2005, Edmonton police announced Brower may have been murdered.</i>                                                  | <i>Missing; foul play suspected</i> |
| 40 | <i>Cheryl Black</i>      | <i>May 16, 2004</i>    | <i>Black was last seen in Edmonton. Two days later, human remains of a murder victim were found burned in a dumpster. On Aug. 17, police identified the victim as Black.</i>            | <i>Unsolved</i>                     |
| 41 | <i>Maggie Burke</i>      | <i>Dec. 9, 2004</i>    | <i>Burke, 21/22, was last seen in Edmonton.</i>                                                                                                                                         | <i>Missing; foul play suspected</i> |
| 42 | <i>Lynn Jackson</i>      | <i>2004</i>            | <i>Jackson, 34, was last seen in Edmonton. On June 24, human remains, later identified as those of Jackson, were found.</i>                                                             | <i>Unsolved</i>                     |

| #  | Victim                         | Date Last Seen | Details of Disappearance or Murder                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Status    |
|----|--------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 43 | Rachel Quinney                 | June 11, 2004  | Quinney, 19, was found murdered near Sherwood Park, in Edmonton. She was “found” by Thomas Svekla, who was in the company of another sex worker. On Jan. 2, 2007, Svekla was charged with second degree murder. In June 2008, Svekla was convicted of the second degree murder of Innes but acquitted of Quinney’s murder. The Oct. 10, 2008, Crown Counsel confirmed its intent to seek dangerous offender designation for Svekla.                                                    | Acquittal |
| 44 | Glynnis Hall                   | Oct. 31, 2004  | The body of a woman was found stabbed to death in Edmonton. She was eventually identified as Hall, 40. The day after her body was found, Stacie Willier turned herself into police regarding the murder of Hall. March 15, 2006, Willier found guilty of second degree murder.                                                                                                                                                                                                         | Solved    |
| 45 | Rose Decoteau                  | Oct. 5, 2005   | Decoteau, 43, was found murdered in a motel in Calgary.                                                                                                                                                                                                                                                                                                                                                                                                                                | Unsolved  |
| 46 | Krystle Knott and Rene Gunning | Feb.18,2005    | Knott, 16, and Gunning, 19, were last seen at the West Edmonton Mall. They had plans to hitchhike to B.C. On Feb. 17, 2008, Project KARE announced they believed Gunning and Knott, missing since 2005, were last seen alive in 2005 at the West Edmonton Mall. On May 21, 2011, two human skulls were found near Grand Prairie. On June 10, 2011, police identified one of the two skulls was that of Gunning. A week later police confirmed that the second skull was that of Knott. | Unsolved  |
| 47 | Ellie May Meyer                | April 1, 2005  | Meyer, 33, was last seen in Edmonton. On May 6/7, Meyer was found murdered in Sherwood Park. On Sept. 12, 2008, Project KARE announced that Joseph Laboucan had been charged with first degree murder of Meyer. On April 30, 2010, Michael Briscoe charged with first degree murder. Sept. 26, 2011, Laboucan was convicted of first degree murder. Briscoe was acquitted.                                                                                                             | Solved    |
| 48 | Charlene Gauld                 | April 8, 2005  | Gauld, 20, was last seen in Edmonton. She was reported missing on April 13. Three days later human remains were found in a field in Camrose. The victim had been murdered and the body burnt. The body was identified two days later as those of Gauld. Gauld provided personal details to Project KARE in Feb. 2004.                                                                                                                                                                  | Unsolved  |

| #  | Victim                 | Date Last Seen       | Details of Disappearance or Murder                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Status          |
|----|------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 49 | <i>Samantha Berg</i>   | <i>Jan. 25, 2005</i> | <i>Berg, 19, was found murdered in a parking lot in Edmonton. Berg had provided personal details to Project KARE in Dec. 2003.</i>                                                                                                                                                                                                                                                                                                                                                             | <i>Unsolved</i> |
| 50 | Rachael Friers         | April 30, 2006       | Friers, 34, was tortured and murdered in a Calgary rooming house after three other sex workers decided she was police informant. On June 23, her body was found in a dump. In 2007, Alexis Vanderberg, Crystal Struthers and Sara Rowe were charged with the first degree murder of Friers. Nov, 2007, Struthers pleaded guilty to manslaughter in Friers death. Vanderberg was convicted of manslaughter. Rowe was convicted of second degree murder.                                         | Unsolved        |
| 51 | <i>Theresa Innes</i>   | <i>May 6, 2006</i>   | <i>Innes, 36, was last seen in Edmonton. The following day Thomas Svekla's sister found a female body in a hockey bag; she called police. On May 9, Svekla was charged with second degree murder of the still-unidentified woman. The victim was later identified as Innes. In June 2008, Svekla was convicted of second degree murder of Innes but acquitted of Quinney's murder. On Oct. 10, 2008, Crown Counsel confirmed its intent to seek dangerous offender designation for Svekla.</i> | <i>Solved</i>   |
| 52 | Michelle Mercer        | Feb. 9, 2006         | Mercer, 46, last seen in Edmonton.                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                 |
| 53 | Bonnie Jack (Lovie)    | May 16, 2006         | Human remains were found near Fort Saskatchewan. The victim was later identified as Jack, 37.                                                                                                                                                                                                                                                                                                                                                                                                  | Unsolved        |
| 54 | Tyrene Saddleback      | 2006                 | Saddleback, 12, was last seen at from a provincial courthouse in Wetaskiwin.                                                                                                                                                                                                                                                                                                                                                                                                                   | Missing         |
| 55 | Leanne Benwell         | March 12, 2007       | Benwell, 27, was last seen in Edmonton. She was reported missing on April 15. On June 21, was Benwell was found murdered. The cause of death is unknown.                                                                                                                                                                                                                                                                                                                                       | Unsolved        |
| 56 | <i>Shannon Collins</i> | <i>Dec. 2007</i>     | <i>Collins, 29, was last seen in Edmonton. She was reported missing June 5, 2008. The same day she was reported missing, human remains were found near Sherwood Park. On Dec. 12, 2008, the RCMP identified the victim as Collins. The cause of death is unknown; she was murdered.</i>                                                                                                                                                                                                        | <i>Unsolved</i> |
| 57 | Shirley Waquan         | July 1, 2007         | Waquan, 39, was last seen in Fort McMurray.                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Missing         |



| #  | Victim               | Date Last Seen | Details of Disappearance or Murder                                                                                                                                                                                                                                                                                                                                                                     | Status                       |
|----|----------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 58 | Lorilee Francis      | Oct. 20, 2007  | Francis, 23, was last seen in Grande Prairie. Francis was reported missing on Dec. 27.                                                                                                                                                                                                                                                                                                                 | Unsolved                     |
| 59 | Michelle Peterson    | Oct. 20, 2007  | Peterson, 43, was found murdered in a baseball diamond in Vallevue.                                                                                                                                                                                                                                                                                                                                    | Unsolved                     |
| 60 | Chantel Robertson    | June 28, 2008  | Robertson, 20, was last seen at the home of a client by her driver. After looking for her, the driver reported her missing the next morning. On June 30, Robertson was found in a shallow grave in a backyard. The same day, Matthew Barrett was charged with the first degree murder of Robertson. On May 8, 2009, Barrett pled guilty to second degree murder.                                       | Solved                       |
| 61 | Annette Holywhiteman | Aug. 25, 2008  | <i>Holywhiteman, 40/41, was last seen in Edmonton. On April 12, 2012, KARE identified the victim as Holywhiteman.</i>                                                                                                                                                                                                                                                                                  | Unsolved                     |
| 62 | Brianna Torvalson    | Feb. 21, 2008  | Torvalson, 21, was found murdered near Elk Island National Park and 20 km from Sherwood Park. The cause of death is unknown.                                                                                                                                                                                                                                                                           | Unsolved                     |
| 63 | Monique Mattar       | 2009           | <i>Mattar, 30, was last seen in Calgary.</i>                                                                                                                                                                                                                                                                                                                                                           | Missing                      |
| 64 | Jody Hockett         | Feb. 22, 2009  | Hockett, 33, was last seen in Grand Prairie.                                                                                                                                                                                                                                                                                                                                                           | Missing; foul play suspected |
| 65 | Laurie Wyley         | Sept. 16, 2009 | Wyley was found dead in a river in Grande Prairie the day after she was last seen. The cause of death not released; police are investigating.                                                                                                                                                                                                                                                          | Unsolved                     |
| 66 | Amber Tuccaro        | Aug. 18, 2010  | <i>Tuccaro, 20, was last seen in Edmonton. In Oct. 2011, KARE received the Tuccaro missing persons file. On Aug. 28, 2012, Project KARE released an audio tape of a phone call between Tuccaro and a friend. The call was the last time Tuccaro had been heard from. On Sept. 1, 2012, human remains were found near Leduc. Two days later, KARE identified the human remains as those of Tuccaro.</i> | Unsolved                     |
| 67 | Leslie Talley        | 2010           | Talley, 29, was found murdered in Edmonton.                                                                                                                                                                                                                                                                                                                                                            | Unsolved                     |
| 68 | Summer (C.J.) Fowler | Dec. 2012      | Fowler, 16, was found murdered near Kamloops.                                                                                                                                                                                                                                                                                                                                                          | Unsolved                     |
| 69 | Polina Kazanceva     | March 24, 2013 | Kazanceva, 19, was found dead of blunt force trauma. She had been visiting Calgary from Toronto, working as an escort.                                                                                                                                                                                                                                                                                 | Unsolved                     |

KARE investigates both historic and current cases of high-risk missing persons. In addition to the geographic expansion, KARE's mandate was broadened to include men who met the criteria of high-risk.<sup>37</sup> The scope of KARE has also shifted. Although the possibility of a serial killer or killers remains an investigative avenue, KARE has "moved their focus away from serial offenders to suspects who may have been involved in a single case."<sup>38</sup> In 2011, Calgary Police announced Project Resolute, to look for linkages in known homicides and to determine if foul play was likely in the missing person cases in that jurisdiction.<sup>39</sup>

Project KARE charged three men in relation to the homicides of three high-risk women and one teenage girl. Thomas Svekla was convicted of the second degree murder of Theresa Innes, 36, in 2008 and acquitted in the murder of Rachel Quinney, 19.<sup>40</sup> Joseph Laboucan was convicted of the first degree murder of N.C., 13, and of Ellie May Meyer, 33. Laboucan's co-accused, Michael Briscoe, was acquitted of Meyer's murder but convicted of N.C.'s.<sup>41</sup> Other cases have been concluded without charges when the missing women were found and police confirmed they disappeared voluntarily.<sup>42</sup> Reward money has been issued. KARE will not disclose the amount of the reward, if more than one person received the

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<sup>37</sup> Pruden, *supra* note 7; Brent Wittmeier, "Project Kare conducts search in Edmonton river valley" *Edmonton Journal* (09 May 2011).

<sup>38</sup> Wittmeier, *supra* note 37.

<sup>39</sup> Nadia Moharib, "Police probe missing, high-risk people" *Calgary Sun* (29 January 2011).

<sup>40</sup> "Thomas...", *supra* note 34; "Edmonton...", *supra* note 4; Steve Lillebuen, "Telus apologizes for withholding phone records from police" *Ottawa Citizen* (10 January 2009), A4; Karen Kleiss, "Svekla claimed he killed prostitute" *The Edmonton Journal* (12 March 2008); "deadmonton...", *supra* note 16; "Svekla back on trial for sexual assault" *Ottawa Citizen* (17 March 2009), A3; Desespere, "Listing of unsolved murders and missing sex trade workers in Canada" *Unsolved Murders/ Missing People Canada* (27 January 2008); *R. v. Svekla* [2007] A.J. No. 1014; *R. v. Svekla* [2009] A.J. No. 329; *R. v. Svekla* [2009] A.J. No. 343; *R. v. Svekla* [2009] A.J. No. 320; *R. v. Svekla* [2010] A.J. No. 674.

<sup>41</sup> "Second man charged in homicide investigation of Ellie May Meyer" *RCMP News Release* (30 April 2010); Tony Blais, "Laboucan found guilty" *Edmonton Sun* (26 September 2011); Brent Wittmeier, "Michael Briscoe guilty of killing Courtepatte, but not guilty in Meyer's death" *Edmonton Journal* (11 April 2012); "Slain woman's family angered by Crown, media" *CBC News* (13 April 2012).

<sup>42</sup> Pruden, *supra* note 7.

reward, nor with which case(s) the tip(s) were connected.<sup>43</sup> The reward is no longer listed on the KARE website; it is not known if it has been rescinded.

In June 2012, KARE investigators began to seek any connections with Shawn Lamb, who was charged with the second degree murder of three Aboriginal women in Winnipeg. Originally from Sarnia, Lamb had traveled widely and had a criminal record in several provinces. KARE Staff Sergeant Gerard MacNeil explained that although Lamb was not a suspect in any of the KARE cases, his name is in the KARE database.<sup>44</sup>

KARE is now a permanent unit in “K” Division; it is no longer a project.<sup>45</sup> Officials will not confirm the number of cases under review by KARE, saying only that there are many and the number is “fluid.”<sup>46</sup> As of October 2013, three missing person cases (Delores Brower, Maggie Burke and Corrie Ottenbreit) were listed on the website, as well as a request for information regarding the homicide of Amber Tuccaro.<sup>47</sup> Krystal Knott and Rene Gunning had been listed as missing but their case information was removed once their remains were located in 2011. Media releases on the found remains of Knott, Gunning, Annette Holywhiteman, Deanna Bellerose and Tuccaro, and of the charges laid in relation to Ellie Meyer’s homicide are provided. However, case information on homicides is not available, with the exception of Tuccaro. Over 80 files have been identified as being under

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<sup>43</sup> Brent Wittmeier, “RCMP pay out reward money from Project Kare” *Edmonton Journal* (03 March 2011); Cummings, *supra* note 32.

<sup>44</sup> Mariam Ibrahim, “Project Kare examines links to accused Winnipeg serial killer” *Edmonton Journal* (28 June 2012).

<sup>45</sup> “About Project...,” *supra* note 8.

<sup>46</sup> Pruden, *supra* note 7.

<sup>47</sup> “Investigations” *Project KARE*, RCMP “K” Division.

KARE in the past.<sup>48</sup> The three Edmonton Police officers who have been working with KARE since 2005 were reassigned to historic homicides in the fall of 2012.<sup>49</sup>

### III. PROJECT E-PANA (BRITISH COLUMBIA)

The Hazelton-Houston-Burns Lake corridor, stretching 724 kilometers in the interior of B.C. between Prince Rupert and Prince George, has become known as the *Highway of Tears*.<sup>50</sup> As far back as the 1970s, advocates and family members raised concerns about women missing and murdered from Prince George and the surrounding areas linked by the Yellowhead Highway (Highway 16). For many years, family and advocates have believed the cases are linked, the work of a serial killer. Speculation was that the killer might be a truck driver or that a police officer was responsible. The RCMP continually denied linkages between the cases.<sup>51</sup> Others thought the missing girls and women were abducted and forced into prostitution by human traffickers.<sup>52</sup>

By 1981, police had noticed patterns in what they referred to as the “Highway Murders” due to the fact that so many victims had been last seen or their bodies found on or near major highways.<sup>53</sup> A conference was held in which 40 investigators from B.C. and Alberta met to compare cases.<sup>54</sup> In 1995, profilers from the RCMP and the OPP met to

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<sup>48</sup> Beazley, *supra* note 17; D’Aliesio, *supra* note 14. See also, Oppal [Vol. I], *supra* note 3 at 21.

<sup>49</sup> Sands, *supra* note 15.

<sup>50</sup> Yasmin Jiwani and Mary Lynn Young, “Missing and murdered women: reproducing marginality in news discourse” (2006) 31 Cdn. J. of Comm. at 896; [The] Highway of Tears Symposium. *A collective voice for the victims who have been silenced* (16 June 2006) at 9.

<sup>51</sup> “Highway 16 missing not linked” *Canada.com* (09 July 2002); “Missing tree planter revives fear of slayings along Highway 16” *Times Colonist* (09 July 2002); Patti Edgar and Mark Hulme, “A sixth family feels the pain: Not ‘a single thread of evidence,’ police say” *National Post* (19 July 2002).

<sup>52</sup> Neal Hall, “Possible Highway of Tears suspects haunts detectives” *Vancouver Sun* (07 March 2010).

<sup>53</sup> Neal Hall, “Murder meeting drew investigators” *Vancouver Sun* (07 March 2010).

<sup>54</sup> Three women found along the TransCanada Highway in B.C. and Alberta, are not part of the current E-PANA investigation but are thought to be linked. Oanh Ngoc Ha, 19, was killed in 1981 and her body found on the B.C. portion of the highway. Melissa Ann Rehorek, 20, was killed in 1976 and found on the Alberta portion. Barbara MacLean, 19, was killed in 1977, and is also thought to be killed by the same person. Rehorek

review five cases in an initiative called Project Exclude.<sup>55</sup> The B.C. Provincial Unsolved Homicide Unit (PUHU) also looked into the highway murders.<sup>56</sup> When Evenhanded began, the murders and disappearances of hitchhikers throughout the province was part of the investigation. This unit, however, lost 14 of its 19 investigators in 2002 due to the need for more resources for the Pickton investigation.<sup>57</sup>

Project E-PANA (E-PANA) is an RCMP initiative which began in 2005 to resolve cases related to Highway 16; the PUHU is also involved in the project.<sup>58</sup> The initiative was initially created to investigate three 1994 homicides, those of Alishia Germaine, 15, Roxanna Thiara, 15, and Ramona Wilson, 16.<sup>59</sup> The PUHU was asked to review the cases after RCMP behavioural-science experts found similarities in the three cases.<sup>60</sup> After doing so, the decision was made to expand the scope of the inquiry. Using the ViCLAS database, over 619 cases of unsolved violence against women and girls were reviewed and assessed for inclusion in the expanded probe.<sup>61</sup>

Current and retired police officers referred other cases to E-PANA for review, which led to the inclusion of two additional highways.<sup>62</sup> The specific areas include Highway 16 from Prince Rupert, B.C. to Hinton, Alberta; Highway 97 from Prince George to Kamloops;

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and MacLean were hitchhiking at the time of their murders. Similarities between other cases in Alberta were also found. *Ibid.*

<sup>55</sup> Bernice Trick, "Fitting the profile" *Prince George Citizen* (18 February 2006).

<sup>56</sup> At that time, the unit was called the Historical Homicide Unit.

<sup>57</sup> "Missing tree...", *supra* note 51.

<sup>58</sup> "Community History [Highway of Tears]" *Deceased U.S. convict linked to 3 B.C. cold cases* (25 September 2012).

<sup>59</sup> Neal Hall, "Police reveal details of E-Pana investigation into 18 female unsolved cases in northern B.C." *Vancouver Sun* (15 December 2009); Lori Culbert and Neal Hall, "Highway of Tears case began with three teens" *Vancouver Sun* (07 March 2010).

<sup>60</sup> Culbert and Hall, *supra* note 59.

<sup>61</sup> Lori Culbert and Neal Hall, "Hunt to determine if a serial killer is preying on females along B.C. highways" *Vancouver Sun* (12 December 2009).

<sup>62</sup> Culbert and Hall, *supra* note 59.

and Highway 5, including Merritt.<sup>63</sup> Other highways are excluded.<sup>64</sup> The specific intention of E-PANA became “to determine if a serial killer, or killers, is responsible for murdering young women traveling along major highways in BC.”<sup>65</sup> In the spring of 2006, an additional six cases were added.<sup>66</sup> In 2007, the number doubled to 18.<sup>67</sup> There are also 16 sex crimes that are part of the investigation, as these cases were similar and targeted women on the three highways except that the victims survived.<sup>68</sup> With these cases, the police look for elements in these crimes that might provide leads to the offenders in the homicide cases.<sup>69</sup> In February 2009, when the investigative phase began, the decision was made not to include further cases.<sup>70</sup> Any new B.C. homicides are referred to E-PANA for similarities.<sup>71</sup> In April 2011, the RCMP released a composite sketch of a man who tried to abduct unsuccessfully a woman, 20, on a road leading to Highway 97. On December 24, 2012 an unidentified woman was picked up hitchhiking. The driver made the woman uncomfortable and refused to stop when she requested he do so. She leapt from the red minivan as it slowed to cross a bridge. The van was last seen on Highway 62 driving towards Highway 16. New Hazelton RCMP

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<sup>63</sup> Culbert and Hall, *supra* note 61.

<sup>64</sup> Neal Hall, “Kelowna RCMP still probing two unsolved 1989 murders” *Vancouver Sun* (15 December 2009).

<sup>65</sup> “Project E-PANA...,” *supra* note 2.

<sup>66</sup> The one exception was the 1990 murder of Cindy Burk, 21. Burk was found murdered near a provincial park along the Alaska Highway. She was believed to have been hitchhiking to Saskatchewan from the Yukon when she was murdered. Paul Felker was arrested and charged with second degree murder in 2006. Felker was convicted in 2009 and sentenced to life in prison. The PUHU had an active investigation following a DNA match to Felker, thus the Burk case was not included among the E-PANA files. See, “Arrest brings relief to murder victim’s family” *CBC News* (20 November 2006); “Hearing set for suspect in 1990 slaying of Yukon woman” *CBC News* (07 December 2006); “B.C. man gets life for Yukon woman’s murder” *CBC News* (02 July 2009); Hall, *supra* note 59.

<sup>67</sup> “9 cases added to Highway of Tears probe” *Vancouver Province* (14 October 2007); “‘Highway of tears’ crime cases double” *CBC News* (12 October 2007); Hall, *supra* note 59.

<sup>68</sup> Culbert and Hall, *supra* note 59; Lori Culbert and Neal Hall, “Vanishing point: The highway murders” *Vancouver Sun* (15 December 2009).

<sup>69</sup> Lori Culbert and Neal Hall, “New details emerge about probe of Highway of Tears murders” *Vancouver Sun* (12 December 2009).

<sup>70</sup> Culbert and Hall, *supra* note 59.

<sup>71</sup> Culbert, *supra* note 2.

launched an investigation. The driver was a white male between 40- and 50-years-old. The woman was unharmed.<sup>72</sup>

Thirteen of the cases involve homicides and the remaining five are missing person files where foul play is suspected. The missing person files are being actively investigated as homicides.<sup>73</sup> The files span 37 years, from 1969 to 2006.<sup>74</sup> Of the 18 victims, 13 (72.2%) were teenagers.<sup>75</sup> Inclusion criteria for E-PANA cases are that the victim is female, she had last been seen or her body was found within a mile of Highways 5, 16 or 97, and she was engaged in high-risk activity such as street prostitution or hitchhiking.<sup>76</sup> Once those elements have been met, foul play must be known or suspected by E-PANA investigators in the missing person files.<sup>77</sup>

Women's and Aboriginal advocates and the media report as many as 43 women have gone missing over the past 40 years in B.C.'s interior.<sup>78</sup> It should be noted that there are the official E-PANA cases, other cases in the Highway of Tears area not under E-PANA review, and other disappearances and murders of hitchhikers along highways between B.C. and Alberta. Figure 8-2 provides a summary of the missing and murdered women from Northern B.C., including those that are not included in the E-PANA investigation.

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<sup>72</sup> "Hitchhiker leaps to safety from moving van" *CBC News* (28 December 2012).

<sup>73</sup> Hall, *supra* note 59.

<sup>74</sup> "Project E-PANA...", *supra* note 2.

<sup>75</sup> Lori Culbert and Neal Hall, "These are the stories of the victims" *Vancouver Sun* (09 December 2009).

<sup>76</sup> *Ibid.*; Culbert and Hall, *supra* note 59.

<sup>77</sup> Lori Culbert, "Siblings hope to put sister to rest" *Vancouver Sun* (18 May 2010); Hall, *supra* note 59.

<sup>78</sup> See e.g., "Vanishing point: Interactive Map" *Vancouver Sun* (15 December 2009); Christine Pelisek, "Highway of Vanishing Women" *Daily Beast* (10 June 2011); Lori Culbert and Neal Hall, "Teen's death a mystery, 10 years later" *Vancouver Sun* (07 March 2010); Neal Hall, "Highway of Tears: RCMP step up investigation into 18 dead or missing women along Highway 16 in northern B.C." *Vancouver Sun* (12 October 2007).

**Figure 8-2:** <sup>79</sup> *Chronology of Cases of Missing or Murdered Women in Northern B.C.* <sup>80</sup>

| #  | Victim                  | Date Last Seen        | Details of Disappearance or Murder                                                                                                                                                                                               | Status                                  |
|----|-------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1  | Gloria Moody            | Oct. 25, 1969         | Moody, 26, was found murdered near Williams Lake (Hwy. 97).                                                                                                                                                                      | Unsolved                                |
| 2  | <i>Helen Frost</i>      | <i>Oct. 13, 1970</i>  | <i>Frost, 17, last seen in Prince George.</i>                                                                                                                                                                                    | <i>Missing</i>                          |
| 3  | Micheline Pare          | Aug. 8, 1970          | Micheline Pare, 18/21, was found murdered near Hudson Hope (Hwy. 97).                                                                                                                                                            | Unsolved                                |
| 4  | <i>Virginia Sampare</i> | <i>Oct. 14, 1971</i>  | <i>Sampare, 18, was last seen on a bridge on Hwy. 16.</i>                                                                                                                                                                        | <i>Missing</i>                          |
| 5  | <i>Mary Thomas</i>      | <i>Sept. 10, 1971</i> | <i>Mary Thomas was last seen near Quesnel.</i>                                                                                                                                                                                   | <i>Missing; foul play suspected</i>     |
| 6  | <i>Velma Duncan</i>     | <i>May 1972</i>       | <i>Duncan, 18, was last seen in Williams Lake.</i>                                                                                                                                                                               | <i>Missing</i>                          |
| 7  | Gale Weyes              | Oct. 19, 1973         | Weyes was found murdered on April 6, 1974, near Clearwater (Hwy. 5).                                                                                                                                                             | Unsolved                                |
| 8  | Pamela Darlington       | Nov. 6, 1973          | The day after she was last seen, Darlington, 19, was found murdered near Kamloops (Hwy. 97).                                                                                                                                     | Unsolved                                |
| 9  | Monica Ignas            | Dec. 13, 1974         | Ignas, 14, was found murdered the day she disappeared. Her body was found near Terrace (Hwy. 16).                                                                                                                                | Unsolved                                |
| 10 | Colleen MacMillen       | Aug. 9, 1974          | MacMillen, 16, was found murdered a month after her disappearance. Her body was found near 100 Mile House (Hwy. 97). On Sept. 25, 2012, E-PANA announced that Bobby Fowler, deceased, had been linked by DNA MacMillen's murder. | Case cleared through DNA; offender dead |

<sup>79</sup> Italics indicate a case from the Highway of Tears area, but one which is not one of the 18 official E-PANA cases.

<sup>80</sup> The following sources were used to populate this figure: Mellor, *supra* note 34; "No evidence of serial killer in Highway of Tears investigation" *CBC News* (25 September 2012); "The Doe Network: Unexplained Disappearances Geographic Index 2" *The Doe Network*; "B.C. – Police conclude search of Pinewood Road property" *RCMP News Release* (30 August 2009); "Highway of Tears" *I am Missing*; "In Memory Of" *Highway of Tears*; "Map" *Highway of Tears*; "Angeline Pete still missing" *RCMP News Release* (03 October 2011); "Update: Police conduct search for 20 year old Madison Scott" *RCMP News Release* (31 May 2011); Neal Hall, "Parents of young woman who vanished from Highway of Tears area issue plea for help" *Vancouver Sun* (08 June 2011); Rebecca Billard, "Reward rescinded in Hoar case" *Burns Lake District News* (28 September 2010); Morgan O'Neal, "Highway of Tears" *First Nations Drum*; Ian Austin, "Profiles of the four women Cody Legebokoff is accused of murdering" *The Province* (18 October 2011); Gordon Hoekstra and Mike Hager, "Young man charged with murder of three more northern B.C. women" *Vancouver Sun* (17 October 2011); Hall, *supra* note 64; Lori Culbert, "Victim's family still heartbroken after dead U.S. sex offender linked to Highway of Tears slaying" *Vancouver Sun* (26 September 2012); Slaying of B.C. teen renews calls for public inquiry" *CBC News* (12 December 2012); "Kamloops RCMP release surveillance photo of C.J. Fowler" *Global B.C.* (19 December 2012); "Police release surveillance photo of murder victim" *RCMP News Release* (19 December 2012); "Public Safety: RCMP" *City of Quesnel*.



| #  | Victim                       | Date Last Seen | Details of Disappearance or Murder                                                                                                       | Status                       |
|----|------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 11 | Mary Jane Hill               | Mar. 26, 1976  | Hill, 31, was found dead near Prince Rupert on Highway 16.                                                                               | Unsolved                     |
| 12 | Monica Jack                  | May 6, 1978    | Jack, 12, disappeared while riding her bicycle. Her body was found in June 1995 near Merritt.                                            | Unsolved                     |
| 13 | Santokh Johal                | April 1, 1979  | Johal was last seen near Quensel.                                                                                                        | Missing; foul play suspected |
| 14 | Janice Hackh                 | Aug. 24, 1978  | Hackh was last seen near Quensel.                                                                                                        | Missing; foul play suspected |
| 15 | Maureen Mosie                | May 8, 1981    | Mosie, 33, was found murdered near Kamloops (Hwy. 97) the day after she was last seen.                                                   | Unsolved                     |
| 16 | Oanh Ngoc Ha                 | Feb. 28, 1981  | Ha, 19, was found murdered near Golden.                                                                                                  | Unsolved                     |
| 17 | Shelly-Ann Bascu             | May 3, 1983    | Bascu, 16, was last seen near Highway 16 in Hinton, Alberta.                                                                             | Missing; foul play suspected |
| 18 | Mary Jimmie                  | June 26, 1987  | Jimmie's body was found on the banks of the Fraser River near Quensel.                                                                   | Unsolved                     |
| 19 | Roberta Ferguson             | Aug. 24, 1988  | Ferguson, 19, was last seen in Sardis.                                                                                                   | Missing                      |
| 20 | The Jack family              | Aug. 2, 1989   | Doreen and Ronald Jack, and their children, Russell, 9, and Ryan, 4 were last seen in 1989 leaving for a supposed job at a logging camp. | Missing                      |
| 21 | Alberta Williams             | Sept. 25, 1989 | Williams, 24, was found murdered near Prince Rupert (Hwy. 16).                                                                           | Unsolved                     |
| 22 | Helena Tomat                 | Oct. 27, 1989  | Tomat, 17, was last seen hitchhiking. In Sept. 1991, her body was found near the Kelowna airport.                                        | Unsolved                     |
| 23 | Elsie Friesen                | April 3, 1989  | On May 20, 1991, Friesen, 34, was found murdered on Highway 33, near Kelowna.                                                            | Unsolved                     |
| 24 | Cecilia Nikal                | 1989           | Nikal was last seen in Smithers (Hwy. 16).                                                                                               | Missing                      |
| 25 | Delphine Nikal <sup>81</sup> | June 13, 1990  | Nikal, 16, was last seen hitchhiking near Smithers (Highway 16).                                                                         | Missing; foul play suspected |

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<sup>81</sup> Cecilia and Delphine Nikal are cousins.

| #  | Victim            | Date Last Seen | Details of Disappearance or Murder                                                                                                                                                                                                                                                                                                                                                    | Status                       |
|----|-------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 26 | Jennifer Cusworth | Oct. 16, 1993  | Cusworth, 19, was found murdered on a rural road near Kelowna the day after she was last seen at a party. In 2009, DNA linked Neil Snelson to her murder; he was charged with first degree murder. In 2011, Snelson was convicted of manslaughter.                                                                                                                                    | Solved                       |
| 27 | Ramona Wilson     | June 11, 1994  | Wilson, 16, was found murdered near Smithers (Hwy. 16) in April 1995.                                                                                                                                                                                                                                                                                                                 | Unsolved                     |
| 28 | Roxanne Thiara    | July 1994      | Thiara, 15, was working in prostitution when she disappeared on the July long weekend. On Aug. 17, 1994, her body was found in the bush on Hwy. 16, near Burns Lake.                                                                                                                                                                                                                  | Unsolved                     |
| 29 | Alishia Germaine  | Dec. 9, 1994   | Germaine, 15/16, was found murdered behind a school in Prince George. She had been working in prostitution before her death.                                                                                                                                                                                                                                                          | Unsolved                     |
| 30 | Lana Derrick      | Oct. 7, 1995   | Derrick was last seen near Terrace (Hwy. 16).                                                                                                                                                                                                                                                                                                                                         | Missing; foul play suspected |
| 31 | Wendy Ratté       | Aug 18, 1997   | Ratté, 44, was last seen in downtown Prince George. Her body has never been found. Her husband, Denis Ratté was charged with her murder in 2008, following a “Mr. Big” undercover operation. In 2010, he was convicted of second degree murder.                                                                                                                                       | Solved                       |
| 32 | Deena Braem       | Sept. 25, 1999 | Deena Braem, 16, was last seen hitchhiking. Her body was found near Quesnel on Dec. 10, 1999.                                                                                                                                                                                                                                                                                         | Unsolved                     |
| 33 | Nicole Hoar       | June 21, 2002  | Hoar was last seen hitchhiking near Prince George (Highway 16). In Aug., 2009, the RCMP searched a property and dump west of Prince George for remains of Hoar. The property was owned by Leland Switzer. Switzer killed his brother two days after Hoar’s disappearance. Her remains were not found. In 2010, the \$50,000 reward offered by the Bay in the Hoar case was rescinded. | Missing; foul play suspected |
| 34 | Barbara Lanes     | Nov. 26, 2004  | Lanes was last seen near Quesnel.                                                                                                                                                                                                                                                                                                                                                     | Missing                      |
| 35 | Melanie Brown     | Dec. 8, 2004   | Brown was found murdered in her Prince George apartment.                                                                                                                                                                                                                                                                                                                              | Unsolved                     |
| 36 | Mary George       | July 24, 2005  | George was last seen in Prince George.                                                                                                                                                                                                                                                                                                                                                | Missing                      |
| 37 | Tamara Chipman    | Sept. 21, 2005 | Chipman, 22, was last seen hitchhiking near Prince Rupert (Hwy. 16). She was reported missing on Nov. 10, 2005.                                                                                                                                                                                                                                                                       | Missing; foul play suspected |
| 38 | Crystal Okimaw    | Jan. 16, 2006  | Okimaw was last seen at a Prince George women’s shelter.                                                                                                                                                                                                                                                                                                                              | Missing                      |

| #  | Victim                              | Date Last Seen        | Details of Disappearance or Murder                                                                                                                                                                                                                                | Status              |
|----|-------------------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 39 | <i>Julie Parker</i>                 | <i>Aug. 5, 2006</i>   | <i>Parker, 33, was last seen near Quesnel.</i>                                                                                                                                                                                                                    | <i>Missing</i>      |
| 40 | <i>Aielah Saric Auger</i>           | <i>Feb. 2, 2006</i>   | <i>Auger, 14, was found murdered on Hwy. 16 near Prince George on Feb. 10, 2006.</i>                                                                                                                                                                              | <i>Unsolved</i>     |
| 41 | <i>Audrianna Munroe</i>             | <i>Aug. 23, 2007</i>  | <i>Munroe, 22, was last seen at a pool in Terrence.</i>                                                                                                                                                                                                           | <i>Missing</i>      |
| 42 | <i>Alicia Courtoreille-Brignall</i> | <i>Dec. 17, 2007</i>  | <i>Courtoreille-Brignall, 14, was last seen in Prince George.</i>                                                                                                                                                                                                 | <i>Missing</i>      |
| 43 | <i>Esther Dekeiwit</i>              | <i>April 15, 2008</i> | <i>Dekeiwit, 60, was last seen in Boston Bar; she was known to hitchhike.</i>                                                                                                                                                                                     | <i>Missing</i>      |
| 44 | <i>Jill Stuchenko</i>               | <i>Oct. 22, 2009</i>  | <i>Stuchenko, 35, was found murdered in a gravel pit outside of Prince George four days after she was reported missing. On Oct. 14, 2011, Legebokoff was charged with first degree murder in the deaths of Maas, Montgomery and Stuchenko.</i>                    | <i>Charges Laid</i> |
| 45 | <i>Cynthia Mass</i>                 | <i>Sept. 10, 2010</i> | <i>Mass, 35, last seen in Prince George. Mass reported missing on Sept. 23. On Oct. 9, Mass was found murdered in a park in Prince George. On Oct. 14, 2011, Legebokoff was charged with first degree murder in the deaths of Maas, Montgomery and Stuchenko.</i> | <i>Charges Laid</i> |
| 46 | <i>Natasha Montgomery</i>           | <i>Sept. 23, 2010</i> | <i>Montgomery, 23, was reported missing from Prince George. Her body has not been found. On Oct. 14, 2011, Legebokoff was charged with first degree murder in the deaths of Maas, Montgomery and Stuchenko.</i>                                                   | <i>Charges Laid</i> |
| 47 | <i>Loren Leslie</i>                 | <i>Nov. 27, 2010</i>  | <i>Leslie, 15, was found murdered on a logging road off of Highway 27 near Vanderhoof hours after her murder. Two days later, Cody Legebokoff was charged with first degree murder.</i>                                                                           | <i>Charges Laid</i> |
| 48 | <i>Angeline Pete</i>                | <i>May, 2011</i>      | <i>Pete, 28, last seen in North Vancouver. She may have been hitchhiking to Northern B.C.</i>                                                                                                                                                                     | <i>Missing</i>      |
| 49 | <i>Madison Scott</i>                | <i>May 29, 2011</i>   | <i>Scott, 20, was last seen in Vanderhoof at a rural area while she was camping.</i>                                                                                                                                                                              | <i>Missing</i>      |

The E-PANA criteria for inclusion have been widely criticized for a number of reasons. First, the exclusion of all but the three highways has resulted in some cases with similarities which are not eligible for inclusion by E-PANA. Investigators explained that additional highways have not been included in the geographic scope due to funding and in order to keep the cases at a reasonable, manageable number.<sup>82</sup> As a result, cases which are in all other ways similar are not included. For example, Helena Tomat, 17, and Elsie Friesen, 34, both disappeared in 1989. Tomat's body was found in 1991 in the bush on a highway near the Kelowna airport. Friesen's body was found in 1991 along Highway 33.<sup>83</sup> Deena Braem, 16, was hitchhiking in 1999; her body was found three months after her disappearance. She was last seen on a highway which runs parallel to Highway 97, separated by the Fraser River.<sup>84</sup> As these three highways are not within the scope of the probe, the cases are not among those being investigated by E-PANA.

In 2012, the RCMP announced a major development in one of the earliest cases, that of Colleen MacMillen. Her case was not part of the original investigation as she was found on Highway 97, which was beyond the initial investigative scope which focused on Highway 16 only.<sup>85</sup> Her case was one of the files added in 2007, as were two other homicides to which MacMillen's killer is linked.<sup>86</sup> If E-PANA is not seeking links, including DNA, between similar cases in the same area but off the three major highways, possible connections and conclusions in cases such as these will be missed.

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<sup>82</sup> Lori Culbert, "Public inquiry demanded in deaths" *Vancouver Sun* (16 December 2009); Hall, *supra* note 59.

<sup>83</sup> Hall, *supra* note 64.

<sup>84</sup> Hall, *supra* note 52; Culbert and Hall, *supra* note 78.

<sup>85</sup> "U.S. suspect in B.C. teen's slaying linked to 5 other killings" *CBC News* (24 September 2012); Culbert and Hall, *supra* note 59.

<sup>86</sup> "9 cases...", *supra* note 67.

Second, there are many cases of missing women and girls who were known to hitchhike and were last seen on the three major highways that are not included. Families like that of Virginia Sampare, who disappeared in 1971, believe that foul play is involved and want the cases investigated as such. Sampare was last seen within a mile of Highway 16 and is female, but police are not convinced she met with foul play.<sup>87</sup> Likewise, Mary Jane Hill, 31, was found dead along the same highway in 1978. A coroner's jury concluded she had died of "manslaughter." The RCMP state that since the autopsy "leaned more towards natural causes" Hill's case has not been included, although how she arrived at the location where her body was found has not been determined.<sup>88</sup> Staff-Sargent Bruce Hulan, in charge of the project in 2009, explained that "Sometimes when people go missing there may not always be a criminal act involved, but sometimes family members are not always ready to accept that."<sup>89</sup>

Third, the term *high-risk* is problematic for many families.<sup>90</sup> "Many of the relatives of women on the list cringe at the description of their loved ones doing something high risk, arguing some were just walking or cycling on a highway, or were hitchhiking in the 1970s, when it was a commonplace activity."<sup>91</sup> In at least two cases, there was no high-risk activity. Monica Jack, 12, was murdered in 1978 but her body was not found for 18 years.<sup>92</sup> She was not involved in any high-risk activity, but her file was included because she was last seen

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<sup>87</sup> Culbert, *supra* note 82.

<sup>88</sup> Lori Culbert, "Daughter searches for answers in mother's 1978 murder" *Vancouver Sun* (15 December 2009).

<sup>89</sup> Hall, *supra* note 59.

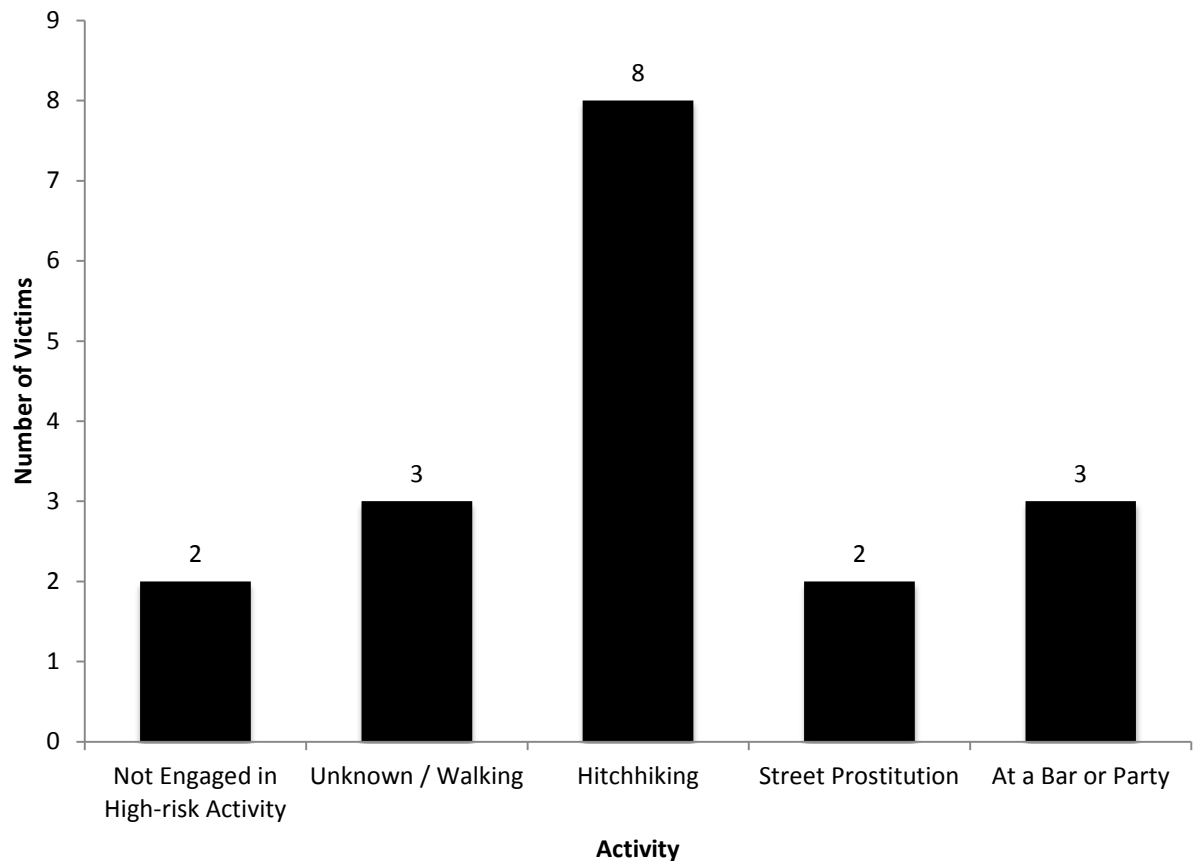
<sup>90</sup> *Ibid.*

<sup>91</sup> Culbert and Hall, *supra* note 61.

<sup>92</sup> Although not part of E-PANA, police have investigated possible links between Jack's murder and those of Theresa Hildebrandt, 15, in 1976 in Abbotsford and Kathryn-Mary Herbert, 11, in 1975 in Mission. Kim Bolan, "Chilliwack mother offers reward in daughter's cold case murder" *Vancouver Sun* (09 March 2012); Mellor, *supra* note 34 at 154; Culbert and Hall, *supra* note 75.

riding her bicycle on Highway 5.<sup>93</sup> Aielah Saric Auger, 14, the last victim on the E-PANA list, was murdered in 2006. Police have confirmed that she was not engaged in any high-risk activities but her body was found near Highway 16.<sup>94</sup> Figure 8-3 describes the activity that the victims in E-PANA were engaged in at the time of their murder or disappearance.

**Figure 8-3: Activity of E-PANA Victims at the Time of Their Murder or Disappearance (N=18)**



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Unlike the major missing or murdered women investigations in the DTES, Alberta, Manitoba and Ottawa, few of the girls and women who have gone missing or been murdered

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<sup>93</sup> Hall, *supra* note 59; “Mother of youngest Highway of Tears victim doesn’t expect her mystery will be solved” *Calgary Herald* (25 September 2012).

<sup>94</sup> Culbert and Hall, *supra* note 75.

near or along Northern B.C. highways were involved in the sex trade.<sup>95</sup> Eight of the 18 (44.4%) E-PANA victims were known to have been hitchhiking; at least two more were possibly doing so.<sup>96</sup> Public transit between urban areas and many of the outlying reserves is not available in some communities.<sup>97</sup> Some communities have shuttle buses, but not all do. There are “semi-regular” buses from major areas such as to Prince Rupert, Terrace and Smithers, but the bus does not stop along the route to let passengers disembark close to some destinations.<sup>98</sup> In 2012, mayors in communities along Highway 16 asked the Union of B.C. Municipalities to request that the province provide funding to establish and run shuttle buses between Prince George and Prince Rupert.<sup>99</sup> Oppal is in agreement; he believes funding for transportation in the area is required immediately and was recommended in Oppal’s report.<sup>100</sup> Immediately following the release of his report, Justice Minister Bond announced that the Ministry of Transportation and Infrastructure was developing a consultation plan for options along Highway 16.<sup>101</sup> A month after Oppal’s recommendation, Greyhound Canada announced cuts on 15 routes, including a 40% reduction in service along Highway 16.<sup>102</sup>

Billboards have been erected in some areas along Highway 16 warning about the dangers of hitchhiking. One billboard was described by a reporter: “[It] read ‘Hitchhiking: Is it worth the risk?’ There is an eerie image of a teenaged girl hitchhiking on a road lined with

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<sup>95</sup> Montgomery, Stuchenko and Maas, allegedly murdered by Legebokoff, were adult women working as street prostitutes at the time of their death. Their cases did not fit the criteria for inclusion in the E-PANA investigation. Germaine and Thiara were both 15 and were sexually exploited through prostitution at the time of their murders; they are both on the E-PANA list.

<sup>96</sup> Pelisek, *supra* note 78.

<sup>97</sup> Lori Culbert, “There are warnings, but not everyone hears” *Vancouver Sun* (15 December 2009).

<sup>98</sup> *Ibid.*

<sup>99</sup> Kelly Sinoski, “Mayors call for shuttle bus along dangerous highway” *Vancouver Sun* (10 September 2012).

<sup>100</sup> Wally T. Oppal. *Volume III – Gone, but not forgotten: Building the women’s legacy of safety together* (December 2012) at 28.

<sup>101</sup> British Columbia, Ministry of Attorney General. *Government takes immediate action on missing women report* (17 December 2012).

<sup>102</sup> “Northern bus route cuts conflict with Missing Women recommendations” *CBC News* (18 January 2013).

tomb stones, as two mournful ghosts hug her legs and cry on her shoulder. A caption says, ‘Ain’t worth the risk, sister.’”<sup>103</sup> Billboards were a recommendation from a 2006 Highway of Tears Symposium. However, Mavis Erickson, the coordinator of the organization which made the recommendation, argues that the tone of the billboards places blame upon the women and girls for hitchhiking. “I resent that as first nations [sic] women they kind of consented to their own death, [sic] that they somehow consented to what happened.”<sup>104</sup> In addition to the billboards, police are required to stop and speak to hitchhikers, make suggestions about alternative transportation and warn them of the danger of hitchhiking, if their duties allow them to do so.<sup>105</sup> In August 2013, NWAC announced a joint partnership with the RCMP to create a poster to improve the safety of those who hitchhike. Although not encouraging hitchhiking, the project acknowledges that some people will hitchhike for various reasons, including a lack of transportation options or finances. The posters will be available in both English and French and distributed through both the RCMP and NWAC.<sup>106</sup>

Fourth, there have been calls for E-PANA to adopt best practices from other jurisdictions. For example, First Nations leaders and a member of the Legislative Assembly (MLA) have advocated for E-PANA to be expanded to a multi-agency task force to investigate all unsolved cases of missing or murdered women in the province, similar to the Manitoba initiative.<sup>107</sup> The \$100,000 reward offered in the Project KARE initiative and

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<sup>103</sup> Culbert, *supra* note 97.

<sup>104</sup> *Ibid.*

<sup>105</sup> Culbert, *supra* note 82.

<sup>106</sup> Native Women’s Association of Canada (NWAC). *RCMP partners with the NWAC on a hitchhiking poster campaign* (01 August 2013).

<sup>107</sup> *Ibid.*; Suzanne Fournier, “Investigation into 18 missing B.C. women” *The Province* (26 October 2007), A12.



DTES missing women cases has been raised as an important element missing in E-PANA.<sup>108</sup>

The MLA, Mike Farnworth, called for the province to offer a \$200,000 reward.<sup>109</sup>

E-PANA follows the major case management (MCM) system, which is the recommended approach for all major and complex cases serious crimes including serial offences.<sup>110</sup> E-PANA holds annual meetings with the families of the 18 women.<sup>111</sup> The meetings provide updates, when it is possible to do so, and ensure that families do not learn of developments through the media.<sup>112</sup>

E-PANA investigators utilized a computerized database for the cases. For the first phase of nine cases, 200 boxes of evidence were taken to Surrey to be scanned and entered into the database, which took almost a year to complete.<sup>113</sup> In late 2006, officers began a careful file review of each case. A 100-page report was compiled providing a summary of the case, evidence, significant witnesses, persons of interest or suspects, and any investigative leads that require follow-up.<sup>114</sup> Many of the files had been worked on at various points in time; each separate investigation was reviewed and all the information amalgamated into the report. As each case enters an investigative phase or there is turnover on the E-PANA team, this report provides a detailed summary. The review phase of all 18 files took approximately 26 months to complete.<sup>115</sup>

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<sup>108</sup> Culbert, *supra* note 82.

<sup>109</sup> “Highway...,” *supra* note 67.

<sup>110</sup> Lindsay Kines, Kim Bolan and Lori Culbert, “How the police investigation was flawed: Too few officers, police infighting and lack of experience undermined first probe into disappearances” *The Vancouver Sun* (06 July 2002).

<sup>111</sup> Hall, *supra* note 59.

<sup>112</sup> Tamsyn Burgmann, “Relatives of Highway of Tears victims to meet with RCMP Wednesday” *The Province* (17 October 2012).

<sup>113</sup> Hall, *supra* note 59; Culbert and Hall, *supra* note 59.

<sup>114</sup> The terms *person of interest* and *suspect* are often incorrectly used interchangeably. However, a person of interest could be a suspect, witness, informant, etc. See, MWI, *January 17, 2012* at 54-55.

<sup>115</sup> Hall, *supra* note 59.

In February 2009, the investigative phase of the initiative began.<sup>116</sup> The 18 files were prioritized according to the potential danger to the public and the risk of losing evidence.<sup>117</sup> Not all of the files are actively investigated at one time. From February 2009 until September 2012, E-PANA has investigated 1,413 persons of interest, of whom 90% have been eliminated as suspects. There are three or four strong suspects who are under currently investigation.<sup>118</sup> Seven hundred and fifty DNA samples have been collected, over 100 polygraph tests administered and 2,500 people have been interviewed. Almost 18,000 investigative leads were generated from the file reviews; 75% of these have been followed up.<sup>119</sup> Persons of interest have been asked to provide voluntary samples in an effort to exclude individuals.<sup>120</sup> In 2006 and 2011, taxi drivers in Prince George were asked to provide DNA samples in order to be excluded, as many of the missing or murdered women had utilized taxi services due to the lack of other transportation options.<sup>121</sup>

Currently, E-PANA has 50 full-time dedicated staff, consisting of RCMP and PUHU officers, civilian support staff, forensic experts, and contracted employees who are mostly retired police officers.<sup>122</sup> Investigators are not assigned to other files; E-PANA is their only responsibility.<sup>123</sup> The E-PANA annual budget is approximately \$6 million.<sup>124</sup> Retired police officers conduct background checks and analyze the criminal histories of persons of interest. By reviewing the dates of when individuals were in or out of prison, some persons of interest

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<sup>116</sup> *Ibid.*

<sup>117</sup> *Ibid.*

<sup>118</sup> “Deceased U.S. convict linked to 3 B.C. cold cases” *CBC News* (25 September 2012).

<sup>119</sup> Culbert, *supra* note 80.

<sup>120</sup> Culbert, *supra* note 2.

<sup>121</sup> Robert Marshall, “Let the ‘blooding’ begin” *Winnipeg Free Press* (26 February 2011); “Prince George taxi drivers investigated in slayings” *CBC News* (15 February 2011); Petti Fong, “Highway of Tears murder probe asks cabbies for DNA” *Toronto Star* (14 February 2011).

<sup>122</sup> Culbert, *supra* note 80; “Project E-PANA...,” *supra* note 2; Hall, *supra* note 59.

<sup>123</sup> Hall, *supra* note 59.

<sup>124</sup> *Ibid.*

can be eliminated as potential suspects in some of the files. Suspect elimination has also been done through establishment of alibis or DNA which did not match any of the file evidence.<sup>125</sup>

Aboriginal leaders and family members have argued that police were slow to investigate the disappearances and murders because the majority of the girls and women were Aboriginal.<sup>126</sup> Gladys Radek is the aunt of missing Tamara Chipman and an activist who, with Bernie Williams, began the Take Back the Highway movement. Radek believes that one serial killer is not likely but the cases “may be linked by nothing more than geography, and a measure of indifference to the fate of aboriginal [sic] women.”<sup>127</sup> Media and First Nations leaders often assert that all the Highway of Tears victims but Nicole Hoar was Aboriginal.<sup>128</sup> Ten (55.5%) of the 18 E-PANA cases are those of Aboriginal women and girls,<sup>129</sup> but many of the other missing women and girls (and the three male members of the Jack family) are Aboriginal. Police are adamant that the killers of these victims did not target them due to their ethnicity but that “they are victims because...they were engaged in high-risk activity.”<sup>130</sup> That may be so, but Aboriginal people are generally less socially advantaged and resort to hitchhiking for transportation more often in this area of the province due to a lack of affordable public transportation. In addition, lower income results in lower rates of car ownership for Aboriginal people. Northern B.C. also has the highest percentage (15.6%)

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<sup>125</sup> *Ibid.*; Culbert and Hall, *supra* note 69.

<sup>126</sup> Pelisek, *supra* note 78; Hall, *supra* note 52.

<sup>127</sup> Patrick Brethour, “Treat ‘Highway of Tears’ victims as women first, police told” *The Globe and Mail* (17 October 2010). See also, Lori Culbert, “Advocates share tears and stories about unsolved cases” *Vancouver Sun* (15 December 2009).

<sup>128</sup> See e.g., Laura Stone, “Families yearn for closure as the police search continues” *The Province* (30 August 2009); “[The] Highway...,” *supra* note 50 at 12.

<sup>129</sup> Culbert and Hall, *supra* note 68; Culbert and Hall, *supra* note 61.

<sup>130</sup> Culbert and Hall, *supra* note 68.

of Aboriginal people in the province, compared to 4.8% in Canada generally.<sup>131</sup> As a result, Aboriginal women and girls are more likely to be victimized.

Critics also argue that the missing person cases were not adequately investigated at the onset, resulting in widespread distrust by the Aboriginal community and family members.<sup>132</sup> For example, Delphine Nikal, 15, disappeared hitchhiking home in 1990. Her sister recalls the police telling her that Nikal had likely “just found a party or something, so give her a couple of days.”<sup>133</sup> Nikal is one of the missing women on the E-PANA list where foul play is suspected. Nikal’s cousin, Cecilia Nikal, disappeared on Highway 16 in 1989. She is not among the E-PANA files. No information as to why Cecilia Nikal is excluded from the E-PANA investigation has been provided to the public. Both Delphine and Cecilia Nikal remain missing, as does Tamara Chipman, who was reported missing two months after she was last seen hitchhiking in 2005. Her family felt the police did not take the case seriously. However, the Chipman family does acknowledge that the relationship with police has changed since she disappeared, believe there is now a serious investigation and that the police investigators are supportive.<sup>134</sup>

The RCMP acknowledges that in remote areas, limited resources were a factor in how vigorously missing person cases were investigated.<sup>135</sup> Some families believe that the different level of service to the northern, rural and remote areas of the province is more than a simple lack of resources. Sally Gibson, the aunt of Lana Derrick, 19, who went missing in

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<sup>131</sup> “BC’s Aboriginal Population” *Fraser Region Aboriginal Early Childhood Development Network*.

<sup>132</sup> Pelisek, *supra* note 78.

<sup>133</sup> Culbert and Hall, *supra* note 75.

<sup>134</sup> *Ibid.*

<sup>135</sup> Hall, *supra* note 59.

1995, describes this as “racism-plus.”<sup>136</sup> Families of some of the victims have been deeply hurt by the lack of response by police and indifference from the larger community. Ramona Wilson, 15, disappeared in 1994 and was found murdered a year later.<sup>137</sup> Her sister wonders “why the town of Smithers didn’t rally behind the Wilson family, instead opting to hold a fundraising dance for Melanie Carpenter, victim of a high-profile kidnapping in the Lower Mainland.”<sup>138</sup> This was similar to the disappearance of Nicole Hoar, last seen hitchhiking in 2002. There was considerable media coverage and a huge search, which had not been the situation when Aboriginal women and girls had gone missing in similar circumstances.<sup>139</sup> However, the Union of B.C. Indian Chiefs credited the media coverage of Hoar’s disappearance with a wide-spread recognition of the situation. “[T]he term ‘Highway of Tears’ became more widely known and widely used. Of most importance, the media and the general public became aware that Nicole Hoar’s disappearance was **not** an isolated incident!”<sup>140</sup>

On September 25, 2012, E-PANA investigators held a press conference to announce a conclusion in one of the 18 official cases. DNA evidence had linked Bobby Jack Fowler, an American citizen who died in prison in 2006, to the 1974 murder of Colleen MacMillen.<sup>141</sup> In 2007, evidence from the MacMillen case had been tested for DNA.<sup>142</sup> A

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<sup>136</sup> Culbert, *supra* note 82.

<sup>137</sup> “B.C., Project E-PANA – Police need your helping solving the 1994 homicide of Ramona Wilson” *RCMP News Release* (10 June 2011).

<sup>138</sup> Culbert, *supra* note 82.

<sup>139</sup> Amnesty International. *Stolen Sisters: A human rights response to discrimination and violence against Indigenous women in Canada*, 2004 at 24; Pelisek, *supra* note 78; “Missing tree...,” *supra* note 51; Edgar and Hulme, *supra* note 51.

<sup>140</sup> “[The] Highway...,” *supra* note 50 at 9.

<sup>141</sup> “Tips prompted bulked-up probe” *The Prince George Citizen* (06 March 2008); Arthur Williams, “New information investigated” *Prince George Free Press* (04 April 2008); Joan Silver, “Colleen MacMillen family still waiting after 33 years” *100 Mile House Free Press* (21 November 2007).

profile was developed and submitted to the Canadian DNA database; there was no match.<sup>143</sup>

In early 2012, the RCMP forensic lab in Vancouver was able to produce a higher quality profile, allowing it to be submitted to Interpol.<sup>144</sup> In May, Oregon officials called to alert them to the match to Fowler.<sup>145</sup>

Investigators from Washington State, Oregon, Texas, the FBI and the RCMP cooperated to try to develop a timeline for Fowler's movements across Canada and the U.S. for over 40 years. The RCMP contacted 31 U.S. law agencies and 11 correctional departments, as well as Fowler's "family, associates and former cellmates" in order to develop a timeline.<sup>146</sup> Fowler was known to be a transient. It was confirmed that Fowler worked as a roofer in Prince George in 1974. The RCMP appealed to the public to assist in tracking Fowler's whereabouts. All information was shared between the Oregon and Canadian authorities, as well as other police jurisdictions which may be interested in the information in the future.<sup>147</sup> In two weeks, police received 250 tips from the public.<sup>148</sup> Fowler had an extensive criminal record and police interactions in several U.S. states, stemming from the 1970 murder of a man, for which he was acquitted, to drunk and disorderly charges. At the time of his death, he was serving 16 years for the violent sexual assault and

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<sup>142</sup> The RCMP had obtained a confession from another suspect, Edwin Foster, in the case, but was unable to close the file after the suicide of the suspect in a Washington prison in 1976. See, Neal Hall and Lindsay Kines, "The killers among us: 329 unsolved homicides" *Vancouver Sun* (16 September 1995); Hall, *supra* note 52.

<sup>143</sup> Culbert, *supra* note 80.

<sup>144</sup> "E-PANA news conference" *RCMP* (25 September 2012); Culbert, *supra* note 80.

<sup>145</sup> The RCMP noted that the match to Fowler was the oldest match in Interpol's history. *Ibid.*

<sup>146</sup> *Ibid.*

<sup>147</sup> *Ibid.*

<sup>148</sup> "250 tips on missing women pour in" *Times Colonist* (10 October 2012).

kidnapping of a woman he met in a bar. Fowler was incarcerated from the time of his arrest on June 28, 1995, until his death in 2006.<sup>149</sup>

Fowler is a suspect in two other E-PANA cases; those of the 1973 murders of Gayle Weys<sup>150</sup> and Pamela Darlington,<sup>151</sup> both 19.<sup>152</sup> DNA has not linked these two cases to Fowler.<sup>153</sup> He is being investigated in another six cases.<sup>154</sup> The RCMP had eliminated Fowler as a suspect in eight of the 18 cases, but did not specify which of the eight. As Fowler was in prison from the time of his arrest on June 28, 1995, until his death, it is obvious that he has been excluded from the disappearances of Derrick in 1995, Hoar in 2002, and Chipman in 2005, and the 2006 murder of Auger.<sup>155</sup> Officers noted that the original thinking that the offender must be local due to the remote locations of some of the bodies needed to be re-examined in light of the DNA evidence pointing to a non-resident. Fowler was not local but

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<sup>149</sup> At the time of the press conference, Fowler was named as a suspect in a double homicide in Oregon. Jennifer Esson, 15, and Kara Leas, 16, were killed together in 1995. Fowler is also a person of interest in the 1992 double homicide of Melissa Sander, 17, and Sheila Swanson, 19. Police in Oregon are also looking at three other homicides which may be related to Fowler. See, e.g., “Chronology of events in Lincoln County, Oregon” *Global TV* (24 September 2012); Lori Tobias, “U.S., Canadian authorities link dead Oregon inmate to murders in 1995 near Newport” *The Oregonian* (24 September 2012); Lori Tobias, “Oregon reporter explains who is Bobby Fowler” *Daybreak South* (25 September 2012); “E-PANA news...,” *supra* note 144.

<sup>150</sup> “Tips prompted...,” *supra* note 141; “Highway of Tears...,” *supra* note 80; Williams, *supra* note 141; Lori Culbert, “Thirty-nine years later, family of Highway of Tears victim Gale Weys hopes for answers” *Vancouver Sun* (26 September 2012).

<sup>151</sup> Clifford Olson, “Profile of a serial killer: The Clifford Robert Olson Story”; “Tips prompted...,” *supra* note 141; Williams, *supra* note 141; Neal Hall, “Highway of Tears: RCMP step up investigation into 18 dead or missing women along Highway 16 in northern B.C.” *Vancouver Sun* (12 October 2007).

<sup>152</sup> U.S. serial killer Ted Bundy was rumoured to be Darlington’s killer due to bite marks on her body. However, E-PANA investigated his movements and found no link between Bundy and the Darlington case. Wayne Boden, known as the Vampire Killer, was also a possible suspect in Darlington’s murder due to the bite marks found on her body. Clifford Olson also claimed to have information on the murders of Darlington and Ha. Police investigated this possibility but found it to have been false. See, Hall, *supra* note 59; Hall, *supra* note 53; Hall, *supra* note 52.

<sup>153</sup> In 1981, RCMP advised that they believed the three cases were linked and there was a suspect at the time. It was not Fowler. Hall, *supra* note 59.

<sup>154</sup> “Highway of Tears murders probed by CBS ‘48 hours’” *Daybreak North* (16 November 2012), Radio Interview.

<sup>155</sup> Lori Culbert, “Serial killer Bobby Fowler probably not the main Highway of Tears murderer, profiler says” *Vancouver Sun* (28 September 2012).

MacMillen's body was found in a remote area.<sup>156</sup> In September 2013, the RCMP announced that the Fowler investigation was effectively stalled. Investigators had followed up on hundreds of tips from the public and interviewed Fowler's family and ex-wives, without finding any information that would further the investigation. Fowler remains a "strong suspect" in the Weys and Darlington murders, but the files remain open.<sup>157</sup>

E-PANA investigators have advised that two other cases were likely solved. In each case, the suspect thought to be responsible for the deaths was dead. These cases were not thought to be linked to others and the suspect was responsible for only one murder. The families have been informed of the status of the cases. The names of the suspects and the victims in the two cases were not revealed; the cases remain among the 18 active investigations but are considered solved.<sup>158</sup> However, in an interview from 2009, the officer in charge of E-PANA explained that although police believe they have known since 1998 who the person responsible for Gloria Moody's death is, her file was included because it met the criteria. One of the aims of E-PANA is to look for links between the cases, if they exist, in order to identify a serial killer or killers.<sup>159</sup> The then-officer in charge of E-PANA explained in a media interview in 2009 that an unsolved case cannot be officially closed until there is a conviction or the case is over 100 years old, meaning there is no chance that the killer is still alive.<sup>160</sup> There are, however, means to clear a case that the police consider solved but cannot be resolved through a trial.<sup>161</sup>

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<sup>156</sup> "E-PANA news...", *supra* note 144.

<sup>157</sup> "Bobby Jack Fowler Highway of Tears investigation stalled" *CBC News* (25 September 2013).

<sup>158</sup> *Ibid.*

<sup>159</sup> Hall, *supra* note 59.

<sup>160</sup> Hall, *supra* note 59.

<sup>161</sup> See, Statistics Canada. *Police-reported clearance rates in Canada, 2010* by Tina Hotton Mahony and John Turner (07 June 2012) at 7.



Police stressed, however, that they do not believe that one person is responsible for all of the remaining 15 cases. In the remaining 10 cases of unsolved homicides and five cases of missing women, E-PANA did not completely discount the possibility of one or more serial killers being responsible, although they suspected that the cases were “one-offs.”<sup>162</sup> Experts, media, women’s and Aboriginal advocates and families continue to believe that there is at least one, if not more, serial killers responsible. The aunt of one missing girl, Lana Derrick, asked in 2002, “Until there’s proof of who did it, how can they say it’s not the same person?”<sup>163</sup> Rossmo also disagrees with the belief of “one-off” killers being responsible. He believes a serial killer has been active in the area but he does not believe it was Fowler. Fowler may be found to be responsible for more than MacMillen’s murder, but the last nine, occurring between 1989 and 2006, could not have been committed by Fowler. All of these victims disappeared along Highway 16 itself; Rossmo believes several of these cases may be linked.<sup>164</sup>

RCMP Inspector Gary Shinkaruk also noted that, in the opinion of the RCMP, the number of missing and murdered women under investigation by E-PANA was not extraordinarily high in comparison to other areas. Although he stressed the importance of pursuing the cases, Shinkaruk discounted a reporter’s suggestion that the area was a “hunting ground” for killers. Instead, he said these were “young women in the wrong place at the wrong time.”<sup>165</sup> Rossmo disagrees. When there is no physical evidence or DNA to link crimes, such as with the missing women from the DTES, the strongest method for

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<sup>162</sup> “E-PANA news...,” *supra* note 144; “Deceased,” *supra* note 118.

<sup>163</sup> Edgar and Hulme, *supra* note 51.

<sup>164</sup> Culbert, *supra* note 155.

<sup>165</sup> “E-PANA news...,” *supra* note 144; Lori Culbert, “Bobby Jack Fowler, dead U.S. sex offender, linked to three B.C. ‘Highway of Tears’ murders” *Vancouver Sun* (25 September 2012).

behaviourally linking crimes is spatial-temporal proximity; that is, looking at how close together in space and time the crimes occurred.<sup>166</sup> Using spatial-temporal “clustering statistics to ascertain if the problem is real or merely a random fluctuation”<sup>167</sup> suggests that there are seven, and maybe as many as nine, of the Highway of Tears cases that may be linked.<sup>168</sup>

#### IV. PROJECT DEVOTE (MANITOBA)

As with Vancouver, Calgary and Edmonton, Winnipeg has seen high numbers of street sex workers murdered or missing, the majority of whom were Aboriginal. Winnipeg has an estimated 1,000 sex workers and sexually exploited youth working on the streets.<sup>169</sup> The Aboriginal community, sex workers, and advocates have long been convinced that there is a serial killer responsible for some of the murders and missing women.<sup>170</sup> As with other jurisdictions, police have been slow to publically acknowledge the possibility of a serial killer. In 2003, the dismembered body of Felicia Solomon, 16, was found. This case prompted the RCMP and Winnipeg police to review a dozen cases of murdered sex workers and sexually-exploited youth. There was an acknowledgement of similarities between some cases and geographic patterns but there was no physical evidence that the cases were linked.<sup>171</sup>

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<sup>166</sup> D. Kim Rossmo, personal communication, September 2013.

<sup>167</sup> D. Kim Rossmo, *Geographic Profiling*. (Boca Raton: CRC Press, 2000) at 186.

<sup>168</sup> D. Kim Rossmo, *supra* note 166. See also, Culbert, *supra* note 155.

<sup>169</sup> “Slaying spurs...,” *supra* note 5.

<sup>170</sup> Keith Bonnell, “Manitoba to probe serial-killer theory in cold cases” *Ottawa Citizen* (22 April 2009), A10; “Slaying spurs...,” *supra* note 5; Chris Kitching, “One killer or many? Police begin review of unsolved slayings” *Winnipeg Sun* (24 August 2009).

<sup>171</sup> “Slaying spurs...,” *supra* note 5.

In July 2009, however, the RCMP indicated that although there is no evidence of a serial killer, the Historical Homicide Unit would be looking for linkages.<sup>172</sup> In the initial review, only homicides were included. Advances in technology gave the RCMP hope that some of the older cases could now be solved.<sup>173</sup> A month later, the Winnipeg police announced they were reviewing at least 30 homicide and missing person cases under their jurisdiction.<sup>174</sup> On August 26, 2009, the RCMP and Winnipeg Police Service announced that a joint task force had been established,<sup>175</sup> which would focus on both missing women and unsolved homicides across the province.<sup>176</sup> The new unit, the Manitoba Integrated Task Force for Missing and Murdered Women, would be limited to female victims of unsolved homicides or missing persons where foul play was suspected.<sup>177</sup> The task force was comprised of three RCMP investigators, two RCMP analysts and four investigators from the Winnipeg police.<sup>178</sup> The nine-person unit worked out of the “D” Division RCMP headquarters in downtown Winnipeg.<sup>179</sup> Similar task forces, such as Evenhanded, E-PANA and KARE, were approached for recommendations on setting up the initiative.<sup>180</sup>

Days later, the provincial government announced it would join Aboriginal organizations to form a new coalition called the Manitoba Action Group on Exploited and

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<sup>172</sup> Bonnell, *supra* note 170.

<sup>173</sup> “RCMP reviewing cold-case homicides for signs of serial killer” *CBC News* (31 July 2009).

<sup>174</sup> “Unsolved murders of women under review by Winnipeg police” *CBC News* (25 August 2009); Kitching, *supra* note 170.

<sup>175</sup> A news story in December 2010 revealed that a formal memorandum of understanding had not been signed for a year after the announcement of the task force. See, Lindor Reynolds, “The cloak of secrecy over Project Devote may be making investigators’ jobs even tougher” *Winnipeg Free Press* (24 January 2007).

<sup>176</sup> Manitoba. *Integrated task force formed* (26 August 2009).

<sup>177</sup> *Ibid.*; “Group to protect vulnerable women in Manitoba” *CBC News* (03 September 2009).

<sup>178</sup> “RCMP asks for patience in missing women cases” *CBC News* (10 September 2009); “Investigators assigned to task force on missing, murdered women” *CBC News* (25 September 2009).

<sup>179</sup> “Investigators...,” *supra* note 178.

<sup>180</sup> “RCMP asks...,” *supra* note 178.

Vulnerable Women.<sup>181</sup> There was considerable public pressure and media attention due to the discovery of the bodies of two teenage Aboriginal girls, who were friends and worked as street sex workers. Cherrise Houle, 17, and Hillary Wilson, 18, were found murdered in July and August 2009, respectively.<sup>182</sup>

Between 2009 and 2011, the task force reviewed 84 cases, going back to 1926. A new “inter-force” was created which prioritized cases based on the greatest chances of their being solved.<sup>183</sup> The review phase did not provide evidence that any of the cases were linked.<sup>184</sup> In May 2011, Project Devote (Devote) came into existence. Devote is a RCMP-led initiative, in partnership with the Winnipeg Police Service, focusing on exploited and at-risk victims of unsolved homicides and missing person cases where foul play is suspected throughout the province.<sup>185</sup> In addition to the investigation of these cases, a proactive team was announced to “further enhance the on-going efforts of dealing with exploited and at risk persons.”<sup>186</sup> Details surrounding the proactive team were not provided. The task force was increased by 15 people, including 10 officers from the Winnipeg Police Services, and eight investigators, two civilian analysts, three data entry clerks and one administrative support person from the RCMP.<sup>187</sup>

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<sup>181</sup> “Group...,” *supra* note 177.

<sup>182</sup> *Ibid.*; “Unsolved murders...,” *supra* note 174; “Document: RCMP email on integrated task force” *CBC News* (10 September 2009).

<sup>183</sup> “Manitoba police rev up hunt for missing women” *CBC News* (27 May 2011); Paul Turenne, “Task force ready to move to next stage” *Winnipeg Sun* (27 May 2011); “6 cases of missing Manitoba women” *CBC News* (26 June 2012); Tamara King, “Task force probes women’s deaths” *Winnipeg Sun* (26 February 2012); Gordon Sinclair Jr., “Simple questions; why won’t police answer?” *Winnipeg Free Press* (01 July 2012).

<sup>184</sup> Turenne, *supra* note 183.

<sup>185</sup> “Missing and murdered Aboriginal persons” *RCMP* (22 August 2012); “Next phase for Manitoba integrated task force for missing and murdered women” *RCMP News Release* (27 May 2011); Sinclair Jr., *supra* note 183.

<sup>186</sup> “Next Phase...,” *supra* note 185.

<sup>187</sup> “Project Devote update” *RCMP News Releases* (13 July 2012).

In May 2012, Devote met with the families of missing and murdered women to update them on the progress of the file.<sup>188</sup> Two months later, this information was made public, along with the names of the 28 files which it had included in the project. Officers had initially reviewed 84 files with female victims and 112 cases involving male victims. After review, 20 homicides and eight missing person cases were identified for Devote.<sup>189</sup> The files spanned from 1961 to 2009 and included one man.<sup>190</sup> The inclusion criteria for unsolved homicides or suspicious missing person cases for Devote were also disclosed. These are substance abuse, transient lifestyle, hitchhiking, mental health issues or involvement in the sex trade.<sup>191</sup> The police again reiterated that no evidence has been found to indicate that one person is responsible for more than one case.<sup>192</sup> A provincially funded family liaison position works full-time with the team and two Crown Counsel are assigned to Devote.<sup>193</sup> Since its inception, Devote has laid charges in the death of one historical case. In July 2010, Theodore Herntier was charged with second degree murder in the 2004 death of transgendered sex worker David (Divas) Boulanger, 28.<sup>194</sup> Figure 8-4<sup>195</sup> provides a chronology of cases from Manitoba, including the Devote cases.<sup>196</sup>

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<sup>188</sup> *Ibid.*; Reynolds, *supra* note 175.

<sup>189</sup> "Project...", *supra* note 187.

<sup>190</sup> William Weinbender, 46, was last seen on June 5, 1994; he is the only man on the Devote list.

<sup>191</sup> "Manitoba task force examines 28 homicide and missing cases" *CBC News* (13 July 2012); "Manitoba homicide victim's family surprised with new probe" *CBC News* (17 July 2012).

<sup>192</sup> "Project...", *supra* note 187.

<sup>193</sup> *Ibid.*; Reynolds, *supra* note 175.

<sup>194</sup> Turenne, *supra* note 183; Reynolds, *supra* note 175.

<sup>195</sup> Italics indicate a case that is not one of the 28 official Project Devote cases which began in May 2011.

<sup>196</sup> There was a transgendered sex worker killed by a car on a Winnipeg highway on July 14, 2002. Many lists of murdered sex workers include Bloomfield. The day after Bloomfield's death, an unnamed woman came forward to confess to hitting Bloomfield; she had thought she had hit a deer. She was not charged. Another sex worker, Moira Erb, 36, was last seen on August 2, 2003. On September 17 or 23, Erb's body was found near train tracks north of Winnipeg. Erb is believed to have been hit by a train; police do not suspect foul play. Her family believes otherwise, as she was found without shoes and in a remote area. Erb is included on many lists of murdered sex workers. Neither Bloomfield nor Erb are not included in the DD.

**Figure 8-4:** <sup>197</sup> *Chronology of Manitoba Cases of High-Risk Victims*

| # | Victim                      | Date Last Seen        | Details of Disappearance or Murder                                                                                                                                                                                                               | Status                              |
|---|-----------------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1 | <i>Elsie Tasker</i>         | <i>Oct. 4, 1947</i>   | <i>Tasker, 42, was found stabbed in her Winnipeg home. She owned and operated a “sporting house” / brothel.</i>                                                                                                                                  | <i>Unsolved</i>                     |
| 2 | <i>Jean Mocharski</i>       | <i>March 18, 1961</i> | <i>Mocharski, 43, was found murdered near docks in Winnipeg.</i>                                                                                                                                                                                 | <i>Unsolved</i>                     |
| 3 | <i>Mary Passage</i>         | <i>Jan. 11, 1964</i>  | <i>Passage, 73, was found beaten and stabbed to death in her Winnipeg home, where she sold liquor illegally after-hours.</i>                                                                                                                     | <i>Unsolved</i>                     |
| 4 | <i>Sylvia Klayh</i>         | <i>Aug. 13, 1967</i>  | <i>Klayh, 14, was last seen at Whiteshell Provincial Park.</i>                                                                                                                                                                                   | <i>Missing; foul play suspected</i> |
| 5 | <i>Christina Littlejohn</i> | <i>Summer 1968</i>    | <i>Littlejohn, 26, was last seen on the Roseau River Reserve. Her body has never located. She was declared legally dead in 1995. Eddie Smith was charged with second degree murder in the 1968 disappearance of Littlejohn on Dec. 18, 2002.</i> | <i>Charges laid</i>                 |
| 6 | <i>Debra Richardson</i>     | <i>Oct., 1972</i>     | <i>Richardson was pregnant the last time she was seen. She was hitchhiking. She was reported missing Aug. 2, 1982, ten years after she was last seen.</i>                                                                                        | <i>Missing; foul play suspected</i> |
| 7 | <i>Beatrice Sinclair</i>    | <i>May 13, 1974</i>   | <i>Sinclair, 65, was found naked under the Floodway Bridge in Winnipeg the day after she was last seen. She had died from asphyxia.</i>                                                                                                          | <i>Unsolved</i>                     |

<sup>197</sup> This chart was created using the following sources: “Manitoba...,” *supra* note 183; “Project...,” *supra* note 187; “Man accused of killing 3 Winnipeg women” *CBC News* (25 June 2012); “Arrest made in connection with 3 homicides” *CBC News* (25 June 2012); “Interactive map: Missing and murdered women in Manitoba” *Winnipeg Free Press* (no date); “Missing Person” *RCMP*; Amnesty International, *supra* note 139; “Man pleads guilty to killing sex-trade worker” *CBC News* (28 April 2010); Ross Romaniuk, “Move over city cops: Native police should hunt serial killer, says Nelson” *Winnipeg Sun* (12 September 2007); Lindor Reynolds, “Manitoba’s missing lives – 16 sex-trade killings remain unsolved” *Winnipeg Free Press* (24 January 2007); Justice Canada, *Victimization of prostitutes in Calgary and Winnipeg* by Augustine Brannigan. (Ottawa: Department of Justice Canada, 1994); Desespere, *supra* note 40; “Unsolved Cases: Homicides” *Winnipeg Police Service*; “Unsolved Cases: Missing Persons” *Winnipeg Police Service*; “RCMP make arrest in historic homicide” *Winnipeg Free Press* (16 July 2010); “Slaying spurs...,” *supra* note 5; Len Humes, “Winnipeg police continue to search for missing girl Lorna Blacksmith” *Oye News* (25 May 2012); Tamara King, “Two months, no sign of Lorna” *Winnipeg Sun* (12 March 2012); “Memorial held for First Nations women” *Winnipeg Free Press* (26 June 2012); “Body linked to accused serial killer may be in dump” *CBC News* (07 August 2012); “Landfill search to begin for Tanya Nepinak’s remains” *CBC News* (03 October 2012); “Family searches for body of serial killer’s alleged victim” *CBC News* (29 June 2012); “Body found in Winnipeg lane ID’d as Carolyn Sinclair” *CBC News* (02 April 2012); “Missing woman’s family scours Winnipeg streets” *CBC News* (12 January 2012); “Slain Winnipeg woman’s family seeks answers” *CBC News* (02 April 2012); “6 cases...,” *supra* note 183; “Alleged serial killer Shawn Lamb faces new charge” *CBC News* (12 March 2013).

| #  | Victim            | Date Last Seen | Details of Disappearance or Murder                                                                                                                      | Status                       |
|----|-------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 8  | Annie Yassie      | June 22, 1974  | Yassie, 13, was last seen in the company of a male friend by a taxi driver in Churchill.                                                                | Missing; foul play suspected |
| 9  | Marie Banks       | July 26, 1983  | Banks, 18, was found strangled in a field near Winnipeg on Aug. 15, 1983.                                                                               | Unsolved                     |
| 10 | Constance Cameron | Aug. 2/3, 1984 | Cameron, 20, was found strangled in a field near Winnipeg four days after she was last seen.                                                            | Unsolved                     |
| 11 | Charlene Orshalak | Jan. 1987      | Orshalak, 17, was found murdered in a cemetery in Winnipeg.                                                                                             | Unsolved                     |
| 12 | Nancy Dumas       | March 3, 1987  | Dumas, 75, was last seen in Lynn Lake.                                                                                                                  | Missing; foul play suspected |
| 13 | Cheryl Duck       | Dec. 5, 1987   | Duck, 15, was found murdered in a field near Winnipeg. She had been beaten and left in the field, where she succumbed to hypothermia.                   | Unsolved                     |
| 14 | Cathy Williams    | Aug. 23, 1988  | Williams, 21, was last seen in Winnipeg.                                                                                                                | Missing; foul play suspected |
| 15 | Betsy Owens       | Oct. 23, 1988  | Owens, 15, was last seen in Pauingassi.                                                                                                                 | Missing; foul play suspected |
| 16 | Susan Holens      | April 13, 1989 | Holens, 15, was found murdered in a ditch near Headingley.                                                                                              | Unsolved                     |
| 17 | Emily Ballantyne  | April 28, 1991 | Ballantyne, 24, was last seen in Thompson.                                                                                                              | Missing; foul play suspected |
| 18 | Glenda Morrisseau | July 17, 1991  | Morrisseau, 19, was last seen hitchhiking. Her body was found in a Winnipeg industrial park on Aug. 7, 1991. She died of head injuries.                 | Unsolved                     |
| 19 | Jamie McGuire     | Jan. 28, 1994  | McGuire, 20, was found in a drainage ditch near Winnipeg on March 17, 1994. She died of head injuries.                                                  | Unsolved                     |
| 20 | Amanda Bartlett   | July 1996      | Bartlett, 17, was last seen at a group home. No missing persons report was filed for over a decade after was last seen.                                 | Missing                      |
| 21 | Evelyn Stewart    | March 20, 1998 | Stewart, 25, was found murdered in a Winnipeg parking lot the same day she went missing. She died of head injuries.                                     | Unsolved                     |
| 22 | Tania Marsden     | Sept. 9, 1998  | Marsden, 18, was last seen on her 18 <sup>th</sup> birthday. She was found strangled and partially submerged near a Winnipeg highway on Sept. 29, 1998. | Unsolved                     |

| #  | Victim                            | Date Last Seen       | Details of Disappearance or Murder                                                                                                                                                                                                                           | Status                       |
|----|-----------------------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 23 | Irma Murdock                      | June 16, 2000        | Murdock, 38, was last seen in Winnipeg.                                                                                                                                                                                                                      | Missing; foul play suspected |
| 24 | Noreen Taylor                     | Aug. 15, 2001        | Taylor, 32, was found murdered on a Winnipeg street hours after being last seen. Her death was likely caused by being pushed or having fallen from a moving vehicle.                                                                                         | Unsolved                     |
| 25 | Therena Marsland/Silva            | April 29, 2002       | Marsland's was last known to be alive in April when she telephoned family. She was found beaten to death on a Winnipeg street on Dec. 15, 2002.                                                                                                              | Unsolved                     |
| 26 | Felicia Solomon                   | March 25, 2003       | Solomon, 16, was found dismembered in the Red River on June 11, 2003.                                                                                                                                                                                        | Unsolved                     |
| 27 | Sylvia Guiboche                   | Mid-July, 2003       | When Guiboche, 20/21, was last seen, she was 8-9 months pregnant.                                                                                                                                                                                            | Missing; foul play suspected |
| 28 | <i>Jacqueline Stanicia</i>        | <i>Aug. 14, 2003</i> | <i>Stanicia, 40, lived a high-risk lifestyle but had never gone missing previously. She was last seen in Winnipeg.</i>                                                                                                                                       | <i>Missing</i>               |
| 29 | Nicole Hands                      | Oct. 2, 2003         | Hands, 32, died in hospital after suffering stab wounds in her home.                                                                                                                                                                                         | Unsolved                     |
| 30 | Cynthia Audy                      | Jan. 28, 2004        | Audy, 27, was last seen in Winnipeg. For several years Audy was listed on the Winnipeg Police Service website as both a missing person and as wanted by police. She is no longer listed as a wanted person.                                                  | Missing; foul play suspected |
| 31 | <i>Elaine Moar</i>                | <i>Jan. 28, 2004</i> | <i>Moar, 32, and her daughter Hailey, 16 months old, were last seen in Winnipeg. They may have been in the company of Norman Moar.</i>                                                                                                                       | <i>Missing</i>               |
| 32 | Sunshine Wood                     | Feb. 20, 2004        | Wood, 16, was last seen in Winnipeg.                                                                                                                                                                                                                         | Missing; foul play suspected |
| 33 | <i>David (Divas B.) Boulanger</i> | <i>Oct. 1, 2004</i>  | <i>Boulanger, 28, was found beaten to death 8 km from Portage la Prairie on Nov. 3, 2004. She had last been seen in Winnipeg. On July 16, 2010, Theodore Herntier charged with second degree murder. In March 2013, Herntier was ordered to stand trial.</i> | <i>Charges laid</i>          |
| 34 | Tatia Ulm                         | May 9, 2005          | Ulm, 39, was found murdered in a dumpster in Winnipeg.                                                                                                                                                                                                       | Unsolved                     |
| 35 | Myrna Letandre                    | Oct. 5, 2006         | Letandre, 36, was last seen in Winnipeg. In May 2013, human remains were found in a rooming house and identified as belonging to Letandre.                                                                                                                   | Unsolved                     |
| 36 | Crystal Saunders                  | April 18/19, 2007    | Saunders, 24, was found murdered in Winnipeg.                                                                                                                                                                                                                | Unsolved                     |



| #  | Victim            | Date Last Seen | Details of Disappearance or Murder                                                                                                                                                                                                                                 | Status                       |
|----|-------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| 37 | Aynsley Kinch     | July 13, 2007  | Kinch, 35, was found in a field near Winnipeg two days after she was last seen. Stanton Viner was charged with second degree murder of Kinch on Sept. 17, 2007. Viner pleaded guilty to second degree murder on April 28, 2010.                                    | Solved                       |
| 38 | Fonassa Bruyere   | Aug. 8, 2007   | Bruyere, 17, was found murdered in a ditch in Winnipeg on Aug. 30, 2007.                                                                                                                                                                                           | Unsolved                     |
| 39 | Claudette Osborne | July 24, 2008  | Osborne, 22, was last seen in Winnipeg.                                                                                                                                                                                                                            | Missing; foul play suspected |
| 40 | Amber McFarland   | Oct. 18, 2008  | McFarland, 24, was last seen in at a nightclub in Portage La Prairie. In 2009 police announced they were investigating her disappearance as a homicide.                                                                                                            | Missing; foul play suspected |
| 41 | Cherisse Houle    | June 26, 2009  | Houle, 17, was found murdered 16 km from Winnipeg on July 1, 2009.                                                                                                                                                                                                 | Unsolved                     |
| 42 | Hillary Wilson    | Aug. 18, 2009  | Wilson, 18, was found murdered in a field near Winnipeg on Aug. 20, 2009.                                                                                                                                                                                          | Unsolved                     |
| 43 | Amber Guiboche    | Nov. 10, 2010  | Guiboche, 20, was last seen in Winnipeg.                                                                                                                                                                                                                           | Missing                      |
| 44 | Tanya Nepinak     | Sept. 13, 2011 | Nepinak, 31, was last seen in Winnipeg. Her body has not been located but is suspected to be in a Winnipeg-area landfill. On June 25, 2012, Shawn Lamb was charged with three counts of second degree murder in the deaths of Sinclair, Nepinak and Blacksmith.    | Charges laid                 |
| 45 | Carolyn Sinclair  | Dec. 13, 2011  | Sinclair, 25, was last seen in Winnipeg when she was 5 months pregnant. On March 31, 2012, her body was found in a dumpster. On June 25, 2012, Shawn Lamb was charged with three counts of second degree murder in the deaths of Sinclair, Nepinak and Blacksmith. | Charges laid                 |
| 46 | Tiffany Skye      | Aug.13, 2011   | Skye, 19, found dead in the Red River; cause of death unknown but suspicious circumstances around her death.                                                                                                                                                       | Unsolved                     |
| 47 | Lorna Blacksmith  | Jan. 11, 2012  | Blacksmith, 18, was last seen in Winnipeg. In June, her body was found in a dumpster.                                                                                                                                                                              | Charges laid                 |
| 48 | Angelica Godin    | Feb. 15, 2012  | Godin, 15, was last seen in Winnipeg.                                                                                                                                                                                                                              | Missing                      |
| 49 | Jaylynn McIvor    | Oct. 2012      | McIvor, 15, was last seen in Winnipeg.                                                                                                                                                                                                                             | Missing                      |
| 50 | Deanne McKinney   | Feb. 26, 2013  | McKinney, 25, was last seen in Brandon.                                                                                                                                                                                                                            | Missing                      |

In June 2012, nine months after the murder of the first of three victims, Shawn Lamb was charged with three counts of second degree murder. Carolyn Sinclair, 25, was pregnant when she disappeared in December 2011; her body was found in a dumpster in March 2012. Lorna Blacksmith, 18, was last seen in January 2012; her body was found in a dumpster in June. Blacksmith was not known to work in the sex trade and was thought to have left Winnipeg to travel.<sup>198</sup> Police have revealed that Tanya Nepinak knew Lamb. Nepinak was last seen in September 2011 and her body has not been found, but she is thought to have been murdered on the day she was last seen. Lamb was a person of interest in the three cases prior to his arrest, but it was only after he was arrested on sexual assault charges in an unrelated case that he was questioned. According to police, Lamb had claimed that he found two of the three bodies.<sup>199</sup> Searches in a landfill where Nepinak's body was thought to be were not successful.<sup>200</sup> A tip-line was set up following Lamb's arrest, seeking witnesses and potential linkages to Devote cases.<sup>201</sup> The Lamb investigation was not a Devote file, but a collaborative effort between the sex crimes, homicide and missing persons units of the Winnipeg Police Services.<sup>202</sup> Winnipeg police are working with officers from Devote and other jurisdictions such as Alberta, Ontario and Quebec as Lamb travelled widely.<sup>203</sup>

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<sup>198</sup> James Turner, "Man charged in 3 sex slayings" *Winnipeg Sun* (25 June 2012); "Accused serial killer charged in deaths of 3 Winnipeg women" *CBC News* (25 June 2012); "Homicide investigations arrest" *Winnipeg Police Service News* (25 June 2012).

<sup>199</sup> Thomas Svelka claimed to have found the body of Rachel Quinney, with whose murder he was later charged; he was acquitted.

<sup>200</sup> "Landfill search for Tanya Nepinak is over" *CBC News* (11 October 2012); "Police seek links to possible serial killer" *CBC News* (26 June 2012).

<sup>201</sup> "Alleged serial killer case prompts tip line" *CBC News* (06 July 2012).

<sup>202</sup> "Police need tips in serial killer case" *CBC News* (19 October 2012); "Police hoping tipsters will call Lamb tip line again" *Winnipeg Free Press* (19 October 2012).

<sup>203</sup> "Winnipeg serial killer case probe expands to other cities" *CBC News* (27 June 2012); "Police seek..." *supra* note 200; "Accused may have killed more women" *The Edmonton Journal* (26 June 2012); Mike McIntyre, "Lamb a manipulator: police" *Winnipeg Free Press* (27 February 2013); *Shawn Lamb statements trouble family of alleged victim* (26 February 2013) CBC Television.

## V. CONCLUSION

It has been well-documented that murders committed by strangers are the most difficult to solve. Murders of sex workers are less likely (34%) to be cleared than murders of non-sex workers (77% to 85%).<sup>204</sup> Serial murder cases are large, complex investigations that require a major case management approach, dedicated investigators and considerable resources. Projects Devote, E-PANA, Evenhanded and KARE are all RCMP-led initiatives that have been set up in order to solve the murders and disappearances of high-risk victims. These initiatives illustrate a serious dedication and desire by municipal forces and the RCMP to investigate and attempt to bring these cases to a resolution. The RCMP should be lauded for these projects. This chapter concludes with a brief discussion of the aspects of these projects that are best practices and recommendations for improving such investigations.

Both KARE and Devote expanded the scope of the investigations. One expansion was to include high-risk cases involving men. Although some advocates are critical of this for taking focus off of Aboriginal women, it is not necessarily a misstep.<sup>205</sup> The number of men who fit the high-risk criteria is not high and does not deter from the stated aim of the RCMP in addressing cases of missing and murdered Aboriginal women as a priority. Further, if the project is funded and staffed adequately, this expansion is a logical investigative step as similar-fact evidence may be found in these cases. Research has found that 40% of serial killers murder victims of both genders.<sup>206</sup>

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<sup>204</sup> John Lowman, "Violence and the outlaw status of (street) prostitution" (2000) 6 *Violence against Women* at 988.

<sup>205</sup> See e.g., Reynolds, *supra* note 175.

<sup>206</sup> Eric W. Hickey. *Serial murderers and their victims*. 5<sup>th</sup> Edition. (California: Wadsworth, 2010) at 288.

The second expansion of KARE and Devote was to include cases in the whole province, rather than just a single city. If there are sufficient resources, this is also an important and reasonable step. Serial killers are known to be highly mobile and cross jurisdictions and an investigative expansion might lead to new linkages. With Evenhanded and E-PANA, there are similar facts and victomologies in specific geographic areas that are likely more effectively addressed as separate projects. Evenhanded actually began with a review of all provincial cases of murdered sex workers and hitchhikers. If the computer systems are compatible – as they should be – checks between systems should be done regularly to identify suspects, vehicles or other evidence is found in both investigations. Given the relative close geographic proximity to Alberta, E-PANA especially should be reviewing, via computer, KARE suspects and leads for overlap in their own files. Overlaps in suspects or vehicles are an effective method of identifying high priority persons of interest.

Devote and E-PANA have made their inclusion criteria and the names of victims whose cases they are examining public. They have also disclosed how they are prioritizing the cases they are actively investigating. E-PANA's focus is on those cases that have a current threat to the public and preservation of physical evidence, whereas Devote prioritizes cases with the best chance of being solved. Both are reasonable approaches.

However, none of these projects has provided enough information to the public and media. Evenhanded and KARE have not publically disclosed their inclusion criteria or the number of cases under review or active investigation. KARE has not provided recent information on the number of investigators and staff assigned to the project, nor its annual budget. Devote has not released information about its annual budget, but the July 2012

update included information about the make-up of the team. This should have been done the year before, when the team size tripled.

That E-PANA and Devote, which have a set list of cases, do not disclose the cases actively being investigated, or identify the strongest cases, is not altogether surprising. Doing so could compromise the investigation. For instance, if five cases are being investigated because three have DNA links and the other two have other physical, geographic or other relevant links that investigators believe may tie all five cases together, disclosure of this fact might alert the killer. Many of these projects are investigating active serial killers; they are not all historic cases. The killer may have also moved to another jurisdiction but can still be informed about progress in those cases. Many serial killers have followed media coverage of their crimes, or even communicated with police or media about the crimes.<sup>207</sup> However, if police do not believe disclosure of the cases under review will compromise the investigation, that information should be revealed.

The number of investigators and staff, budget and the cases under the project umbrella should be disclosed. Failure to do so dampens the public's support and causes unnecessary speculation and criticism. For example, media requests in August 2012 for information on Devote were denied, sparking a furor over secrecy.<sup>208</sup> These are publicly funded projects and little is to be gained by withholding information that is not sensitive.

Women's, Aboriginal and human rights organizations, as well as media and researchers, have long argued that the police have done little and cared less about the fate of women in high-risk situations. The formation of these investigative teams is an important

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<sup>207</sup> Federal Bureau of Investigations (FBI). *Serial murder: Multi-disciplinary perspectives for investigators* (07 July 2008).

<sup>208</sup> *Ibid.*

step in solving the crimes and establishing community credibility; failure to effectively communicate undermines this effort and engenders continued distrust. KARE is the only one of these initiatives to have its own website. However, it is not updated nor does it list the cases under review. In a digital age, a website is an effective tool to generate tips and manage inquiries from the media. A suggestion from an FBI-led symposium on serial murder investigations recommends an investigative website as a way of informing the public and the media and controlling the information, reducing inaccuracies and speculation.<sup>209</sup> However, such an initiative would need to be regularly updated. As MCM models have dedicated media liaisons, this is a logical task for such a position.

E-PANA is an excellent example of a dedicated initiative to solve cold cases. These are difficult investigations but resolution was made in the MacMillan case. It is possible other families will have answers as well. However, other similar-fact cases are excluded and are not receiving the same attention, level of investigation or forensic testing that the E-PANA cases are. Leads and suspects that could result in resolution may be missed due to their exclusion. It is understandable that with 18 cases to investigate, priorities must be established. However, the similar-fact cases in the same region should be included. At a minimum, a case summary should be completed and the names of witnesses, suspects and persons of interest entered into the database. The evidence from all of these similar-fact cases should also be re-examined for hair, fibres or DNA testing that may not have been available at the time of the homicide. Evidence will only degrade over time; preservation of potential DNA evidence should be prioritized.

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<sup>209</sup> *Ibid.*

KARE's proactive team was inspired by the work done by Evenhanded and is an excellent strategy. This is an avenue that Devote has not yet attempted, despite its similar high-risk victims. For E-PANA, voluntary disclosure of information and DNA samples are not likely to be effective or necessary. Although some of the victims are high-risk due to their hitchhiking, all were reported missing and had stable housing where police could locate toothbrushes, hairbrushes, etc. as sources of DNA, if needed. There are no unidentified human remains in Northern B.C. as has been the case in other jurisdictions. A voluntary database is not necessary in the E-PANA cases.

Even well-resourced task forces face extremely difficult investigations; stranger murder cases are difficult, time consuming and resource-intensive. Unfortunately, it is not uncommon for additional victims to be murdered after the formation of a task force. Police agencies in Canada have learned from the errors of the DTES missing women cases and have expanded upon the innovative and effective practices first belatedly employed by Evenhanded. The MCM principles are now routinely utilized, as are cross-jurisdictional task forces. There continues to be calls to do more and to do it faster; complacency by police is still alleged by family members, human rights and Aboriginal and sex work advocates. Media attention, non-governmental reports and advocacy groups have kept the disappearances and homicides of vulnerable women from being overlooked by the general public and keep the women who have been murdered in the public's attention. The RCMP and many smaller police agencies have made victimization of vulnerable women a priority. Serial stranger-murder investigations remain challenging, and improvements, innovations and continued commitment are necessary for police to identify those responsible and prevent further victimization.

## CHAPTER NINE

### CONCLUSION

#### I. INTRODUCTION<sup>1</sup>

In early 2013, the international non-governmental organization Human Rights Watch released a report on the relationship between Aboriginal women and girls and the RCMP.<sup>2</sup> The report details alleged abuses, including physical and sexual assault, of Aboriginal women and girls by RCMP officers, taken from interview with 50 Aboriginal women and girls ranging in ages from 15 to their late 60s. None of the cases have been reported to police or to the Commission of Public Complaints against the RCMP.<sup>3</sup> As part of its response to the report, an RCMP spokesperson told the CBC that because the Native Women's Association of Canada (NWAC) had not shared the full details of their *Sisters in Spirit* database, the figure of 582 missing and murdered women could not be verified.<sup>4</sup> Only 118 names from the NWAC database had been shared by NWAC. Of these, 64 names were found in police databases but the remaining 54 could not be confirmed.<sup>5</sup> NWAC president Michèle Audette responded to the RCMP's comments:

It is incredible that the RCMP is publicly doubting the number of missing and murdered Aboriginal women and girls that has been documented in the Native Women's Association of Canada's Database! The high number of missing and murdered Aboriginal women and girls that has been documented was

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<sup>1</sup> Footnotes are reordered at 1 for each chapter. The full citation is provided the first time it appears in the chapter. The exception is citations which include websites. Where a website forms part of the citation, it is found in the bibliography.

<sup>2</sup> Human Rights Watch (HRW). *Those who take us away: Abusive policing and failures in protection of Indigenous women and girls in northern British Columbia, Canada* (February 2013). See also, Rick MacInnes-Rae. "Is the relationship between the RCMP and Aboriginal women broken?" *The Current* (15 February 2013).

<sup>3</sup> "RCMP responds to Human Rights Watch report" *RCMP News Release* (13 February 2013).

<sup>4</sup> The reason that NWAC has shared only 118 names with the police is unknown. However, as NWAC interviewed families of missing and murdered women, there may be confidentiality issues involved.

<sup>5</sup> "RCMP questions claim of 600 missing aboriginal women" *CBC News* (16 February 2013); Evan Solomon. *The House* (16 February 2013).



based on accurate secondary source information that in many instances came directly from police reports that had further been corroborated by NWAC researchers with various police agencies.<sup>6</sup>

The RCMP's National Centre for Missing Persons and Unidentified Remains (NCMPUR) launched *Canada's Missing* website in January 2013. The website listed 129 missing women, 64 missing girls, 21 unidentified female human remains and one transgendered missing woman, as of September 30, 2013.<sup>7</sup> Of these, 27 (20.9%) women, 36 (27.9%) girls and the one transgendered woman are Aboriginal (49.6%). None of the unidentified remains were listed as being Aboriginal, although there are forensic tests that can determine Aboriginal heritage with at least some reliability. However, not all of Canada's missing persons and unidentified human remains are provided on this publicly available database. A review of the provincially-maintained databases showed that there were numerous cases of Aboriginal and non-Aboriginal women that were not yet in the national database.<sup>8</sup> Files continued to be added through the year; 30 women or girls were added between February 26 and September 30. This includes women whose cases are under investigation by Projects Devote, E-PANA and KARE, many of whom are Aboriginal.

My own data collection anticipated that police agencies would need to independently confirm the names and status of persons listed within the dissertation database (DD). The NWAC data collection included interviews with family and friends of missing or murdered women. This is an important element in being able to have a fulsome understanding of the woman as a person, rather than simply a victim. However, due to privacy agreements, not all

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<sup>6</sup> NWAC. *NWAC shocked with recent RCMP comments on CBC* (17 February 2013).

<sup>7</sup> "Canada's Missing" *RCMP*.

<sup>8</sup> This included the Ontario Provincial Police's (OPP) Project Resolve and the Missing Persons databases managed by the province of Alberta, the Manitoba Association of Chiefs of Police and the Saskatchewan Association of Chiefs of Police.

of the information gathered is available to share with the public or the police. Using only publically available information such as newspapers, Internet databases, law enforcement Internet databases, news releases and posters, and published legal judgements, sentencing or trial decisions, a database of cases of missing and murdered women was created for this dissertation. Through extensive cross-referencing, 824 missing and murdered Aboriginal women, 242 more than were identified by NWAC, were identified. In his report on the missing women of the DTES, Oppal noted that there was a knowledge gap regarding missing and murdered women in Canada:

There is no one single authoritative list of missing and murdered women in Canada. This lack of statistics mirrors the controversies over the numbers of victims seen at an international level. Statistics Canada has not traditionally gathered or analyzed information about missing persons because going missing is not a crime.<sup>9</sup>

This dissertation aims to fill, in part, this gap. Appendix F provides the names of the women in the DD up to the end of data input in September 2013. In the future, I look forward to working with academics, the Non-Governmental Organizations community and the authorities to apply the conclusions of this work and further analyse the collected data.

## II. SERIAL MURDER AND VULNERABLE WOMEN

Homicide is relatively rare in Canada, with a rate of 1.73 per 100,000 people.<sup>10</sup> In 2011, Canada's rate of homicides committed by strangers was at its lowest in 40 years, at 0.2 per 100,000.<sup>11</sup> Men are at a higher risk of being a victim of homicide than women.<sup>12</sup> Overall

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<sup>9</sup> Wally T. Oppal. *Executive Summary* (December 2012) at 7.

<sup>10</sup> Canadian Centre for Justice Statistics (CCJS). *Homicide in Canada, 2011* by Samuel Perreault. (Ottawa: Minister of Industry, 2012) at 3.

<sup>11</sup> *Ibid.* at 9.

<sup>12</sup> *Ibid.* at 10.

there has been a decrease in the rate of females being victimized by homicide over the past 30 years; while 38% of homicide victims were women in 1981, female victims accounted for 29% in 2011.<sup>13</sup> Generally, women in Canada are at far more risk of being victimized by friends, acquaintances or current and former partners than strangers.<sup>14</sup>

Aboriginal women, women in the street sex trade, and other women vulnerable due to poverty, addiction and homelessness face a higher risk of predation by strangers. The reasons for violence against sex workers are varied and complex. Perpetrators, including serial killers, may view sex workers as less than human and disposable to justify their violence. Due to the willingness of sex workers to enter vehicles, sex workers also provide an easier opportunity for those intent on abduction and murder.

The abuse suffered by sex workers, however, is a continuation of the violence against women and girls in society. For men intent on violence, women of low socio-economic status are sought as victims because they are easier to harm due to their physical and social isolation. These women have found themselves ignored by society; after they go missing or are murdered, the police have too often placed a low priority on their cases. Serial murder is rare, but vulnerable women, especially hitchhikers and street prostitutes, are at a much higher risk of predation by serial killers. Such offenders target street prostitutes because the victims are vulnerable and marginalized. Serial killers of prostitutes are able to amass high numbers of victims, partly due to the difficulty in identifying and capturing those who target strangers, which the majority of serial killers do.<sup>15</sup> There are difficulties linking cases for a variety of

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<sup>13</sup> *Ibid.* at 11.

<sup>14</sup> *Ibid.* at 10.

<sup>15</sup> Eric W. Hickey. *Serial murderers and their victims*. 5<sup>th</sup> Edition. (California: Wadsworth, 2010) at 284.

reasons, including police inattention. Even when police action is swift and intense, murders committed by strangers are very difficult to solve.

Aboriginal women are more vulnerable to violence as a result of 300 years of colonialism. Aboriginal people experience wide-spread poverty and the problems associated with poverty: being both victims and perpetrators of crime, experiencing poor health with early morbidity, high levels of substance abuse and having lower levels of education than the Canadian norm. The legacy of residential schools has contributed to family breakdown, loss of language and culture. Distrust of police is deeply ingrained; in the language of a the Tl'azt'en Nation of B.C., "the name for the police is nayachuknay: 'those who take us.'...some Aboriginal people used the following phrase to describe the police: 'man who throws you in a hole.'"<sup>16</sup> It should not be surprising that Aboriginal people are less likely to seek assistance from the police.

Aboriginal children are grossly overrepresented in the child welfare system; many Aboriginal children in care were born to mothers who also experienced separation from their families in residential schools, group, adoptive or foster homes. Aboriginal men and women are both overrepresented in the criminal justice system. In addition to being more likely to be incarcerated at the provincial or federal level, both male and female Aboriginal people are also more likely to be victims of crime. The rates of violence against women, and Aboriginal women in particular, clearly describe a situation where patterns of violence are both gendered and racialized.

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<sup>16</sup> Wally T. Oppal. *Forsaken: The Report of the Missing Women Commission of Inquiry* (December 2012) at 95.

Aboriginal identity is also associated with a variety of circumstances that may contribute to a woman's vulnerability for going missing or being murdered. Aboriginal women in the DD were more likely to have histories of addiction, of having been homeless and of having a criminal record. Of the cases in which there is a history of hitchhiking, 46.2% of the 65 individuals were Aboriginal. The women whose details are contained within the DD endured multiple hardships throughout their lives. Histories of poverty, separation from family and mental, physical and addiction problems were common. These hardships, each layered upon each other, contributed to their vulnerability. This was especially true among Pickton's victims and, in general, for Aboriginal women who are murdered or have gone missing.

For girls and young women who have faced considerable difficulties in their lives, the risk of sexual exploitation is considerable. Girls living in areas where prostitution is visible – which are generally poor areas of cities – may be subject to solicitation by men, as well as harassment and procurement by pimps, gangs and peers. Children already victimized through sexual exploitation by way of prostitution, abuse, incest, addiction or by life on the streets, seem to be largely removed from the public outcry for protection. The “kiddie strolls” in every major city are known to both police and predators, and Aboriginal youth predominate amongst those who are exploited in these dangerous places.<sup>17</sup>

These layered vulnerabilities often lead Aboriginal women to what police call “high-risk lifestyles” which includes working in street prostitution. Although prostitution is technically legal in Canada, the current *Criminal Code* provisions make it very difficult to

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<sup>17</sup> *Ibid.*

prostitute without contravening the law. The prostitution laws are currently under review by several courts. The current provisions in the *Criminal Code* are in place until the SCC rules on the appeal from the federal government.<sup>18</sup>

An estimated 80% of all prostitution in Canada occurs indoors, through escort services, massage parlours, private residences and brothels. Police in Canada generally do not prioritize their enforcement efforts on indoor locations unless there are public complaints or there are suspicions of underage girls or human trafficking. The sections of the *Criminal Code* which prohibit living on the avails of prostitution and keeping a bawdy house, although not specific to indoor sex work, are most applicable in indoor settings. The communicating law (s.213) is most relevant to street prostitution. Street prostitution is the most visible type of prostitution; it receives the most public and police attention. There are community nuisance concerns associated with street prostitution, including discarded needles and condoms, increased street traffic and solicitation of women and children not involved in prostitution by prospective clients.

In her 2010 decision, Ontario Supreme Court Justice Himel agreed with the arguments put forward by Terri Jean Bedford, Amy Lebovitch and Valerie Scott that these laws contribute to the dangers and violence faced by sex workers. The provisions regarding bawdy houses and living on the avails were found to be “rarely enforced” and the communicating law “largely ineffective.” Further, she noted that the communication law was an attempt to minimize social nuisance and was not intended to protect public safety. The laws, she found, contributed to the dangers faced by prostitutes, instead of protecting them.<sup>19</sup>

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<sup>18</sup> *Bedford v. Canada (Attorney General)* [2012] S.C.C.A. No. 159.

<sup>19</sup> *Bedford v. Canada (Attorney General)* [2010] O.J. No. 4057 at 144.

She ordered the current prostitution laws struck down. Justice Himel noted that the Standing Committee on Justice and Human Rights had, in 2006, expressed concern with the unequal application of the prostitution laws:

many indoor prostitutes operate with virtual impunity, while vulnerable and marginalized street prostitutes, especially aboriginal and transgendered persons as well as drug addicts, are routinely criminalized.<sup>20</sup>

Upon appeal, the majority found that the communication law was not unconstitutional but the other provisions were ordered struck down.<sup>21</sup> The appeal to the SCC will provide clarity to the existing prostitution laws in the upcoming years.<sup>22</sup> Repealing the provisions related to bawdy houses (s.210), procuring and living on the avails of prostitution (s.212) would be the most simplistic method. Parasitic, controlling and violent behaviour by pimps can be prosecuted through trafficking provisions (s. 279.01). Pressure from community groups for police to displace prostitution into less visible areas of cities has increased the danger faced by street prostitutes. Police need clarity to enforce laws. The confusion and contradictory nature of the current prostitution prohibitions place the police in a difficult position between the enforcement of laws that put women at risk and the protection of vulnerable women.

It is clear that violence, particularly lethal violence, is more often associated with street sex work. The DD details 390 individuals who were missing and murdered sex workers, of whom 347 (89.0%) were involved in street or survival sex work. Aboriginal women represented 42.3% (165) of all sex workers and 45.3% (157) of street prostitutes who went missing or were murdered. Aboriginal women are vastly over-represented in street

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<sup>20</sup> *Ibid.* at 51. See also, Standing Committee on Justice and Human Rights (December 2006). *The challenge of change: A study of Canada's criminal prostitution laws*. Ottawa: House of Commons at 86.

<sup>21</sup> *R. v. Bedford* [2010] O.N.S.C. 4264 at 5.

<sup>22</sup> *Bedford v. Canada*, *supra* note 18.

prostitution, the most dangerous type of sex work in Canada. Due to their over-representation in street prostitution, they are overrepresented as victims of violence, victims of murder,<sup>23</sup> and as victims in unsolved homicides.<sup>24</sup>

Research and statistics from Western countries with similar prostitution laws to Canada's reveal similar rates of violence against street prostitutes. Changes to the prostitution laws are needed more for sex workers on the streets than for those who prostitute indoors, a safer environment. Prostitution laws have displaced women into ever more isolated and dangerous locations while fear of enforcement action by police or prosecution by the state influences decisions not to seek police assistance or report violence. Changes to Canadian prostitution laws must be accompanied by changes in police-prostitute relationships. Managed zones, legalization or decriminalization of prostitution, such as are found in New Zealand, Germany and the Netherlands, illustrate that violence from clients and pimps can be greatly reduced and prostitutes can be encouraged to seek police assistance when needed.

Indoor sex work is safer for many reasons, including the proximity of other people and the verification of identity prior to meeting clients for in- or out-calls.

some of the risk factors that street sex workers have to manage are immediately removed when women work indoors in massage parlours. For example, working alone, having sex in isolated places, and the pressure to avoid the police are absent for those women who work indoors.<sup>25</sup>

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<sup>23</sup> Statistics Canada. *Measuring violence against women* by Holly Johnson. (02 October 2006) (Ottawa: Statistics Canada) at 62.

<sup>24</sup> John Lowman, "Violence and the outlaw status of (street) prostitution" (2000) 6 *Violence against Women* at 988.

<sup>25</sup> Teela Sanders and Rosie Campbell, "Designing out vulnerability, building in respect: Violence, safety and sex work policy" (2007) 58 *The British J. of Soc.* at 11.



Even with changes to prostitution laws, women entering vehicles with clients and going to isolated areas to perform services remains a significant risk to safety. The women of the DTES worked in an urban area but still were killed by Pickton, most likely at his isolated property.

Even under current prostitution laws, moving indoors has always been an option, as can be attested to by the large indoor prostitution market in Canada. However, women working in street prostitution are the most marginalized and vulnerable in society, without financial or social resources. Generally, such women were marginalized before their involvement in prostitution through life histories in which poverty, racism, homelessness, family dysfunction, abuse and addiction were prevalent. Their perceived choices for survival are few and prostitution is often not a considered decision in the same way it may be for women from more privileged backgrounds, entering less risky, indoor sex work. Changes to the laws will not change the reasons why women continue to work outdoors where there is so much associated violence: a lack of capital due to poverty, the need to be close to drug dealers due to addiction, and a lack of indoor work location due to homelessness. For Aboriginal women, there is also a colonial past that is bound up by personal stories of family separation, experiences of racism and the sense of hopelessness these breed. The managed zones of the Netherlands and Germany have eliminated much of the street prostitution trade. The exceptions are illegal migrants and those with serious addictions to drugs.

For most of Pickton's victims and for many whose cases are part of Projects KARE and Devote, heroin and crack cocaine were a driving force in their lives. They worked on the streets in order to obtain money to feed their drug addictions. It is unlikely that many of these women would have been able to function in a formal indoor setting at the time of their

murders due to the severity of their addictions. Addicted women are generally unreliable as employees. Moving indoors means being hired, and conforming to schedules and rules set by management. Working independently indoors generally requires marketing through websites and having access to a computer and cell phone in order to book clients, with the organizational skills and entrepreneurship that involves. Severely addicted women are unlikely to have consistent access to computers, and many lack the necessary computer skills.

Women who have unstable housing situations will likely have difficulty finding a safe location in which to work. Grandma's House, which operated in the DTES at the time the women were going missing, allowed women on the streets to rent rooms for use with clients. Should the prohibition on bawdy houses be struck down by the SCC, this type of arrangement would appear to be the most probable scenario in which street sex workers could work indoors even in the midst of a serious addiction. Much along the model of supervised injection sites, it would require an independent group to manage the operation to ensure it is cleaned, does not become used for drugs (which would risk closure), and that the bills are paid. Local opposition and bylaw restrictions would also need to be navigated and negotiated.

Violence faced by women working on the streets cannot be eliminated solely through changes in the laws or by moving women indoors. There needs to be a shift in the culture that views prostitutes as disposable. This can only be achieved by the recognition within Canadian society that all women are valued and important. Violence against prostitutes needs to be taken seriously by all levels of government, by the police, and by the public. Almost one third of the cases of serial killers of prostitutes, discussed in Chapter Five, have histories

of domestic violence and have sexually assaulted and murdered non-prostitute women and girls. Street prostitutes are more vulnerable to violence due to their working conditions and social status, but the violence they experience is directed at women generally, representing one end of a gendered continuum of violence. The public and police need to understand that predators who target sex workers pose a threat to everyone who is female. A violent misogynist who abuses his romantic partner is a danger, generally, to his partners, children and pets in his control. A violent misogynist who abuses sex workers is a danger to every woman and girl with whom he crosses paths.

The enormous number of missing and murdered Aboriginal women in Canada is an absolute tragedy. This analysis of data on missing and murdered women in Canada demonstrates that the reasons for Aboriginal women's disproportionate representation are complex. The analysis also shows that there may be a way forward, a way to turn back the tide of lethal violence directed at Aboriginal women. The road forward will be a struggle and fraught with complexity, as has the road Aboriginal women have found themselves on to get to this point. A good start would be to review and reform Canada's prostitution laws from a perspective of harm reduction and improving safety.

Prostitution is only part of the picture. The vast majority (659, 80.0%) of the 824 Aboriginal missing and murdered women are not engaged in sex work. Canadians must confront the effects of the colonial experience for Aboriginal people through well-considered family social services, programs for addiction management and counselling, housing support, poverty reduction, and improved education and employment outcomes. Programs and initiatives such as those offered by NWAC and other Aboriginal organizations nationwide

must continue to sensitize the general public to the value and individual personhood of Aboriginal women.

For all women and girls, gendered and racialized violence must be identified and eradicated. The systemic biases that exist in all levels of government funding and prioritization must continually be assessed and adjusted through gender-based analyses. The RCMP and other police agencies have made strides in this direction by changing case prioritization processes and by directly focusing resources towards the investigation of possible serial murders or suspicious missing persons' cases where the victims are vulnerable women. These efforts must be continued, enhanced and adequately resourced in order to bring the offenders to justice and to allow all women and girls to live in safety.

## APPENDIX A

### LIST OF ABBREVIATIONS

|                      |                                                                                                  |
|----------------------|--------------------------------------------------------------------------------------------------|
| AA                   | Alcoholics Anonymous                                                                             |
| AANDC                | Aboriginal Affairs and Northern Development Canada (Government of Canada)                        |
| ADD                  | Attention Deficit Disorder                                                                       |
| AG                   | Attorney General (Ministry, Province of B.C.)                                                    |
| AMW                  | America's Most Wanted (television show)                                                          |
| ASBO                 | Anti-social behaviour orders (U.K.)                                                              |
| AVERT                | Avoiding Victimization by Encouraging Reporting and Tracking (Peel Regional Police)              |
| Badgley Committee    | Committee on Sexual Offences Against Children and Youth (Royal Commission, Government of Canada) |
| BCCCA                | British Columbia Cancer Control Agency (Provincial Health Agency)                                |
| BCCLA                | B.C. Civil Liberties Association                                                                 |
| BCPMPC               | B.C. Police Missing Persons Centre (RCMP, "E" Division, B.C.)                                    |
| CACP                 | Canadian Association of Chiefs of Police                                                         |
| CCJS                 | Canadian Centre for Justice Statistics (Statistics Canada, Government of Canada)                 |
| CCSOMWWG             | Coordinating Committee of Senior Officials Missing Women Working Group (Government of Canada)    |
| CCTB                 | Canadian Child Tax Benefit                                                                       |
| <i>Charter (The)</i> | [The] <i>Canadian Charter of Rights and Freedoms</i>                                             |
| CJBJ                 | Criminal Justice Branch, of the Ministry of the Attorney General (Province of B.C.)              |
| CNCEW                | Canadian National Coalition of Experiential Women (Canadian, non-profit)                         |
| COI                  | [The] Convicted Offender Index (Part of the Canadian DNA Databank)                               |
| COYOTE               | Call Off Your Old Tired Ethics (U.S., non-profit)                                                |
| CPIC                 | Canadian Police Information Centre (National, police computer system)                            |
| <i>Criminal Code</i> | [The] <i>Criminal Code of Canada</i>                                                             |
| CRTC                 | Canadian Radio-television and Telecommunications Commission (Government of Canada)               |
| CSA                  | Childhood sexual abuse                                                                           |
| CSC                  | Correctional Service of Canada (Government of Canada)                                            |
| CSI                  | Crime Scene Index (part of the Canadian DNA Databank)                                            |
| DCC                  | Deputy Chief Constable                                                                           |
| DD                   | Dissertation Database                                                                            |
| DEYAS                | Downtown Eastside Youth Activities Society (Canadian, non-profit)                                |
| DID                  | Dissociative Identity Disorder                                                                   |
| DNA                  | Deoxyribonucleic acid                                                                            |

|                  |                                                                                                                |
|------------------|----------------------------------------------------------------------------------------------------------------|
| DOJ              | Department of Justice (Government of Canada, U.S. Government)                                                  |
| DTES             | Downtown Eastside (an area of Vancouver, B.C.)                                                                 |
| E.U.             | European Union (European Government Body)                                                                      |
| FASD             | Fetal Alcohol Spectrum Disorder                                                                                |
| FBI              | Federal Bureau of Investigations (U.S., Government)                                                            |
| FNS              | First Nations Summit                                                                                           |
| Fraser Committee | Special Committee on Pornography and Prostitution (Royal Commission, Government of Canada)                     |
| GFE              | Girlfriend experience                                                                                          |
| GOC              | Government of Canada                                                                                           |
| GPS              | Global Positioning System                                                                                      |
| HITF             | Home Invasion Task Force (Vancouver Police Department)                                                         |
| HIV/AIDS         | Human Immunodeficiency Virus / Acquired Immunodeficiency Syndrome                                              |
| HRMP             | High Risk Missing Persons [Project] ("K" Division, Royal Canadian Mounted Police, Government of Canada)        |
| ICRSE            | International Committee on the Rights of Sex Workers in Europe (European, non-profit)                          |
| IDU(s)           | Injection Drug User(s)                                                                                         |
| IHIT             | Integrated Homicide Investigation Team (Lower Mainland, B.C., integrated RCMP and municipal police force team) |
| ILO              | International Labour Organisation (International, Labour, United Nations)                                      |
| INAC             | Indian and Northern Affairs Canada (Government of Canada)                                                      |
| IP               | Internet Protocol                                                                                              |
| JFO              | Joint Force Operation                                                                                          |
| JTF              | Joint Task Force                                                                                               |
| MCM              | Major Case Management                                                                                          |
| MLA              | Member of the Legislative Assembly                                                                             |
| MP               | Member of Parliament (Government of Canada)                                                                    |
| MPP              | Member of Provincial Parliament                                                                                |
| MPRT             | Missing Persons Review Team (Joint Vancouver Police Department and Royal Canadian Mounted Police initiative)   |
| MPU              | Missing Person Unit                                                                                            |
| MRP              | Marital Real Property                                                                                          |
| MWI              | Missing Women Inquiry (Commission of Inquiry, Province of B.C.)                                                |
| MWTF             | Missing Women Task Force (Joint Vancouver Police Department and Royal Canadian Mounted Police initiative)      |
| MWWG             | Missing Women Working Group (Joint Vancouver Police Department and Royal Canadian Mounted Police initiative)   |
| NA               | Narcotics Anonymous                                                                                            |

|        |                                                                                                         |
|--------|---------------------------------------------------------------------------------------------------------|
| NamUs  | National Missing and Unidentified Persons System (Department of Justice, U.S. Government)               |
| NAPS   | National Aboriginal Policing Service (Royal Canadian Mounted Police, Government of Canada)              |
| NCAVC  | National Center for the Analysis of Violent Crime (U.S.)                                                |
| NCMPUR | National Centre for Missing Persons and Unidentified Remains (Government of Canada, RCMP)               |
| NCR    | Not criminally responsible                                                                              |
| NIJ    | National Institute of Justice (U.S.)                                                                    |
| NGO    | Non-governmental organization                                                                           |
| NPJA   | National Policing Improvement Agency (U.K., Policing Agency, [now defunct])                             |
| NWAC   | Native Women's Association of Canada (Canadian, Aboriginal, non-profit)                                 |
| NWC    | North-West Company (Canadian, for-profit business)                                                      |
| NWMP   | North-West Mounted Police (Government of Canada & Government of Britain)                                |
| OPP    | Ontario Provincial Police (Provincial police force, Province of Ontario)                                |
| P&G292 | Prostitution & Health Centre 292. (Municipal health and social work centre, Amsterdam, the Netherlands. |
| PACE   | Prostitution Alternatives Counselling and Education [Society] (Canadian, non-profit)                    |
| PAFFE  | Prostitution Awareness and Action Foundation of Edmonton (Canadian, non-profit)                         |
| PEERS  | Prostitutes' Empowerment, Education and Resource Society (Canadian, non-profit)                         |
| PIC    | Prostitution Information Centre (Amsterdam, the Netherlands, non-profit)                                |
| Pivot  | Pivot Legal Society (Canadian, non-profit)                                                              |
| POIPAT | Person of Interest Priority Assessment Tool (Government of Canada, RCMP, Project KARE)                  |
| PPU    | Provincial Prostitution Unit (RCMP, "E" Division, British Columbia)                                     |
| PS     | Public Safety Canada (Government of Canada)                                                             |
| PTSD   | Post-traumatic stress disorder                                                                          |
| PUHU   | Provincial Unsolved Homicide Unit (Province of B.C.)                                                    |
| RCMP   | Royal Canadian Mounted Police (Government of Canada)                                                    |
| SCC    | Supreme Court of Canada                                                                                 |
| SOOB   | Small owner-operated brothel                                                                            |
| SOCA   | Serious Organized Crime Agency (U.K., National Policing Unit)                                           |
| SPOC   | Sex Professionals of Canada (Canadian, non-profit)                                                      |
| SRO    | Single room occupancy [hotel]                                                                           |
| STI    | Sexually transmitted infection                                                                          |
| SWC    | Status of Women Canada (Government of Canada)                                                           |
| SWUAV  | [Downtown Eastside] Sex Workers United Against Violence (Canadian, non-profit)                          |
| TIP    | Trafficking in persons                                                                                  |
| TLABC  | Trial Lawyers Association of B.C.                                                                       |

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|        |                                                                             |
|--------|-----------------------------------------------------------------------------|
| TOR    | Terms of Reference                                                          |
| TRP    | Temporary Resident Permits                                                  |
| U.N.   | United Nations                                                              |
| VAW    | Violence against women                                                      |
| ViCAP  | Violent Criminal Apprehension Program (U.S., Government, FBI)               |
| ViCLAS | Violent Crime Linkage Analysis System (Government of Canada, RCMP)          |
| VD     | Validation Database                                                         |
| VPD    | Vancouver Police Department (municipal police force, Province of B.C.)      |
| WCCSIP | West Coast Cooperative of Sex Industry Professionals (Canadian, non-profit) |
| WISH   | Women's Information and Safe House (Canadian, non-profit)                   |



## APPENDIX B

### DEFINITIONS

**Abolitionist policy position on prostitution** – Abolitionist policies aim to erase prostitution completely; all prostitution is viewed as violence against women.

**Aboriginal** – Three distinct groups of Aboriginal people are recognized under the Canadian Constitution: Indian, Métis and Inuit.

**Age of consent** – The age at which a young person has the legal authority in which to consent to marriage (without parental consent) or to sexual intercourse.

**Bad date** – The term used to denote a client who assaults, robs, harasses or otherwise interferes with a sex worker.

**Bar prostitution** – A type of prostitution in which sex workers meet or recruit clients. Bar (or hotel) staff may also act as a liaison between potential clients and sex workers, for a fee.

**Bawdy house** – A location, not necessarily a building, where prostitution occurs on a regular basis. Also known as *brothel*, *cat house*, *trick house*, *house of ill repute*, *house of ill fame*.

**Bell desk hotel prostitution** – See above, *bar prostitution*.

**Body rub parlour** – Generally legal establishments which provide a variety of sexual services. Also called *massage parlour* and *rub and tugs* in North America and *sauna* in the U.K.

**Boystown stroll** – The area of an urban area in which male street prostitutes populate. Both underage boys and adult males can be found in this area.

**Brothel** – A physical location in which prostitution occurs, legally or illegally, depending on locale. Also known as *bawdy-house*, *cat house*, *trick house*, *house of ill repute*, *house of ill fame*.

**Champagne rooms / V.I.P rooms** – Private rooms in *exotic dancing clubs* where *lap dancing* or other sexual contact is conducted.

**Child/youth prostitute** – See below, *sexually exploited child/youth*.

**Child/youth prostitution** – See below, *sexual exploitation trade*.

**Client** – A client of a sex worker, generally male. Other terms include *John*, *buddy*, *trick*, *date*, *punter*, *user of prostituted women*, *curb/kerb crawler* and *sex buyer*.

**Commercial sex industry** – See below, *sex trade/sex industry*.

**Confirmation Bias** – In the context of police investigations, confirmation bias occurs when investigators follow leads, selectively gather information and make conclusions that support a given theory.

**Drug sick/dope sick** – The condition resulting from going into withdrawal of narcotics such as heroin.

**Escort, escort worker** – Prostitute, generally female, who usually works independently, but also may work under an agency or pimp. Normally an escort meets clients at her home,

hotels, etc. but does not solicit on the street. She may also advertise in papers, in phone booths or via the Internet. Other terms include *call girls*, *high class call girls* or *high class hookers*.

**Exited sex worker** – A woman who has left the sex trade a minimum of two years previously. Other terms include *ex-sex worker*, *former sex worker* and *survivor of prostitution*.

**Exotic dancer/exotic dancing** – A type of commercial sex work in which dancers perform in various states of undress, depending on by-laws or the in-house rules of the establishment. Generally, exotic dancing establishments are bars and feature women only. Dancing does not involve physical contact with clients, although some establishments allow *lap dancing*. Other terms include *stripper/stripping* or *strip club*.

**Experiential woman/women** – Women who have formerly or who are currently working in the sex trade, both legal and illegal occupations such as prostitute, escort, exotic dancer, pornography, etc.

**First Nations People** – Indians, or First Nations, include both status or treaty Indians as defined under the *Indian Act*, and non-status individuals.

**Flat prostitution/Working premises** – A term in the U.K. to describe the arrangement in which an apartment is rented by two or more prostitutes for work purposes, but do not use the location as a residence.

**(The) Game** – A term used to describe prostitution. Someone working as a sex worker would be described as “being in the Game.” *Pimps* are referred to as *Players* in the Game.

**Groupthink** – In the context of police investigations, groupthink occurs when investigators are reluctant to think critically and challenge the dominant theory of the group.

**High track** – In the hierarchy of street prostitution, there is a high and *low track*. Sex workers working the high track may also work out of bars and hotels, as well as on the streets. In Canada, sex workers on the high track are more likely to have pimps. See below, *Low track*.

**Hit** – In drug parlance, a hit is the term used to denote a dose of drugs.

**Human smuggling** – The movement of persons across borders. Human smugglers have the consent of, and have been paid by, individuals to gain entry to the country by way of illegal means. There is generally no further relationship once entry has been accomplished.

**In-call** – Generally referring to escort prostitution, the client meets the escort at her residence or other place of work. See below, *Out-call*.

**Incrementalism** – See below, *Tunnel vision*.

**Individual arrangements (prostitution)** – Generally not seen by either party as being a form of prostitution, such arrangements are *ad hoc* and private arrangements which could include, for instance, payment of living expenses for a “mistress” in exchange for an exclusive and regular sexual relationship.

**John schools** – A diversion program run in North America by police departments in which a *client* is given the option to participate in a session regarding the dangers and ills of

prostitution rather than go to court. Generally, it is only available for those who have not been previously charged with prostitution-related offences.

**Kiddie stroll** – Areas of cities known to be where children as young as eight are available for sexual exploitation purposes.

**Lap dancing/lap dance** – A form of exotic dancing in which the dancer gyrates and dances a short distance or on the lap of a client. Some clubs allow touching of the breasts whereas others do not. Lap dancing can be performed in the main room of the club or in private *champagne/V.I.P. rooms*.

**Linkage blindness** – In the context of a police investigation, linkage blindness is the failure to recognize a pattern.

**Low track** – A term denoting the more remote, industrial or dangerous areas of a city where street prostitution is found. Sex workers working on the low track are often drug addicted, charge less for sexual services and are less likely to have a pimp. See above, *High track*.

**Madame** – Term for female pimp, generally the owner or manager of an escort agency or brothel. See below, *Pimp*.

**Mass murder** – Homicides in which there are multiple victims, generally three or more, killed at the same time without a break between killings. Generally occurs at one location such as a work place or school.

**Massage parlour** – See above, *Body rub parlour*.

**Métis/Metis** – Recognized by the Canadian Constitution as being of three distinct groups of Aboriginal people, the Métis, traditionally the children of French fur traders and Cree women, the term today is often used to refer to people of mixed Aboriginal and European ancestry. Self-identification as Métis is a component of the definition, but Métis organizations have differing criteria and definitions.

**Opportunistic prostitution** – Generally a spontaneous decision by a woman who does not normally prostitute to engage in sex for money.

**Out-call** – Generally referring to escort prostitution, the escort goes to a pre-arranged location such as the client's home or hotel. See above, *In-call*.

**Pimp** – Used within this dissertation to refer to a male who coerce one or more women into prostitution on the street. (Note: In the literature, especially by abolitionist writers, *pimp* can also refer to owners or managers of establishments where prostitution occurs.) Prostitutes may refer to her pimp as *her man*; he may refer to himself as a *player*. See above *Madame*.

**Pimped/pimped out** – A woman working in the sex trade is described as having been "pimped/pimped out" when she has a pimp.

**Pornography/porn** – Video or still photography of sex acts. *Soft-core pornography* refers to semi-naked or naked performers or models engaged in sexual poses or acts that are not graphic or explicit. In *hard-core pornography*, the sexual acts are graphic and explicit, and may also be violent in nature.

**Pro-sex position** – A position in *pornography* or *prostitution* debates where sex and nudity are seen as natural, normal and life affirming and that prostitution and pornography are thought to be positive and empowering choices for women, if into freely entered.

**Prostitute** – Person who exchanges sexual services for money, goods (drugs, food) or services. Abolitionist terms include *prostituted woman* and *woman in prostitution*. Commonly used terms include *experiential woman*, *sex worker*, *sex seller* and *sex trader*. Colloquial terms include *whore*, *hooker*, *ho*, *hoe*, *nightwalker*, *street-walker*, *pro*, *lady of the night*, *bell girl* and *working girl*. See also, below, *sex worker*.

**Prostitution** – The act of engaging in sexual activity, in exchange for money or other negotiated compensation.

**Red collar** – Term used to describe the sex trade. As with the white, blue and pink collar professions, the use of the term focuses on sex work as an occupation.

**Red light district** – Three areas found in Amsterdam in which there is *window prostitution*. Colloquially used as a term in North America to denote areas of town in which there the sex trade, especially street prostitution, is prevalent.

**Rub & tugs** – See above, *Body rub parlour*.

**Sauna** – A British term for body rub parlour. See above, *Body rub parlour*.

**Serial Murder** – A minimum of two (some researchers use three) separate murders (with a minimum of two/three victims) committed by the same offender(s) separating by a cooling-off period.

**Sex for drugs prostitution** – Drugs are exchanged for sexual acts. This form of prostitution differs from scenarios where prostitution is a means to purchase drugs, in that the woman may not normally engage in prostitution.

**Sex reassignment surgery** – Surgical procedures undertaken to alter genitals and secondary sexual characteristics in order to achieve the physical appearance of the opposite sex which corresponds to the “correct” perceived gender of the patient.

**Sex tourism** – Foreign or domestic destinations where the primary reason for travel is to engage in sexual activity, often with sex workers. Sex tourists may seek out areas of the world where they can more safely perpetrate paedophilic crimes with children who are “sold” to clients by parents and/or pimps. In Canada, residents can be charged with sexual abuse crimes committed in other countries.

**Sex trade, sex industry** – Encompassing the legal and illegal aspects of sex work, including but not limited to prostitution, exotic dancing/stripping, body-rub/erotic massage, peep-shows, live-sex shows, Internet sex shows, pornography, phone sex, domination and bondage services and escort services.

**Sex work** – All forms of commercial sex, including but not exclusively, prostitution, phone sex work, pornography, exotic dancing, and escort work.

**Sex worker, sex trade worker** – General term for women involved in both legal and illegal aspects of the sex trade. See above, *Sex trade, sex industry*.

**Sexual exploitation trade** – The commercial sexual trade involving children or youth.

**Sexually exploited child/youth** – One type of sexual exploitation and abuse of children and youths involves the exchange of money or trading goods, services, shelter or food with children or youths for sexual acts. Although often referred to as *child/youth prostitutes*, in this dissertation any child or youth involved in prostitution, whether they were forced into it or not, is described as sexually exploited.

**Single-room occupancy (SRO)** – Low-cost hotels or rooming houses, often in poor areas of a city, which offer a room only with shared bathrooms and no kitchen facilities. The monthly SRO fee is often equal or close to the amount provided by social assistance (welfare). Many of the women missing from the DTES lived in SROs.

**Spree murder** – Multiple murders with a minimum of two victims which occur over a short period of time.

**Stable** – A group of female prostitutes who work for the same pimp are referred to as his *stable*.

**Street prostitution** – Prostitution which the solicitation of clients occurs primarily on the streets. The sexual acts may also be performed in alleys, cars or other public spaces or the sex worker and client may go to an indoor location such as her SRO, a hotel, a *trick pad*, or to the client's home.

**Stripper/stripping** – See above, *Exotic dancer/exotic dancing*.

**Stroll** – The term given to an area of a city or specific location such as an intersection, where street prostitution occurs. In addition to a geographic location, a stroll may also be known for a specific type of sex worker such as men, transsexuals, children or minority women. See above, *Kiddie stroll*, *Boystown stroll*. See below, *Tranny alley*.

**Survival sex** – This type of prostitution involves the direct exchange of sexual services for food, shelter or security, or for money to purchase food or other immediate needs. It is conducted intermittently, as the need arises.

**Swingers club/sex club prostitution** – Swinger clubs provide a place for consenting adults to voluntarily engage in different forms of sex. There is often a membership charge or entrance fee which is not an exchange for any sexual activity. However, some swingers club will hire sex workers to attend to avoid disappointed clients if there are not enough female clients.

**Trafficked** – The term for a person who has been forced into labour or service by means of coercion, force, trickery or violence. Traffickers recruit, transport, hold, and control people for labour or services, including prostitution and organ removal.

**Trafficking/trafficking in persons, human trafficking** – A modern-day slavery in which people are forced into labour, including prostitution, by means of coercion, force, trickery or violence.

**Tranny alley** – The area of an urban area where transgendered and transsexual street prostitutes congregate.

**Transgendered / transsexual** – Generally, a person who ascribes to the gender identity other than that associated with their biological sex. A transgendered person may or may not choose to have gender-reassignment surgery.

**Transitioning sex worker** – A women who has recently left (less than two years) or in the process of exiting the sex trade.

**Transport prostitution** – Transport prostitution refers to prostitution associated with modes of transport. Airports, bus stations, train stations, truck stops and ports are areas where sex workers may solicit clients, or be brought to service clients.

**Trick/turning a trick** – Term for an encounter with a client. Other terms include *date* or *party*.

**Trick pad** – A term used for a place where prostitution, generally street prostitution, is routinely carried out.

**Tunnel Vision** – In the context of a police investigation, tunnel vision arises when investigators focus on a narrow range of possibilities or suspects, preventing other scenarios, options and linkages from being considered. It is also known as *Incrementalism*.

**Turned out** – When a woman begins prostituting, it is known colloquially as being *turned out*. It can refer to coerced or voluntary prostitution.

**Whore stigma** – Stigma, both internalized and externalized, resulting from engagement in sex work.

**Window prostitution** – Independent prostitutes, working alone or with one or more independent prostitutes from a residence or apartment used only for that purpose. In the U.K., this is known as *flat prostitution* or *working premises*. In the Netherlands, it is known as a *cooperative brothel*.

## APPENDIX C

### SELECTED SECTIONS OF THE *CRIMINAL CODE OF CANADA*<sup>1</sup>

#### ***Criminal Code Offences Related to the Sexual Exploitation of Children***

##### ***Parent or guardian procuring sexual activity***

**170.** Every parent or guardian of a person under the age of eighteen years who procures the person for the purpose of engaging in any sexual activity prohibited by this Act with a person other than the parent or guardian is guilty of an indictable offence and liable

(a) to imprisonment for a term not exceeding five years and to a minimum punishment of imprisonment for a term of six months if the person procured is under the age of 16 years; or

(b) to imprisonment for a term not exceeding two years and to a minimum punishment of imprisonment for a term of forty-five days if the person procured is 16 years of age or more but under the age of eighteen years.

##### ***Householder permitting sexual activity***

**171.** Every owner, occupier or manager of premises, or any other person who has control of premises or assists in the management or control of premises, who knowingly permits a person under the age of eighteen years to resort to or to be in or on the premises for the purpose of engaging in any sexual activity prohibited by this Act is guilty of an indictable offence and liable

(a) to imprisonment for a term not exceeding five years and to a minimum punishment of imprisonment for a term of six months if the person in question is under the age of 16 years; or

(b) to imprisonment for a term not exceeding two years and to a minimum punishment of imprisonment for a term of forty-five days if the person is 16 years of age or more but under the age of eighteen years.

R.S., 1985, c. C-46, s. 171; R.S., 1985, c. 19 (3rd Supp.), s. 5; 2005, c. 32, s. 9.1; 2008, c. 6, s. 54.

#### ***Criminal Code Offences Related to Trafficking in Persons***

##### ***Trafficking in persons***

**279.01 (1)** Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or

(b) to imprisonment for a term of not more than fourteen years in any other case.

##### ***Consent***

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid. 2005, c. 43, s. 3.

##### ***Material benefit***

**279.02** Every person who receives a financial or other material benefit, knowing that it results from the commission of an offence under subsection 279.01(1), is guilty of an indictable offence and liable to imprisonment for a term of not more than ten years.

2005, c. 43, s. 3.

##### ***Withholding or destroying documents***

**279.03** Every person who, for the purpose of committing or facilitating an offence under subsection 279.01(1), conceals, removes, withholds or destroys any travel document that belongs to another person or any document that establishes or purports to establish another person's identity or immigration status is guilty of an indictable

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<sup>1</sup> *Criminal Code*, R.S.C. 1985, c. C-46, s. 210-213.

offence and liable to imprisonment for a term of not more than five years, whether or not the document is of Canadian origin or is authentic.  
2005, c. 43, s. 3.

#### ***Exploitation***

**279.04** For the purposes of sections 279.01 to 279.03, a person exploits another person if they  
**(a)** cause them to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service; or  
**(b)** cause them, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed.  
 2005, c. 43, s. 3.

#### **Other Criminal Code Offences Relevant to Trafficking in Persons<sup>2</sup>**

- Passport forgery, s.57
- Fraudulent use of certificate of citizenship, s.58
- Keeping a common bawdy-house, s.210(1)
- Transporting a person to a bawdy-house, ss.211, 212(1)(f) & (g)
- Controlling or living off the avails of prostitution of another, s.212
- Administering stupefying thing for the purpose of illicit sex, s.212(1)(i)
- Living off the avails of the prostitution of a person under 18 years of age, ss.212(2) & (2.1)
- Obtaining or attempting to obtain the sexual services of a person under 18 years of age, s.212(4)
- Causing bodily harm or death by criminal negligence, ss.220 & 221
- Homicide, ss.222, 224, 226 & 229-236
- Uttering threats, s.264.1
- Assault, ss.265-268
- Sexual assault, ss.271-273
- Kidnapping, ss.279 (1) & (1.1)
- Forcible confinement, s.279(2)
- Child abduction (non-parental), ss.280 & 281
- Theft, ss.322 & 334
- Robbery, s.343-344
- Extortion, s.346 (1)
- Criminal interest rate, s.347
- Forgery and uttering forged documents, ss.366-368
- Fraud, s.380
- Criminal breach of contract, s.422
- Intimidation, ss.423 & 423.1
- Proceeds of crime, ss.462.3 & 462.31-462.49
- Conspiracy, s.465
- Participation in criminal organization activities, s.467.11
- Commission of offence for criminal organization, s.467.12
- Instructing commission of offence for criminal organization, s.467.13

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<sup>2</sup> "Trafficking in Persons" *Department of Justice*.



**Criminal Code Definitions Related to Prostitution****197 (1)**

- “common bawdy-house” / «maison de débauche »  
“common bawdy-house” means a place that is
  - (a) kept or occupied, or
  - (b) resorted to by one or more personsfor the purpose of prostitution or the practice of acts of indecency.
- “keeper” / «tenancier »  
“keeper” includes a person who
  - (a) is an owner or occupier of a place,
  - (b) assists or acts on behalf of an owner or occupier of a place,
  - (c) appears to be, or to assist or act on behalf of an owner or occupier of a place,
  - (d) has the care or management of a place, or
  - (e) uses a place permanently or temporarily, with or without the consent of the owner or occupier thereof;
- “place” / «local » ou «endroit »  
“place” includes any place, whether or not
  - (a) it is covered or enclosed,
  - (b) it is used permanently or temporarily, or
  - (c) any person has an exclusive right of user with respect to it;
- “prostitute” / «prostitué »  
“prostitute” means a person of either sex who engages in prostitution;
- “public place” / «endroit public »  
“public place” includes any place to which the public have access as of right or by invitation, express or implied.

**Criminal Code Offences Related to Prostitution*****Bawdy-houses***

**210. (1) Keeping common bawdy-house** - Every one who keeps a common bawdy-house is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

**(2) Landlord, inmate, etc.** - Every one who

- (a) is an inmate of a common bawdy-house,
- (b) is found, without lawful excuse, in a common bawdy-house, or
- (c) as owner, landlord, lessor, tenant, occupier, agent or otherwise having charge or control of any place, knowingly permits the place or any part thereof to be let or used for the purposes of a common bawdy-house,

is guilty of an offence punishable on summary conviction.

**(3) Notice of conviction to be served on owner** - Where a person is convicted of an offence under subsection (1), the court shall cause a notice of the conviction to be served on the owner, landlord or lessor of the place in respect of which the person is convicted or his agent, and the notice shall contain a statement to the effect that it is being served pursuant to this section.

**(4) Duty of landlord on notice** - Where a person on whom a notice is served under subsection (3) fails forthwith to exercise any right he may have to determine the tenancy or right of occupation of the person so convicted, and thereafter any person is convicted of an offence under subsection (1) in respect of the same premises, the person on whom the notice was served shall be deemed to have committed an offence under subsection (1) unless he proves that he has taken all reasonable steps to prevent the recurrence of the offence.  
R.S., c. C-34, s. 193.

**211. Transporting person to bawdy-house** - Every one who knowingly takes, transports, directs, or offers to take, transport or direct, any other person to a common bawdy-house is guilty of an offence punishable on summary conviction.  
R.S., c. C-34, s. 194.

### ***Procuring***

**212. (1) Procuring** - Every one who

- (a) procures, attempts to procure or solicits a person to have illicit sexual intercourse with another person, whether in or out of Canada,
- (b) inveigles or entices a person who is not a prostitute to a common bawdy-house for the purpose of illicit sexual intercourse or prostitution,
- (c) knowingly conceals a person in a common bawdy-house,
- (d) procures or attempts to procure a person to become, whether in or out of Canada, a prostitute,
- (e) procures or attempts to procure a person to leave the usual place of abode of that person in Canada, if that place is not a common bawdy-house, with intent that the person may become an inmate or frequenter of a common bawdy-house, whether in or out of Canada,
- (f) on the arrival of a person in Canada, directs or causes that person to be directed or takes or causes that person to be taken, to a common bawdy-house,
- (g) procures a person to enter or leave Canada, for the purpose of prostitution,
- (h) for the purposes of gain, exercises control, direction or influence over the movements of a person in such manner as to show that he is aiding, abetting or compelling that person to engage in or carry on prostitution with any person or generally,
- (i) applies or administers to a person or causes that person to take any drug, intoxicating liquor, matter or thing with intent to stupefy or overpower that person in order thereby to enable any person to have illicit sexual intercourse with that person, or
- (j) lives wholly or in part on the avails of prostitution of another person, is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

(2) Despite paragraph (1)(j), every person who lives wholly or in part on the avails of prostitution of another person who is under the age of eighteen years is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years and to a minimum punishment of imprisonment for a term of two years.

**(2.1) Aggravated offence in relation to living on the avails of prostitution of a person under the age of eighteen years** - Notwithstanding paragraph (1)(j) and subsection (2), every person who lives wholly or in part on the avails of prostitution of another person under the age of eighteen years, and who

- (a) for the purposes of profit, aids, abets, counsels or compels the person under that age to engage in or carry on prostitution with any person or generally, and
- (b) uses, threatens to use or attempts to use violence, intimidation or coercion in relation to the person under that age, is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years but not less than five years.

**(3) Presumption** - Evidence that a person lives with or is habitually in the company of a prostitute or lives in a common bawdy-house is, in the absence of evidence to the contrary, proof that the person lives on the avails of prostitution, for the purposes of paragraph (1)(j) and subsections (2) and (2.1).

**(4) Offence — prostitution of person under eighteen** - Every person who, in any place, obtains for consideration, or communicates with anyone for the purpose of obtaining for consideration, the sexual services of a person who is under the age of eighteen years is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years and to a minimum punishment of imprisonment for a term of six months.

**(5)** [Repealed, 1999, c. 5, s. 8]

R.S., 1985, c. C-46, s. 212; R.S., 1985, c. 19 (3rd Supp.), s. 9; 1997, c. 16, s. 2; 1999, c. 5, s. 8; 2005, c. 32, s. 10.1.

**Offence in Relation to Prostitution**

**213. (1)** Offence in relation to prostitution - Every person who in a public place or in any place open to public view

- (a) stops or attempts to stop any motor vehicle,
- (b) impedes the free flow of pedestrian or vehicular traffic or ingress to or egress from premises adjacent to that place, or
- (c) stops or attempts to stop any person or in any manner communicates or attempts to communicate with any person

for the purpose of engaging in prostitution or of obtaining the sexual services of a prostitute is guilty of an offence punishable on summary conviction.

**(2) Definition of “public place”** - In this section, “public place” includes any place to which the public have access as of right or by invitation, express or implied, and any motor vehicle located in a public place or in any place open to public view.

R.S., 1985, c. C-46, s. 213; R.S., 1985, c. 51 (1st Supp.), s. 1.

**Criminal Code Offences Related to Indecency****Indecent acts**

173. (1) Every one who wilfully does an indecent act

- (a) in a public place in the presence of one or more persons, or
- (b) in any place, with intent thereby to insult or offend any person,

is guilty of an offence punishable on summary conviction.

**Exposure**

(2) Every person who, in any place, for a sexual purpose, exposes his or her genital organs to a person who is under the age of 16 years is guilty of an offence punishable on summary conviction.

R.S., 1985, c. C-46, s. 173; R.S., 1985, c. 19 (3rd Supp.), s. 7; 2008, c. 6, s. 54.

**Nudity**

174. (1) Every one who, without lawful excuse,

- (a) is nude in a public place, or
- (b) is nude and exposed to public view while on private property, whether or not the property is his own,

is guilty of an offence punishable on summary conviction.

**Nude**

(2) For the purposes of this section, a person is nude who is so clad as to offend against public decency or order.

**Criminal Code Offences Related to DNA Collection****Primary – compulsory offences**

In this section and in sections 487.05 to 487.0911,

- “adult” / « adulte »  
“adult” has the meaning assigned by subsection 2(1) of the *Youth Criminal Justice Act*;
- “designated offence” / « infraction désignée »  
“designated offence” means a primary designated offence or a secondary designated offence;
- “DNA” / « ADN »  
“DNA” means deoxyribonucleic acid;
- “forensic DNA analysis” / « analyse génétique »  
“forensic DNA analysis”

(a) in relation to a bodily substance that is taken from a person in execution of a warrant under section 487.05, means forensic DNA analysis of the bodily substance and the comparison of the results of that

analysis with the results of the analysis of the DNA in the bodily substance referred to in paragraph 487.05(1)(b), and includes any incidental tests associated with that analysis, and

**(b)** in relation to a bodily substance that is provided voluntarily in the course of an investigation of a designated offence or is taken from a person under an order made under section 487.051 or an authorization granted under section 487.055 or 487.091, or to a bodily substance referred to in paragraph 487.05(1)(b), means forensic DNA analysis of the bodily substance;

- “primary designated *offence*” / « infraction primaire »  
“primary designated offence” means

- (a)** an offence under any of the following provisions, namely,
  - o (i) subsection 7(4.1) (offence in relation to sexual offences against children),
  - o (i.1) section 151 (sexual interference),
  - o (i.2) section 152 (invitation to sexual touching),
  - o (i.3) section 153 (sexual exploitation),
  - o (i.4) section 153.1 (sexual exploitation of person with disability),
  - o (i.5) section 155 (incest),
  - o (i.6) subsection 160(2) (compelling the commission of bestiality),
  - o (i.7) subsection 160(3) (bestiality in presence of or by a child),
  - o (i.8) section 163.1 (child pornography),
  - o (i.9) section 170 (parent or guardian procuring sexual activity),
  - o (i.901) section 171.1 (making sexually explicit material available to child),
  - o (i.91) section 172.1 (luring a child),
  - o (i.911) section 172.2 (agreement or arrangement — sexual offence against child),
  - o (i.92) subsection 173(2) (exposure),
  - o (i.93) paragraph 212(1)(i) (stupefying or overpowering for the purpose of sexual intercourse),
  - o (i.94) subsection 212(2) (living on the avails of prostitution of a person under age of 18),
  - o (i.95) subsection 212(2.1) (aggravated offence in relation to living on the avails of prostitution of a person under age of 18),
  - o (i.96) subsection 212(4) (obtaining prostitution of person under age of 18),
  - o (ii) section 235 (murder),
  - o (iii) section 236 (manslaughter),
  - o (iv) section 239 (attempt to commit murder),
  - o (v) section 244 (discharging firearm with intent),
  - o (vi) section 244.1 (causing bodily harm with intent — air gun or pistol),
  - o (vi.1) section 244.2 (discharging firearm — recklessness),
  - o (vii) paragraph 245(a) (administering noxious thing with intent to endanger life or cause bodily harm),
  - o (viii) section 246 (overcoming resistance to commission of offence),
  - o (ix) section 267 (assault with a weapon or causing bodily harm),
  - o (x) section 268 (aggravated assault),
  - o (xi) section 269 (unlawfully causing bodily harm),
  - o (xi.1) section 270.01 (assaulting peace officer with weapon or causing bodily harm),
  - o (xi.2) section 270.02 (aggravated assault of peace officer),
  - o (xi.3) section 271 (sexual assault),
  - o (xii) section 272 (sexual assault with a weapon, threats to a third party or causing bodily harm),
  - o (xiii) section 273 (aggravated sexual assault),
  - o (xiii.1) subsection 273.3(2) (removal of a child from Canada),
  - o (xiv) section 279 (kidnapping),
  - o (xv) section 344 (robbery), and
  - o (xvi) section 346 (extortion),

- (a.1)** an offence under any of the following provisions, namely,
- o (i) section 75 (piratical acts),
  - o (i.01) section 76 (hijacking),
  - o (i.02) section 77 (endangering safety of aircraft or airport),
  - o (i.03) section 78.1 (seizing control of ship or fixed platform),
  - o (i.04) subsection 81(1) (using explosives),
  - o (i.05) section 83.18 (participation in activity of terrorist group),
  - o (i.06) section 83.19 (facilitating terrorist activity),
  - o (i.07) section 83.2 (commission of offence for terrorist group),
  - o (i.08) section 83.21 (instructing to carry out activity for terrorist group),
  - o (i.09) section 83.22 (instructing to carry out terrorist activity),
  - o (i.1) section 83.23 (harbouring or concealing),
  - o (i.11) to (iii.1) [Repealed, 2010, c. 17, s. 3]
  - o (iv) paragraphs 212(1)(a) to (h) (procuring),
  - o (iv.1) to (iv.5) [Repealed, 2010, c. 17, s. 3]
  - o (v) paragraph 212(1)(j) (procuring),
  - o (v.1) and (v.2) [Repealed, 2010, c. 17, s. 3]
  - o (vi) section 233 (infanticide),
  - o (vii) [Repealed, 2010, c. 17, s. 3]
  - o (vii.1) section 279.01 (trafficking in persons),
  - o (vii.11) section 279.011 (trafficking of a person under the age of eighteen years),
  - o (viii) section 279.1 (hostage taking),
  - o (ix) paragraph 348(1)(d) (breaking and entering a dwelling-house),
  - o (x) section 423.1 (intimidation of a justice system participant or journalist),
  - o (xi) section 431 (attack on premises, residence or transport of internationally protected person),
  - o (xii) section 431.1 (attack on premises, accommodation or transport of United Nations or associated personnel),
  - o (xiii) subsection 431.2(2) (explosive or other lethal device),
  - o (xiv) section 467.11 (participation in activities of criminal organization),
  - o (xv) section 467.12 (commission of offence for criminal organization), and
  - o (xvi) section 467.13 (instructing commission of offence for criminal organization),
  - o (xvi.1) to (xx) [Repealed, 2005, c. 25, s. 1]
- (b)** an offence under any of the following provisions of the *Criminal Code*, chapter C-34 of the *Revised Statutes of Canada*, 1970, as they read from time to time before January 4, 1983, namely,
- o (i) section 144 (rape),
  - o (i.1) section 145 (attempt to commit rape),
  - o (ii) section 146 (sexual intercourse with female under fourteen and between fourteen and sixteen),
  - o (iii) section 148 (sexual intercourse with feeble-minded, etc.),
  - o (iv) section 149 (indecent assault on female),
  - o (v) section 156 (indecent assault on male),
  - o (vi) section 157 (acts of gross indecency), and
  - o (vii) subsection 246(1) (assault with intent) if the intent is to commit an offence referred to in subparagraphs (i) to (vi),
- (c)** an offence under any of the following provisions of the *Criminal Code*, chapter C-34 of the *Revised Statutes of Canada*, 1970, as they read from time to time before January 1, 1988:
- o (i) subsection 146(1) (sexual intercourse with a female under age of 14),
  - o (ii) subsection 146(2) (sexual intercourse with a female between ages of 14 and 16),
  - o (iii) section 153 (sexual intercourse with step-daughter),
  - o (iv) section 157 (gross indecency),
  - o (v) section 166 (parent or guardian procuring defilement), and
  - o (vi) section 167 (householder permitting defilement),

**(c.01)** an offence under any of the following provisions of the *Criminal Code*, chapter C-34 of the Revised Statutes of Canada, 1970, as enacted by section 19 of *An Act to amend the Criminal Code in relation to sexual offences and other offences against the person and to amend certain other Acts in relation thereto or in consequence thereof*, chapter 125 of the Statutes of Canada, 1980-81-82-83:

- o (i) section 246.1 (sexual assault),
- o (ii) section 246.2 (sexual assault with a weapon, threats to a third party or causing bodily harm), and
- o (iii) section 246.3 (aggravated sexual assault),

**(c.1)** an offence under any of the following provisions of the *Security of Information Act*, namely,

- o (i) section 6 (approaching, entering, etc., a prohibited place),
- o (ii) subsection 20(1) (threats or violence), and
- o (iii) subsection 21(1) (harbouring or concealing), and

**(d)** an attempt to commit or, other than for the purposes of subsection 487.05(1), a conspiracy to commit an offence referred to in any of paragraphs (a) to (c.01);

- “provincial court judge” / « juge de la cour provinciale »  
 “provincial court judge”, in relation to a young person, includes a youth justice court judge within the meaning of subsection 2(1) of the *Youth Criminal Justice Act*;
- “secondary designated offence” / « infraction secondaire »  
 “secondary designated offence” means an offence, other than a primary designated offence, that is  
**(a)** an offence under this Act that may be prosecuted by indictment — or, for section 487.051 to apply, is prosecuted by indictment — for which the maximum punishment is imprisonment for five years or more,  
**(b)** an offence under any of the following provisions of the *Controlled Drugs and Substances Act* that may be prosecuted by indictment — or, for section 487.051 to apply, is prosecuted by indictment — for which the maximum punishment is imprisonment for five years or more:
  - o (i) section 5 (trafficking in substance and possession for purpose of trafficking),
  - o (ii) section 6 (importing and exporting), and
  - o (iii) section 7 (production of substance),**(c)** an offence under any of the following provisions of this Act:
  - o (i) section 145 (escape and being at large without excuse),
  - o (i.1) section 146 (permitting or assisting escape),
  - o (i.2) section 147 (rescue or permitting escape),
  - o (i.3) section 148 (assisting prisoner of war to escape),
  - o (i.4) and (ii) [Repealed, 2010, c. 17, s. 3]
  - o (iii) subsection 173(1) (indecent acts),
  - o (iv) section 252 (failure to stop at scene of accident),
  - o (v) section 264 (criminal harassment),
  - o (vi) section 264.1 (uttering threats),
  - o (vii) section 266 (assault),
  - o (viii) section 270 (assaulting a peace officer),
  - o (ix) paragraph 348(1)(e) (breaking and entering a place other than a dwelling-house),
  - o (x) section 349 (being unlawfully in dwelling-house), and
  - o (xi) section 423 (intimidation),**(d)** an offence under any of the following provisions of the *Criminal Code*, as they read from time to time before July 1, 1990:
  - o (i) section 433 (arson), and
  - o (ii) section 434 (setting fire to other substance), and

- (e) an attempt to commit or, other than for the purposes of subsection 487.05(1), a conspiracy to commit
  - o (i) an offence referred to in paragraph (a) or (b) — which, for section 487.051 to apply, is prosecuted by indictment, or
  - o (ii) an offence referred to in paragraph (c) or (d);
- “Young Offenders Act” / « *Loi sur les jeunes contrevenants* »
  - “Young Offenders Act” means chapter Y-1 of the Revised Statutes of Canada, 1985;
- “young person” / « *adolescent* »
  - “young person” has the meaning assigned by subsection 2(1) of the *Youth Criminal Justice Act* or subsection 2(1) of the *Young Offenders Act*, as the case may be.

## APPENDIX D

### CODING FOR DISSERTATION DATABASE

**AGE:** The age of the victim at the time of her disappearance/death, as stated in all sources, or calculated from:

RAW NUMBER

\* = Estimated age

\*\* = Multiple ages provided

\*\*\* = No age found

**AGE 2:** Where there are multiple and conflicting information provided.

**AGE 3:** Where there are multiple and conflicting information provided.

**ESTIMATED AGE:** Where only an age range can be provided due to the state of the remains.

**YEAR MISSING/MURDERED:** Indicates the year the woman went missing or was last seen.

RAW NUMBER

**YEAR 2:** Where there are multiple and conflicting information provided.

**YEAR 3:** Where there are multiple and conflicting information provided.

**STATUS:** The status of the women's case, as of September 19, 2013:<sup>1</sup>

1 = Missing

2 = Missing – Foul play suspected although body not located. Charges have not been laid

4 = Missing – Known/believed to be a family abduction

5 = Missing – Known/believed to be a non-family abduction

6 = Missing – Body not located. Police suspect victim to be dead due to suicide

7 = Missing – Body not located. Police suspect victim to be dead due to an accident<sup>2</sup>

8 = Missing – Foul play. Body not located but homicide charges have been laid but case has not yet gone to trial

9 = Missing – Foul play suspected although body/bodies have not been located. Police suspect murder of woman and suicide of offender

10 = Murdered – Unsolved

11 = Murdered – Unsolved – Acquittal

12 = Murdered – Convicted – Relationship of victim/offender not known

13 = Murdered – Convicted – Stranger

14 = Murdered – Convicted – Family member (not current or former intimate partner or parent), includes in-laws

15 = Murdered – Convicted – Parent/Guardian (includes foster parents and step-parents)

16 = Murdered – Convicted – Intimate partner (Current or former spouse, boyfriend, etc. of either gender)

17 = Murdered – Convicted – Offender known to victim

18 = Murdered – Unknown outcome/conflicting information on the outcome of the case

19 = Murdered – Charges laid; unknown outcome

20 = Murdered – Pickton Convicted (BC)

21 = Murdered – Pickton Charged, charges stayed (BC)

22 = Murdered – DNA found on Pickton farm, no charges laid; death certificate issued (BC)

24 = Murdered – Gilbert Jordan convicted (BC)

25 = Murdered – Gilbert Jordan suspected in her death (BC)

26 = Murdered – Thomas Svekla convicted of her death (AB)

<sup>1</sup> Some numbers are missing because there were no cases with that status at the close of the database collection.

<sup>2</sup> Cases with this code have been removed from the Missing and Murdered (Dissertation) Database, but the information is contained in the Validation Database.



- 28 = Murdered – John Crawford convicted in her death (SK)  
29 = Murdered – John Crawford suspected in her death (SK)  
31 = Murdered - Larry Runholm convicted in her death (ON)  
33 = Missing and presumed dead – Charles Kembo suspected in her disappearance (BC)  
34 = Murdered – Clifford Olson convicted in her death (BC)
- 40 = Dead – Manner of death unknown/listed as “murdered”  
41 = Dead – Suspicious circumstances surrounding death  
42 = Dead – Natural causes<sup>3</sup>  
43 = Dead – Murdered – Charges stayed; remains unsolved  
44 = Dead – Death determined not to be foul play but not natural causes (accident)<sup>4</sup>  
45 = Dead – Police accused of contributing/being responsible for death by media, family, source<sup>5</sup>  
46 = Dead – Murder of victim/Suicide of offender  
47 = Dead – Car accident/incident<sup>6</sup>  
48 = Dead – Murdered – Conviction overturned (wrongful conviction)  
49 = Dead – Conviction for criminal negligence, drunk driving, etc. (not manslaughter, or homicide)<sup>7</sup>  
50 = Dead – Murdered – Accused found not criminally responsible or unfit to stand trial
- 51 = Dead – Mauled to death by dogs<sup>8</sup>  
52 = Dead – Suicide but others involved/accused of neglect, etc. where charges have not been laid<sup>9</sup>  
53 = Dead – Drug overdose/Alcohol or drug consumption<sup>10</sup>
- 54 = Assumed to be alive – Wanted by the police<sup>11</sup>  
55 = Found alive<sup>12</sup>
- 56 = Dead – Murdered – There is a suspect, who is wanted by police; charges may or may not have been laid.  
57 = Dead – Suicide<sup>13</sup>  
58 = Dead – Murdered – Suspect died before charges laid or trial completed; police consider case solved.  
59 = Dead – Police have ruled the case a murder-suicide but have not released which person was the victim/offender

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<sup>3</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>4</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>5</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>6</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>7</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>8</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>9</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>10</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>11</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>12</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>13</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

65 = Dead – Suspect acquitted; found to be justifiable / self-defence / non-criminal death

77 = Located alive but remains with captor

99 = No information provided by sources as to whether she is missing or murdered, but is on a list of missing/murdered women<sup>14</sup>

**INFORMATION DATE:** The last date of the latest source used. Where the source is a website, the date indicates the “last updated” date of the website, not necessarily of the specific article. Where a website is undated, no information will be provided.

**ACCOMPANIED LAST:** The last name of person/people thought or known to be with the missing woman.

**ACCOMPANIED FIRST:** The first name of person/people thought or known to be with the missing woman.

**ABDUCTOR LAST:** The last name of the person/people thought or known to have abducted the missing woman.

**ABDUCTOR FIRST:** The first name of the person/people thought or known to have abducted the missing woman.

**KILLER LAST:** The last name of the person who killed the person, convicted, charged or suspected. This includes people wrongly convicted.

**KILLER FIRST:** The first name of the person who killed the person, convicted, charged or suspected. This includes people wrongly convicted.

**ESTIMATED YEAR OF DEATH:** The estimated year of death when the exact date cannot be determined.

**FOUND:**

33 = Located deceased (not at Pickton Farm)

44 = DNA or human remains found at Pickton farm

55 = Found alive

66 = Still missing

77 = Located alive but remains with captor

**YEAR BODY FOUND:** Indicates the year the woman’s body was discovered.

RAW NUMBER

**YEAR FOUND ALIVE:** Indicates the year the woman’s was located alive.

**ETHNICITY:** This variable identifies the racial identification of the victim as denoted by the reference (police, media, etc.)<sup>15</sup>

0 = Unknown - Conflicting information; some say Aboriginal ancestry, others do not

1 = First Nations

2 = Métis

3 = Inuit

4 = Remains thought to be Aboriginal/may be Aboriginal

5 = Unspecified “Aboriginal”

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<sup>14</sup> Cases with this code have been removed from the Missing and Murdered Database, but the information is contained in the Validation Database.

<sup>15</sup> Some of the original categories for ethnicity set up at the onset of data collection were not used and therefore eliminated. The coding was updated.

- 6 = European descent (Caucasian)
- 7 = Asian
- 8 = Black
- 10 = South Asian
- 11 = Latino/Hispanic
- 13 = Middle Eastern
- 77 = Unknown

**LAST LOCATION:** This identifies the province/territory where the woman was last seen alive.<sup>16</sup>

- 1 = British Columbia
- 2 = Alberta
- 3 = Saskatchewan
- 4 = Manitoba
- 5 = Ontario
- 6 = Quebec
- 7 = Prince Edward Island
- 8 = New Brunswick
- 9 = Newfoundland
- 10 = Nova Scotia
- 11 = Yukon
- 12 = Northwest Territories
- 13 = Nunavut
- 99 = Information not available

**REWARD = REWARD FOR INFORMATION LEADING TO ARREST & CONVICTION, LOCATION OF MISSING, ETC.**

- Police/Government Reward
- Band Council/Aboriginal Organizations
- Crime Stoppers
- Family
- Others
- Total of Reward Offered

**HWY = HIGHWAY OF TEARS:** Indicates whether the case is listed among those on the Highway of Tears.

- 1 = Yes
- 2 = Some sources list her name as among the HOT cases but not one of the E-PANA files

**DTES = DOWNTOWN EAST SIDE:** Indicates whether the case from the DTES Vancouver.

- 0 = No
- 1 = Yes
- 2 = Some sources list her name, some do not

**MISSING WOMEN'S TASK FORCE POSTER:** Indicates whether the case is or was part of the official Missing Women's Task Force in DTES Vancouver.

- 1 = Yes

**E-PANA = PROJECT E-PANA:** Indicates whether this case has been officially identified as part of Project E-PANA

- 1 = Yes

**Devote = PROJECT Devote:** Indicates whether this case has been officially identified as part of Project Devote

- 1 = Yes

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<sup>16</sup> Some of the original categories for last location set up at the onset of data collection was not used and therefore eliminated and the coding updated.

**KARE = PROJECT KARE:** Indicates whether this case has been identified as part of Project KARE in Alberta.

- 1 = Yes
- 2 = Some sources list her name, some do not

**SEX:** The gender identity of the person identified as the victim

- 1 = Female (assumed to be biological female unless otherwise noted)
- 2 = Male (transgendered; living as a woman at least part of the time)
- 3 = Gender not determined (remains, information inconclusive)
- 4 = Male (assumed to be biological male unless otherwise noted)
- 5 = Male, but may have been dressed as a woman at the time of death. Cannot confirm if so, or was transgendered.

**CHILDREN:** Identifies whether or not the woman had given birth (live births). Children do not have to be alive at the time of a victim's death/disappearance.

- 0 = No
- RAW NUMBER
- 66 = At least one child but the actual number unknown

**CHILDREN SEPARATED FROM MOTHER:** Identifies the status of the legal/logistical relationship of the woman with her children.

- 0 = Children living with mother (or has joint custody) at the time of disappearance/murder OR her children were older, lived away but not estranged.
- 1 = Mother estranged from children due to legal restrictions on access.
- 2 = Mother estranged due to work or other logistical arrangements; no estrangement or legal entanglements.
- 3 = Unknown

**HITCHHIKING:** Identifies whether the woman was hitchhiking at the time she disappeared/was murdered, or had a history of hitchhiking regularly.

- 1 = Yes
- 2 = Police/family assume she was hitchhiking

**SEX WORKER:** This identifies if the victim was identified as being or having been a sex worker (prostitute, exotic dancing, etc.).

- 1 = Yes
- 3 = Indirectly in the sex trade (clerk at store, receptionist in sex business, waitress at strip club, etc.)

**TYPE OF SEX WORK:** This identifies the type of sex work the person was involved in, or suspected to be involved in. More than one type may apply thus the totals will not correspond to the total number of sex workers.

- Street prostitution/survival sex
- Escorts
- Massage/body rub parlour
- Exotic dancer
- Pornography
- Pimp/Madame
- Other (receptionist, waitress, etc.)

**FILE NUMBERS: (all that apply)**

- National RCMP file number
- RCMP detachment and file number
- Municipal Police force file number
- Doe Network file number
- North American Missing Persons Network (NAMPN) file number
- OPP File Number

OPP Missing Persons and Unidentified Remains  
Alberta Missing People & Unidentified Remains  
Manitoba Chiefs of Police  
Saskatchewan Association of Chiefs of Police  
“Agency” File (unspecified agency, usually from the Doe Network or NAMPN)  
Unspecified number from unspecified agency  
Lost Souls of Canada  
All police departments

**All of the following categories are:**

0 = No  
1 = Yes

**ADDICTION:** This identifies if the victim was identified as having a current or former addiction, dependency or problem with prescription drugs, illegal drugs, solvents or alcohol.

**FOSTER CARE:** This identifies if the victim was raised at any time in a foster home, group home or residential school, including being fostered with other family members.

**ADOPTED:** This identifies if the victim was adopted.

**MENTAL ILLNESS:** This identifies if the victim was identified as being mentally ill at the time of their going missing or being murdered.

**CRIMINAL HISTORY:** This identifies if the victim was identified as having a criminal history.

**PHYSICAL DISABILITY OR SERIOUS ILLNESS:** This identifies if the victim was identified as having either a physical disability or a serious medical illness at the time of their going missing or being murdered.

**SPECIAL NEEDS:** This identifies if the victim had ever been identified as being special needs/learning disability.

**HOMELESS:** This identifies if the victim was homeless or considered transient at the time of her disappearance/murder, or has a history of being so.

**PREGNANT:** This identifies whether or not the woman was pregnant at the time of her disappearance or death.

**RUNAWAY:** This identifies whether the woman had a history of running away before age 18.

## APPENDIX E

### CODING FOR DATABASE FOR PIVOT AFFIDAVITS

**AFFIDAVIT NUMBER:**

RAW NUMBER

**AGE:** The given age of the person proving the affidavit in 2002/2003.

RAW NUMBER

**AGE of ENTRY INTO SEX WORK:** The age given by the person proving the affidavit in 2002/2003 or calculated.

RAW NUMBER

77 = Teenager

88 = Adult

**LENGTH OF TIME IN SEX TRADE (CURRENT):** Time person has been in the sex trade, up until time of affidavit. The person is currently a sex trade worker or exiting. Anything up until 2 years is listed here.

RAW NUMBER

**LENGTH OF TIME IN SEX TRADE (FORMER):** Time person was in the sex trade, up until time of affidavit. The person is an exited sex worker.**INFORMATION DATE:** Date on the affidavit.**ETHNICITY:** This variable identifies the racial identification of the victim by the reference (police, media, etc.)

1 = First Nations

2 = Métis

3 = Inuit

4 = Mixed Aboriginal background

5 = Unspecified "Aboriginal"

6 = European descent

7 = Asian

8 = Black

9 = Mixed but not Aboriginal

10 = Remains thought to be Aboriginal/may be Aboriginal

11 = Latino/Hispanic

12 = Unknown but included on a list of Aboriginal women/people

77 = Unknown

**PLACE OF ORIGIN:** This identifies the province/territory where the person was born or raised.

1 = British Columbia

2 = Alberta

3 = Saskatchewan

4 = Manitoba

5 = Ontario

6 = Quebec

7 = Prince Edward Island

8 = New Brunswick

9 = Newfoundland

10 = Nova Scotia

11 = Yukon

12 = Northwest Territories

13 = Nunavut

**PLACES WHERE SEX WORK OCCURRED:** This identifies places where the person performed sex work.

- 1 = British Columbia
- 2 = Alberta
- 3 = Saskatchewan
- 4 = Manitoba
- 5 = Ontario
- 6 = Quebec
- 7 = Prince Edward Island
- 8 = New Brunswick
- 9 = Newfoundland
- 10 = Nova Scotia
- 11 = Yukon
- 12 = Northwest Territories
- 13 = Nunavut
- 14 = Europe
- 15 = United States
- 16 = South America/Mexico
- 17 = Asia
- 18 = Africa
- 19 = Middle Eastern

**SEX:** The gender identity of the person identified as the victim

- 1 = Female (assumed to be biological female unless otherwise noted)
- 2 = Gender not specified, but assumed to be a woman from context
- 3 = Male (transgendered; living as a woman at least part of the time)
- 4 = Male (assumed to be biological male unless otherwise noted)
- 5 = Gender not specified, but assumed to be a man from context

**CHILDREN:** Identities whether or not the woman had given birth (live births). Children do not have to be alive at the time the affidavit was sworn.

- 0 = No
- RAW NUMBER
- 66 = At least one child but the actual number unknown
- 99 = Information not available

**CHILDREN SEPARATED FROM MOTHER:** Identifies the status of the legal/logistical relationship of the woman with her children.

- 0 = Children living with mother (or has joint custody) at the time of disappearance/murder OR her children were older, lived away but not estranged.
- 1 = Mother estranged from children due to legal restrictions on access.
- 2 = Mother estranged due to work or other logistical arrangements; no estrangement or legal entanglements.
- 3 = Unknown

**SEX WORKER:** This identifies if the victim was identified as being or having been a sex worker (prostitute, exotic dancing, etc.).

- 1 = Yes, current
- 2 = Transitioning (still turning tricks but not full time)
- 3 = Transitioning (says is no longer turning but has been less than 2 years)
- 4 = Exited sex worker (2 or more years)
- 5 = Indirectly in the sex trade (clerk at store, receptionist in sex business, waitress at strip club, etc.)

**TYPES OF SEX WORKER:** Types of sex work person has done.

- 1 = Street prostitution (can do act in SROs, parks, cars, etc.)
- 2 = Escort
- 3 = Massage/body rub parlour

- 4 = Brothel
- 5 = Stripping
- 6 = Pornographic Films
- 7 = Bar prostitution (pick up)
- 8 = Hotel prostitution (pick up)
- 9 = Procuring/giving referrals
- 10 = Hitchhiking
- 11 = Out of own house
- 12 = Out of the homes of clients
- 13 = Bathhouses

**PIMP:** Indicates if the person said they have ever had a pimp.

- 0 = No
- 1 = Yes, in the past
- 2 = Yes, now

**ADDICTION:** This identifies if the person was identified as having a current or former addiction or dependency.

- 1 = Yes
- 2 = Former addiction
- 3 = Never been addict

**CRIMINAL RECORD**

- 1 = Yes
- 2 = No
- 3 = As a youth

**PROSTITUTION CRIMINAL HISTORY:**

- 1 = Yes
- 2 = No
- 3 = As a youth

**Non-PROSTITUTION CRIMINAL HISTORY:**

- 1 = Yes, unspecified or mixed
- 2 = No
- 3 = Drugs
- 4 = Shoplifting

**PHYSICAL DISABILITY OR SERIOUS ILLNESS:** If the person indicates they have serious health issues besides hepatitis C or HIV/AIDS.

- 1 = Yes
- 2 = No

**HIV/AIDS:** If the person indicates they have HIV/AIDS.

- 1 = Yes
- 2 = No

**HEPATITIS C:** If the person indicates they have hepatitis C.

- 1 = Yes
- 2 = No

**EDUCATION:** Level of education person indicates they completed.

- 1 = Some grade school; did not complete
- 2 = Finished grade school, some high school
- 3 = Graduated high school
- 4 = Some university
- 5 = Graduated university



**All of the following are:**

1 = Yes

2 = No (definite no)

**HITCHHIKING:** Identifies whether the person mentions hitchhiking.**FOSTER CARE:** If the person indicates they were in foster homes, group homes or residential schools.**ADOPTED:** If the person indicates they were adopted.**MENTAL ILLNESS:** If the person indicates they have a mental illness.**SEXUAL ABUSE:** If the person indicates they were sexually abused as a child.**SPECIAL NEEDS:** If the person indicates they had intellectual special needs.**HOMELESS:** If the person indicates they have been homeless, living on the streets, transient or living in SROs.**RUNAWAY:** This identifies whether the person noted they had run away before age 18.**ABUSED BY THE POLICE:** If the person indicates they have ever been abused by the police.**SERIOUS ABUSE BY CLIENT:** If the person indicates they have ever experienced serious physical or sexual abuse by clients.**NOTES:**

- Co-Victims: The names and ages of victims killed at the same time are recorded.
- Relations: If a family member of the victim was missing or murdered, this is also noted, even if it involves a separate incident.

## Appendix F

### Names and Select Information in the Dissertation Database, Data Collection Ended September 19, 2013

Select information has been provided to allow for independent validation of the DD.

#### **Notes:**

1. As information was not available in all instances, three asterisks (\*\*\*) indicate that there was no information available for the year or province.
2. There are multiple sources for most entries; all are found in the Bibliography.
3. Where other individuals were murdered or went missing at the same time, it is noted in a footnote. The names of the killer in the case of murder/suicides are not provided. All names provided are victims only. In the case where multiple related victims are in the DD, this information is only provided once, under the first person's name.
4. In several cases in the DD there are family members who were missing or murdered in unrelated situations. The relationship between victims is provided as a footnote under the first person's name.
5. The status coding is too large to include in this table. See Appendix D for the coding used in the DD.
6. Where there are asterisks found under the age column:  
 \* = Estimated age                      \*\*\* = No ages found  
 \*\* = Multiple ages provided
7. The full coding is in Appendix D, but for the ease of the reader, the codes have been replaced with the following:  
 FN=First Nation                      AB=Aboriginal  
 MS=Metis                              CN=Caucasian  
 IT=Inuit                                AS=Asian  
 NA=Mixed but Not Aboriginal      UN=Unknown  
 LO=Latino                              ME=Middle Eastern  
 BL=Black                                SA=South Asian  
 CI=Conflicting information if the person was Aboriginal  
 RA=Remains thought to be Aboriginal

**Figure F-1: Identified Persons in the DD**

| #  | Last Name   | First Name | Age | Year | Status | Ethnicity | Prov |
|----|-------------|------------|-----|------|--------|-----------|------|
| 1  | Abbas       | Aysar      | 46  | 1999 | 16     | ME        | ON   |
| 2  | Abbas       | Sonia      | 30  | 2004 | 46     | UN        | ON   |
| 3  | Abbott      | Patricia   | 40  | 1996 | 19     | UN        | ON   |
| 4  | Abigosis    | Yvonne     | **  | 1984 | 1      | AB        | BC   |
| 5  | Abotsway    | Sereena    | 29  | 2001 | 20     | CI        | BC   |
| 6  | Abou        | Sally      | *** | ***  | 40     | UN        | BC   |
| 7  | Aboufadi    | Aya        | 6   | 2008 | 4      | UN        | QC   |
| 8  | Abraham     | Halina     | 30  | 1999 | 46     | UN        | ON   |
| 9  | Abraham     | Sharon     | **  | 2000 | 22     | AB        | BC   |
| 10 | Acayan      | Christina  | 36  | 2009 | 1      | AS        | ON   |
| 11 | Acheampong  | Abigail    | 31  | 1999 | 19     | UN        | ON   |
| 12 | Ackabee     | Christine  | 43  | 2006 | 13     | AB        | AB   |
| 13 | Acorn       | Chelsey    | 14  | 2005 | 17     | CI        | BC   |
| 14 | Adala       | Rispah     | 32  | 2007 | 19     | BL        | ON   |
| 15 | Adam        | Diane      | 35  | 1991 | 1      | CN        | AB   |
| 16 | Adamo       | Sheila     | 58  | 2004 | 1      | CN        | ON   |
| 17 | Adams       | Anna       | 68  | 2003 | 46     | UN        | BC   |
| 18 | Adams       | Bridget    | *** | ***  | 1      | AB        | BC   |
| 19 | Adams       | Jackie     | 30  | 1996 | 10     | AB        | ON   |
| 20 | Adams       | Natalie    | 19  | 2001 | 1      | AB        | BC   |
| 21 | Adams       | Rachel     | **  | 2004 | 46     | AB        | BC   |
| 22 | Adams       | Rita       | 59  | 2012 | 10     | CN        | ON   |
| 23 | Adams       | Sherry     | 41  | 2003 | 46     | UN        | BC   |
| 24 | Adamson     | Delphine   | 62  | 2001 | 19     | UN        | ON   |
| 25 | Adkens      | Jesokah    | 17  | 2001 | 2      | CN        | BC   |
| 26 | Admo        | Sheila     | 61  | 2004 | 1      | CN        | ON   |
| 27 | Adolph      | Clorissa   | *** | ***  | 40     | UN        | BC   |
| 28 | Adriaenssen | Ruby       | 3   | 1985 | 12     | UN        | MB   |
| 29 | Adriano     | Delia      | 25  | 1982 | 10     | UN        | ON   |
| 30 | Agawa       | Hilda      | 63  | 2009 | 46     | FN        | ON   |
| 31 | Agyeman     | Anita      | 10  | 1999 | 10     | UN        | ON   |
| 32 | Ahenakew    | Bernadette | 22  | 1989 | 10     | AB        | AB   |
| 33 | Ahenakew    | Laura      | 22  | 1985 | 19     | AB        | SK   |
| 34 | Ahmed       | Shafquat   | 50  | 1992 | 16     | UN        | MB   |

| #  | Last Name | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|----|-----------|------------|-----|------|-------------|----------------|------|
| 35 | Airist    | Celia      | 43  | 1979 | 10          | CN             | ON   |
| 36 | Akavak    | Inusiq     | 39  | 2000 | 16          | IT             | NU   |
| 37 | Akbarian  | Nina       | 3   | 1996 | 4           | FN             | ON   |
| 38 | Aklunark  | Teresa     | 64  | 2009 | 43          | IT             | NU   |
| 39 | Alaisa    | Laimaa     | 13  | 2009 | 1           | ME             | MB   |
| 40 | Alarco    | Cindy      | 33  | 2000 | 18          | UN             | ON   |
| 41 | Albadri   | Wadha      | 29  | 2002 | 19          | UN             | ON   |
| 42 | Alemy     | Nicole     | 23  | 2009 | 10          | UN             | BC   |
| 43 | Alexander | Shannon    | 17  | 2008 | 1           | IT             | QC   |
| 44 | Alfaro    | Yeny       | 26  | 2013 | 19          | UN             | AB   |
| 45 | Ali       | Leila      | 3   | 2005 | 4           | UN             | ON   |
| 46 | Allan     | Annette    | *** | 2001 | 17          | UN             | BC   |
| 47 | Allardyce | Donna      | *** | 2003 | 10          | CN             | BC   |
| 48 | Allen     | Debra      | 52  | 2012 | 46          | UN             | ON   |
| 49 | Allen     | Isobel     | 55  | ***  | 19          | UN             | ON   |
| 50 | Allen     | Jade       | 27  | 2001 | 41          | UN             | BC   |
| 51 | Allen     | Patricia   | *** | 1991 | 18          | UN             | ON   |
| 52 | Allenback | Elaine     | 20  | 1985 | 1           | CN             | AB   |
| 53 | Alleyne   | Rachel     | 30  | 2007 | 10          | BL             | ON   |
| 54 | Alli      | Bibi       | 37  | 1996 | 19          | UN             | ON   |
| 55 | Allore    | Theresa    | 19  | 1978 | 10          | UN             | QC   |
| 56 | Allwright | Shirley    | 43  | 2004 | 16          | UN             | AB   |
| 57 | Alook     | Elaine     | 35  | 2004 | 1           | AB             | AB   |
| 58 | Al-Sadoon | Faye       | 2   | 1999 | 4           | ME             | ON   |
| 59 | Alty      | Victoria   | *** | 1995 | 19          | UN             | ON   |
| 60 | Amankwaah | Comfort    | *** | ***  | 46          | UN             | ON   |
| 61 | Ambrose   | Regan      | 29  | 1998 | 1           | CN             | SK   |
| 62 | Amero     | Kimberley  | *** | 1985 | 1           | CN             | NB   |
| 63 | Amiji     | Nuzhat     | 23  | 2001 | 16          | UN             | ON   |
| 64 | Amikons   | Adrienne   | 14  | 1997 | 50          | AB             | ON   |
| 65 | Amiri     | Barbara    | 44  | ***  | 18          | UN             | ON   |
| 66 | Amlin     | Mary       | 76  | 1996 | 10          | UN             | ON   |
| 67 | Ammaq     | Martha     | *** | 1988 | 12          | IT             | NU   |
| 68 | Amos      | Sandra     | *** | ***  | 40          | UN             | BC   |
| 69 | Anandavel | Sharmini   | 15  | 1999 | 10          | SA             | ON   |

| #   | Last Name    | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|--------------|------------|-----|------|-------------|----------------|------|
| 70  | Anctil       | Claudette  | 27  | 1992 | 10          | UN             | AB   |
| 71  | Anderson     | Darlene    | *** | ***  | 1           | CN             | SK   |
| 72  | Anderson     | Gertrude   | *** | ***  | 10          | AB             | NL   |
| 73  | Anderson     | Jennifer   | 25  | 2006 | 1           | UN             | ON   |
| 74  | Anderson     | Kerry      | 33  | 1997 | 19          | UN             | ON   |
| 75  | Anderson     | Leah       | 15  | 2013 | 10          | FN             | MB   |
| 76  | Anderson     | Linda      | 39  | 2001 | 16          | UN             | BC   |
| 77  | Anderson     | Ruth       | *** | ***  | 40          | UN             | BC   |
| 78  | Anderson     | Samantha   | 24  | 2012 | 19          | CN             | QC   |
| 79  | Anderson     | Shelley    | *** | 2009 | 1           | AB             | ON   |
| 80  | Anderson     | Shelley    | 30  | 2005 | 1           | AB             | SK   |
| 81  | Andre        | Joni       | **  | 2004 | 16          | AB             | NT   |
| 82  | Andrew       | Patricia   | *** | 1985 | 25          | AB             | BC   |
| 83  | Andrews      | Abigail    | 28  | 2010 | 2           | CN             | BC   |
| 84  | Andrews      | Doreta     | 49  | 1993 | 10          | UN             | BC   |
| 85  | Andrews      | Jennifer   | 17  | 2006 | 1           | CN             | BC   |
| 86  | Andrews      | Norma      | 21  | 2012 | 1           | AB             | MB   |
| 87  | Andrews      | Teengia    | 48  | 1979 | 10          | UN             | BC   |
| 88  | Andrews      | Tiffany    | 26  | 2005 | 6           | CN             | BC   |
| 89  | Andronowich  | Shirley    | 42  | 1990 | 17          | UN             | MB   |
| 90  | Angelis      | Lien       | 42  | 2008 | 16          | UN             | ON   |
| 91  | Angotigirk   | Ida        | 41  | 2013 | 8           | IT             | QC   |
| 92  | Anikejew     | Tatiana    | 22  | 1988 | 10          | UN             | ON   |
| 93  | Anmgelopoulo | Dimitria   | 23  | 2001 | 19          | UN             | ON   |
| 94  | Anstey       | Lisa       | 21  | 1997 | 10          | AB             | ON   |
| 95  | Antoine      | Cheyenne   | 17  | 2013 | 1           | UN             | SK   |
| 96  | Antone       | Cassandra  | 20  | 1997 | 10          | FN             | BC   |
| 97  | Antoniuk     | Eunice     | 35  | 1972 | 1           | UN             | AB   |
| 98  | Anuroff      | Jessica    | 22  | 2011 | 1           | AB             | BC   |
| 99  | Anwar        | Hassan     | 25  | 2001 | 19          | UN             | ON   |
| 100 | Appleyard    | Agnes      | 71  | 1986 | 1           | UN             | ON   |
| 101 | Arcouette    | Caroline   | 37  | 2006 | 1           | CN             | QC   |
| 102 | Ariza        | Pamela     | 25  | 2011 | 19          | UN             | ON   |
| 103 | Armishaw     | Kylie      | 22  | 2010 | 41          | UN             | MB   |
| 104 | Armstrong    | Krystina   | 54  | 2010 | 50          | UN             | ON   |

| #   | Last Name             | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-----------------------|--------------|-----|------|-------------|----------------|------|
| 105 | Arnault               | Wendy        | 23  | 2003 | 41          | AB             | SK   |
| 106 | Arnd                  | Sigrun       | 18  | 1981 | 34          | UN             | BC   |
| 107 | Arney                 | Tara         | 13  | 2008 | 1           | AB             | SK   |
| 108 | Arrance               | Lorraine     | 40  | 2003 | 43          | FN             | BC   |
| 109 | Arrance               | Sharon       | *** | ***  | 10          | AB             | BC   |
| 110 | Arsenault-Guillemette | Brigitte     | 16  | 2006 | 1           | UN             | QC   |
| 111 | Arseneault            | Angela       | 17  | 1994 | 1           | CN             | BC   |
| 112 | Arseneault            | Kathleen     | 59  | 2013 | 10          | UN             | NB   |
| 113 | Arseneault            | Précylia     | 16  | 2007 | 1           | CN             | QC   |
| 114 | Ashareh               | Yasmin       | 20  | 2006 | 16          | UN             | ON   |
| 115 | Ashton                | Elva         | 36  | 2007 | 46          | BL             | ON   |
| 116 | Asifa                 | Nabila       | 36  | 2007 | 16          | UN             | ON   |
| 117 | Asprey                | Pamela       | 20  | 1984 | 2           | UN             | NL   |
| 118 | Assam-Thunderbird     | Elena        | 17  | 2002 | 13          | FN             | ON   |
| 119 | Assapa                | Elisapi      | 31  | 2003 | 17          | AB             | NU   |
| 120 | Asselin               | Jeanne-D'Arc | 67  | 2003 | 1           | CN             | QC   |
| 121 | Assen                 | Agnes        | *** | 2013 | 46          | UN             | BC   |
| 122 | Asslin                | Susan        | **  | 1974 | 10          | FN             | ON   |
| 123 | Atkinson              | Andrea       | 6   | 1990 | 13          | UN             | ON   |
| 124 | Atkinson              | Tamara       | *** | 1987 | 11          | UN             | MB   |
| 125 | Attar                 | Maor         | 14  | 2010 | 50          | UN             | QC   |
| 126 | Attwood               | Andrea       | 19  | 1996 | 13          | UN             | MB   |
| 127 | Atwal                 | Gurpreet     | *** | 2013 | 10          | UN             | BC   |
| 128 | Aubert                | Dianne       | *** | 1982 | 10          | UN             | QC   |
| 129 | Aubin                 | Valérie      | 20  | 2003 | 19          | UN             | QC   |
| 130 | Audy                  | Cynthia      | 27  | 2004 | 1           | AB             | MB   |
| 131 | August                | Katherine    | *** | ***  | 10          | AB             | BC   |
| 132 | Augustin              | Suzette      | 26  | 2004 | 10          | BL             | ON   |
| 133 | Authier               | Edith        | 57  | 1970 | 10          | UN             | ON   |
| 134 | Avidago               | Maria        | 43  | 2011 | 19          | UN             | ON   |
| 135 | Avigan                | Laverna      | *** | ***  | 10          | AB             | BC   |

| #   | Last Name           | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|---------------------|--------------|-----|------|-------------|----------------|------|
| 136 | Awcock              | Donna        | 17  | 1983 | 10          | UN             | ON   |
| 137 | Ayalik <sup>1</sup> | Allison      | 7   | 1998 | 46          | IT             | NU   |
| 138 | Ayalik              | Michelle     | 13  | 1998 | 46          | IT             | NU   |
| 139 | Ayotte              | Johan        | 53  | 2008 | 12          | UN             | QC   |
| 140 | B.                  | Bev          | *** | ***  | 18          | UN             | SK   |
| 141 | Baas                | Charlotte    | 18  | 1983 | 10          | UN             | AB   |
| 142 | Babaega             | Svetlana     | 76  | 2013 | 19          | CN             | ON   |
| 143 | Babb                | Terri-Lynn   | 25  | 1993 | 13          | UN             | MB   |
| 144 | Babcock             | Laura        | 23  | 2012 | 2           | CN             | ON   |
| 145 | Backfat             | Linda        | 40  | 2006 | 41          | FN             | AB   |
| 146 | Bacsu               | Shelly       | 16  | 1983 | 5           | AB             | AB   |
| 147 | Badger              | Marilyn      | 52  | 2006 | 14          | AB             | AB   |
| 148 | Badhan              | Seema        | 19  | 2006 | 16          | UN             | ON   |
| 149 | Baechen             | Sinah        | 15  | 2009 | 1           | UN             | QC   |
| 150 | Baggag <sup>2</sup> | Inshirah     | 0   | 2004 | 4           | AS             | QC   |
| 151 | Baggag              | Noor-Al-Hoda | 2   | 2004 | 4           | AS             | QC   |
| 152 | Bagnall             | Rachel       | 25  | 2010 | 1           | CN             | BC   |
| 153 | Bagshaw             | Marion       | 35  | 1960 | 10          | UN             | ON   |
| 154 | Bailey              | Dawn         | 27  | 2011 | 16          | UN             | ON   |
| 155 | Bailey              | Susan        | 22  | 2005 | 10          | UN             | ON   |
| 156 | Baillargeon         | Rose         | *** | ***  | 10          | UN             | ON   |
| 157 | Bain                | Elizabeth    | 22  | 1990 | 11          | CN             | ON   |
| 158 | Baines              | Cheryl       | *** | ***  | 16          | UN             | ON   |
| 159 | Baird               | Brittany     | 22  | 2011 | 17          | UN             | BC   |
| 160 | Baird               | Coral        | 15  | 2006 | 1           | FN             | BC   |
| 161 | Baker               | Chystal      | 35  | 2002 | 10          | AB             | BC   |
| 162 | Baker               | Eva          | 29  | 1952 | 6           | UN             | BC   |
| 163 | Baker               | Karen        | *** | 1986 | 11          | AB             | BC   |
| 164 | Baker               | Sherry       | 25  | 1993 | 1           | CN             | BC   |

<sup>1</sup> Allison and Michelle Ayalik were sisters. They were killed, along with their brother Alexander.

<sup>2</sup> Noor-Al-Hoda and Inshirah Baggag are sisters; they were abducted together.

| #   | Last Name           | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|---------------------|------------|-----|------|-------------|----------------|------|
| 165 | Balkaran            | Zaniffa    | 59  | 2011 | 50          | UN             | ON   |
| 166 | Bail                | Susan      | *** | ***  | 40          | UN             | BC   |
| 167 | Ballantyne          | Alice      | 46  | 2005 | 12          | AB             | SK   |
| 168 | Ballantyne          | Emily      | 24  | 1991 | 2           | AB             | MB   |
| 169 | Ballantyne          | Jean       | 63  | 2010 | 14          | FN             | SK   |
| 170 | Ballantyne          | Jenilee    | 22  | 2013 | 19          | AB             | MB   |
| 171 | Ballantyne          | Sylvia     | 40  | 2003 | 10          | FN             | AB   |
| 172 | Banks               | Marie      | 18  | 1983 | 10          | AB             | MB   |
| 173 | Banman              | Lora       | 23  | 1999 | 10          | AB             | BC   |
| 174 | Bannon              | Sandy      | 17  | ***  | 46          | UN             | ON   |
| 175 | Baptiste            | Gloria     | *** | ***  | 10          | AB             | BC   |
| 176 | Baptiste            | Jordena    | 22  | 2003 | 17          | AB             | AB   |
| 177 | Barbaro             | Elisabeth  | 48  | 1996 | 1           | CN             | QC   |
| 178 | Barker              | Patricia   | 53  | 1978 | 10          | UN             | BC   |
| 179 | Barkley             | Rene       | 28  | 2000 | 10          | UN             | QC   |
| 180 | Barnard             | Gladys     | 50  | 1981 | 46          | UN             | MB   |
| 181 | Barnes <sup>3</sup> | Mary Lou   | *** | 1995 | 13          | CN             | NB   |
| 182 | Barnoski            | Michelle   | 33  | 2008 | 14          | UN             | ON   |
| 183 | Baron               | Tina       | 17  | 1985 | 18          | UN             | NS   |
| 184 | Barr                | Donna      | 43  | 1996 | 46          | UN             | ON   |
| 185 | Bartlett            | Amanda     | 17  | 1996 | 1           | AB             | MB   |
| 186 | Bartman             | Donna      | 39  | 1998 | 46          | UN             | ON   |
| 187 | Basil               | Immaculate | 26  | 2013 | 1           | AB             | BC   |
| 188 | Basil               | Janet      | 33  | ***  | 10          | AB             | BC   |
| 189 | Bastien             | Cynthia    | *   | 2009 | 1           | UN             | QC   |
| 190 | Batalia             | Maple      | 19  | 2011 | 19          | SA             | BC   |
| 191 | Bateman             | Alicia     | 28  | 2008 | 46          | UN             | ON   |
| 192 | Bates               | Cheryl     | 23  | 2006 | 1           | CN             | AB   |
| 193 | Bates               | Debra      | 52  | 2009 | 1           | CN             | BC   |
| 194 | Batke               | Karen      | 39  | 2007 | 2           | CN             | BC   |
| 195 | Batoche             | Mildred    | 23  | 1967 | 1           | CN             | AB   |
| 196 | Battersby           | Agnes      | 42  | 1968 | 1           | CN             | ON   |

<sup>3</sup> Barnes was murdered at the same time as her son, Larry Mills Jr.

| #           | Last Name              | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-------------|------------------------|------------|-----|------|-------------|----------------|------|
| 197         | Battistolo             | Darlene    | 44  | 2008 | 1           | UN             | BC   |
| 198         | Bauer                  | Ingrid     | 14  | 1972 | 2           | CN             | ON   |
| 199         | Baxter                 | Grayce     | 26  | 1992 | 13          | CN             | ON   |
| 200         | Bayoneta               | Evelyn     | 42  | 2003 | 1           | UN             | BC   |
| 201         | Bear                   | Lisa       | 20  | 2001 | 19          | FN             | BC   |
| 202         | Beardy                 | Geraldine  | 29  | 2009 | 43          | FN             | MB   |
| 203         | Bearisto               | Chrystal   | 23  | 2003 | 17          | AB             | PEI  |
| Beauchemin- |                        |            |     |      |             |                |      |
| 204         | Corneau                | Vanessa    | 16  | 2007 | 1           | CN             | QC   |
| 205         | Beaulieu               | Debra      | 39  | 1999 | 13          | UN             | MB   |
| 206         | Beaulieu               | Nadine     | 1   | 1996 | 43          | AB             | MB   |
| 207         | Beck                   | Cindy      | **  | 1997 | 2           | CN             | BC   |
| 208         | Beck                   | Stephine   | 29  | 2007 | 13          | UN             | ON   |
| 209         | Béclair                | Maude      | 18  | 2002 | 13          | CN             | QC   |
| 210         | Bédard                 | Danielle   | 31  | 2006 | 1           | CN             | QC   |
| 211         | Bédard                 | Suzanne    | *** | 1996 | 18          | UN             | QC   |
| 212         | Beer                   | Helga      | 31  | 1968 | 10          | UN             | ON   |
| 213         | Behrendt               | Pamela     | *** | 1990 | 46          | UN             | ON   |
| Bejarano-   |                        |            |     |      |             |                |      |
| 214         | Lucero                 | Élizabeth  | 16  | 2013 | 1           | LO             | QC   |
| 215         | Béland                 | Alexina    | 17  | 2013 | 1           | CN             | QC   |
| 216         | Belanger               | Corrine    | 37  | 2001 | 13          | UN             | AB   |
| 217         | Belanger               | Dillon     | 4   | 2010 | 19          | FN             | MB   |
| 218         | Belanger               | Noella     | 33  | 1992 | 17          | UN             | MB   |
| 219         | Belcourt               | Samantha   | 12  | 2004 | 1           | AB             | AB   |
| 220         | Belekova               | Larisa     | 51  | 2010 | 19          | UN             | ON   |
| 221         | Belisle                | Nola       | 37  | 1995 | 10          | UN             | SK   |
| 222         | Bell <sup>4</sup>      | Amy        | 82  | 2009 | 58          | UN             | ON   |
| 223         | Bell                   | Patricia   | 44  | 1997 | 10          | UN             | MB   |
| 224         | Bellerose <sup>5</sup> | Deanna     | **  | 2002 | 41          | AB             | AB   |
| 225         | Bellerose              | Ginger     | 26  | 2001 | 12          | AB             | AB   |

<sup>4</sup> James Don Mitchinson, 88, was murdered at the same time.

<sup>5</sup> Deanna and Ginder Bellerose were sisters.

| #   | Last Name                | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|--------------------------|--------------|-----|------|-------------|----------------|------|
| 226 | Belohlavova              | Ivana        | 29  | 1993 | 46          | UN             | MB   |
| 227 | Beniskos                 | Marie-Claire | 78  | 2007 | 10          | UN             | ON   |
| 228 | Benkartoussa             | Nassima      | 37  | 1999 | 46          | UN             | ON   |
| 229 | Benkartoussa             | Sabrina      | 34  | 1999 | 46          | UN             | ON   |
| 230 | Benn                     | Nancy        | 16  | 2008 | 1           | AB             | MB   |
| 231 | Benoit                   | Pamela       | 15  | 2007 | 1           | CN             | QC   |
| 232 | Benson                   | Lori         | 56  | 2011 | 1           | CN             | BC   |
| 233 | Benwell                  | Leanne       | 27  | 2007 | 10          | AB             | AB   |
| 234 | Berens                   | Lori Lee     | 18  | 1985 | 1           | CN             | BC   |
| 235 | Berg                     | Samantha     | 19  | 2005 | 10          | UN             | AB   |
| 236 | Bergen                   | Elizabeth    | 13  | 1999 | 4           | MS             | NU   |
| 237 | Bergeron                 | Diane        | *** | 2003 | 18          | CN             | QC   |
| 238 | Bergeron                 | Geneviève    | 21  | 1989 | 46          | UN             | QC   |
| 239 | Bergeron                 | Marilyn      | 24  | 2008 | 1           | CN             | QC   |
| 240 | Berlin                   | Alma         | 33  | 1961 | 19          | UN             | MB   |
| 241 | Bernard                  | Edna         | 28  | 2002 | 10          | FN             | AB   |
| 242 | Bernard                  | Jane         | *** | 1966 | 10          | FN             | ON   |
| 243 | Bernard                  | Nora         | 72  | 2007 | 14          | FN             | NS   |
| 244 | Bernier                  | Julie        | 29  | 2003 | 19          | UN             | ON   |
| 245 | Berube                   | Lillian      | 83  | 1987 | 10          | UN             | AB   |
| 246 | Besteck                  | Margaret     | 79  | 2004 | 14          | UN             | MB   |
| 247 | Bester                   | Donna        | 27  | 1981 | 1           | CN             | ON   |
| 248 | Bhangu                   | Ravinder     | 24  | 2011 | 16          | SA             | BC   |
| 249 | Bian                     | Jeffrey      | 29  | 2009 | 19          | AS             | BC   |
| 250 | Biddersingh <sup>6</sup> | Melonie      | 17  | 1994 | 19          | BL             | ON   |
| 251 | Big Tobacco              | Carol        | 8   | 1983 | 1           | UN             | AB   |

<sup>6</sup> Biddersingh was originally listed in the DD as Jane Doe #93. Her brother, Dwayne, 15, died in 1992 in an apparent accidental fall from the family balcony. Biddersingh's body was found in 1994 but not identified until 2011. Her brother's body has been exhumed and his death is being investigated by police.

| #   | Last Name               | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-------------------------|------------|-----|------|-------------|----------------|------|
| 252 | Bigeagle <sup>7</sup>   | Danita     | 22  | 2007 | 1           | AB             | SK   |
| 253 | Bigelow                 | Roxanne    | 34  | 2011 | 19          | UN             | AB   |
| 254 | Bighetty                | Kyra       | 0   | 2007 | 19          | FN             | MB   |
| 255 | Bigras                  | Michelle   | 18  | 1985 | 1           | CN             | ON   |
| 256 | Billy                   | Christine  | *** | ***  | 10          | AB             | BC   |
| 257 | Billy                   | Evangeline | 24  | 2008 | 17          | UN             | YK   |
| 258 | Binder                  | Karoly     | 26  | 1961 | 19          | UN             | MB   |
| 259 | Biomme                  | Anne       | 37  | 1991 | 46          | UN             | ON   |
| 260 | Bird                    | Angel      | 23  | 2010 | 17          | AB             | AB   |
| 261 | Bird <sup>8</sup>       | Farro      | 19  | 2005 | 12          | FN             | SK   |
| 262 | Bird                    | Shawna     | 16  | 2001 | 12          | FN             | AB   |
| 263 | Birmingham              | Mary Ann   | 16  | 1997 | 43          | IT             | NU   |
| 264 | Bishop                  | Jocelyn    | 21  | 2010 | 19          | UN             | ON   |
| 265 | Bjerky                  | Verna      | *** | 1981 | 2           | CN             | BC   |
| 266 | Black                   | Cheryl     | 46  | 2004 | 10          | FN             | AB   |
| 267 | Black                   | Lisa       | *** | 1987 | 18          | UN             | ON   |
| 268 | Black                   | Vickie     | **  | 1993 | 10          | AB             | BC   |
| 269 | Black                   | Alice      | 31  | 2008 | 16          | FN             | NT   |
| 270 | Blackplume <sup>9</sup> | Gloria     | *** | 1991 | 11          | FN             | AB   |
| 271 | Blacksmith              | Lorna      | 18  | 2012 | 19          | AB             | MB   |
| 272 | Blair                   | Caroline   | 32  | 2009 | 1           | UN             | BC   |
| 273 | Blanchette              | Anais      | 2   | 2012 | 19          | CN             | QC   |
| 274 | Blanchette              | Lorelie    | 5   | 2012 | 19          | CN             | QC   |
| 275 | Blazek                  | Cindy      | 23  | 1986 | 11          | FN             | SK   |
| 276 | Blazevic                | Vahida     | 42  | 2007 | 16          | CN             | ON   |
| 277 | Bleuge                  | Deborah    | 24  | 1980 | 16          | UN             | ON   |
| 278 | Blomme                  | Annette    | 67  | ***  | 46          | UN             | ON   |

<sup>7</sup> Bigeagle's male cousin, Wilson Nokahoot, went missing from Regina in 2008.

<sup>8</sup> Bird was murdered with her friends, brothers Kerry Naytowhow, 19, and Greg Naytowhow, 27.

<sup>9</sup> Blackplume was the cousin of murdered sisters Jacqueline (2007) and Yvonne Crazybull (1991).

| #   | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-----------------------|------------|-----|------|-------------|----------------|------|
| 279 | Bloskie               | Anne       | *** | ***  | 18          | UN             | ON   |
| 280 | Blunt                 | Gail       | 39  | 2002 | 19          | UN             | ON   |
| 281 | Bob                   | Celestine  | *** | 1962 | 19          | AB             | BC   |
| 282 | Bob                   | Jacqueline | 41  | 2004 | 1           | AB             | BC   |
| 283 | Bob                   | Nancy      | *** | 1990 | 12          | AB             | BC   |
| 284 | Bobbish               | Nellie     | *** | 1994 | 56          | UN             | QC   |
| 285 | Bobeika               | Natalie    | 46  | 2003 | 19          | CN             | ON   |
| 286 | Bodnar                | Elizabeth  | 61  | 1998 | 19          | UN             | ON   |
| 287 | Boen                  | Yvonne     | **  | 2001 | 22          | CN             | BC   |
| 288 | Bohun                 | Casey      | 3   | 1989 | 5           | CN             | BC   |
| 289 | Boisvenu              | Julie      | 27  | 2002 | 13          | CN             | QC   |
| 290 | Boisvert              | Danielle   | 18  | 1979 | 5           | CN             | QC   |
| 291 | Bokeika               | Natalie    | 46  | 2003 | 16          | UN             | ON   |
| 292 | Bol                   | Vanessa    | 17  | 2003 | 19          | UN             | ON   |
| 293 | Bolduc                | Édith      | 27  | 2011 | 19          | UN             | QC   |
| 294 | Bolduc                | Kasandra   | 22  | 2012 | 41          | UN             | ON   |
| 295 | Bolla                 | Haraap     | 29  | 2000 | 46          | UN             | ON   |
| 296 | Bonder                | Zofia      | 45  | 2003 | 19          | UN             | ON   |
| 297 | Bone-Spence           | Lisa Marie | 17  | 2009 | 17          | AB             | MB   |
| 298 | Bonette               | Linda      | 50  | 2012 | 10          | UN             | QC   |
| 299 | Bonnell               | Hilary     | 16  | 2009 | 14          | FN             | NB   |
| 300 | Bonney                | Liz        | *** | 1992 | 14          | FN             | ON   |
| 301 | Bonthoux              | Tersilla   | **  | 1954 | 1           | CN             | SK   |
| 302 | Books                 | Nancy      | 50  | 2011 | 1           | AB             | ON   |
| 303 | Boon                  | Francis    | 69  | 2012 | 1           | AB             | MB   |
| 304 | Boone                 | Alicia     | 26  | 2011 | 41          | CN             | NB   |
| 305 | Bordato               | Kathryn    | 43  | 2009 | 1           | CN             | ON   |
| 306 | Borelli <sup>10</sup> | Rhonda     | *** | 1998 | 19          | UN             | ON   |
| 307 | Borg                  | Constant   | 66  | 1946 | 46          | UN             | MB   |
| 308 | Borgford              | Lorraine   | 46  | 1986 | 10          | UN             | BC   |
| 309 | Borhaven              | Andrea     | **  | 1997 | 21          | CN             | BC   |
| 310 | Borkowski             | Aurheyanna | 16  | 2012 | 1           | CN             | MB   |

<sup>10</sup> William Staples was murdered at the same time.

| #   | Last Name              | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|------------------------|--------------|-----|------|-------------|----------------|------|
| 311 | Boroja                 | Rose         | 54  | 2006 | 19          | UN             | ON   |
| 312 | Bosse                  | Dahleen      | **  | 2004 | 19          | FN             | SK   |
| 313 | Bostani-Khamsi         | Manijeh      | 78  | 2013 | 56          | UN             | ON   |
| 314 | Bostrom                | Barbara      | 26  | 1986 | 16          | AB             | ON   |
| 315 | Bottle                 | Bernice      | 36  | 1988 | 10          | FN             | ON   |
| 316 | Bottomley              | Heather      | **  | 2001 | 21          | CN             | BC   |
| 317 | Bouboire               | Derek        | 24  | 2002 | 19          | UN             | MB   |
| 318 | Bouchard               | Agathe       | 52  | 2013 | 1           | CN             | QC   |
| 319 | Bouchard               | Genevieve    | 26  | 2011 | 1           | CN             | BC   |
| 320 | Bouchard               | Lucie        | 42  | 1996 | 1           | CN             | QC   |
| 321 | Bouchard               | Marie-Pierre | 17  | 2005 | 10          | UN             | QC   |
| 322 | Boucher                | Sylvie       | *** | ***  | 18          | UN             | ON   |
| 323 | Boucher                | Veronica     | 15  | 2010 | 1           | CN             | BC   |
| 324 | Boudreau               | Ashley       | 24  | 2010 | 46          | UN             | ON   |
| 325 | Boudreau               | Karissa      | 12  | 2008 | 15          | UN             | NS   |
| 326 | Bouffard               | Pierrette    | 40  | 1997 | 1           | CN             | QC   |
| 327 | Boulanger              | David        | 28  | 2004 | 19          | FN             | MB   |
| 328 | Bourbonnière           | Catherine    | 27  | 2006 | 16          | UN             | QC   |
| 329 | Bourdeau               | Denise       | 39  | 2006 | 19          | AB             | ON   |
| 330 | Bourdeau               | Manon        | *** | 1990 | 43          | UN             | ON   |
| 331 | Bourgeot               | Isabelle     | 32  | 1985 | 1           | UN             | QC   |
| 332 | Bourne                 | Diane        | 22  | 1976 | 1           | CN             | BC   |
| 333 | Boutilier              | Rebecca      | 20  | 1993 | 10          | AB             | AB   |
| 334 | Boutin                 | Josée        | 21  | 1988 | 1           | CN             | ON   |
| 335 | Bovin                  | Patricia     | 22  | 1969 | 10          | UN             | ON   |
| 336 | Bowen                  | Mary         | 26  | 1973 | 10          | UN             | BC   |
| 337 | Bowerman <sup>11</sup> | Amber        | 30  | 2008 | 46          | UN             | AB   |
| 338 | Bowers                 | Diana        | 47  | 2005 | 1           | UN             | BC   |
| 339 | Bowers                 | Reva         | *** | ***  | 18          | UN             | ON   |
| 340 | Boyd                   | Rita         | 47  | 2008 | 1           | CN             | BC   |

<sup>11</sup> Lall and two of her three children were murdered, along with her tenant Bowerman. Her one-year-old daughter survived.

| #   | Last Name            | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|----------------------|------------|-----|------|-------------|----------------|------|
| 341 | Bradburn             | Eileen     | 50  | 2002 | 17          | FN             | MB   |
| 342 | Bradburn             | Lavina     | 41  | 2006 | 16          | UN             | MB   |
| 343 | Bradburn             | Martha     | 36  | 2002 | 19          | UN             | MB   |
| 344 | Bradley              | Dana       | 14  | 1981 | 10          | UN             | NL   |
| 345 | Braem                | Deena      | 17  | 1999 | 10          | AB             | BC   |
| 346 | Brar                 | Amarjeet   | 46  | 2007 | 46          | UN             | ON   |
| 347 | Brar                 | Dildeep    | 22  | 2007 | 46          | UN             | ON   |
| 348 | Brar                 | Manmeet    | 20  | 2007 | 46          | UN             | ON   |
| 349 | Brazeau              | Pauline    | 16  | 1976 | 10          | UN             | AB   |
| 350 | Brazil               | Regina     | 62  | 2010 | 10          | UN             | BC   |
| 351 | Breakthrough         | Aurora     | 0   | 2009 | 15          | UN             | NS   |
| 352 | Bright               | Phillip    | *** | ***  | 17          | UN             | ON   |
| 353 | Brillant-<br>Marcoux | Karen      | 11  | 2012 | 46          | CN             | QC   |
| 354 | Brillant-<br>Marcoux | Lindsey    | 13  | 2012 | 46          | CN             | QC   |
| 355 | Brissette            | Annie      | 29  | 1995 | 10          | UN             | QC   |
| 356 | Brochu <sup>12</sup> | Nicole     | 40  | 2013 | 10          | UN             | BC   |
| 357 | Brodkin              | Barbara    | 41  | 1993 | 10          | UN             | ON   |
| 358 | Brooks               | Isabelle   | 68  | 1972 | 2           | CN             | ON   |
| 359 | Brooks               | Tanya      | 38  | 2009 | 10          | FN             | NS   |
| 360 | Brose                | Lorelei    | 19  | 1985 | 10          | UN             | ON   |
| 361 | Brower               | Delores    | **  | 2004 | 2           | MS             | AB   |
| 362 | Brown                | Ada        | 39  | 2001 | 40          | AB             | BC   |
| 363 | Brown                | Audrey     | *** | ***  | 41          | FN             | SK   |
| 364 | Brown                | Ella       | 32  | 2009 | 41          | FN             | SK   |
| 365 | Brown <sup>13</sup>  | Gemini     | 3   | 2000 | 15          | AS             | AB   |
| 366 | Brown                | Ida        | 69  | 2010 | 43          | UN             | AB   |
| 367 | Brown                | Kerrie     | 15  | 1986 | 43          | CN             | MB   |
| 368 | Brown                | Lara       | 26  | 1998 | 1           | UN             | AB   |

<sup>12</sup> Brochu's housemate, Brett Lietz, was murdered at the same time.

<sup>13</sup> Brown died, along with her brother, Domenic, 1, after her mother left the children alone for 10 days.

| #   | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-----------------------|------------|-----|------|-------------|----------------|------|
| 369 | Brown                 | Lynda      | 15  | 2006 | 1           | CN             | BC   |
| 370 | Brown                 | Marlissa   | 15  | 2007 | 1           | FN             | BC   |
| 371 | Brown                 | Melanie    | 31  | 2004 | 10          | AB             | BC   |
| 372 | Brown                 | Pearl      | 84  | 2013 | 19          | UN             | ON   |
| 373 | Brown                 | Rose       | 43  | 2009 | 58          | UN             | NS   |
| 374 | Browne                | Christine  | 16  | 1997 | 43          | UN             | BC   |
| 375 | Bruce                 | Annette    | *** | ***  | 10          | AB             | NL   |
| 376 | Brule                 | Leona      | **  | 1989 | 1           | AB             | NT   |
| 377 | Brunet                | Carol Ann  | 54  | 2010 | 16          | UN             | ON   |
| 378 | Brunet                | Janette    | 27  | 1988 | 2           | CN             | ON   |
| 379 | Brunette              | Dodi       | 32  | 2013 | 10          | AB             | AB   |
| 380 | Bruni                 | Carmela    | *** | 2002 | 16          | UN             | ON   |
| 381 | Bruyere               | Fonessa    | 17  | 2007 | 10          | FN             | MB   |
| 382 | Bryant                | Jodi       | 21  | 2010 | 13          | AB             | SK   |
| 383 | Bryk                  | Alayne     | 29  | 1995 | 46          | UN             | ON   |
| 384 | Bryman                | Brenda     | 12  | 1961 | 2           | CN             | BC   |
| 385 | Buboire               | Stephanie  | 30  | 2004 | 17          | AB             | MB   |
| 386 | Buckley               | Diane      | 18  | 1979 | 1           | CN             | BC   |
| 387 | Buckner               | Vanessa    | 27  | 1987 | 24          | FN             | BC   |
| 388 | Budram                | Lilawattee | 41  | 2001 | 16          | UN             | ON   |
| 389 | Buffalo-<br>Hudson    | Marlene    | 23  | ***  | 10          | FN             | BC   |
| 390 | Buffie                | Julie      | 29  | 1982 | 1           | CN             | BC   |
| 391 | Buggins <sup>14</sup> | Carol      | *** | 2012 | 19          | UN             | NT   |
| 392 | Bui <sup>15</sup>     | Bong       | *** | 2002 | 17          | AS             | ON   |
| 393 | Bui                   | Sarah      | 15  | 2006 | 1           | AS             | BC   |
| 394 | Burdo                 | Stella     | 40  | 1996 | 18          | UN             | ON   |
| 395 | Burk                  | Cindy      | 21  | 1990 | 13          | FN             | BC   |
| 396 | Burke                 | Maggie     | **  | 2004 | 2           | AB             | AB   |
| 397 | Burns                 | Caroline   | 52  | 1973 | 1           | AB             | SK   |
| 398 | Burns                 | Corrine    | 29  | 2008 | 13          | UN             | ON   |

<sup>14</sup> Garfield McPherson was murdered at the same time.

<sup>15</sup> Bui's husband was murdered at the same time.



| #   | Last Name            | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|----------------------|------------|-----|------|-------------|----------------|------|
| 399 | Burnside             | Susan      | 56  | 2011 | 41          | CN             | NB   |
| 400 | Burrell              | Catherine  | 40  | 1999 | 12          | CN             | AB   |
| 401 | Burrell              | Wendy      | *** | ***  | 46          | UN             | ON   |
| 402 | Burtis <sup>16</sup> | Melody     | 40  | 2006 | 12          | UN             | ON   |
| 403 | Burton               | Heather    | 43  | 1999 | 46          | UN             | ON   |
| 404 | Bushie               | Chantelle  | 16  | 2007 | 1           | AB             | AB   |
| 405 | Butler               | Carol      | 45  | 1996 | 46          | UN             | ON   |
| 406 | Butler-Henderson     | Haily      | 23  | 2008 | 1           | AB             | BC   |
| 407 | Buziak               | Lindsay    | 24  | 2008 | 10          | CN             | BC   |
| 408 | Byerly               | Marjorie   | 58  | 1999 | 46          | UN             | ON   |
| 409 | Byman                | Brenda     | 12  | 1961 | 1           | CN             | BC   |
| 410 | Byskal               | Marilyn    | 18  | 1974 | 2           | CN             | MB   |
| 411 | C. <sup>17</sup>     | N.         | 13  | 2005 | 13          | AB             | AB   |
| 412 | Cabay                | Mélanie    | 19  | 1994 | 10          | CN             | QC   |
| 413 | Cabral               | Leonilde   | 70  | 2012 | 46          | UN             | ON   |
| 414 | Cada                 | Vivian     | **  | 2005 | 1           | AB             | ON   |
| 415 | Cadieux              | Susan      | 5   | 1956 | 10          | UN             | ON   |
| 416 | Cairns               | Patricia   | *** | 2002 | 16          | UN             | BC   |
| 417 | Calayaca             | Christina  | 20  | 2007 | 1           | CI             | ON   |
| 418 | Calderon             | Vanessa    | 13  | 2006 | 4           | LO             | QC   |
| 419 | Cameron              | Belinda    | **  | 2005 | 2           | FN             | BC   |
| 420 | Cameron              | Constance  | 20  | 1984 | 10          | AB             | MB   |
| 421 | Cameron              | Evaline    | 19  | 1995 | 10          | FN             | ON   |
| 422 | Cameron              | Michelle   | 27  | 2011 | 19          | UN             | ON   |
| 423 | Cameron              | Pamela     | 16  | 1994 | 12          | UN             | BC   |
| 424 | Cameron              | Robin      | **  | 2006 | 13          | FN             | SK   |
| 425 | Camirand             | Louise     | 20  | 1977 | 10          | UN             | QC   |
| 426 | Campbell             | Fenny      | 44  | 1998 | 19          | UN             | NS   |
| 427 | Campbell             | Joan       | 36  | 2003 | 12          | AB             | SK   |
| 428 | Campbell             | Lavina     | 79  | 2011 | 13          | CN             | NS   |

<sup>16</sup> Burtis's son was murdered at the same time.

<sup>17</sup> Due to publication ban, the name of this victim cannot be published.

| #   | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-----------------------|------------|-----|------|-------------|----------------|------|
| 429 | Campbell              | Roxanne    | 38  | 2002 | 40          | AB             | BC   |
| 430 | Campbell              | Sandra     | 47  | 1993 | 19          | UN             | ON   |
| 431 | Campeau               | Joleil     | 10  | 1995 | 19          | UN             | QC   |
| 432 | Campione              | Serena     | 3   | 2006 | 15          | UN             | ON   |
| 433 | Campione              | Sophie     | 1   | 2006 | 15          | UN             | ON   |
| 434 | Campo                 | Bernadette | *** | ***  | 10          | AB             | BC   |
| 435 | Candir                | Aysegul    | 47  | 2004 | 16          | UN             | ON   |
| 436 | Cao                   | Ruo Yu     | 26  | 2008 | 10          | UN             | BC   |
| 437 | Capot-Blanc           | Loretta    | 31  | 1997 | 10          | FN             | BC   |
| 438 | Capozzi               | Josephine  | 77  | 2009 | 14          | CN             | BC   |
| 439 | Card                  | Betty      | 15  | 2002 | 19          | UN             | ON   |
| 440 | Cardenas              | Frania     | 33  | 2003 | 56          | BL             | ON   |
| 441 | Cardinal              | Carol      | *** | ***  | 10          | AB             | BC   |
| 442 | Cardinal              | Charlotte  | *** | 2006 | 18          | UN             | AB   |
| 443 | Cardinal              | Gail       | 21  | 1983 | 10          | AB             | AB   |
| 444 | Cardinal              | Jeanette   | 40  | 2011 | 10          | FN             | AB   |
| 445 | Cardinal              | Jessica    | 24  | 1997 | 10          | AB             | AB   |
| 446 | Cardinal              | Joyce      | *** | 1993 | 12          | AB             | AB   |
| 447 | Cardinal              | Lillian    | 80  | 2011 | 19          | UN             | ON   |
| 448 | Cardinal              | Michela    | 12  | 2001 | 1           | AB             | BC   |
| 449 | Cardle                | Patricia   | 74  | 2008 | 1           | UN             | BC   |
| 450 | Carisse               | Dawn       | 43  | 2001 | 1           | CN             | ON   |
| 451 | Carlick               | Angel      | 19  | 2007 | 10          | FN             | YK   |
| 452 | Carlisle              | Esther     | 80  | 1997 | 46          | UN             | ON   |
| 453 | Carlson               | Treana     | 64  | 2009 | 19          | UN             | AB   |
| 454 | Carnes                | Leanne     | 30  | ***  | 46          | UN             | ON   |
| 455 | Carroll               | Dori       | 30  | 1999 | 46          | UN             | ON   |
| 456 | Caron                 | Lucie      | 40  | 2008 | 40          | UN             | ON   |
| 457 | Carpenter             | Loran      | *** | ***  | 10          | AB             | BC   |
| 458 | Carpenter             | Monica     | 16  | 2013 | 1           | AB             | MB   |
| 459 | Carrier               | Diane      | 6   | 1963 | 1           | CN             | QC   |
| 460 | Carroll <sup>18</sup> | Carolyn    | 44  | 2008 | 19          | UN             | ON   |

<sup>18</sup> Mark Comeau, 46, was murdered at the same time.

| #   | Last Name            | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|----------------------|------------|-----|------|-------------|----------------|------|
| 461 | Carroll              | Catherine  | 45  | 1990 | 13          | CN             | NL   |
| 462 | Carson               | Terri      | 15  | 1981 | 34          | AB             | BC   |
| 463 | Carson-Hill          | Marie      | 31  | 2012 | 1           | UN             | BC   |
| 464 | Carter               | Diane      | 31  | ***  | 19          | UN             | ON   |
| 465 | Carter               | Judy       | 8   | 1955 | 10          | UN             | ON   |
| 466 | Carter               | Shana      | 25  | 2010 | 19          | BL             | ON   |
| 467 | Cartwright           | Jenna      | 21  | 2011 | 19          | UN             | AB   |
| 468 | Case                 | Betty      | *** | ***  | 40          | UN             | BC   |
| 469 | Casimer              | Kim        | 21  | 1989 | 12          | FN             | BC   |
| 470 | Cassell              | Charity    | *** | ***  | 40          | UN             | BC   |
| 471 | Cassidy              | Christina  | 47  | 2009 | 1           | CN             | ON   |
| 472 | Cassleman            | Orma       | 50  | 1977 | 10          | UN             | ON   |
| 473 | Castonguay           | Lucie      | 42  | 1999 | 10          | UN             | QC   |
| 474 | Catagas              | Bonnie     | *** | ***  | 40          | UN             | BC   |
| 475 | Catcheway            | Betty      | 16  | 2009 | 1           | AB             | MB   |
| 476 | Catcheway            | Jennifer   | 18  | 2008 | 2           | FN             | MB   |
| 477 | Catcheway            | Kristen    | 2   | 1993 | 19          | AB             | MB   |
| 478 | Cathcart             | Chantelle  | 23  | 2011 | 17          | AB             | SK   |
| 479 | Catholique           | Charlene   | 15  | 1990 | 2           | AB             | NT   |
| 480 | Catropa              | Maria      | 69  | 2009 | 16          | UN             | BC   |
| 481 | Caughlin             | Karen      | 14  | 1974 | 10          | UN             | ON   |
| 482 | Cedar                | Annie      | *** | ***  | 10          | AB             | BC   |
| 483 | Cedrone              | Margaret   | 57  | 1989 | 10          | UN             | ON   |
| 484 | Centis               | Rosella    | *** | 2002 | 16          | UN             | BC   |
| 485 | Ceolin <sup>19</sup> | Andrea     | 26  | 1997 | 19          | UN             | AB   |
| 486 | Cervas               | Norma      | *** | 1995 | 46          | UN             | ON   |
| 487 | Chabauty             | Sandra     | 52  | 2004 | 16          | UN             | MB   |
| 488 | Chaboyer             | Melissa    | 35  | 2005 | 10          | UN             | MB   |
| 489 | Chadjioannou         | Kiveli     | 65  | ***  | 19          | UN             | ON   |
| 490 | Chafe                | Claudette  | 22  | 2002 | 1           | CN             | ON   |

<sup>19</sup> Billy Coughlan, 28, was murdered at the same time.

| #   | Last Name              | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|------------------------|------------|-----|------|-------------|----------------|------|
| 491 | Chahal <sup>20</sup>   | Rajwar     | *** | 1996 | 46          | UN             | BC   |
| 492 | Chailier               | Micheline  | 28  | 1983 | 1           | CN             | QC   |
| 493 | Chaisson               | Stephanie  | 49  | 2012 | 46          | UN             | NL   |
| 494 | Challand <sup>21</sup> | Heidi      | 28  | 1997 | 16          | UN             | BC   |
| 495 | Challand               | Jewell     | 2   | 1997 | 15          | UN             | BC   |
| 496 | Chalmers               | Elizabeth  | 53  | 1999 | 1           | CN             | BC   |
| 497 | Chaloult               | Lynn       | 65  | 2011 | 18          | CN             | QC   |
| 498 | Chamberlain            | Lisa       | *** | 1997 | 10          | UN             | BC   |
| 499 | Chambers               | Keayanna   | 3   | 2007 | 50          | BL             | ON   |
| 500 | Chan-Lee               | Chui       | 72  | 2005 | 19          | UN             | ON   |
| 501 | Chapman                | Barbara    | *** | 1984 | 10          | UN             | ON   |
| 502 | Chareka                | Ottilia    | 42  | 2011 | 19          | BL             | NS   |
| 503 | Charette               | Marcia     | 24  | 1987 | 14          | UN             | AB   |
| 504 | Charette               | Michelle   | *** | 2000 | 19          | UN             | AB   |
| 505 | Charles                | Barbara    | *** | ***  | 40          | UN             | BC   |
| 506 | Charles                | Chrissie   | 16  | 2008 | 1           | AB             | SK   |
| 507 | Charles                | Jacqueline | 31  | 2004 | 18          | AB             | SK   |
| 508 | Charles                | Lucita     | 26  | 2010 | 16          | BL             | ON   |
| 509 | Charles                | Mathilda   | *** | ***  | 10          | AB             | BC   |
| 510 | Charlie                | Chassidy   | 17  | 2011 | 19          | AB             | BC   |
| 511 | Charlie                | Donna      | 22  | 1990 | 16          | AB             | BC   |
| 512 | Charlie                | Mary Ann   | *** | ***  | 10          | AB             | BC   |
| 513 | Charlie                | Roxanne    | 26  | 2009 | 10          | FN             | BC   |
| 514 | Charlie                | Sherry     | 1   | 2002 | 15          | FN             | BC   |
| 515 | Charon                 | Mélissa    | 15  | 2009 | 1           | CN             | QC   |
| 516 | Charrette              | Pierrette  | *** | 2001 | 18          | UN             | QC   |
| 517 | Charron                | Micheline  | 62  | 2009 | 1           | UN             | QC   |
| 518 | Chartrand              | Connie     | *** | ***  | 10          | AB             | BC   |

<sup>20</sup> Chahal was murdered along with nine members of her family: Karnail Gakhal, Darshan Gakhal, Balwinder Gakhal, Kalwinder Gakhal, Halvinder Gakhal, Jaspal Gakhal, Jasbir Saran and Balgit Saran.

<sup>21</sup> Challand was murdered along with her four children: Robert, 12, David, 9, Calvin, 6 and Jewel, 2.

| #   | Last Name              | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|------------------------|--------------|-----|------|-------------|----------------|------|
| 519 | Chartrand              | Donna        | *** | 1998 | 10          | AB             | BC   |
| 520 | Chartrand              | Gabrielle    | 28  | 1998 | 17          | UN             | MB   |
| 521 | Chartrand              | Louise       | 17  | 1981 | 34          | AB             | BC   |
| 522 | Chartrand              | Sadie        | *** | ***  | 40          | UN             | BC   |
| 523 | Chartrand              | Tara         | 30  | 2012 | 19          | AB             | SK   |
| 524 | Chartrand              | Tracey       | 25  | 1988 | 10          | UN             | BC   |
| 525 | Chatham                | Melissa      | 24  | 2008 | 16          | AS             | BC   |
| 526 | Chau                   | Ngoc         | 32  | ***  | 19          | UN             | ON   |
| 527 | Chau                   | Tuyet        | *** | 1996 | 58          | UN             | ON   |
| 528 | Chau <sup>22</sup>     | Vivian       | 3   | 2006 | 50          | UN             | ON   |
| 529 | Chen                   | Scarlett     | 4   | 2004 | 15          | AS             | ON   |
| 530 | Chen                   | Yanyun       | 61  | 2013 | 1           | AS             | BC   |
| 531 | Cheng                  | Yanrong      | 41  | 2010 | 16          | AS             | AB   |
| 532 | Chequis                | Tara         | 21  | 2004 | 58          | UN             | BC   |
| 533 | Chief                  | Jeanette     | 48  | 2007 | 10          | FN             | SK   |
| 534 | Chiesa                 | Michele      | 34  | 2000 | 19          | UN             | ON   |
| 535 | Chillingworth          | Brenda       | 38  | 1999 | 46          | UN             | ON   |
| 536 | Chin                   | Hau          | *** | 1992 | 16          | AS             | ON   |
| 537 | Chinnock               | Heather      | **  | 2001 | 21          | AB             | BC   |
| 538 | Chipman                | Tamara       | 22  | 2005 | 1           | AB             | BC   |
| 539 | Chisholm               | Donna        | 45  | 2004 | 46          | UN             | BC   |
| 540 | Choi                   | Hee          | 33  | 2005 | 16          | AS             | ON   |
| 541 | Choiniere              | Michelle     | 24  | 2005 | 10          | AB             | BC   |
| 542 | Cholette <sup>23</sup> | Hélène       | 14  | 1977 | 10          | CN             | QC   |
| 543 | Chomiak <sup>24</sup>  | Melody       | 45  | 2010 | 19          | BL             | AB   |
| 544 | Chong                  | Willene      | 77  | 2008 | 10          | AS             | BC   |
| 545 | Chorney                | Erin         | 77  | 2002 | 16          | UN             | MB   |
| 546 | Chowdbury              | Hafiza       | 41  | 2005 | 16          | UN             | ON   |
| 547 | Chreptyk               | Hilda        | 43  | 1960 | 46          | UN             | MB   |
| 548 | Chrétien               | Marie-Claude | 38  | 2008 | 2           | UN             | QC   |

<sup>22</sup> Chau's infant brother was murdered at the same time.

<sup>23</sup> Cholette's father, Rolan, was murdered at the same time.

<sup>24</sup> Jerica Bouchard, 20, was murdered at the same time.

| #   | Last Name                 | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|---------------------------|------------|-----|------|-------------|----------------|------|
| 549 | Christensen <sup>25</sup> | Nancy      | *** | 2000 | 13          | UN             | NS   |
| 550 | Christenson               | Connie     | 27  | 1988 | 10          | UN             | BC   |
| 551 | Christian                 | Gabriella  | 18  | ***  | 19          | UN             | ON   |
| 552 | Christie                  | Gladys     | 61  | 1974 | 58          | UN             | MB   |
| 553 | Christie                  | Kitty      | 73  | 1973 | 1           | CN             | BC   |
| 554 | Christison                | Christina  | 27  | 2002 | 16          | FN             | BC   |
| 555 | Christou                  | Carol      | 55  | 2000 | 10          | UN             | ON   |
| 556 | Chun                      | Kum Lea    | 59  | 2007 | 46          | AS             | BC   |
| 557 | Chuol                     | Nybol      | 27  | 2006 | 18          | UN             | AB   |
| 558 | Churcher                  | Tammy      | 26  | 2002 | 1           | CN             | ON   |
| 559 | Cichocki                  | Cassey     | 22  | 2005 | 13          | CN             | ON   |
| 560 | Ciciolla                  | Maria      | 35  | 2006 | 41          | CN             | AB   |
| 561 | Ciesek                    | Magdalena  | 19  | 2000 | 1           | CN             | ON   |
| 562 | Cindric <sup>26</sup>     | Kristina   | 12  | 1997 | 46          | UN             | ON   |
| 563 | Cindri <sup>27c</sup>     | Nevenko    | 44  | 1997 | 46          | UN             | ON   |
| 564 | Clair                     | Cynthia    | 38  | 1990 | 1           | CN             | ON   |
| 565 | Clapham                   | Thelma     | 79  | 2004 | 10          | UN             | ON   |
| 566 | Clare                     | Helen      | 27  | 2010 | 41          | UN             | BC   |
| 567 | Clark                     | Catherine  | 36  | 1979 | 16          | UN             | MB   |
| 568 | Clark                     | Catherine  | 39  | 1993 | 10          | UN             | ON   |
| 569 | Clark                     | Nancy      | 25  | 1991 | 22          | CN             | BC   |
| 570 | Clarke                    | Kimberley  | 36  | 1998 | 13          | UN             | MB   |
| 571 | Clarke                    | Stacey     | 67  | 1997 | 13          | UN             | SK   |
| 572 | Claypool                  | Ashley     | *   | 2007 | 1           | CN             | BC   |
| 573 | Clément                   | Martine    | 56  | 2013 | 19          | UN             | QC   |
| 574 | Clement                   | Bethany    | 15  | 2002 | 6           | AB             | BC   |
| 575 | Cletheroe                 | Shirley    | 45  | 2006 | 1           | CI             | BC   |
| 576 | Cleverdon                 | Isha       | 16  | 1998 | 12          | UN             | ON   |
| 577 | Cline                     | Christina  | 27  | 2011 | 10          | UN             | NS   |
| 578 | Clouâtre                  | Diane      | 42  | 2008 | 16          | UN             | QC   |

<sup>25</sup> Christensen's partner, Kirk Mersereau, was murdered at the same time.

<sup>26</sup> Cindric's brother was murdered at the same time.

<sup>27</sup> Cindric's son was murdered at the same time.

| #   | Last Name                        | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|----------------------------------|--------------|-----|------|-------------|----------------|------|
| 579 | Cloutier-<br>Guidi <sup>28</sup> | Denise       | 71  | 2011 | 46          | UN             | QC   |
| 580 | Cluney                           | Catherine    | 21  | 1979 | 13          | UN             | MB   |
| 581 | Coates                           | Sara         | 31  | 2012 | 1           | UN             | AB   |
| 582 | Cobbs                            | Karen        | 25  | 2006 | 1           | FN             | SK   |
| 583 | Cochrane                         | Holly        | *** | ***  | 10          | AB             | BC   |
| 584 | Coderre-<br>Gregoire             | Francine     | 67  | 2007 | 14          | UN             | QC   |
| 585 | Coffee                           | Florence     | 63  | 2012 | 14          | UN             | ON   |
| 586 | Coffey                           | Eileen       | 50  | 1998 | 12          | UN             | ON   |
| 587 | Cohen                            | Maxine       | *** | 1992 | 16          | UN             | ON   |
| 588 | Colard                           | Victoria     | 15  | 2013 | 1           | UN             | ON   |
| 589 | Coleman                          | Guillermina  | 72  | 2004 | 1           | LO             | AB   |
| 590 | Coleman                          | Kelly        | 34  | 2011 | 1           | CN             | ON   |
| 591 | Coleman                          | Sheilagh     | 47  | 2000 | 1           | CN             | BC   |
| 592 | Colgan                           | Hélène       | *   | 1989 | 46          | UN             | QC   |
| 593 | Collier                          | Sharla       | 20  | 2002 | 12          | AB             | AB   |
| 594 | Collins                          | Samantha     | 29  | 2007 | 16          | UN             | ON   |
| 595 | Collins                          | Shannon      | 29  | 2007 | 19          | CN             | AB   |
| 596 | Colson                           | Serena       | 26  | 2002 | 18          | UN             | NL   |
| 597 | Comeau                           | Marie-France | 37  | 2009 | 17          | CN             | ON   |
| 598 | Conceicao                        | Fernanda     | 51  | 2004 | 19          | UN             | ON   |
| 599 | Concepcion                       | Rosalinda    | 32  | 2006 | 58          | UN             | ON   |
| 600 | Condo                            | Linda        | *** | 1988 | 10          | FN             | QC   |
| 601 | Connors                          | Shelly       | *   | 1993 | 10          | UN             | NS   |
| 602 | Connolly                         | Carolyn      | 54  | 2008 | 10          | FN             | ON   |
| 603 | Connon                           | Donna        | 27  | 1975 | 10          | UN             | MB   |
| 604 | Connors                          | Shelly       | 17  | 1993 | 10          | UN             | NS   |
| 605 | Conrad                           | Leslie       | *   | 2006 | 10          | UN             | NS   |

<sup>28</sup> Cloutier-Guidi's husband was murdered at the same time.

| #   | Last Name               | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-------------------------|------------|-----|------|-------------|----------------|------|
| 606 | Constable <sup>29</sup> | Pamela     | 22  | 1993 | 12          | UN             | ON   |
| 607 | Constantineau           | Lucie      | 42  | 2009 | 1           | CN             | QC   |
| 608 | Conter                  | Tema       | 25  | 1988 | 13          | CN             | ON   |
| 609 | Contreras               | Luzmila    | 36  | 1999 | 13          | UN             | ON   |
| 610 | Cook                    | Amanda     | 14  | 1996 | 11          | AB             | MB   |
| 611 | Cook                    | Claudia    | 29  | 2000 | 19          | UN             | MB   |
| 612 | Cook                    | Jordan     | 14  | 2009 | 1           | AB             | ON   |
| 613 | Cook                    | Kelly      | 15  | 1981 | 10          | UN             | AB   |
| 614 | Cook                    | Victoria   | 20  | 1991 | 13          | UN             | MB   |
| 615 | Cooke                   | Joanne     | 36  | 2010 | 46          | UN             | ON   |
| 616 | Coombs                  | Hazel      | 0   | 2001 | 15          | AB             | AB   |
| 617 | Cooper                  | Angelica   | 2   | 1999 | 1           | CN             | BC   |
| 618 | Cooper                  | Audrey     | 34  | 2006 | 13          | UN             | MB   |
| 619 | Coote                   | Virginia   | 33  | 1994 | 43          | UN             | ON   |
| 620 | Copegop                 | Gertrude   | *** | ***  | 40          | UN             | BC   |
| 621 | Copeman                 | Mary Ann   | 44  | 1993 | 1           | CN             | ON   |
| 622 | Copithorn               | Jennifer   | 24  | 1998 | 19          | UN             | ON   |
| 623 | Corbacioglu             | Hatice     | 32  | 2009 | 58          | CN             | ON   |
| 624 | Corbiere                | Mary       | 76  | 2010 | 13          | UN             | AB   |
| 625 | Corchis <sup>30</sup>   | Katheryn   | 6   | 2013 | 46          | UN             | ON   |
| 626 | Cordone                 | Tammi-Lynn | 43  | 2009 | 19          | CN             | BC   |
| 627 | Corley                  | Gaye       | **  | 1980 | 10          | UN             | ON   |
| 628 | Cosmano                 | Crystal    | 16  | 2004 | 1           | CN             | BC   |
| 629 | Cote                    | Aline      | 35  | ***  | 58          | UN             | ON   |
| 630 | Cote                    | Audrey     | 21  | 2005 | 16          | UN             | ON   |
| 631 | Cote                    | Elise      | 48  | 2012 | 19          | UN             | SK   |
| 632 | Cote                    | Jolene     | 36  | 2011 | 10          | UN             | AB   |
| 633 | Couchman                | Sophie     | 56  | 1971 | 19          | UN             | MB   |
| 634 | Courcelles              | Pierrette  | 42  | 1991 | 1           | UN             | QC   |

<sup>29</sup> Constable's friend and grandfather were murdered at the same time. A taxi driver was murdered by the same killer in a different location as part of this spree murder.

<sup>30</sup> Corchis' brother, John, 10, was murdered at the same time.

| #   | Last Name                 | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|---------------------------|------------|-----|------|-------------|----------------|------|
| 635 | Courchesne                | Veronique  | 33  | 1979 | 1           | CN             | ON   |
| 636 | Cournoyer                 | Natasha    | 37  | 2009 | 13          | UN             | ON   |
| 637 | Court                     | Ada        | 13  | 1981 | 34          | AB             | BC   |
| 638 | Courtoreille-<br>Brignall | Alicia     | **  | 2007 | 1           | FN             | BC   |
| 639 | Cousineau                 | Katlin     | 23  | 2005 | 12          | UN             | ON   |
| 640 | Coutt                     | Virginia   | *** | ***  | 18          | UN             | ON   |
| 641 | Couture                   | Diane      | 49  | 1997 | 10          | UN             | QC   |
| 642 | Couture                   | Johanne    | 40  | 2002 | 1           | CN             | QC   |
| 643 | Couture                   | Tammy      | 18  | 2007 | 17          | UN             | ON   |
| 644 | Cowell                    | Shelley    | 38  | 2001 | 16          | UN             | ON   |
| 645 | Cowell                    | Tania      | 36  | 2013 | 19          | UN             | ON   |
| 646 | Cox                       | Julia      | 92  | 1970 | 10          | UN             | ON   |
| 647 | Crane                     | Jaylene    | 19  | 2006 | 17          | AB             | MB   |
| 648 | Crane                     | Jessica    | 23  | 2008 | 18          | CN             | BC   |
| 649 | Crawford                  | Carolyn    | *** | ***  | 18          | CN             | BC   |
| 650 | Crawford                  | Wendy      | 43  | 1999 | 21          | UN             | BC   |
| 651 | Crazybull                 | Jacqueline | 44  | 2007 | 10          | FN             | AB   |
| 652 | Crazybull                 | Yvonne     | *** | 1991 | 16          | FN             | AB   |
| 653 | Creba                     | Jane       | 15  | 2005 | 12          | CN             | ON   |
| 654 | Creighton                 | Jennifer   | 27  | 2002 | 16          | UN             | MB   |
| 655 | Creison                   | Marcella   | 20  | 1998 | 1           | CN             | BC   |
| 656 | Crey <sup>31</sup>        | Dawn       | 43  | 2000 | 22          | FN             | BC   |
| 657 | Crey                      | Faith      | *** | ***  | 40          | FN             | AB   |
| 658 | Crocker <sup>32</sup>     | Julie      | *** | 2007 | 16          | CN             | ON   |
| 659 | Cropp                     | Veronica   | 31  | 2004 | 12          | UN             | MB   |
| 660 | Cross                     | Laura      | **  | 2001 | 10          | AB             | NS   |
| 661 | Crossman                  | Angela     | 39  | 2009 | 19          | CN             | BC   |
| 662 | Croteau                   | Julie      | 32  | 2005 | 16          | UN             | QC   |
| 663 | Croteau                   | Nathalie   | *   | 1989 | 46          | UN             | QC   |
| 664 | Crouch-                   | Jessica    | 19  | 2013 | 1           | CN             | MB   |

<sup>31</sup> Dawn and Faith Crey were sisters.

<sup>32</sup> Crocker's friend, Paula Menendez, was murdered at the same time.

| #        | Last Name           | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|----------|---------------------|------------|-----|------|-------------|----------------|------|
| Sinclair |                     |            |     |      |             |                |      |
| 665      | Crow <sup>33</sup>  | Unice      | 19  | 2013 | 10          | FN             | MB   |
| 666      | Crowe               | Allison    | 37  | 2005 | 16          | UN             | BC   |
| 667      | Crowell             | Key-Lee    | 14  | 2009 | 1           | UN             | AB   |
| 668      | Cruickshank         | Kimberly   | 27  | 2013 | 1           | CN             | SK   |
| 669      | Crumbach            | Mabel      | 19  | 1950 | 1           | CN             | BC   |
| 670      | Cruse <sup>34</sup> | Mary       | *** | 2002 | 46          | UN             | ON   |
| 671      | Cruse               | Shaniya    | 6   | 2002 | 46          | UN             | ON   |
| 672      | Cruse               | Shannon    | *** | 2002 | 46          | UN             | ON   |
| 673      | Cudjoe              | Janice     | 48  | 2004 | 16          | UN             | ON   |
| 674      | Cudmore             | Diane      | 29  | 1972 | 1           | CN             | ON   |
| 675      | Cuenco              | Juliet     | *** | ***  | 18          | UN             | ON   |
| 676      | Cuerrier            | Micheline  | 25  | 1998 | 19          | UN             | ON   |
| 677      | Cuff                | Kim        | 32  | 1974 | 10          | UN             | BC   |
| 678      | Cummings            | Stefanie   | 24  | 2012 | 41          | CN             | ON   |
| 679      | Cundall             | K'Leigh    | 21  | 2005 | 16          | UN             | ON   |
| 680      | Cunningham          | Aimee      | 33  | 1998 | 46          | UN             | ON   |
| 681      | Cunningham          | Corrine    | 19  | 2005 | 1           | FN             | BC   |
| 682      | Cupello             | Leanne     | *** | ***  | 40          | UN             | BC   |
| 683      | Cupid Achonu        | Ngozi      | 15  | 2008 | 1           | BL             | QC   |
| 684      | Curley              | Daisy      | 33  | 2008 | 19          | IT             | NU   |
| 685      | Currie              | Alexis     | 2   | 2002 | 15          | CN             | ON   |
| 686      | Currier-Burns       | Donna      | 32  | 1995 | 16          | UN             | ON   |
| 687      | Cusano              | Carmela    | *** | 2002 | 18          | UN             | BC   |
| 688      | Cusworth            | Jennifer   | 19  | 1993 | 17          | AB             | BC   |
| 689      | Cyr                 | Stephanie  | 18  | 1998 | 1           | CN             | NB   |
| 690      | Cyr                 | Yohanna    | 2   | 1978 | 2           | BL             | QC   |
| 691      | Cywink              | Sonya      | 31  | 1994 | 10          | FN             | ON   |
| 692      | Czibulka            | Maria      | 57  | 1998 | 16          | UN             | ON   |

<sup>33</sup> Trevor Sinclair was murdered at the same time.

<sup>34</sup> Cruse was murdered along with her husband, Donald, and her granddaughter Shaniya, 6 after her daughter, Shannon, was murdered at a different location by the same killer on a murder spree.

| #   | Last Name              | First Name | Age | Year | Status | Ethnicity | Prov |
|-----|------------------------|------------|-----|------|--------|-----------|------|
| 693 | Czulak                 | Laura      | 47  | 2010 | 1      | CN        | ON   |
| 694 | Dach                   | Carla      | 47  | 2004 | 10     | UN        | BC   |
| 695 | DaCunha                | Louise     | 24  | 1994 | 40     | UN        | ON   |
| 696 | Dagenais <sup>35</sup> | Bonnie     | 51  | 2002 | 13     | CN        | QC   |
| 697 | Dagnault               | Corrine    | *** | ***  | 10     | AB        | BC   |
| 698 | Dahlie                 | Mary       | 79  | 2009 | 1      | UN        | BC   |
| 699 | Dahmer                 | Darla      | 57  | 2012 | 46     | UN        | AB   |
| 700 | Daignault              | Catherine  | 40  | 1989 | 10     | AB        | BC   |
| 701 | Daignault              | Colleen    | 13  | 1981 | 34     | AB        | BC   |
| 702 | Daigneault             | Barbara    | *   | 1989 | 46     | UN        | QC   |
| 703 | d'Amour                | Marie      | *** | 1987 | 19     | UN        | QC   |
| 704 | Daniels                | Antoinette | 26  | 2004 | 12     | AB        | SK   |
| 705 | Dario                  | Fiona      | 32  | 2001 | 58     | UN        | ON   |
| 706 | Darji                  | Urmilaven  | *** | ***  | 18     | UN        | ON   |
| 707 | Darlene                | Debbie     | 29  | 2003 | 10     | UN        | AB   |
| 708 | Darlington             | Pamela     | 19  | 1973 | 58     | CN        | BC   |
| 709 | Dasaulniers            | Anne       | 21  | 2010 | 19     | UN        | QC   |
| 710 | Dashtirahmata badi     | Elham      | 32  | 2010 | 19     | ME        | ON   |
| 711 | DaSilva                | Candace    | 1   | 1993 | 56     | UN        | ON   |
| 712 | Daubs                  | Ashley     | 15  | 2006 | 46     | UN        | ON   |
| 713 | Daubs                  | Stephanie  | 12  | 2006 | 46     | UN        | ON   |
| 714 | Dauphinais             | Terrie     | 24  | 2002 | 10     | FN        | AB   |
| 715 | David                  | Crysta     | **  | 1992 | 13     | AB        | BC   |
| 716 | David <sup>36</sup>    | Lyrister   | *** | 1994 | 14     | BL        | ON   |
| 717 | David                  | Victoria   | 52  | 2003 | 46     | UN        | ON   |
| 718 | Davidson               | Beverly    | *** | 1991 | 16     | UN        | ON   |
| 719 | Davie                  | Carol      | *** | ***  | 10     | AB        | BC   |
| 720 | Davies <sup>37</sup>   | Alyshia    | 3   | 1992 | 4      | CN        | AB   |

<sup>35</sup> Dagenais' husband was murdered at the same time.

<sup>36</sup> David's sister, Glennie Navaarro, and nephew were murdered at the same time.

<sup>37</sup> Alyshia and Bryony Davies are sisters; they were abducted together.

| #   | Last Name            | First Name | Age | Year | Status | Ethnicity | Prov |
|-----|----------------------|------------|-----|------|--------|-----------|------|
| 721 | Davies               | Bryony     | 0   | 1992 | 4      | CN        | AB   |
| 722 | Davies               | Martha     | 82  | 1977 | 10     | UN        | BC   |
| 723 | Davies               | Morag      | 45  | 1988 | 10     | UN        | ON   |
| 724 | Davis                | Annie      | 46  | 2008 | 19     | UN        | BC   |
| 725 | Davis                | Carol      | 29  | 1987 | 10     | AB        | BC   |
| 726 | Davis                | Kelli      | *** | ***  | 18     | UN        | ON   |
| 727 | Davis                | Lee        | 18  | 2008 | 1      | CN        | QC   |
| 728 | Davis                | Maryann    | 25  | 2005 | 19     | FN        | ON   |
| 729 | Davreux              | Fiona      | 32  | 2001 | 46     | UN        | ON   |
| 730 | Daw                  | Deanna     | *** | 2000 | 16     | AB        | ON   |
| 731 | Dawson               | Sharon     | 61  | 2010 | 1      | CN        | BC   |
| 732 | Dawson               | Susan      | 27  | 1985 | 1      | CN        | SK   |
| 733 | de Los Santos        | Maria      | 51  | 2007 | 46     | UN        | ON   |
| 734 | De Oliveira          | Brenda     | 23  | 2011 | 19     | CN        | QC   |
| 735 | De Prater            | Louise     | 32  | 1990 | 10     | UN        | QC   |
| 736 | de Villiers          | Nina       | 19  | 1991 | 58     | CN        | ON   |
| 737 | Deacon               | Marion     | 46  | 2010 | 19     | UN        | ON   |
| 738 | Debes                | Victoria   | *** | ***  | 18     | UN        | ON   |
| 739 | Deboraja             | Nelita     | 55  | 1996 | 19     | UN        | MB   |
| 740 | Deboucherville       | Catherine  | 44  | 2012 | 19     | UN        | QC   |
| 741 | Decoteau             | Rose       | 43  | 2005 | 10     | AB        | AB   |
| 742 | Degayo               | Ruth       | 40  | 2006 | 10     | AS        | AB   |
| 743 | Degrasse             | Alexandra  | 7   | 2011 | 46     | UN        | NU   |
| 744 | Degrasse             | Aliyah     | 2   | 2011 | 46     | UN        | NU   |
| 745 | Deiter               | Carol      | 32  | ***  | 10     | AB        | BC   |
| 746 | Dekeiwit             | Esther     | 60  | 2008 | 1      | CN        | BC   |
| 747 | Delaere              | Cindy      | 16  | 2005 | 1      | CN        | QC   |
| 748 | Delaronde            | ***        | *** | 1979 | 16     | UN        | MB   |
| 749 | Delgadillo           | Dorys      | 34  | 1993 | 56     | UN        | ON   |
| 750 | Delgadillo           | Dorys      | 34  | 1993 | 56     | UN        | ON   |
| 751 | Dellaire             | Marilyn    | 56  | 2011 | 19     | UN        | ON   |
| 752 | DeLong <sup>38</sup> | Wanda      | 64  | 2008 | 46     | UN        | ON   |

<sup>38</sup> DeLong's son, Richard DeLong, 38, was murdered at the same time.

| #   | Last Name           | First Name    | Age | Year | Status | Ethnicity | Prov |
|-----|---------------------|---------------|-----|------|--------|-----------|------|
| 753 | Demoor              | Brenda        | 39  | 2006 | 16     | UN        | ON   |
| 754 | Denesiuk            | Sereena       | 26  | 2010 | 11     | UN        | ON   |
| 755 | Deng                | Nan           | 15  | 2009 | 1      | AS        | BC   |
| 756 | Derbyshire          | Janet         | 29  | 1976 | 6      | CN        | BC   |
| 757 | Derksen             | Candance      | 13  | 1984 | 13     | CN        | MB   |
| 758 | Derosie             | Norma         | 30  | 1991 | 19     | UN        | ON   |
| 759 | Derouin             | Julie         | 23  | 1980 | 1      | CN        | AB   |
| 760 | Derrick             | Lana          | 19  | 1995 | 2      | AB        | BC   |
| 761 | Dery <sup>39</sup>  | Diane         | 13  | 1974 | 10     | CN        | QC   |
| 762 | Deschamps           | Shannon       | 39  | 2007 | 19     | CN        | BC   |
| 763 | Desjardins          | Audrey        | 43  | 1996 | 2      | CN        | ON   |
| 764 | Desjardins          | Marie-Chantal | 10  | 1994 | 10     | CN        | QC   |
| 765 | Desjardins-Boisvert | Yanny         | 16  | 2007 | 1      | CN        | QC   |
| 766 | Desjarlais          | Beverley      | *** | ***  | 10     | AB        | BC   |
| 767 | Desjarlais          | Janice        | 35  | 2010 | 1      | AB        | AB   |
| 768 | Desjarlais          | Naomi         | 21  | 1987 | 10     | AB        | SK   |
| 769 | Desjarlais          | Rose          | *** | 1986 | 11     | AB        | SK   |
| 770 | Desjarlais          | Yvonne        | 63  | 2012 | 19     | AB        | NT   |
| 771 | Désormeaux          | Auréa         | *** | 2004 | 10     | CN        | QC   |
| 772 | Desroches           | Melanie       | *** | ***  | 18     | UN        | ON   |
| 773 | Desroches           | Sylvie        | *** | 1984 | 10     | UN        | ON   |
| 774 | Desrosiers          | Karla         | 45  | 2007 | 12     | AB        | ON   |
| 775 | Detzler             | Jim           | 54  | 1997 | 16     | UN        | ON   |
| 776 | Dever               | Jane          | *** | 2007 | 1      | UN        | AB   |
| 777 | Devine              | Deborah       | 33  | 2006 | 16     | UN        | ON   |
| 778 | Devittoris          | Sabrina       | 26  | 1998 | 19     | UN        | ON   |
| 779 | Devlin              | Alexis        | 14  | 2007 | 1      | UN        | BC   |
| 780 | Devlin              | Geraldine     | 61  | 2011 | 1      | CN        | BC   |
| 781 | Devoe               | Shelley       | 44  | 2006 | 19     | UN        | BC   |
| 782 | deVries             | Sarah         | 29  | 1998 | 21     | AB        | BC   |
| 783 | Dhadda              | Raminder      | 24  | 2006 | 12     | SA        | BC   |

<sup>39</sup> Dery was murdered at the same time as Mario Corbeil, 15.

| #   | Last Name              | First Name | Age | Year | Status | Ethnicity | Prov |
|-----|------------------------|------------|-----|------|--------|-----------|------|
| 784 | Dhahan                 | Nashter    | 25  | 1980 | 10     | UN        | BC   |
| 785 | Dhaliwal               | Lakhvir    | 37  | 2012 | 19     | UN        | ON   |
| 786 | Dhanoa                 | Tejinder   | 32  | 2010 | 16     | SA        | BC   |
| 787 | Dhillon                | Amandeep   | 22  | 2009 | 14     | AS        | ON   |
| 788 | Dhingra                | Kamlesh    | 58  | 2006 | 50     | UN        | ON   |
| 789 | Di Valerio             | Maria      | *** | 2005 | 4      | CN        | QC   |
| 790 | Diabo                  | Stacey     | 18  | 2003 | 11     | FN        | ON   |
| 791 | Dibert                 | Lindsey    | 23  | 2005 | 16     | UN        | ON   |
| 792 | Dick                   | Judy       | 14  | 1975 | 13     | AB        | BC   |
| 793 | Dick                   | Mary       | 40  | 2002 | 14     | AB        | BC   |
| 794 | Dickie                 | Judie      | 38  | 2004 | 16     | FN        | AB   |
| 795 | Dickson                | Jocelyn    | 72  | 2013 | 19     | UN        | ON   |
| 796 | Didluke                | Catherine  | 63  | 1959 | 10     | UN        | ON   |
| 797 | Dieleman               | Thera      | 80  | 1998 | 10     | UN        | ON   |
| 798 | Dietrich               | Sharon     | 47  | 2004 | 10     | UN        | BC   |
| 799 | Dimitri                | Diane      | **  | 2003 | 13     | CN        | ON   |
| 800 | Diner                  | Valerie    | 20  | 1993 | 10     | UN        | BC   |
| 801 | Ditchburn              | Terisa     | 13  | 2009 | 1      | UN        | ON   |
| 802 | Ditchfield             | Irene      | 45  | 1952 | 46     | UN        | MB   |
| 803 | Do                     | Cassandra  | *** | 2003 | 10     | AS        | ON   |
| 804 | Dobson                 | April      | 40  | 2005 | 10     | UN        | ON   |
| 805 | Dobson                 | Diane      | 36  | 1995 | 10     | AB        | ON   |
| 806 | Doherty                | Rollande   | 52  | 2007 | 1      | CN        | QC   |
| 807 | Domingo                | Brenda     | 27  | 2003 | 17     | UN        | BC   |
| 808 | Donahue                | Sheryl     | *** | 1985 | 1      | CN        | BC   |
| 809 | Doncaster              | Cimмерon   | 24  | 2004 | 46     | UN        | ON   |
| 810 | Dookie                 | Laurissa   | 5   | 2002 | 46     | UN        | ON   |
| 811 | Dorion                 | Elizabeth  | 44  | 1999 | 1      | FN        | MB   |
| 812 | Dorrington             | Helen      | 52  | 2012 | 19     | UN        | ON   |
| 813 | Dorval                 | Marie      | 28  | 2010 | 19     | UN        | QC   |
| 814 | Doucette <sup>40</sup> | Cheri      | 15  | 1998 | 12     | UN        | ON   |
| 815 | Douglas-               | Reva       | 50  | ***  | 46     | UN        | ON   |

<sup>40</sup> Doucette's brother, Jesse Batisse, was murdered in 2006.

| #   | Last Name                | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|--------------------------|------------|-----|------|-------------|----------------|------|
|     | Bowers                   |            |     |      |             |                |      |
| 816 | Douville                 | Huguette   | 56  | 1996 | 1           | CN             | QC   |
| 817 | Doyle                    | Victoria   | 54  | 2012 | 19          | UN             | ON   |
| 818 | Drake                    | Monica     | 19  | ***  | 19          | UN             | ON   |
| 819 | Draycott                 | Dana       | *** | ***  | 40          | UN             | BC   |
| 820 | Drew                     | Tiffany    | *** | 1999 | 21          | CN             | BC   |
| 821 | Drew                     | Valerie    | 13  | 1970 | 10          | UN             | ON   |
| 822 | Drinkwater <sup>41</sup> | Karen      | *** | 2002 | 58          | UN             | ON   |
| 823 | Drover                   | Sharon     | 17  | 1979 | 2           | UN             | NL   |
| 824 | Drummond                 | Vickie     | 54  | 2006 | 1           | CN             | AB   |
| 825 | Du                       | Mijia      | 29  | 2010 | 1           | AS             | BC   |
| 826 | Dube                     | Suzanne    | 22  | 1998 | 10          | AB             | NS   |
| 827 | Dubé                     | Jocelyne   | 57  | 2008 | 1           | UN             | QC   |
| 828 | Dubé                     | Manon      | 10  | 1978 | 41          | CN             | QC   |
| 829 | Ducharme                 | Crystal    | 13  | 1996 | 41          | UN             | MB   |
| 830 | Ducharme                 | Patricia   | 40  | 1996 | 16          | UN             | ON   |
| 831 | Duchesneau               | Danielle   | 26  | 1997 | 16          | UN             | ON   |
| 832 | Duck                     | Cheryl     | 15  | 1987 | 10          | FN             | MB   |
| 833 | Duckham                  | Gisele     | 56  | 2011 | 19          | UN             | BC   |
| 834 | Ducross                  | Deja       | 25  | 2005 | 16          | UN             | ON   |
| 835 | Dudley <sup>42</sup>     | Lisa       | 37  | 2008 | 19          | CN             | BC   |
| 836 | Dudley                   | Pauline    | 17  | 1973 | 10          | UN             | ON   |
| 837 | Duff                     | Susan      | 12  | 1979 | 19          | UN             | BC   |
| 838 | Dufresne                 | Nathalie   | *** | 1983 | 18          | UN             | QC   |
| 839 | Duggan                   | Lynn       | 34  | 1993 | 16          | CN             | BC   |

<sup>41</sup> Drinkwater's male friend, Wes Goff, was murdered at different location by the same killer on a murder spree.

<sup>42</sup> Guthrie McKay died at the scene; Dudley died en route to the hospital after being found four days after the shooting. A lawsuit was filed in 2011 by Dudley's mother, after it was revealed that the police officer assigned to investigate a call about gunshots minutes after the crime occurred had failed to investigate. The lawsuit has not been resolved as of October 2013.

| #   | Last Name            | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|----------------------|------------|-----|------|-------------|----------------|------|
| 840 | Duguay               | Alexandra  | 22  | 2011 | 19          | UN             | QC   |
| 841 | Dulmage              | Karrie     | 33  | 1997 | 16          | UN             | ON   |
| 842 | Dulnuan              | Jocelyn    | 10  | 2007 | 17          | UN             | ON   |
| 843 | Dumais <sup>43</sup> | Kimberlee  | 0   | 1990 | 10          | UN             | BC   |
| 844 | Dumas                | Nancy      | *** | 1987 | 2           | AB             | MB   |
| 845 | Dumba                | Elaine     | 34  | 1989 | 1           | CN             | BC   |
| 846 | Dumont               | Mya        | 0   | 2011 | 19          | UN             | QC   |
| 847 | Duncan               | Margaret   | 77  | 1991 | 77          | UN             | BC   |
| 848 | Duncan               | Rhonda     | 16  | 1976 | 10          | UN             | BC   |
| 849 | Duncan               | Velma      | 18  | 1972 | 1           | AB             | BC   |
| 850 | Duneult              | Gloria     | *** | ***  | 10          | AB             | BC   |
| 851 | Dunleavy             | Jacqueline | 16  | 1968 | 10          | UN             | ON   |
| 852 | Dunn                 | Chantel    | 19  | 2006 | 10          | BL             | ON   |
| 853 | Dunsmore             | Lillian    | 77  | 1972 | 10          | UN             | ON   |
| 854 | Dupont               | Cynthia    | 43  | 2011 | 1           | CN             | BC   |
| 855 | Dupont               | Lori       | 36  | 2005 | 58          | UN             | ON   |
| 856 | Dupuis               | Mylène     | 21  | 2011 | 17          | UN             | QC   |
| 857 | Duret                | Sandrine   | 4   | 2006 | 4           | BL             | QC   |
| 858 | Durham               | Donna      | 34  | 1996 | 19          | UN             | MB   |
| 859 | Durocher             | Diane      | *** | 2006 | 18          | UN             | QC   |
| 860 | Durrant              | Ann        | *** | ***  | 56          | UN             | BC   |
| 861 | Dutkiewicz           | Dominika   | 10  | ***  | 46          | UN             | ON   |
| 862 | Dutrizac             | Rosalind   | 20  | 2007 | 1           | CN             | ON   |
| 863 | Dyck                 | Jackaleen  | 23  | 1980 | 10          | AB             | MB   |
| 864 | Dyke                 | Beverley   | 48  | 1984 | 13          | UN             | MB   |
| 865 | Easingwood           | Agda       | 65  | 1993 | 10          | UN             | BC   |
| 866 | Eastabrooks          | Jessica    | 20  | 1996 | 10          | UN             | NB   |
| 867 | Easton               | Sara       | 18  | 2005 | 13          | UN             | ON   |
| 868 | Eaton <sup>44</sup>  | Linda      | 61  | 2009 | 46          | UN             | ON   |
| 869 | Ebrahim              | Sandy      | 16  | 1999 | 10          | UN             | ON   |
| 870 | Echavez              | Marietta   | 52  | 2011 | 19          | UN             | AB   |

<sup>43</sup> Three members of Dumais' family were murdered at the same time.

<sup>44</sup> Eaton's son, Daniel, 23, was murdered at the same time.



| #   | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-----------------------|------------|-----|------|-------------|----------------|------|
| 871 | Edward                | Anne-Marie | *   | 1989 | 46          | UN             | QC   |
| 872 | Edwards <sup>45</sup> | Donna      | *** | 1991 | 14          | UN             | ON   |
| 873 | Edwards               | Glennis    | 48  | 2006 | 10          | FN             | BC   |
| 874 | Edwards               | Katrina    | 15  | 2010 | 1           | AB             | MB   |
| 875 | Edwards               | Leah       | 54  | 2012 | 19          | UN             | ON   |
| 876 | Edwards               | Stephanie  | 18  | 1994 | 10          | CN             | ON   |
| 877 | Eegeesiak             | Mupaloo    | 0   | 1993 | 15          | IT             | NU   |
| 878 | Egan                  | Sheila     | **  | 1998 | 2           | CN             | BC   |
| 879 | Eguia-Cornejo         | Jessica    | 36  | 2011 | 19          | UN             | BC   |
| 880 | Eilbrecht             | Petra      | 20  | 1991 | 16          | UN             | ON   |
| 881 | Einerson              | Jolene     | 25  | 1996 | 19          | UN             | MB   |
| 882 | Eisnor                | Christina  | 43  | 2010 | 16          | UN             | NS   |
| 883 | Ekkelenkamp           | Melissa    | 44  | 2011 | 1           | UN             | AB   |
| 884 | El Kadri              | Hanin      | 5   | 1988 | 4           | CN             | BC   |
| 885 | Elder                 | Darcy      | 45  | 2008 | 46          | UN             | AB   |
| 886 | Elders                | Roberta    | *** | 2001 | 41          | AB             | BC   |
| 887 | Eliuk <sup>46</sup>   | Jolene     | 32  | 2009 | 46          | UN             | AB   |
| 888 | Eliuk                 | Misty      | 9   | 2009 | 46          | UN             | AB   |
| 889 | Elk                   | Chrystal   | 37  | 2011 | 19          | UN             | MB   |
| 890 | Ellbrecht             | Petra      | 20  | ***  | 19          | UN             | ON   |
| 891 | Ellefson-<br>Toassami | Chonticha  | 1   | 2009 | 4           | AS             | BC   |
| 892 | Ellis                 | Cara       | 25  | 1997 | 21          | CN             | BC   |
| 893 | Ellis                 | Louise     | *** | 1995 | 16          | UN             | ON   |
| 894 | Ellison               | Diane      | *** | 2005 | 17          | UN             | BC   |
| 895 | England               | Laura      | 30  | 2003 | 19          | UN             | ON   |
| 896 | English               | Jacqueline | 15  | 1969 | 10          | UN             | ON   |
| 897 | Enuaraq               | Vivian     | 29  | 2011 | 46          | UN             | NU   |
| 898 | Erasmus               | Senta      | **  | 1987 | 6           | CN             | QC   |
| 899 | Erb                   | Moir       | *** | 2003 | 41          | FN             | MB   |
| 900 | Ermine                | Adrienne   | 37  | 2010 | 17          | AB             | SK   |

<sup>45</sup> Edward's husband was murdered at the same time.

<sup>46</sup> Eliuk's daughter and father were murdered at the same time.

| #   | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-----------------------|------------|-----|------|-------------|----------------|------|
| 901 | Esquivel              | Karina     | 18  | 2007 | 16          | UN             | QC   |
| 902 | Estabrooks            | Jessica    | 20  | 1996 | 10          | UN             | NB   |
| 903 | Ethier                | Melanie    | 15  | 1996 | 2           | BL             | ON   |
| 904 | Eustache              | Pascale    | 25  | 2008 | 16          | UN             | QC   |
| 905 | Evans                 | Enola      | *** | ***  | 40          | UN             | BC   |
| 906 | Ewanciw               | Karen      | **  | 1975 | 10          | AB             | AB   |
| 907 | Eyapaise              | Barbara    | 24  | 2002 | 12          | AB             | AB   |
| 908 | Eyesiak               | Oolayou    | 51  | 1986 | 12          | IT             | NU   |
| 909 | Fagan                 | Florence   | 62  | 1978 | 10          | UN             | ON   |
| 910 | Falardeau             | Danielle   | *** | 1990 | 10          | UN             | QC   |
| 911 | Fallico               | Carmelo    | *** | ***  | 18          | UN             | ON   |
| 912 | Fanning               | Bridie     | 47  | 2011 | 17          | UN             | ON   |
| 913 | Farquhar              | Phyllis    | 45  | 1979 | 10          | UN             | ON   |
| 914 | Faubert               | Karine     | 21  | 2011 | 19          | UN             | QC   |
| 915 | Favel                 | Patricia   | 18  | 1984 | 1           | AB             | SK   |
| 916 | Favel                 | Peggy      | *** | ***  | 1           | UN             | SK   |
| 917 | Favreau               | Rachel     | 20  | ***  | 19          | UN             | ON   |
| 918 | Fawkes                | Victoria   | 42  | 2005 | 10          | CN             | BC   |
| 919 | Fazli                 | Nasira     | 31  | 2013 | 19          | ME             | ON   |
| 920 | Fedorio               | Anna       | 83  | 2011 | 46          | UN             | AB   |
| 921 | Fedyshyn              | Gloria     | 27  | 1993 | 1           | CN             | BC   |
| 922 | Feliks                | Cynthia    | 43  | 1997 | 21          | CN             | BC   |
| 923 | Felker                | Kelsey     | 24  | 2013 | 19          | UN             | ON   |
| 924 | Felsing               | Isabelle   | *** | 1977 | 10          | UN             | NB   |
| 925 | Fendele <sup>47</sup> | Eloise     | 71  | 2011 | 10          | CN             | BC   |
| 926 | Fennel                | Doris      | 62  | 1977 | 2           | CN             | BC   |
| 927 | Fenotti               | Ethel      | 72  | 2012 | 14          | UN             | BC   |
| 928 | Ferguson              | Chantel    | *** | ***  | 10          | AB             | NL   |
| 929 | Ferguson              | Dora       | 22  | 1979 | 10          | UN             | NB   |
| 930 | Ferguson              | Heidi      | 39  | 2009 | 46          | UN             | ON   |
| 931 | Ferguson              | Jennifer   | 40  | 2011 | 14          | UN             | BC   |
| 932 | Ferguson              | Jerry      | *** | ***  | 10          | AB             | BC   |

<sup>47</sup> Perry Wong, 72, was murdered at the same time.

| #   | Last Name               | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-------------------------|------------|-----|------|-------------|----------------|------|
| 933 | Ferguson                | Maria      | *** | ***  | 40          | UN             | BC   |
| 934 | Ferguson                | Roberta    | 19  | 1988 | 2           | AB             | BC   |
| 935 | Ferguson                | Valerie    | 44  | 2008 | 16          | UN             | ON   |
| 936 | Fernandez<br>Levesque   | Marie      | *** | ***  | 18          | UN             | ON   |
| 937 | Fernando                | Anne       | 50  | 2003 | 12          | UN             | ON   |
| 938 | Fernando                | Roxanne    | 24  | 2007 | 17          | BL             | MB   |
| 939 | Ferrando                | Vikki      | 30  | 1999 | 18          | UN             | BC   |
| 940 | Ferraz                  | Edith      | 18  | 1989 | 13          | UN             | AB   |
| 941 | Ferris                  | Marjorie   | **  | 1993 | 5           | CN             | ON   |
| 942 | Ferry                   | Suzanne    | 43  | ***  | 19          | UN             | ON   |
| 943 | Fetterly                | Chantele   | 16  | 2007 | 16          | UN             | ON   |
| 944 | Fiddick                 | Michelle   | *** | 1996 | 13          | UN             | BC   |
| 945 | Fielder                 | Noelle     | 34  | 2002 | 19          | UN             | BC   |
| 946 | Fields                  | Juanita    | *** | ***  | 19          | UN             | ON   |
| 947 | Figueroa                | Jenny      | 32  | 1999 | 19          | UN             | ON   |
| 948 | Filer                   | Mary Ellen | 48  | 2002 | 46          | UN             | ON   |
| 949 | Filion                  | Sophie     | 23  | 1993 | 10          | UN             | ON   |
| 950 | Filiszewski             | Donna      | 52  | 2006 | 10          | UN             | ON   |
| 951 | Fillion                 | Juliette   | 8   | 2012 | 50          | UN             | QC   |
| 952 | Fillion                 | Laurence   | 11  | 2012 | 50          | UN             | QC   |
| 953 | Findlay                 | Colleen    | 39  | 2002 | 12          | UN             | BC   |
| 954 | Findlay                 | Margaret   | 38  | 2002 | 40          | UN             | AB   |
| 955 | Finnamore <sup>48</sup> | Jessie     | *** | 2004 | 14          | UN             | NB   |
| 956 | Firgin-Hewie            | Alexandra  | 13  | 2008 | 17          | UN             | ON   |
| 957 | Fischer                 | Carolyn    | **  | 2003 | 1           | CN             | ON   |
| 958 | Fisher                  | Ashley     | 14  | 2011 | 1           | AB             | ON   |
| 959 | Fitzpatrick             | Sophie     | 7   | 2011 | 58          | UN             | QC   |
| 960 | Fitzulak                | Maria      | 26  | 2002 | 46          | UN             | ON   |
| 961 | Flamond                 | Sandra     | *** | ***  | 10          | AB             | BC   |
| 962 | Flanagan                | Alexandra  | 33  | 2007 | 12          | CN             | ON   |

<sup>48</sup> Jeffrey Shannon was murdered shortly before Finnamore by the same killers on a murder spree.

| #   | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|-----|-----------------------|------------|-----|------|-------------|----------------|------|
| 963 | Flanders              | Helene     | 38  | 1982 | 10          | UN             | BC   |
| 964 | Flann                 | Doreen     | 82  | 2012 | 58          | UN             | ON   |
| 965 | Flatfoot              | August     | *** | 1955 | 17          | UN             | MB   |
| 966 | Flett                 | Amanda     | *** | ***  | 10          | AB             | BC   |
| 967 | Flett                 | Mildred    | 51  | 2010 | 1           | AB             | MB   |
| 968 | Fleury                | Leticia    | 25  | 2011 | 13          | AB             | SK   |
| 969 | Flint                 | Georgette  | **  | 1988 | 10          | AB             | AB   |
| 970 | Flores-<br>Quintana   | Sara       | 7   | 1995 | 4           | UN             | ON   |
| 971 | Floriani              | Felicia    | **  | 2002 | 10          | CN             | ON   |
| 972 | Flowers <sup>49</sup> | Elaine     | 21  | 1981 | 17          | AB             | SK   |
| 973 | Flowers               | Elaine     | *** | 1985 | 16          | AB             | NL   |
| 974 | Foessl                | Johanne    | 38  | 1998 | 10          | UN             | QC   |
| 975 | Fokuhl                | Thelma     | *** | ***  | 18          | UN             | ON   |
| 976 | Foley                 | Debra      | *** | ***  | 40          | UN             | BC   |
| 977 | Foley                 | Joanne     | 23  | 1989 | 1           | UN             | ON   |
| 978 | Fontaine              | Shiela     | 42  | 2011 | 19          | AB             | MB   |
| 979 | Forbes                | Nancy      | *** | 2006 | 1           | UN             | NS   |
| 980 | Forget                | Margaret   | 49  | ***  | 19          | UN             | ON   |
| 981 | Fortier               | Julie      | 18  | 1980 | 10          | UN             | ON   |
| 982 | Foss                  | Wendy      | 60  | 2011 | 1           | CN             | BC   |
| 983 | Foster                | Margaret   | 72  | 1971 | 10          | UN             | BC   |
| 984 | Fotheringham          | Vanessa    | 21  | 2012 | 1           | CN             | ON   |
| 985 | Foulds                | Joan       | 57  | 1990 | 19          | CN             | SK   |
| 986 | Fournier              | Nathalie   | 28  | 2004 | 13          | UN             | QC   |
| 987 | Fowler                | Summer     | 16  | 2012 | 10          | FN             | BC   |
| 988 | Fowle                 | Kristie    | 18  | 1982 | 10          | UN             | BC   |
| 989 | Fox                   | Cheyenne   | 20  | 2013 | 40          | AB             | ON   |
| 990 | Fox                   | Rena       | 38  | 2003 | 18          | FN             | ON   |
| 991 | Fox <sup>50</sup>     | Rosemary   | 32  | 2013 | 19          | UN             | BC   |
| 992 | Fox                   | Sharon     | 43  | 2010 | 16          | UN             | AB   |

<sup>49</sup> Flowers is the sister of Dawn Keewatin, murdered in 1982.

<sup>50</sup> Keith Wharton, 43, was murdered at the same time.

| #    | Last Name    | First Name   | Age | Year          | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------|--------------|-----|---------------|-------------|----------------|------|
| 993  | Francis      | Lisa         | 41  | 2009          | 10          | UN             | BC   |
| 994  | Francis      | Lorilee      | **  | 2007          | 1           | FN             | AB   |
| 995  | Franco       | Maria        | *** | 2001          | 19          | UN             | ON   |
| 996  | Francoeur    | Gaétane      | **  | 2002          | 1           | CN             | QC   |
| 997  | Francomano   | Edith        | 62  | 2005          | 16          | UN             | ON   |
| 998  | Frappier     | Sonia        | 30  | 2009          | 10          | UN             | QC   |
| 999  | Fraser       | Marie-Hélène | 17  | 2009          | 1           | CN             | QC   |
| 1000 | Fraser       | Marilyn      | 48  | 2005          | 16          | UN             | ON   |
| 1001 | Fréchette    | Maryse       | 17  | 2007          | 1           | FN             | QC   |
| 1002 | Fredin       | Linda        | 56  | 2010          | 41          | UN             | BC   |
| 1003 | Freeland     | Kera         | 20  | 2011          | 19          | CN             | ON   |
| 1004 | Freeman      | Leanne       | 23  | 2011          | 19          | AB             | ON   |
| 1005 | French       | Patricia     | 18  | 1969          | 1           | CN             | BC   |
| 1006 | French       | Kristen      | 15  | 1991          | 13          | CN             | ON   |
| 1007 | Frenchman    | Cherish      | 14  | 2006          | 1           | AB             | SK   |
| 1008 | Frey         | Marnie       | 24  | 1997          | 20          | CN             | BC   |
| 1009 | Friday       | Rose         | 53  | 1974          | 2           | CN             | ON   |
| 1010 | Friers       | Ruchael      | 34  | 2006          | 12          | UN             | AB   |
| 1011 | Friesen      | Elsie        | 34  | 1989          | 10          | CN             | BC   |
| 1012 | Friesen      | Leanne       | 40  | 2013          | 19          | UN             | BC   |
| 1013 | Frost        | Cathie       | 52  | 2002          | 19          | UN             | ON   |
| 1014 | Frost        | Helen        | 17  | 1970          | 1           | CI             | BC   |
| 1015 | Fuchsbichler | Roswitha     | 15  | 1980-<br>1982 | 13          | AB             | BC   |
| 1016 | Fuhrmann     | Constance    | 43  | 2011          | 46          | UN             | ON   |
| 1017 | Fuller       | Jillian      | 28  | 1993          | 10          | CN             | BC   |
| 1018 | Funke        | Laurie       | 48  | 2009          | 16          | CN             | ON   |
| 1019 | Furlan       | Laura        | 38  | 2009          | 19          | CN             | AB   |
| 1020 | Furminger    | Jennifer     | 28  | 1999          | 21          | AB             | BC   |
| 1021 | Furnandiz    | Jami         | 18  | 1997          | 1           | CN             | ON   |
| 1022 | Gabriel      | Rachael      | 28  | 2001          | 16          | UN             | AB   |
| 1023 | Gagné        | Arlène       | 35  | 1989          | 1           | UN             | QC   |
| 1024 | Gagnon       | Betty        | 48  | 2009          | 14          | UN             | AB   |
| 1025 | Gakhal       | Balwinder    | *** | 1996          | 46          | UN             | BC   |
| 1026 | Gakhal       | Darshan      | *** | 1996          | 46          | UN             | BC   |

| #    | Last Name                | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------------|--------------|-----|------|-------------|----------------|------|
| 1027 | Gakhal                   | Halvinder    | *** | 1996 | 46          | UN             | BC   |
| 1028 | Gakhal                   | Kalwinder    | *** | 1996 | 46          | UN             | BC   |
| 1029 | Galbraith-<br>Quick      | Nancy        | *** | 2006 | 10          | UN             | ON   |
| 1030 | Gale                     | Tempest      | 25  | 2009 | 10          | CN             | BC   |
| 1031 | Gallant                  | Paula        | *   | 2005 | 16          | UN             | NS   |
| 1032 | Gallasz                  | Karolyne     | 70  | 2008 | 46          | UN             | ON   |
| 1033 | Gallup                   | Kimberley    | **  | 1990 | 10          | AB             | BC   |
| 1034 | Galway                   | Barbara      | 46  | 2005 | 14          | UN             | ON   |
| 1035 | Gambler                  | Jewel        | 28  | 1992 | 13          | AB             | SK   |
| 1036 | Gambler                  | Julie        | *** | ***  | 18          | AB             | NL   |
| 1037 | Gardiner                 | Steffany     | 26  | 2009 | 17          | UN             | ON   |
| 1038 | Gardner                  | Sheryl       | 20  | 1981 | 13          | UN             | ON   |
| 1039 | Garnek                   | Jean         | 83  | 2003 | 2           | CN             | MB   |
| 1040 | Garon                    | Raymonde     | *** | 2008 | 10          | UN             | ON   |
| 1041 | Garside                  | Brenda       | *** | 1985 | 13          | UN             | NS   |
| 1042 | Gartry                   | Hannah       | 50  | 2003 | 19          | UN             | BC   |
| 1043 | Garvin                   | Martha       | *** | ***  | 10          | AB             | NL   |
| 1044 | Gastador                 | Catherine    | 23  | 2010 | 16          | UN             | MB   |
| 1045 | Gates                    | Audrey       | 85  | 2006 | 58          | UN             | ON   |
| 1046 | Gates                    | Loretta      | 30  | 2012 | 10          | CN             | ON   |
| 1047 | Gaudet                   | Sandra       | 14  | 1990 | 13          | AB             | QC   |
| 1048 | Gaudet                   | Sylvia       | 52  | 2005 | 10          | AB             | ON   |
| 1049 | Gaudreault <sup>51</sup> | Karine       | *** | 2004 | 19          | UN             | QC   |
| 1050 | Gauld                    | Charlene     | 20  | 2005 | 10          | CN             | AB   |
| 1051 | Gaulton                  | Cari         | 17  | 2005 | 12          | UN             | NL   |
| 1052 | Gauthier                 | Cindy        | 26  | 2010 | 16          | UN             | QC   |
| 1053 | Gauthier                 | Marie Claude | 17  | 2013 | 1           | CN             | QC   |
| 1054 | Gautreau                 | Alexia       | 9   | 2007 | 13          | UN             | AB   |
| 1055 | Gautreau                 | Kiarra       | 6   | 2007 | 13          | UN             | AB   |
| 1056 | Gavin                    | Lisa         | 21  | 1988 | 10          | AB             | BC   |

<sup>51</sup> Daniel Lemieux, was murdered at a different location by the same killer on a murder spree.

| #    | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------------------|------------|-----|------|-------------|----------------|------|
| 1057 | Gavin                 | Martha     | *** | ***  | 10          | AB             | BC   |
| 1058 | Gawby                 | Barbara    | 46  | 2005 | 19          | UN             | ON   |
| 1059 | Gayle                 | Lydia      | 24  | 2005 | 19          | UN             | ON   |
| 1060 | Gayle                 | Natalie    | 23  | 2003 | 19          | UN             | ON   |
| 1061 | Gayle                 | Tiffany    | 15  | 2010 | 15          | BL             | ON   |
| 1062 | Gaynor                | Rhonda     | *** | ***  | 40          | UN             | BC   |
| 1063 | Geburt                | Claudia    | 21  | 1982 | 10          | UN             | ON   |
| 1064 | Gechtman              | Ludmila    | 81  | 2005 | 50          | UN             | BC   |
| 1065 | Geddes                | Melanie    | 24  | 2005 | 10          | FN             | SK   |
| 1066 | Gehl                  | Nadia      | 28  | 2009 | 16          | UN             | ON   |
| 1067 | Gélinas               | Lucy       | *** | 2001 | 16          | UN             | QC   |
| 1068 | Genaille              | Corona     | 0   | ***  | 15          | AB             | SK   |
| 1069 | Genaille              | Ruby       | 45  | 2004 | 19          | FN             | MB   |
| 1070 | Gendron               | Julie      | 29  | 1995 | 10          | CN             | QC   |
| 1071 | General <sup>52</sup> | Tashina    | 21  | 2008 | 16          | FN             | ON   |
| 1072 | George                | Brenda     | *** | ***  | 10          | AB             | BC   |
| 1073 | George                | Christa    | 27  | 2003 | 41          | FN             | BC   |
| 1074 | George                | Diana      | *** | 2001 | 16          | UN             | ON   |
| 1075 | George                | Helena     | *** | ***  | 10          | AB             | BC   |
| 1076 | George                | Lorna      | *** | ***  | 40          | UN             | BC   |
| 1077 | George                | Marina     | *** | ***  | 10          | AB             | BC   |
| 1078 | George                | Mary       | *** | 2005 | 1           | FN             | BC   |
| 1079 | George                | Norma      | 30  | 1992 | 41          | AB             | BC   |
| 1080 | George                | Pamela     | 28  | 1995 | 13          | FN             | SK   |
| 1081 | Gerlitz               | Virginia   | 52  | 1980 | 10          | UN             | BC   |
| 1082 | Germaine              | Alisha     | *** | 1994 | 10          | AB             | BC   |
| 1083 | Ghirmay               | Rigat      | 28  | 2013 | 19          | BL             | ON   |
| 1084 | Ghostkeeper           | Joanne     | 24  | 1996 | 10          | AB             | AB   |
| 1085 | Gibbons               | Irene      | 27  | 2004 | 1           | UN             | BC   |
| 1086 | Gibbons               | Irene      | 66  | 1975 | 10          | UN             | ON   |
| 1087 | Gibson                | Sherry     | 32  | 1998 | 16          | UN             | MB   |

<sup>52</sup> General was the cousin of Beverly Jacob, former President of the Native Women's Association of Canada (NWAC).

| #    | Last Name | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------|------------|-----|------|-------------|----------------|------|
| 1088 | Giebel    | Candace    | 21  | 2002 | 1           | CN             | BC   |
| 1089 | Giese     | Brittany   | 19  | 2008 | 10          | UN             | BC   |
| 1090 | Giguère   | Martine    | *** | 2012 | 19          | UN             | QC   |
| 1091 | Gilavesh  | Anita      | 38  | 1991 | 10          | UN             | AB   |
| 1092 | Gilavish  | Edith      | *** | 1992 | 10          | UN             | AB   |
| 1093 | Gilbank   | Lynn       | *** | 1998 | 43          | UN             | ON   |
| 1094 | Gilby     | Helen      | 63  | 2002 | 14          | UN             | ON   |
| 1095 | Giles     | Linda      | *** | 1993 | 12          | UN             | AB   |
| 1096 | Gill      | Gurpreet   | 33  | 2006 | 19          | AS             | BC   |
| 1097 | Gill      | Kanwaljitk | 26  | 1984 | 10          | UN             | BC   |
| 1098 | Gill      | Kulwinder  | 40  | 2009 | 19          | UN             | BC   |
| 1099 | Gillade   | Chantal    | *** | ***  | 40          | UN             | BC   |
| 1100 | Gillespie | Alma       | **  | 1996 | 1           | CN             | MB   |
| 1101 | Gillett   | Beverly    | *** | 1998 | 16          | UN             | ON   |
| 1102 | Gillings  | Helen      | 19  | 1995 | 10          | AB             | ON   |
| 1103 | Gillis    | Nora       | 35  | 1991 | 16          | UN             | ON   |
| 1104 | Gilmour   | Erin       | 22  | 1983 | 10          | UN             | ON   |
| 1105 | Gingras   | Jeannie    | **  | 2008 | 1           | UN             | AB   |
| 1106 | Ginnish   | Michelle   | 22  | 2004 | 12          | FN             | NB   |
| 1107 | Girard    | Julie      | *   | 2008 | 1           | CN             | QC   |
| 1108 | Girard    | Monique    | 26  | ***  | 16          | UN             | ON   |
| 1109 | Giroux    | Lillian    | 3   | 1974 | 4           | UN             | NL   |
| 1110 | Gladue    | Cindy      | 36  | 2011 | 19          | FN             | AB   |
| 1111 | Gladue    | Nancy      | *** | 1981 | 10          | UN             | AB   |
| 1112 | Gleave    | Audrey     | 73  | 2010 | 19          | UN             | ON   |
| 1113 | Glover    | Kelly      | 36  | 2000 | 16          | UN             | ON   |
| 1114 | Godbout   | Nathalie   | 26  | 2000 | 2           | CN             | QC   |
| 1115 | Godfrey   | Kelly      | 36  | 2009 | 10          | UN             | MB   |
| 1116 | Godin     | Angelica   | 15  | 2012 | 1           | AB             | MB   |
| 1117 | Godin     | Jessica    | 18  | 2011 | 10          | CN             | ON   |
| 1118 | Godin     | Marie      | 62  | 2013 | 19          | UN             | NB   |
| 1119 | Godmaire  | Sherri     | 40  | 2011 | 41          | UN             | BC   |
| 1120 | Gomez     | Lluvia     | *** | 2013 | 19          | UN             | QC   |
| 1121 | Gonzales  | Michele    | 22  | 1997 | 10          | UN             | ON   |
| 1122 | Gonzalez  | Catherine  | **  | 1995 | 2           | CN             | BC   |

| #    | Last Name           | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------------|------------|-----|------|-------------|----------------|------|
| 1123 | Goodfellow          | Lori       | *** | ***  | 18          | UN             | ON   |
| 1124 | Goodfellow          | Mary       | 67  | 1993 | 1           | AB             | SK   |
| 1125 | Goodstriker         | Sonya      | 31  | 2005 | 41          | AB             | AB   |
| 1126 | Gordon              | Kari       | **  | 1997 | 10          | AB             | BC   |
| 1127 | Goruk <sup>53</sup> | Tiffany    | 30  | 2013 | 10          | SA             | BC   |
| 1128 | Gosselin            | Sharon     | 31  | 1987 | 18          | AB             | AB   |
| 1129 | Goudreau            | Marie      | 17  | 1976 | 10          | UN             | AB   |
| 1130 | Goulden             | Marianne   | 47  | 1992 | 50          | UN             | ON   |
| 1131 | Gourley             | Susan      | 39  | 2001 | 2           | CN             | ON   |
| 1132 | Gower               | Dirinda    | *** | ***  | 19          | UN             | ON   |
| 1133 | Graham              | Andrene    | 40  | 2012 | 19          | BL             | ON   |
| 1134 | Graham              | Grace      | 33  | 1991 | 1           | CN             | ON   |
| 1135 | Gramlich            | Ann        | 53  | 2011 | 19          | UN             | AB   |
| 1136 | Gramlich            | Marcella   | 53  | 2011 | 19          | UN             | AB   |
| 1137 | Grandine            | Karissa    | 30  | 2011 | 19          | SA             | ON   |
| 1138 | Grant               | Alexis     | 1   | 2005 | 14          | AB             | AB   |
| 1139 | Grant               | Frances    | 33  | 1989 | 10          | AB             | BC   |
| 1140 | Grant               | Raylene    | 21  | 2011 | 19          | UN             | MB   |
| 1141 | Graves              | Sonto      | 56  | 1996 | 10          | UN             | BC   |
| 1142 | Greaves             | Margaret   | 29  | 1983 | 10          | UN             | MB   |
| 1143 | Green               | Brittany   | 17  | 2010 | 16          | UN             | NB   |
| 1144 | Green               | Lillian    | 45  | 2009 | 16          | UN             | MB   |
| 1145 | Green               | Sara       | *** | 1999 | 46          | UN             | ON   |
| 1146 | Green               | Sherri     | 39  | 2009 | 10          | UN             | SK   |
| 1147 | Greenley            | Noreen     | 13  | 1963 | 1           | CN             | ON   |
| 1148 | Green-Ridge         | Grace      | 41  | 1997 | 10          | UN             | ON   |
| 1149 | Grégoire            | Diane      | 51  | 2008 | 58          | CN             | QC   |
| 1150 | Gregory             | Diane      | **  | ***  | 2           | CN             | AB   |
| 1151 | Gregory             | Gwenda     | 50  | 2009 | 19          | UN             | SK   |
| 1152 | Gregory             | Theresa    | 30  | 1982 | 2           | UN             | PEI  |
| 1153 | Gregory             | Mary       | **  | 1978 | 2           | CN             | BC   |
| 1154 | Grenier             | Brigitte   | 16  | 1990 | 13          | CN             | ON   |

<sup>53</sup> Jeremy Snow, 33, was murdered at the same time.

| #    | Last Name              | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------------------|------------|-----|------|-------------|----------------|------|
| 1155 | Grenier                | Joanne     | 55  | 2013 | 1           | UN             | QC   |
| 1156 | Grey <sup>54</sup>     | Andrea     | *** | 1999 | 46          | FN             | AB   |
| 1157 | Grey                   | Roberta    | 12  | 2003 | 19          | UN             | MB   |
| 1158 | Griecken               | Robin      | 50  | 2007 | 16          | UN             | ON   |
| 1159 | Grono                  | Cecelia    | *** | 1997 | 17          | UN             | BC   |
| 1160 | Grono                  | Tammy      | *** | 1997 | 16          | UN             | BC   |
| 1161 | Grubb                  | Karen      | 33  | 2002 | 19          | UN             | ON   |
| 1162 | Gudmundson             | Diane      | 24  | 1980 | 40          | UN             | BC   |
| 1163 | Guiboche <sup>55</sup> | Amber      | 20  | 2010 | 1           | AB             | MB   |
| 1164 | Guiboche               | Sylvia     | **  | 2003 | 1           | MS             | MB   |
| 1165 | Guitard                | Anne-Marie | 51  | 2011 | 46          | UN             | NB   |
| 1166 | Gunn                   | Deborah    | 45  | 2010 | 16          | UN             | NB   |
| 1167 | Gunning <sup>56</sup>  | Rene       | **  | 2005 | 10          | FN             | AB   |
| 1168 | Guno                   | Rebecca    | 23  | 1983 | 1           | AB             | BC   |
| 1169 | Guo                    | Liaanjie   | *** | 2012 | 19          | AS             | BC   |
| 1170 | Gurczenski             | Nadine     | 26  | 1999 | 10          | BL             | ON   |
| 1171 | Gurholt                | Kristin    | 34  | 1981 | 10          | UN             | BC   |
| 1172 | Gurney                 | Michele    | **  | 1998 | 1           | FN             | BC   |
| 1173 | Gus                    | Barbara    | *** | ***  | 10          | AB             | BC   |
| 1174 | Gustavson              | Corrine    | 6   | 1992 | 12          | UN             | AB   |
| 1175 | Gustavson              | Marlene    | 67  | 2004 | 14          | UN             | SK   |
| 1176 | Guthrie                | Tracy      | 39  | 2006 | 13          | AB             | BC   |
| 1177 | Gutteridge             | Valerie    | 50  | 2004 | 16          | UN             | ON   |
| 1178 | Guy                    | Sherri     | 20  | 1995 | 19          | UN             | ON   |
| 1179 | Guylee                 | Margaret   | *** | 1965 | 1           | FN             | ON   |
| 1180 | Ha                     | Oanh       | 19  | 1981 | 10          | AS             | BC   |
| 1181 | Hackh                  | Janice     | *** | 1979 | 2           | AB             | BC   |
| 1182 | Hadley                 | Gillian    | 35  | 2000 | 46          | UN             | ON   |
| 1183 | Hadwen                 | Michelle   | 37  | 2009 | 10          | AB             | AB   |

<sup>54</sup> Grey's cousin, Rhonda Whitehead was murdered at the same time.

<sup>55</sup> Amber and Sylvia Guiboche are cousins.

<sup>56</sup> Gunning was last seen with Krystle Knott in 2005. The skulls of both women were located in 2011.

| #    | Last Name | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------|------------|-----|------|-------------|----------------|------|
| 1184 | Hagos     | Bayush     | 57  | 2011 | 19          | UN             | BC   |
| 1185 | Hakze     | Anna       | 43  | 1993 | 1           | CN             | BC   |
| 1186 | Hakze     | Kym        | 29  | 1993 | 1           | CN             | BC   |
| 1187 | Hale      | Yvonne     | 58  | 2008 | 16          | UN             | ON   |
| 1188 | Halkett   | Elizabeth  | 19  | 2003 | 17          | FN             | SK   |
| 1189 | Hall      | Alice      | *** | ***  | 40          | UN             | BC   |
| 1190 | Hall      | Angela     | 39  | 2011 | 10          | UN             | NS   |
| 1191 | Hall      | Glynnis    | 40  | 2004 | 17          | FN             | AB   |
| 1192 | Hall      | Inga       | **  | 1998 | 21          | CN             | BC   |
| 1193 | Hall      | Kristie    | 36  | 2007 | 19          | UN             | MB   |
| 1194 | Hall      | Savannah   | 3   | 2001 | 10          | FN             | BC   |
| 1195 | Hallgarth | Kimberly   | 33  | 2009 | 10          | UN             | BC   |
| 1196 | Halliday  | Cindy      | 17  | 1992 | 10          | UN             | ON   |
| 1197 | Hallmark  | Helen      | **  | 1997 | 21          | CN             | BC   |
| 1198 | Halton    | Dorothy    | 40  | 2004 | 58          | UN             | ON   |
| 1199 | Hamill    | Denise     | 31  | 2003 | 10          | UN             | AB   |
| 1200 | Hamill    | Heather    | *   | 2003 | 16          | AB             | BC   |
| 1201 | Hamm      | Dianna     | *** | 1991 | 12          | AB             | MB   |
| 1202 | Hammond   | Mary       | 25  | 1983 | 2           | CN             | ON   |
| 1203 | Hands     | Nicole     | **  | 2003 | 10          | AB             | MB   |
| 1204 | Hanelt    | Renata     | 54  | 1990 | 10          | UN             | BC   |
| 1205 | Haney     | Rebecca    | 2   | 2003 | 15          | UN             | ON   |
| 1206 | Hanna     | Lois       | 25  | 1988 | 2           | CN             | ON   |
| 1207 | Hannah    | Tracy      | 46  | 2010 | 17          | UN             | ON   |
| 1208 | Hannah    | Whitney    | 14  | 2010 | 17          | UN             | ON   |
| 1209 | Hansen    | Joan       | 64  | 2009 | 46          | UN             | AB   |
| 1210 | Hanson    | Cheryl     | 7   | 1974 | 2           | CN             | ON   |
| 1211 | Hardy     | Barbara    | *** | ***  | 19          | UN             | ON   |

| #    | Last Name           | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------------|------------|-----|------|-------------|----------------|------|
| 1212 | Hardy <sup>57</sup> | Doreen     | 18  | 1966 | 10          | FN             | ON   |
| 1213 | Hardy               | Ruby       | *** | 1998 | 1           | FN             | BC   |
| 1214 | Harkley             | Angela     | 33  | 2006 | 16          | UN             | ON   |
| 1215 | Harkness            | Michelle   | 20  | ***  | 18          | UN             | ON   |
| 1216 | Harmer              | Michelle   | 29  | 1995 | 1           | CN             | AB   |
| 1217 | Harmon              | Danielle   | 6   | 2001 | 58          | UN             | ON   |
| 1218 | Harmon              | Marcia     | 42  | 2001 | 58          | UN             | ON   |
| 1219 | Harnois             | Colette    | *** | 2001 | 18          | UN             | QC   |
| 1220 | Harper              | Angela     | 31  | 1997 | 19          | UN             | MB   |
| 1221 | Harper              | Esther     | 55  | 2008 | 43          | UN             | MB   |
| 1222 | Harper              | Lynn       | 12  | 1959 | 11          | UN             | ON   |
| 1223 | Harper              | Maureen    | 54  | 2011 | 12          | UN             | MB   |
| 1224 | Harris              | Frances    | 45  | 1972 | 1           | CN             | ON   |
| 1225 | Harrison            | Diane      | 49  | ***  | 16          | UN             | ON   |
| 1226 | Harrison            | Florence   | 32  | 1997 | 10          | UN             | ON   |
| 1227 | Harrison            | Shaina     | 23  | 2012 | 19          | UN             | ON   |
| 1228 | Harron              | Christine  | 15  | 1993 | 8           | CN             | ON   |
| 1229 | Harry               | Vera       | *** | 1986 | 25          | AB             | BC   |
| 1230 | Harry               | Veronica   | *** | ***  | 10          | AB             | BC   |
| 1231 | Hart                | Kathleen   | 35  | 1998 | 16          | UN             | ON   |
| 1232 | Hart                | Merna      | 15  | 1984 | 19          | UN             | MB   |
| 1233 | Hartman             | Angela     | 27  | 1983 | 1           | CN             | BC   |
| 1234 | Hartrick            | Margaret   | 35  | 1998 | 10          | UN             | NS   |
| 1235 | Harvey              | Allanah    | 15  | 2007 | 1           | UN             | ON   |
| 1236 | Harvey              | Pamela     | 23  | 1978 | 2           | CN             | BC   |
| 1237 | Hasan               | Fatima     | 36  | 2001 | 19          | UN             | ON   |
| 1238 | Haskins             | Thelma     | 56  | 1982 | 1           | CN             | MB   |
| 1239 | Hassan              | Fartoun    | 18  | ***  | 46          | UN             | ON   |

<sup>57</sup> Hardy and Jane Bernard, 43, were both last seen getting into a similar vehicle in 1966, although it is not clear if the two entered the car at the same time. Hardy's body was found the day after the two women disappeared; Bernard's body was located several days later. The OPP re-opened the case in 2010 and issued a \$50,000 reward.

| #    | Last Name           | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------------|--------------|-----|------|-------------|----------------|------|
| 1240 | Hassan-Ali          | Mulaka       | 23  | 2005 | 16          | UN             | ON   |
| 1241 | Haveron             | Wendy        | *** | 1999 | 10          | UN             | ON   |
| 1242 | Haviernick          | Maud         | *   | 1989 | 46          | UN             | QC   |
| 1243 | Hawden              | Michelle     | 37  | 2009 | 10          | UN             | AB   |
| 1244 | Hawke               | Cassandra    | *** | 1999 | 16          | UN             | ON   |
| 1245 | Hawkes              | Katherine    | 33  | 1977 | 10          | UN             | QC   |
| 1246 | Haysom              | Patsy        | 41  | 2003 | 1           | CN             | SK   |
| 1247 | He                  | Sin          | 22  | 2007 | 15          | UN             | ON   |
| 1248 | He                  | Zu Ling      | 47  | 2007 | 16          | AS             | ON   |
| 1249 | Heald               | Iris         | 61  | 2011 | 17          | UN             | MB   |
| 1250 | Healey              | Brenda       | 27  | 2008 | 46          | UN             | ON   |
| 1251 | Heard               | Jeanne       | 47  | 2010 | 46          | CN             | AB   |
| 1252 | Heath               | Cathy        | 33  | 1981 | 1           | UN             | AB   |
| 1253 | Heath               | Lori         | *** | ***  | 18          | UN             | ON   |
| 1254 | Heath               | Marilyn      | 28  | 1994 | 17          | UN             | MB   |
| 1255 | Heathen             | Violet       | **  | 2009 | 1           | FN             | SK   |
| 1256 | Hebb                | Angela       | 4   | 2005 | 4           | AS             | MB   |
| 1257 | Hébert              | Hélène       | *** | 1974 | 18          | UN             | QC   |
| 1258 | Hedberg             | Barbara      | 43  | 2001 | 46          | UN             | ON   |
| 1259 | Heil                | Stacey       | 30  | 2000 | 18          | UN             | ON   |
| 1260 | Heimbacker          | Joan         | *** | ***  | 18          | UN             | ON   |
| 1261 | Heino               | Heili        | 33  | 2008 | 1           | CN             | ON   |
| 1262 | Hempel              | Dilleen      | 26  | 1992 | 13          | UN             | AB   |
| 1263 | Henderson           | Candace      | *** | 1999 | 17          | AB             | MB   |
| 1264 | Heneault            | Monique      | 29  | 1986 | 1           | UN             | QC   |
| 1265 | Henrickson          | Jodi         | 17  | 2009 | 2           | CN             | BC   |
| 1266 | Henrie              | Theresa      | *** | 1981 | 10          | CN             | QC   |
| 1267 | Henry <sup>58</sup> | Janet        | 37  | 1997 | 2           | FN             | BC   |
| 1268 | Henry               | Levina       | 19  | 1967 | 18          | FN             | BC   |
| 1269 | Henry               | Wendy        | 20  | 2007 | 17          | UN             | MB   |
| 1270 | Hepburn             | Mary         | 32  | 2012 | 19          | UN             | ON   |
| 1271 | Herbert             | Kathryn-Mary | 11  | 1975 | 10          | CN             | BC   |

<sup>58</sup> Janet and Levina Henry were sisters.

| #    | Last Name  | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|------------|-----|------|-------------|----------------|------|
| 1272 | Herman     | Rachel     | 60  | 1946 | 17          | UN             | MB   |
| 1273 | Herman     | Violet     | 40  | 2002 | 10          | AB             | BC   |
| 1274 | Hernandez  | Sofia      | 3   | 1997 | 4           | UN             | QC   |
| 1275 | Herron     | Brenda     | 36  | 1997 | 10          | UN             | ON   |
| 1276 | Hersey     | Marilyn    | 62  | 2006 | 1           | CN             | NS   |
| 1277 | Hewitt     | Joyce      | 22  | 1997 | 10          | UN             | AB   |
| 1278 | Hewko      | Wendy      | 48  | 2007 | 17          | UN             | AB   |
| 1279 | Hibbs      | June       | *** | 1976 | 14          | UN             | NS   |
| 1280 | Hiebert    | Cara       | 31  | 2011 | 10          | UN             | MB   |
| 1281 | Higgins    | Betty      | 69  | 1999 | 19          | UN             | ON   |
| 1282 | Hildebrant | Theresa    | 15  | 1976 | 10          | UN             | BC   |
| 1283 | Hill       | Jane       | *** | ***  | 40          | UN             | BC   |
| 1284 | Hill       | June       | *** | ***  | 40          | UN             | BC   |
| 1285 | Hill       | Laura      | 22  | 1984 | 10          | UN             | ON   |
| 1286 | Hill       | Leanne     | 48  | 2013 | 19          | UN             | ON   |
| 1287 | Hill       | Mary Jane  | 31  | 1978 | 41          | UN             | BC   |
| 1288 | Hill       | Paula      | 31  | 1996 | 46          | UN             | ON   |
| 1289 | Hiltz      | Sherry     | 44  | 2005 | 10          | CN             | BC   |
| 1290 | Hirji      | Shemina    | 40  | 2007 | 58          | UN             | ON   |
| 1291 | Ho         | Claudia    | 30  | 2011 | 18          | AS             | BC   |
| 1292 | Ho         | Eve        | 17  | 2006 | 1           | AS             | ON   |
| 1293 | Hoang      | Dung       | 31  | 2006 | 1           | AS             | ON   |
| 1294 | Hoar       | Nicole     | **  | 2002 | 1           | CN             | BC   |
| 1295 | Hockett    | Jodi       | 33  | 2009 | 1           | UN             | AB   |
| 1296 | Hoddinott  | Stephanie  | 20  | 2010 | 46          | UN             | ON   |
| 1297 | Hoepfner   | Joanne     | 28  | 2008 | 18          | UN             | MB   |
| 1298 | Hogan      | Shakaira   | 25  | 2007 | 19          | UN             | ON   |
| 1299 | Hogan      | Shannon    | 30  | 2013 | 10          | UN             | ON   |
| 1300 | Hohner     | Cheryl     | 31  | 1996 | 19          | UN             | ON   |
| 1301 | Holden     | Chelsea    | 28  | 2012 | 19          | CN             | BC   |
| 1302 | Holens     | Susan      | 15  | 1989 | 10          | FN             | MB   |
| 1303 | Holland    | Isabelle   | 50  | 1996 | 46          | UN             | ON   |
| 1304 | Holm       | Angela     | 16  | 2009 | 50          | AB             | NL   |
| 1305 | Holmes     | Deborah    | 46  | 2001 | 16          | AB             | PEI  |
| 1306 | Holmes     | Wendy      | 47  | 2006 | 1           | CN             | ON   |

| #    | Last Name          | First Name    | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------|---------------|-----|------|-------------|----------------|------|
| 1307 | Holopainen         | Pamela        | 22  | 2003 | 2           | IT             | ON   |
| 1308 | Holtam             | Jenny         | 6   | 1997 | 15          | UN             | BC   |
| 1309 | Holtam             | Leonora       | 37  | 1997 | 16          | UN             | BC   |
| 1310 | Holyk              | Tanya         | **  | 1996 | 21          | FN             | BC   |
| 1311 | Holywhiteman       | Anette        | **  | 2008 | 10          | AB             | AB   |
| 1312 | Holy-White-<br>Man | Rita          | *** | ***  | 10          | AB             | BC   |
| 1313 | Homolova           | Vierra        | 54  | 1999 | 1           | CN             | BC   |
| 1314 | Honke              | Serena        | 0   | 1997 | 15          | UN             | MB   |
| 1315 | Hood               | Madeline      | 19  | 2012 | 19          | UN             | ON   |
| 1316 | Hootsie            | Jeanette      | 19  | 2005 | 12          | AB             | SK   |
| 1317 | Hopcraft           | Helen         | 17  | 1973 | 18          | UN             | BC   |
| 1318 | Hope               | Tracy         | *** | ***  | 10          | AB             | BC   |
| 1319 | Hopkins            | Jessica       | 36  | 2009 | 1           | CN             | BC   |
| 1320 | Hornbrook          | April         | 24  | 2011 | 19          | AB             | MB   |
| 1321 | Horne              | Jennifer      | 20  | 2007 | 17          | AB             | NS   |
| 1322 | Horse              | Priscilla     | 15  | 1997 | 12          | FN             | SK   |
| 1323 | Hosany             | Felicia       | 51  | 2008 | 13          | UN             | ON   |
| 1324 | Houghton           | Julie         | 34  | 2005 | 41          | UN             | SK   |
| 1325 | Houle              | Cherisse      | 17  | 2009 | 10          | AB             | MB   |
| 1326 | Houle              | Florence      | 2   | 2011 | 46          | UN             | QC   |
| 1327 | Hovdebo            | Melaina       | 33  | 2007 | 13          | UN             | AB   |
| 1328 | Howe               | Janice        | 35  | 1992 | 2           | CN             | MB   |
| 1329 | Howlett            | Erin          | 28  | 2013 | 10          | CN             | ON   |
| 1330 | Hu                 | Yating        | 27  | 2011 | 16          | AS             | BC   |
| 1331 | Huang              | Amber         | 9   | 1996 | 46          | AS             | BC   |
| 1332 | Huang              | Jane          | *** | 1996 | 46          | AS             | BC   |
| 1333 | Huang              | Janet         | 36  | 2000 | 36          | AS             | ON   |
| 1334 | Huang              | Rebecca       | 15  | 1996 | 46          | AS             | BC   |
| 1335 | Huang              | Tsai Chin Chi | 67  | 1996 | 46          | AS             | BC   |
| 1336 | Huang              | Fergzhi       | 36  | 2000 | 19          | UN             | ON   |
| 1337 | Hull               | Lisa          | *** | 2005 | 1           | CN             | BC   |
| 1338 | Humchitt           | Theresa       | *** | ***  | 40          | UN             | BC   |
| 1339 | Hummel             | Monika        | 36  | 2005 | 46          | UN             | ON   |
| 1340 | Hundle             | Tej           | 67  | 1988 | 10          | UN             | BC   |

| #    | Last Name          | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------|------------|-----|------|-------------|----------------|------|
| 1341 | Hunt               | Morgan     | 15  | 2013 | 1           | UN             | ON   |
| 1342 | Hunt               | Sheila     | *** | ***  | 10          | AB             | BC   |
| 1343 | Hunter             | Donna      | 40  | 1992 | 16          | CN             | ON   |
| 1344 | Huon               | Deang      | 40  | 2008 | 16          | UN             | AB   |
| 1345 | Huth               | Andrea     | 3   | 1991 | 4           | AS             | BC   |
| 1346 | Hutt               | Ingrid     | 61  | 2009 | 46          | UN             | ON   |
| 1347 | Huyghe             | Katerena   | 56  | 1976 | 1           | CN             | AB   |
| 1348 | Huynh              | Chinah     | 34  | 2012 | 58          | BL             | BC   |
| 1349 | Huynh              | Vicky      | 13  | 2006 | 1           | AS             | BC   |
| 1350 | Hyatt              | Ashlee     | 16  | 2010 | 17          | CN             | BC   |
| 1351 | Hyjeck             | Mary Lou   | 37  | 1998 | 16          | UN             | ON   |
| 1352 | Hylton             | Marcia     | 38  | 1995 | 46          | UN             | ON   |
| 1353 | Iam                | ***        | 78  | 2007 | 46          | UN             | ON   |
| 1354 | Iam                | Amy        | 47  | 2007 | 46          | UN             | ON   |
| 1355 | Ignas              | Monica     | 15  | 1974 | 10          | AB             | BC   |
| 1356 | Ikkers             | Margaret   | 57  | 2009 | 12          | CN             | ON   |
| 1357 | Illes              | Jessica    | 23  | 2009 | 10          | UN             | BC   |
| 1358 | Ingram-<br>Summers | Kayleigh   | 0   | 2010 | 15          | UN             | ON   |
| 1359 | Innes              | Theresa    | 36  | 2005 | 26          | AB             | AB   |
| 1360 | Innis              | Patricia   | 27  | 1992 | 16          | UN             | ON   |
| 1361 | Irkotee            | Leanne     | 22  | 2004 | 16          | IT             | NU   |
| 1362 | Irving             | Brittney   | 24  | 2010 | 19          | UN             | BC   |
| 1363 | Irving             | Sherry     | **  | 1997 | 21          | FN             | BC   |
| 1364 | Isaac              | Deborah    | *** | 2006 | 41          | UN             | BC   |
| 1365 | Isaac              | Florence   | *** | ***  | 40          | AB             | BC   |
| 1366 | Isaac              | Miranda    | *** | ***  | 10          | AB             | BC   |
| 1367 | Isford             | Jenny      | *** | 1982 | 12          | UN             | ON   |
| 1368 | Islamkin           | Vera       | 56  | 2002 | 46          | UN             | ON   |
| 1369 | Ivancevic          | Miriana    | 44  | 2003 | 16          | UN             | ON   |
| 1370 | Izzard             | Tanya      | *   | 2006 | 1           | BL             | QC   |
| 1371 | Jack               | Barbara    | 14  | 1972 | 41          | AB             | YK   |
| 1372 | Jack               | Bonnie     | 37  | 2006 | 10          | AB             | AB   |
| 1373 | Jack               | Christine  | 39  | 1988 | 11          | CN             | MB   |
| 1374 | Jack               | Crystal    | 30  | 1997 | 10          | CN             | NS   |



| #    | Last Name          | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------|------------|-----|------|-------------|----------------|------|
| 1375 | Jack <sup>59</sup> | Doreen     | 26  | 1989 | 2           | AB             | BC   |
| 1376 | Jack               | Helena     | 71  | 2004 | 12          | FN             | BC   |
| 1377 | Jack               | Jane       | 22  | 1995 | 16          | AB             | ON   |
| 1378 | Jack               | Laverne    | *** | ***  | 10          | AB             | BC   |
| 1379 | Jack               | Monica     | 12  | 1978 | 10          | AB             | BC   |
| 1380 | Jackson            | Catherine  | *** | ***  | 18          | UN             | ON   |
| 1381 | Jackson            | Lynn       | 34  | 2004 | 10          | FN             | AB   |
| 1382 | Jackson            | Mary Ann   | *** | ***  | 40          | UN             | BC   |
| 1383 | Jackson            | Ruth       | 82  | 1999 | 1           | CN             | ON   |
| 1384 | Jackson            | Sally      | *** | ***  | 10          | AB             | BC   |
| 1385 | Jacobs             | Helen      | 73  | 2006 | 12          | FN             | ON   |
| 1386 | Jacobson           | Yvonne     | 37  | 2001 | 46          | AB             | AB   |
| 1387 | James              | Mary       | *** | ***  | 40          | UN             | BC   |
| 1388 | Jamieson           | Cynthia    | 44  | 2002 | 16          | FN             | ON   |
| 1389 | Jamieson           | Dayna      | 34  | 2009 | 16          | UN             | ON   |
| 1390 | Jamieson           | Mary       | 17  | 1980 | 10          | UN             | BC   |
| 1391 | Janeiro            | Katherine  | 20  | 1994 | 10          | CN             | ON   |
| 1392 | Janveau            | Karena     | *** | ***  | 18          | UN             | ON   |
| 1393 | Janvier            | Annette    | 36  | 2001 | 19          | AB             | AB   |
| 1394 | Janz               | Jennifer   | 16  | 1991 | 10          | AB             | AB   |
| 1395 | Jardine            | Angela     | **  | 1998 | 21          | CN             | BC   |
| 1396 | Jaskiewicz         | Stella     | 69  | 1990 | 16          | UN             | MB   |
| 1397 | Jaworski           | Sophie     | 83  | 2004 | 16          | UN             | MB   |
| 1398 | Jayaweera          | Yathra     | 44  | 1998 | 16          | UN             | ON   |
| 1399 | Jean               | Pamela     | 27  | 2013 | 19          | UN             | QC   |
| 1400 | Jean-Louis         | Eva        | 24  | 1992 | 10          | UN             | ON   |
| 1401 | Jeannot            | Carmine    | 43  | 1995 | 46          | UN             | QC   |
| 1402 | Jeannot            | Josiane    | 12  | 1995 | 46          | UN             | QC   |
| 1403 | Jeffrey            | Natasha    | 37  | 2013 | 19          | UN             | MB   |
| 1404 | Jenkins            | Robin      | 29  | 2012 | 19          | UN             | ON   |
| 1405 | Jensen             | Marilyn    | 19  | 1991 | 19          | UN             | MB   |

<sup>59</sup> Jack disappeared at the same time as her husband, Ronald Jack, and two sons, Russell and Ryan.

| #    | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------------------|------------|-----|------|-------------|----------------|------|
| 1406 | Jessome               | Laura      | 21  | 2012 | 19          | CN             | NS   |
| 1407 | Jessop                | Christine  | 9   | 1984 | 11          | CN             | ON   |
| 1408 | Jewell                | Michele    | 25  | 1984 | 16          | UN             | MB   |
| 1409 | Jha                   | Niyati     | 3   | 2011 | 19          | SA             | ON   |
| 1410 | Jimmie                | Mary       | *** | 1987 | 10          | AB             | BC   |
| 1411 | Jimmy                 | Irene      | *** | 1996 | 16          | FN             | AB   |
| 1412 | Joe                   | Cheryl     | 26  | 1992 | 12          | AB             | BC   |
| 1413 | Joe                   | Donna      | *   | ***  | 41          | FN             | NB   |
| 1414 | Joe                   | Katherine  | 27  | 1977 | 10          | UN             | BC   |
| 1415 | Joesberry             | Andrea     | 22  | 2001 | 20          | CN             | BC   |
| 1416 | Johal                 | Santokh    | *** | 1978 | 2           | UN             | BC   |
| 1417 | Johal                 | Sarabjit   | 21  | 2010 | 1           | SA             | BC   |
| 1418 | Johanette             | Diane      | 64  | 2008 | 12          | UN             | QC   |
| 1419 | Johannsen             | Virginia   | *** | 1994 | 40          | AB             | AB   |
| 1420 | John                  | Kayla      | 13  | 2004 | 17          | FN             | BC   |
| 1421 | Johnings              | Samantha   | 1   | 1992 | 14          | AB             | ON   |
| 1422 | Johnnie               | Martina    | *** | 1994 | 16          | AB             | BC   |
| 1423 | Johns                 | Mary       | *** | 1982 | 25          | AB             | BC   |
| 1424 | Johns Wride           | Esther     | 55  | 1996 | 50          | UN             | MB   |
| 1425 | Johnson <sup>60</sup> | Cathryn    | *** | 1996 | 10          | UN             | AB   |
| 1426 | Johnson               | Cheryl     | *** | 2001 | 41          | FN             | NS   |
| 1427 | Johnson               | Darlene    | *** | ***  | 40          | UN             | BC   |
| 1428 | Johnson               | Jane       | *** | 1996 | 10          | UN             | AB   |
| 1429 | Johnson               | Jasmine    | 26  | 2005 | 6           | AS             | BC   |
| 1430 | Johnson               | Josephine  | *** | ***  | 40          | UN             | BC   |
| 1431 | Johnson               | Lucie      | 51  | 2011 | 19          | UN             | QC   |
| 1432 | Johnson               | Mandy      | 22  | 2010 | 10          | UN             | BC   |
| 1433 | Johnson               | Mary       | *** | 1980 | 25          | AB             | BC   |
| 1434 | Johnson               | Maxine     | *** | 1994 | 46          | UN             | ON   |
| 1435 | Johnson               | Patricia   | 26  | 2001 | 21          | CN             | BC   |
| 1436 | Johnson               | Pauline    | 30  | 1985 | 10          | AB             | BC   |
| 1437 | Johnson               | Sandra     | 18  | 1992 | 10          | AB             | ON   |

<sup>60</sup> Johnson's mother, Jane Johnson, was murdered at the same time.

| #    | Last Name  | First Name | Age | Year      | Status | Ethnicity | Prov |
|------|------------|------------|-----|-----------|--------|-----------|------|
| 1438 | Johnson    | Sylvia     | 40  | 2005      | 1      | UN        | AB   |
| 1439 | Johnston   | Chelsea    | 15  | 2009      | 1      | CN        | MB   |
| 1440 | Johnston   | Glenna     | 21  | 1980      | 19     | UN        | MB   |
| 1441 | Johnston   | June       | 34  | 1979      | 1      | CN        | SK   |
| 1442 | Johnston   | Kathleen   | 26  | 1953      | 1      | CN        | SK   |
| 1443 | Johnston   | Tiffany    | 21  | 2010      | 10     | AB        | MB   |
| 1444 | Johnstone  | Jaclyn     | 29  | 2013      | 1      | BL        | BC   |
| 1445 | Joksimovic | Snezana    | *** | ***       | 18     | UN        | ON   |
| 1446 | Jolly      | Charlotte  | 19  | 2009      | 13     | UN        | SK   |
| 1447 | Jones      | Debra      | 43  | 2000      | 21     | CN        | BC   |
| 1448 | Jones      | Donna      | 33  | 2009      | 16     | UN        | ON   |
| 1449 | Jones      | Holly      | 10  | 2003      | 13     | UN        | QC   |
| 1450 | Jones      | Kimberley  | 21  | 1992      | 16     | UN        | MB   |
| 1451 | Jones      | Lacey      | 20  | 2012      | 19     | UN        | AB   |
| 1452 | Jones      | Lorna      | *** | ***       | 10     | AB        | NL   |
| 1453 | Jones      | Susan      | 1   | ***       | 40     | UN        | BC   |
| 1454 | Jones      | Tyeshia    | 18  | 2011      | 13     | AB        | BC   |
| 1455 | Jones      | Wendy      | 43  | 2007      | 1      | CN        | BC   |
| 1456 | Jordan     | Meika      | 6   | 2011      | 10     | CN        | AB   |
| 1457 | Jordan     | Reita      | 34  | 2013      | 8      | CN        | PEI  |
| 1458 | Joseph     | Barbara    | 43  | 2004      | 14     | AB        | BC   |
| 1459 | Joseph     | Bonnie     | 32  | 2007      | 1      | FN        | BC   |
| 1460 | Joseph     | Deborah    | 48  | 2012      | 19     | FN        | BC   |
| 1461 | Joseph     | Diane      | 22  | ***       | 1      | FN        | BC   |
| 1462 | Joseph     | Nikita     | 24  | 2012      | 1      | AB        | BC   |
| 1463 | Joseph     | Nina       | *** | 1980-1982 | 13     | AB        | BC   |
| 1464 | Joseph     | Shelley    | 40  | 2004      | 18     | FN        | ON   |
| 1465 | Joss       | Rebecca    | 47  | 1960      | 19     | UN        | MB   |
| 1466 | Joudrey    | Denise     | 47  | 2012      | 46     | UN        | NS   |
| 1467 | Joven      | Isabelitta | *** | 1976      | 11     | UN        | SK   |
| 1468 | Joyce      | Marion     | 74  | 2002      | 10     | UN        | ON   |
| 1469 | Joyes      | Jennifer   | 17  | 1991      | 10     | UN        | AB   |
| 1470 | Joynson    | Renee      | 23  | 2000      | 50     | UN        | ON   |
| 1471 | Jugaru     | Margaret   | 26  | 2004      | 10     | UN        | ON   |

| #    | Last Name     | First Name | Age | Year | Status | Ethnicity | Prov |
|------|---------------|------------|-----|------|--------|-----------|------|
| 1472 | Julien-Guerin | Anne       | 48  | 2010 | 16     | UN        | ON   |
| 1473 | Junio         | Racquel    | 42  | 2011 | 19     | UN        | ON   |
| 1474 | Juriansz      | Jocelyn    | 29  | 2005 | 46     | UN        | ON   |
| 1475 | Jurko         | Angel      | 5   | ***  | 19     | UN        | ON   |
| 1476 | Jurko         | Marilyn    | 27  | ***  | 19     | UN        | ON   |
| 1477 | Kabatay       | Donna      | *** | ***  | 10     | FN        | ON   |
| 1478 | Kahpeechoose  | Kelsey     | *** | 2013 | 1      | AB        | SK   |
| 1479 | Kalmring      | Lynn       | *** | 2011 | 19     | UN        | BC   |
| 1480 | Kamiesh       | Dingra     | 56  | 2006 | 19     | UN        | ON   |
| 1481 | Kaminski      | Katie      | 17  | 1997 | 17     | UN        | BC   |
| 1482 | Kant          | Elizabeth  | 45  | 1972 | 1      | CN        | BC   |
| 1483 | Kapsik        | Ludmila    | 59  | 2010 | 16     | UN        | MB   |
| 1484 | Karer         | Maggie     | *** | 1999 | 13     | UN        | ON   |
| 1485 | Kasak         | Pamela     | 50  | ***  | 19     | UN        | ON   |
| 1486 | Kasana        | Haleema    | 21  | 2008 | 10     | UN        | ON   |
| 1487 | Kasana        | Nadia      | 21  | 2008 | 10     | UN        | ON   |
| 1488 | Kassa         | Aster      | 32  | 2010 | 16     | BL        | ON   |
| 1489 | Kasyon        | Donna      | **  | 2002 | 10     | AB        | SK   |
| 1490 | Kasyon        | Ernestine  | 26  | 1989 | 1      | AB        | SK   |
| 1491 | Katnick       | Leslie     | **  | 1991 | 2      | CN        | NS   |
| 1492 | Kaur          | Desvinder  | 26  | 2001 | 46     | UN        | ON   |
| 1493 | Kaur          | Gurpreet   | *** | 2007 | 56     | SA        | ON   |
| 1494 | Kaur          | Charnjit   | *** | ***  | 16     | UN        | ON   |
| 1495 | Kavanagh      | Ellen      | 39  | ***  | 19     | UN        | ON   |
| 1496 | Kavanagh      | Kristine   | *** | 1994 | 10     | UN        | BC   |
| 1497 | Kawaja        | Mary       | 35  | 2009 | 46     | BL        | AB   |
| 1498 | Kaye          | Veronica   | *** | 1980 | 10     | UN        | ON   |
| 1499 | Kayson        | Donna      | 20  | 2002 | 10     | AB        | SK   |
| 1500 | Kazanceva     | Polina     | 19  | 2013 | 10     | CN        | AB   |
| 1501 | Kebalo        | Evelyn     | 55  | 1977 | 10     | UN        | MB   |
| 1502 | Keeble        | Florence   | 17  | 1976 | 10     | UN        | NS   |
| 1503 | Keegan        | Shawn      | **  | 1996 | 13     | UN        | ON   |
| 1504 | Keel          | Edith      | 43  | 1961 | 46     | UN        | MB   |
| 1505 | Keeney        | Diana      | 34  | 2004 | 17     | UN        | ON   |

| #    | Last Name          | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------|------------|-----|------|-------------|----------------|------|
| 1506 | Keepness           | Tamra      | 5   | 2004 | 2           | FN             | SK   |
| 1507 | Keesie             | Charity    | 19  | 2001 | 17          | AB             | ON   |
| 1508 | Keesik             | Phyllis    | 34  | 1980 | 17          | UN             | MB   |
| 1509 | Keewatin           | Dawn       | 17  | 1982 | 11          | AB             | SK   |
| 1510 | Keller             | Kamillah   | 19  | 2011 | 16          | UN             | ON   |
| 1511 | Kelly              | Clare      | 21  | 2002 | 1           | CN             | ON   |
| 1512 | Kelly              | Jeaneette  | *** | 1983 | 16          | SA             | ON   |
| 1513 | Kelly              | Leslie     | 26  | 2008 | 58          | UN             | ON   |
| 1514 | Kelly              | Patty-Jo   | 38  | 2001 | 41          | UN             | ON   |
| 1515 | Kembo              | Margaret   | 44  | 2002 | 33          | UN             | BC   |
| 1516 | Kendy              | Rejina     | 26  | 2011 | 19          | ME             | ON   |
| 1517 | Kennedy            | Debbie     | *** | ***  | 10          | AB             | BC   |
| 1518 | Kennedy            | Michelle   | 34  | 2005 | 46          | UN             | ON   |
| 1519 | Kenney             | Marguerite | 60  | 2011 | 46          | UN             | NS   |
| 1520 | Kenny              | Krista     | 16  | 2009 | 13          | UN             | AB   |
| 1521 | Kenojuak           | Minnie     | *** | 1996 | 46          | IT             | QC   |
| 1522 | Kent               | Judith     | 21  | 1981 | 17          | UN             | MB   |
| 1523 | Kerr               | Charlene   | 29  | 1990 | 10          | AB             | BC   |
| 1524 | Khaire             | ***        | *** | 2007 | 19          | UN             | ON   |
| 1525 | Khairi             | Randjida   | 65  | 2008 | 16          | ME             | ON   |
| 1526 | Khalilova          | Tatiana    | 49  | 2013 | 19          | CN             | ON   |
| 1527 | Khan               | Alberta    | *** | 1997 | 10          | AS             | ON   |
| 1528 | Khan               | Bibi       | 27  | 1990 | 16          | UN             | MB   |
| 1529 | Khan               | Charlene   | *** | 1997 | 10          | UN             | ON   |
| 1530 | Khan               | Farah      | 9   | 1999 | 15          | ME             | ON   |
| 1531 | Khan <sup>61</sup> | Memuna     | 5   | 1999 | 4           | AS             | BC   |
| 1532 | Khan               | Naazish    | *** | ***  | 40          | UN             | BC   |
| 1533 | Khan               | Saphia     | 3   | 1999 | 4           | AS             | BC   |
| 1534 | Khan               | Sureta     | 21  | 1994 | 16          | UN             | MB   |
| 1535 | Khanna             | Sangeet    | 41  | 2006 | 2           | AS             | AB   |
| 1536 | Khonsari           | Mimi       | 61  | 2004 | 12          | UN             | ON   |
| 1537 | Khosa              | Amarjit    | 34  | 2010 | 19          | SA             | BC   |

<sup>61</sup> Memuna and Saphia Khan are sisters; they were abducted together.

| #    | Last Name   | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------|------------|-----|------|-------------|----------------|------|
| 1538 | Kidane      | Alche      | 34  | 2012 | 19          | BL             | MB   |
| 1539 | Kidston     | Naomi      | *   | 2005 | 4           | UN             | NS   |
| 1540 | Kilby       | Susan      | 39  | 2004 | 19          | UN             | ON   |
| 1541 | Killingbeck | Patty-Anne | 30  | 2001 | 16          | UN             | ON   |
| 1542 | Killon      | Barbara    | *** | 1995 | 2           | UN             | BC   |
| 1543 | Kinch       | Aynsley    | 35  | 2007 | 13          | FN             | MB   |
| 1544 | King        | Andrea     | 18  | 1992 | 10          | UN             | NS   |
| 1545 | King        | Cara       | 22  | 1997 | 10          | AB             | AB   |
| 1546 | King        | Carol      | 40  | 2011 | 10          | UN             | SK   |
| 1547 | King        | Jessie     | 81  | 2007 | 46          | UN             | ON   |
| 1548 | King        | Mary       | *** | ***  | 10          | FN             | ON   |
| 1549 | King        | Rebecca    | 22  | 1999 | 1           | FN             | ON   |
| 1550 | Kinnear     | Brianna    | 21  | 2009 | 10          | CN             | BC   |
| 1551 | Kirchen     | Tanya      | 18  | 2005 | 17          | FN             | MB   |
| 1552 | Kirec       | Helen      | 36  | 1997 | 46          | UN             | ON   |
| 1553 | Kirec       | Nancy      | 11  | 1997 | 46          | UN             | ON   |
| 1554 | Kirec       | Suzy       | 12  | 1997 | 46          | UN             | ON   |
| 1555 | Kirk        | Lee        | 15  | 1971 | 10          | UN             | ON   |
| 1556 | Kirk        | Patricia   | 60  | 2005 | 19          | UN             | ON   |
| 1557 | Kirkham     | Lori       | *** | ***  | 18          | UN             | ON   |
| 1558 | Kirkpatrick | Ruby       | 24  | 1998 | 12          | AB             | BC   |
| 1559 | Kirton      | Kirk       | 35  | 1987 | 17          | UN             | MB   |
| 1560 | Kirton      | Sarah      | 5   | 1987 | 13          | UN             | MB   |
| 1561 | Kirwan      | Amber      | 19  | 2011 | 19          | UN             | NS   |
| 1562 | Kiss        | Donna      | 25  | 1986 | 10          | AB             | BC   |
| 1563 | Kitchener   | Emiline    | 34  | 2012 | 41          | FN             | SK   |
| 1564 | Kitchense   | Ida        | 27  | 1980 | 17          | UN             | MB   |
| 1565 | Kitty       | Virginia   | 46  | 2008 | 1           | AB             | ON   |
| 1566 | Kiyoshk     | Katrina    | 17  | 2005 | 17          | UN             | ON   |
| 1567 | Klachan     | Julia      | 31  | 1979 | 1           | CN             | BC   |
| 1568 | Klassen     | Theresa    | 30  | 1996 | 10          | UN             | BC   |
| 1569 | Klaudusz    | Kayla      | 3   | 1991 | 13          | UN             | ON   |
| 1570 | Klayh       | Sylvia     | 14  | 1967 | 2           | CN             | MB   |
| 1571 | Klimovich   | ***        | 48  | 2010 | 16          | UN             | ON   |
| 1572 | Klucznik-   | Barbara    | *   | 1989 | 46          | UN             | QC   |

| #    | Last Name  | First Name | Age | Year  | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|------------|-----|-------|-------------|----------------|------|
|      | Widajewicz |            |     |       |             |                |      |
| 1573 | Klymchuk   | Maria      | 36  | 1998  | 16          | UN             | ON   |
| 1574 | Kniaz      | Myriam     | 16  | 1981  | 1           | CN             | QC   |
| 1575 | Knickle    | Helen      | 22  | 1974  | 10          | UN             | NS   |
| 1576 | Knight     | Catherine  | **  | 1995  | 2           | CN             | BC   |
| 1577 | Knight     | Henrietta  | 92  | 1995  | 10          | UN             | ON   |
| 1578 | Knijjar    | Hajjinder  | *** | ***   | 40          | UN             | BC   |
| 1579 | Knott      | Krystle    | **  | 2005  | 10          | FN             | AB   |
| 1580 | Knudsen    | Kathryn    | 41  | 2007  | 46          | UN             | ON   |
| 1581 | Koble      | Emily      | 61  | 1984  | 1           | CN             | SK   |
| 1582 | Kochanowsk | Mary       | 85  | 2013  | 1           | CN             | MB   |
| 1583 | Kochar     | Davinder   | 42  | 2005  | 10          | AS             | ON   |
| 1584 | Kokotailo  | Lori       | *** | 2002  | 16          | UN             | BC   |
| 1585 | Koks       | Kayla      | 22  | 2012  | 1           | AB             | BC   |
| 1586 | Kollie     | Cynthia    | **  | 2008  | 1           | BL             | BC   |
| 1587 | Komorowski | Adele      | 26  | 1973  | 58          | CN             | ON   |
| 1588 | Kong       | Lanyan     | *** | ***   | 12          | UN             | BC   |
| 1589 | Konki      | Ann        | 56  | 1978  | 10          | UN             | BC   |
| 1590 | Koopmans   | Jessica    | 5   | 2001  | 17          | UN             | AB   |
| 1591 | Kopf       | Lisa       | 17  | 1988  | 10          | UN             | AB   |
| 1592 | Korba      | Sandy      | 22  | 2001  | 16          | FN             | BC   |
| 1593 | Koroll     | Sheryl     | *** | 2007  | 13          | UN             | BC   |
| 1594 | Koski      | Kerry      | 39  | 1998  | 21          | CN             | BC   |
| 1595 | Kosmack    | Pamela     | 39  | 2008  | 19          | CN             | ON   |
| 1596 | Kostenuik  | Mabel      | 54  | 1978  | 10          | UN             | BC   |
| 1597 | Kounelas   | Eudoxia    | 73  | 1991  | 16          | UN             | ON   |
| 1598 | Kouvelas   | Karen      | 28  | ***   | 46          | UN             | ON   |
| 1599 | Kovacevich | Stephanie  | 15  | 2008  | 1           | CN             | BC   |
|      |            |            |     | 1980- |             |                |      |
| 1600 | Kovacs     | Jean       | 36  | 1982  | 13          | CN             | BC   |
| 1601 | Kowalski   | Camelia    | 19  | 1961  | 19          | UN             | MB   |
| 1602 | Kowalski   | Margaret   | 43  | 1961  | 19          | UN             | MB   |
| 1603 | Kozakewich | Charissa   | 39  | 2012  | 19          | CN             | AB   |
| 1604 | Kozma      | Judy       | 114 | 1981  | 34          | AB             | BC   |
| 1605 | Kozyra     | Justyna    | 27  | 2011  | 19          | UN             | QC   |

| #    | Last Name    | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------|------------|-----|------|-------------|----------------|------|
| 1606 | Kraehling    | Kathleen   | 48  | 2011 | 1           | CN             | ON   |
| 1607 | Krausher     | Elaine     | 26  | 1986 | 10          | UN             | AB   |
| 1608 | Kreiser      | Mary       | 49  | 1987 | 1           | MS             | AB   |
| 1609 | Kruidbos     | Gerdina    | 31  | 1981 | 11          | CN             | AB   |
| 1610 | Kuchinsky    | Janet      | 42  | 1999 | 10          | UN             | QC   |
| 1611 | Kulaway      | Tammey     | 40  | 2011 | 19          | UN             | SK   |
| 1612 | Kulchyski    | Mya        | 21  | 1987 | 16          | UN             | BC   |
| 1613 | Kunaratnam   | Yogarani   | *** | 2012 | 46          | SA             | QC   |
| 1614 | Kundinger    | Tracy      | 18  | 1975 | 10          | UN             | ON   |
| 1615 | Kunovits     | Katalin    | 63  | 2010 | 1           | UN             | BC   |
| 1616 | Kussick      | Melinda    | 0   | 1981 | 19          | UN             | MB   |
| 1617 | Kusugak      | Donna      | *** | 2003 | 12          | IT             | NU   |
|      | Kwaronihawi  |            |     |      |             |                |      |
| 1618 | Barnes       | Bea        | 17  | 2010 | 1           | AB             | QC   |
| 1619 | Kwon         | Daisy      | 18  | 2004 | 46          | AS             | BC   |
| 1620 | Kwon         | Keumhee    | 44  | 2004 | 46          | AS             | BC   |
| 1621 | L'Hirodelle  | Carmen     | 25  | 2004 | 17          | AB             | AB   |
| 1622 | Labatte      | Shana      | 30  | 2004 | 10          | AB             | BC   |
| 1623 | Labbe        | Therese    | 47  | 1989 | 10          | MS             | ON   |
| 1624 | Labossiere   | Magdalena  | 33  | 2008 | 17          | UN             | MB   |
| 1625 | Labossiere   | Rita       | 74  | 2005 | 14          | CN             | MB   |
| 1626 | Laboucan     | Francesca  | 23  | 2003 | 16          | FN             | AB   |
| 1627 | Laboucan     | Leanne     | 22  | 2007 | 19          | FN             | AB   |
| 1628 | Laboucan     | Shirley    | *** | 2003 | 16          | FN             | AB   |
| 1629 | Labrie-Dumas | Claudette  | *** | 1984 | 10          | CN             | QC   |
| 1630 | Lachaine     | Jacqueline | 68  | 2012 | 18          | UN             | QC   |
| 1631 | Lachance     | Donna      | 23  | ***  | 46          | UN             | ON   |
| 1632 | Lachance     | Linda      | 38  | 1998 | 1           | CN             | BC   |
| 1633 | Lachmen      | Mala       | *** | 1994 | 16          | UN             | ON   |
| 1634 | Lacoste      | Nahomie    | 16  | 2005 | 1           | BL             | QC   |
|      | Ladner-      |            |     |      |             |                |      |
| 1635 | Beaudry      | Wendy      | 53  | 2009 | 10          | UN             | BC   |
| 1636 | Ladouceur    | Stéphanie  | 27  | 2002 | 16          | CN             | QC   |
| 1637 | Lafantaisie  | Elizabeth  | 73  | 2011 | 19          | CN             | MB   |
| 1638 | Lafargue     | Celine     | 39  | 2005 | 1           | CN             | NL   |

| #    | Last Name           | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------------|------------|-----|------|-------------|----------------|------|
| 1639 | Laferrière          | Hélène     | *** | 1974 | 1           | UN             | QC   |
| 1640 | Lafferty            | Linda      | *** | 2012 | 19          | UN             | NT   |
| 1641 | LaFleche            | Victoria   | 7   | 2006 | 15          | UN             | ON   |
| 1642 | LaFleche            | Wendy      | 41  | 2006 | 16          | UN             | ON   |
| 1643 | Lafleshe            | Michelle   | *** | ***  | 40          | UN             | BC   |
| 1644 | Lafleur             | Cynthia    | 25  | 2004 | 19          | UN             | MB   |
| 1645 | Lafond              | Karen      | 21  | 2003 | 17          | UN             | SK   |
| 1646 | LaForme             | Elaine     | 48  | 2012 | 19          | FN             | ON   |
| 1647 | Laganière           | Maryse     | *   | 1989 | 46          | UN             | QC   |
| 1648 | Lahaie              | Diane      | 64  | 2013 | 19          | UN             | QC   |
| 1649 | Lahey               | Arlene     | 44  | 2009 | 13          | UN             | ON   |
| 1650 | Lahteenmaki         | Alinda     | 23  | 2009 | 16          | AB             | MB   |
| 1651 | Lajoie-Payette      | Mélissa    | 25  | 2007 | 41          | UN             | QC   |
| 1652 | Lake                | Debbie     | 29  | 2002 | 10          | AB             | AB   |
| 1653 | Lake                | Rodanthe   | 80  | 2005 | 1           | CN             | BC   |
| 1654 | Lalibert            | Joelle     | 12  | 2009 | 15          | UN             | QC   |
| 1655 | Laliberte           | Maria      | **  | 1997 | 1           | FN             | BC   |
| 1656 | Lall                | Alison     | 35  | 2008 | 46          | CN             | AB   |
| 1657 | Lall                | Kristen    | 5   | 2008 | 46          | CN             | AB   |
| 1658 | Lall                | Rochelle   | 3   | 2008 | 46          | CN             | AB   |
| 1659 | Lamb                | Sandra     | 49  | 2010 | 19          | CN             | AB   |
| 1660 | Lambert             | April      | 12  | 1998 | 12          | FN             | AB   |
| 1661 | Lambert             | Lorna      | *** | ***  | 40          | UN             | BC   |
| 1662 | Lambert             | Marla      | 34  | 2005 | 16          | AB             | AB   |
| 1663 | Lambert             | Maureen    | 51  | 2005 | 1           | UN             | BC   |
| 1664 | Lambert             | Melissa    | 31  | 2009 | 10          | CN             | QC   |
| 1665 | Lamondin-<br>Gagnon | Tammy      | 20  | 1999 | 2           | CN             | ON   |
| 1666 | Lamoureux           | Laura      | 36  | 2009 | 17          | UN             | ON   |
| 1667 | Lamrock             | Ann        | *   | 1990 | 10          | UN             | NS   |
| 1668 | Lancaster           | Diane      | *** | ***  | 40          | UN             | BC   |
| 1669 | Lane                | Christine  | 37  | 1982 | 10          | UN             | BC   |
| 1670 | Lane                | Darcy      | 20  | 1981 | 19          | UN             | MB   |
| 1671 | Lane                | Stephanie  | **  | 1997 | 22          | AB             | BC   |
| 1672 | Lanes               | Barbara    | **  | 2004 | 1           | CN             | BC   |

| #    | Last Name  | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|------------|-----|------|-------------|----------------|------|
| 1673 | Langlais   | Hélène     | 46  | 1996 | 10          | CN             | QC   |
| 1674 | Langlais   | Lara       | 41  | 2009 | 19          | CN             | QC   |
| 1675 | Langthorne | Stephanie  | 16  | 2004 | 1           | CN             | BC   |
| 1676 | Lanthier   | Barbara    | 46  | 1994 | 16          | UN             | ON   |
| 1677 | Laoagan    | Arcelie    | 41  | 2008 | 13          | AS             | AB   |
| 1678 | Lapierre   | Noëlla     | 38  | 1990 | 2           | CN             | QC   |
| 1679 | LaPlante   | Ginette    | *** | 1997 | 16          | UN             | ON   |
| 1680 | Lapuz      | January    | 26  | 2011 | 19          | AS             | BC   |
| 1681 | Laraway    | Catherine  | 16  | 1971 | 18          | UN             | BC   |
| 1682 | Larivière  | Marie-Ève  | 12  | 1992 | 10          | CN             | QC   |
| 1683 | Laroque    | Barbara    | 21  | 1974 | 10          | AB             | BC   |
| 1684 | Larosa     | Santina    | 76  | 2012 | 19          | UN             | QC   |
| 1685 | Larose     | Brenda     | *** | 1990 | 16          | AB             | BC   |
| 1686 | Larson     | Danielle   | 29  | 2006 | 17          | UN             | BC   |
| 1687 | LaRue      | Danielle   | 25  | 2002 | 2           | FN             | BC   |
| 1688 | LaSalle    | Glenda     | 36  | 2002 | 16          | UN             | ON   |
| 1689 | Lasas      | Marie      | 19  | 2006 | 10          | AB             | SK   |
| 1690 | Lastredor  | René       | *   | 2009 | 1           | BL             | QC   |
| 1691 | Lathlin    | Jamie      | 16  | 2010 | 1           | AB             | MB   |
| 1692 | Laurin     | Anne       | 32  | 1997 | 19          | UN             | QC   |
| 1693 | Lauzier    | Denise     | 54  | 2006 | 40          | UN             | QC   |
| 1694 | Lavalee    | Madeleine  | 30  | ***  | 10          | AB             | NL   |
| 1695 | Lavallee   | Heather    | 37  | 2013 | 19          | UN             | SK   |
| 1696 | Lavalley   | Loretta    | 36  | 2008 | 13          | UN             | ON   |
| 1697 | Laverdiere | Sylvie     | 24  | 1989 | 10          | CN             | QC   |
| 1698 | Lavigne    | Tasha      | 16  | 2011 | 15          | UN             | ON   |
| 1699 | Lavoie     | Antoinette | 69  | 2010 | 46          | UN             | ON   |
| 1700 | Lavoie     | Rhonda     | 22  | 1997 | 46          | AB             | MB   |
| 1701 | Lawrence   | Joan       | 77  | 1998 | 2           | CN             | ON   |
| 1702 | Lawrie     | Janice     | 28  | 1996 | 16          | UN             | ON   |
| 1703 | Lawson     | Leanne     | 23  | 2011 | 19          | UN             | ON   |
| 1704 | Lawton     | Gwendolyn  | *** | 2007 | 13          | UN             | BC   |
| 1705 | Laycock    | Merla      | *** | 1979 | 13          | UN             | AB   |
| 1706 | Leach      | Carol Ann  | *** | 1996 | 19          | UN             | ON   |
| 1707 | Leadley    | Tina       | *** | 1993 | 19          | UN             | BC   |

| #    | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------------------|------------|-----|------|-------------|----------------|------|
| 1708 | Lebitka               | Lisa       | 45  | 2012 | 16          | UN             | ON   |
| 1709 | LeBlanc               | Darlene    | 35  | 1991 | 19          | UN             | ON   |
| 1710 | Leblanc               | Marcia     | 14  | 1993 | 10          | UN             | NB   |
| 1711 | LeBlanc               | Valérie    | 18  | 2011 | 10          | CN             | QC   |
| 1712 | Leboeuf               | Louise     | 63  | 2012 | 19          | UN             | QC   |
| 1713 | Leckie                | Lisa       | 25  | 2009 | 10          | UN             | ON   |
| 1714 | Leclair               | Bernadette | 16  | 1987 | 31          | AB             | ON   |
| 1715 | Leclair <sup>62</sup> | Doreen     | 51  | 2000 | 14          | AB             | MB   |
| 1716 | Leclair               | Maryse     | *   | 1989 | 46          | UN             | QC   |
| 1717 | LeClair               | Nicole     | 65  | 2013 | 41          | UN             | NB   |
| 1718 | Leclair               | Paula      | 64  | 2010 | 17          | CN             | ON   |
| 1719 | Ledesma               | Cherry     | 45  | 2011 | 19          | UN             | AB   |
| 1720 | Leduc                 | Cécile     | 51  | 2009 | 46          | UN             | QC   |
| 1721 | Lee                   | Carolyn    | 12  | 1977 | 12          | UN             | BC   |
| 1722 | Lee                   | Roberta    | 38  | 1997 | 17          | UN             | MB   |
| 1723 | Lefebvre              | Martine    | *** | 1998 | 46          | UN             | QC   |
|      | Lefthand              |            |     |      |             |                |      |
| 1724 | Dixon                 | Delena     | 20  | 2008 | 10          | FN             | AB   |
| 1725 | Legault               | Geneviève  | *** | 1988 | 18          | UN             | QC   |
| 1726 | Leger                 | Annette    | 21  | 1987 | 10          | UN             | AB   |
| 1727 | Léger                 | Jeanne     | 16  | 2013 | 1           | CN             | QC   |
| 1728 | LeGrande              | Irene      | *** | 1976 | 10          | AB             | AB   |
| 1729 | Leiser                | Lucia      | *** | 2007 | 1           | SA             | BC   |
| 1730 | Lelina                | Myrna      | 39  | 1997 | 19          | UN             | ON   |
| 1731 | Lem                   | Veronica   | 19  | 2009 | 1           | AS             | BC   |
| 1732 | Lemay                 | Anne-Marie | *   | 1989 | 46          | UN             | QC   |
| 1733 | Lenders               | Justine    | 17  | 2007 | 1           | CN             | QC   |
| 1734 | Lenton                | Brandy     | 35  | 2010 | 46          | UN             | MB   |
| 1735 | Leo                   | Lisa       | *** | ***  | 10          | AB             | BC   |
| 1736 | Lepage                | Maude      | 29  | 2005 | 16          | UN             | QC   |

<sup>62</sup> LeClair was the sister of Corrine McKeown. The sisters were killed by LeClair's estranged husband at the same time in what was known as "the 9-1-1 murders."

| #    | Last Name     | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------|------------|-----|------|-------------|----------------|------|
| 1737 | Lepp          | Dawn       | 20  | 2000 | 16          | UN             | MB   |
| 1738 | LeQuia        | Albina     | **  | 1973 | 10          | UN             | BC   |
| 1739 | Leroux        | Yvonne     | 16  | 1972 | 10          | UN             | ON   |
| 1740 | Leroux        | Yvonne     | 58  | 2008 | 16          | CN             | ON   |
| 1741 | Leslie        | Loren      | 15  | 2010 | 19          | CN             | BC   |
| 1742 | Lesniewski    | ***        | *** | 1977 | 16          | UN             | ON   |
| 1743 | Lesniewski    | Lorinda    | 38  | ***  | 46          | UN             | ON   |
| 1744 | L'Esperance   | Lisa       | 39  | 2009 | 46          | UN             | QC   |
| 1745 | Lessardo      | Helen      | *** | ***  | 40          | UN             | BC   |
| 1746 | Letain        | Melissa    | 24  | 1987 | 10          | CN             | AB   |
| 1747 | Letandre      | Myrna      | 36  | 2006 | 10          | FN             | MB   |
| 1748 | Letendre      | Geraldine  | 30  | 2002 | 16          | FN             | AB   |
| 1749 | Letts-Beckett | Laura      | 50  | 2011 | 19          | CN             | BC   |
| 1750 | Levasseur     | Susan      | 28  | 2004 | 19          | AB             | MB   |
|      | Levasseur-    |            |     |      |             |                |      |
| 1751 | Pulice        | Evelyne    | 21  | 1977 | 1           | UN             | QC   |
| 1752 | Levesque      | Angie      | 17  | 1992 | 19          | UN             | MB   |
| 1753 | Lewandowski   | Edyta      | 32  | 2008 | 16          | UN             | ON   |
| 1754 | Lewis         | Amy        | 23  | 2012 | 8           | UN             | AB   |
| 1755 | Lewis         | Iona       | 46  | ***  | 46          | UN             | ON   |
| 1756 | Lewis         | Janice     | 40  | 2004 | 19          | UN             | ON   |
| 1757 | Lewis         | Karen      | 18  | 1994 | 10          | UN             | QC   |
| 1758 | Lewis         | Tammy      | 29  | 2009 | 16          | UN             | ON   |
| 1759 | Lewis         | Wendy      | *** | ***  | 40          | UN             | BC   |
| 1760 | L'Hirondelle  | Carmen     | 25  | 2003 | 17          | FN             | AB   |
| 1761 | Li            | Ping       | *** | 2009 | 13          | AS             | BC   |
| 1762 | Li            | Rong       | 41  | 2006 | 17          | AS             | BC   |
| 1763 | Liang         | Shao-Sang  | 38  | 2006 | 50          | UN             | ON   |
| 1764 | Lidguerre     | Mary       | 30  | 1995 | 10          | AB             | BC   |
| 1765 | Lien          | Kim        | 67  | 2009 | 13          | UN             | QC   |
| 1766 | Lillmeier     | Monika     | *** | ***  | 40          | AB             | BC   |
| 1767 | Lima          | Christina  | *** | 1997 | 4           | UN             | NL   |
| 1768 | Lima          | Fatima     | 59  | 2009 | 50          | UN             | ON   |
| 1769 | Lin           | Fang       | *** | 2011 | 2           | AS             | ON   |
| 1770 | Lin           | Yan        | 36  | 2009 | 16          | AS             | BC   |

| #    | Last Name   | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------|------------|-----|------|-------------|----------------|------|
| 1771 | Lin         | Zhu        | 35  | 2004 | 10          | AS             | ON   |
| 1772 | Lincoln     | Hope       | 2   | 2006 | 15          | AB             | BC   |
| 1773 | Lincoln     | Roberta    | *** | ***  | 10          | AB             | BC   |
| 1774 | Lindo       | Yvonne     | 57  | 2012 | 41          | UN             | ON   |
| 1775 | Linklater   | Agnes      | 16  | 2010 | 1           | AB             | MB   |
| 1776 | Liou        | Nancy      | 15  | 1999 | 1           | AS             | BC   |
| 1777 | Lipinski    | Helen      | 47  | 1987 | 1           | CN             | ON   |
| 1778 | Lisk        | Tawyna     | 16  | 2004 | 1           | AB             | BC   |
| 1779 | Litt        | Poonam     | 27  | 2009 | 19          | AS             | ON   |
| 1780 | Little      | Richard    | 28  | 1997 | 1           | AB             | BC   |
| 1781 | Littlechief | Verna      | 34  | 1978 | 2           | FN             | BC   |
| 1782 | Littlejohn  | Christina  | 27  | 1968 | 58          | FN             | MB   |
| 1783 | Liu         | Chiatsu    | 32  | 1990 | 16          | AS             | ON   |
| 1784 | Liu         | Georgina   | 22  | 1995 | 19          | AS             | ON   |
| 1785 | Liu         | Gua Huang  | 41  | 2012 | 19          | AS             | ON   |
| 1786 | Liu         | Li-Yuan    | 61  | 2010 | 10          | AS             | ON   |
| 1787 | Liu         | Qian       | 23  | 2011 | 19          | AS             | ON   |
| 1788 | Liu         | Xiaoyan    | 28  | 2000 | 56          | AS             | ON   |
| 1789 | Liu         | Yan Jun    | 35  | 2004 | 10          | AS             | ON   |
| 1790 | Livingstone | Kathleen   | 78  | 2011 | 14          | UN             | QC   |
| 1791 | Lloyd       | Beverley   | 66  | 2001 | 16          | UN             | ON   |
| 1792 | Lloyd       | Hazel      | 94  | 2012 | 10          | UN             | AB   |
| 1793 | Lloyd       | Jessica    | 27  | 2010 | 13          | CN             | ON   |
| 1794 | Lockyer     | Kimberly   | *** | 1993 | 12          | UN             | NL   |
| 1795 | Logan       | Brenda     | 26  | 1996 | 1           | AB             | BC   |
| 1796 | Lohen       | Maxine     | *** | ***  | 19          | UN             | ON   |
| 1797 | Loiselle    | Andrée     | 71  | 2011 | 46          | CN             | QC   |
| 1798 | Loiselle    | Linda      | 48  | 2011 | 19          | UN             | QC   |
| 1799 | Lonethunder | Shirley    | 25  | 1991 | 2           | FN             | SK   |
| 1800 | Longjohn    | Leslie     | 28  | 2006 | 19          | FN             | AB   |
| 1801 | Loon        | Barbara    | 34  | 2009 | 19          | FN             | ON   |
| 1802 | Lopez       | Patricia   | 23  | 1991 | 16          | UN             | ON   |
| 1803 | Lorynski    | Jadwiga    | 80  | 1996 | 10          | UN             | QC   |
| 1804 | Loski       | Clara      | 95  | 1995 | 13          | UN             | BC   |
| 1805 | Loughlin    | Nicola     | 36  | 2001 | 16          | UN             | ON   |

| #    | Last Name  | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|------------|-----|------|-------------|----------------|------|
| 1806 | Loughran   | Dannielle  | 32  | 2006 | 1           | UN             | AB   |
| 1807 | Louie      | Jane       | 9   | 2009 | 15          | AS             | AB   |
| 1808 | Low        | Layla      | *** | 2008 | 1           | CN             | BC   |
| 1809 | Lowen      | Yvonne     | 35  | 1979 | 10          | UN             | MB   |
| 1810 | Lowery     | Janice     | *** | 1996 | 19          | UN             | ON   |
| 1811 | Loyol      | Marissa    | 13  | 2002 | 19          | SA             | ON   |
| 1812 | Loyol      | Patricia   | 48  | 2002 | 19          | SA             | ON   |
| 1813 | Lu         | Guang      | 45  | 2012 | 19          | AS             | ON   |
| 1814 | Lu         | Xin        | 66  | 2013 | 19          | AS             | ON   |
| 1815 | Lucas      | Debra      | *** | ***  | 40          | UN             | BC   |
| 1816 | Lucas      | Kimber     | 25  | 1994 | 10          | FN             | NS   |
| 1817 | Lucas      | Valerie    | 23  | 1999 | 16          | UN             | ON   |
| 1818 | Ludgate    | Brenda     | 25  | 1996 | 13          | UN             | ON   |
| 1819 | Luft       | Bohumila   | *** | 2000 | 46          | UN             | ON   |
| 1820 | Luft       | Nicole     | 5   | 2000 | 46          | UN             | ON   |
| 1821 | Lulloff    | Kathy      | 15  | 1971 | 1           | CN             | ON   |
| 1822 | Lunt       | Marcie     | *   | 1975 | 10          | FN             | BC   |
| 1823 | Lupton     | Patricia   | 12  | 1959 | 10          | UN             | ON   |
| 1824 | Lussier    | Nadine     | 30  | 2004 | 1           | CN             | QC   |
| 1825 | Luuku      | Evie       | 39  | 1998 | 13          | IT             | QC   |
| 1826 | Lyall      | Sylvia     | 41  | 2004 | 16          | AB             | NU   |
| 1827 | Lynn       | Gladys     | 69  | 1976 | 10          | UN             | ON   |
| 1828 | Lynn       | Terry      | *** | ***  | 40          | UN             | BC   |
| 1829 | Lyons      | Jillian    | 45  | 2013 | 41          | UN             | BC   |
| 1830 | Lyons      | Verna      | *** | ***  | 10          | AB             | BC   |
| 1831 | Lytvynenko | Nataliia   | 36  | 2013 | 6           | CN             | QC   |
| 1832 | Ma         | Siu        | 55  | 2004 | 34          | UN             | BC   |
| 1833 | Maas       | Cynthia    | 35  | 2010 | 19          | AB             | BC   |
| 1834 | Maas       | Lisa       | 22  | 1988 | 2           | CN             | ON   |
| 1835 | Mac        | Xue        | 4   | 2007 | 15          | UN             | ON   |
| 1836 | Maca       | Lubica     | 44  | 2001 | 46          | UN             | ON   |
| 1837 | MacDiarmid | Maguire    | 40  | 2002 | 10          | AB             | ON   |
| 1838 | MacDonald  | Brenda     | 52  | 2004 | 46          | UN             | ON   |
| 1839 | MacDonald  | Cindy      | 29  | 2006 | 16          | UN             | ON   |
| 1840 | Macdonald  | Danah      | 16  | 2013 | 1           | CN             | QC   |

| #    | Last Name            | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|----------------------|------------|-----|------|-------------|----------------|------|
| 1841 | MacDonald            | Irene      | 36  | 1978 | 16          | CN             | BC   |
| 1842 | MacDonald            | Jean       | **  | 1999 | 18          | AB             | ON   |
| 1843 | MacDonald            | Joan       | *   | 1993 | 1           | UN             | QC   |
| 1844 | MacDonald            | Rhonda     | *** | ***  | 40          | UN             | BC   |
| 1845 | MacDonald            | Suzanne    | 32  | 2001 | 46          | UN             | ON   |
| 1846 | MacDonnell           | Maurean    | 36  | 2011 | 46          | CN             | PEI  |
| 1847 | MacDougall           | Mitzi      | 27  | 1998 | 19          | AB             | ON   |
| 1848 | MacFarlane           | Leanne     | 43  | 2010 | 10          | CN             | BC   |
| 1849 | Machiskinic          | Dorinda    | 38  | 2013 | 19          | FN             | SK   |
| 1850 | MacInnis             | Tamara     | 31  | 2001 | 19          | UN             | ON   |
| 1851 | Mack                 | Marjorie   | *** | ***  | 10          | AB             | BC   |
| 1852 | Mack                 | Viva       | 63  | 1993 | 10          | UN             | ON   |
| 1853 | Mack                 | Pheobe     | 28  | 2002 | 16          | AB             | BC   |
| 1854 | MacKenzie            | Joanne     | 23  | 2011 | 19          | UN             | ON   |
| 1855 | Mackie               | Lois       | *** | ***  | 10          | AB             | NL   |
| 1856 | Mackie               | Zabrina    | 39  | 2005 | 1           | CN             | AB   |
| 1857 | MacKinaw             | Chassidy   | 2   | 2002 | 15          | UN             | BC   |
| 1858 | MacLean              | Barbara    | *** | 1977 | 10          | UN             | AB   |
| 1859 | MacMillen            | Colleen    | 16  | 1974 | 58          | UN             | BC   |
| 1860 | MacNeill             | Darlene    | *** | 1997 | 43          | UN             | ON   |
| 1861 | MacNeill             | Seraphina  | 4   | 2004 | 46          | UN             | BC   |
| 1862 | MacQuarrie           | Rachel     | 32  | 1997 | 10          | CN             | ON   |
| 1863 | MacVicar             | Kathleen   | 19  | 2001 | 10          | UN             | ON   |
| 1864 | Madsen               | Lexi       | 26  | 2005 | 10          | UN             | BC   |
| 1865 | Maghagak             | Rhoda      | 49  | 2004 | 12          | IT             | NU   |
| 1866 | Magnuson             | Colleen    | 63  | 2011 | 19          | UN             | AB   |
| 1867 | Magomadova           | Aminat     | 14  | 2007 | 19          | CN             | AB   |
| 1868 | Mah                  | Laura      | 42  | 1985 | 2           | AB             | BC   |
| 1869 | Mahabir-<br>Chaitram | Petty      | 43  | 2011 | 46          | BL             | ON   |
| 1870 | Mahaffy              | Leslie     | 14  | 1991 | 13          | CN             | ON   |
| 1871 | Mahingen             | Leanne     | 38  | 2010 | 14          | UN             | AB   |
| 1872 | Mahseelah            | Margaret   | 27  | 1963 | 19          | FN             | BC   |
| 1873 | Mailly               | Francine   | 37  | 2006 | 46          | UN             | ON   |
| 1874 | Mailly               | Jessica    | 12  | 2006 | 46          | UN             | ON   |

| #    | Last Name                     | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------------------------|------------|-----|------|-------------|----------------|------|
| 1875 | Makie                         | Lois       | *** | ***  | 40          | UN             | BC   |
| 1876 | Makinen                       | Airi       | 46  | 1992 | 16          | UN             | ON   |
| 1877 | Maksagak                      | Rhoda      | 49  | 2004 | 10          | IT             | NU   |
| 1878 | Malcolm                       | Sandi      | 17  | 2010 | 16          | FN             | MB   |
| 1879 | Malejan                       | Isabelita  | 56  | 2006 | 10          | SA             | ON   |
| 1880 | Malikim                       | Kishwar    | *** | 1990 | 50          | UN             | ON   |
| 1881 | Malkovich                     | Nada       | *** | 1993 | 16          | UN             | ON   |
| 1882 | Mallett                       | Heather    | 14  | 2011 | 10          | UN             | MB   |
| 1883 | Mancheese                     | Meagen     | 16  | 2012 | 19          | CN             | MB   |
| 1884 | Mancuso                       | Carrie     | *** | 1995 | 10          | UN             | ON   |
| 1885 | Manek                         | Metro      | *** | 1948 | 16          | UN             | MB   |
| 1886 | Maniwa-<br>Wood <sup>63</sup> | Manami     | 7   | 2004 | 4           | AS             | BC   |
| 1887 | Mann                          | Carrie     | *** | 1993 | 12          | UN             | ON   |
| 1888 | Mann                          | Muriel     | 50  | 1984 | 10          | UN             | NL   |
| 1889 | Manuel                        | Eva        | 30  | 1996 | 14          | SA             | MB   |
| 1890 | Manzano                       | Chona      | 35  | 2013 | 19          | UN             | AB   |
| 1891 | Mapstone                      | Dale       | 29  | 2006 | 16          | UN             | ON   |
| 1892 | Marceau                       | Mylène     | *** | 1993 | 18          | UN             | QC   |
| 1893 | Mariani                       | Linda      | 40  | 2002 | 16          | UN             | ON   |
| 1894 | Marie                         | Cardinal   | *** | 1953 | 16          | AB             | NT   |
| 1895 | Marquis                       | Karen      | 29  | 1991 | 58          | UN             | NB   |
| 1896 | Marsden                       | Tania      | 18  | 1998 | 10          | FN             | MB   |
| 1897 | Marsh                         | Yvonne     | 37  | 2006 | 16          | UN             | ON   |
| 1898 | Marshall                      | Diane      | 43  | 2006 | 40          | AB             | ON   |
| 1899 | Marshall                      | Jan        | 40  | 1996 | 16          | UN             | ON   |
| 1900 | Marshall                      | Nadine     | 48  | 2012 | 41          | UN             | BC   |
| 1901 | Martel                        | Lucille    | 43  | 2010 | 46          | UN             | QC   |
| 1902 | Martin                        | Charlene   | 52  | 2008 | 41          | UN             | ON   |
| 1903 | Martin                        | Delilah    | *** | ***  | 10          | AB             | BC   |
| 1904 | Martin                        | Dorothy    | **  | 1996 | 16          | AB             | MB   |
| 1905 | Martin                        | Helen      | 30  | ***  | 46          | UN             | ON   |

<sup>63</sup> Maniwa-Wood and her brother, Alexander, were abducted together.



| #    | Last Name           | First Name | Age | Year | Status | Ethnicity | Prov |
|------|---------------------|------------|-----|------|--------|-----------|------|
| 1906 | Martin              | Kristal    | 32  | 1999 | 17     | FN        | BC   |
| 1907 | Martin              | Mélina     | 13  | 2005 | 1      | CN        | QC   |
| 1908 | Martin              | Sara       | 22  | 2007 | 19     | CN        | ON   |
| 1909 | Martin              | Sherry     | 52  | 2009 | 16     | UN        | ON   |
| 1910 | Martin-Travers      | Alissa     | 5   | 2008 | 17     | AB        | ON   |
| 1911 | Masee               | Lisa       | 39  | 1994 | 2      | AS        | BC   |
| 1912 | Mashiskinic         | Ashley     | 22  | 2010 | 41     | UN        | BC   |
| 1913 | Masik               | Anne       | *** | 1983 | 19     | UN        | MB   |
| 1914 | Mason               | Anna       | 23  | 1992 | 10     | UN        | NS   |
| 1915 | Mason               | Fallon     | 23  | 2006 | 16     | UN        | ON   |
| 1916 | Mason               | Mavis      | 29  | 1990 | 10     | AB        | AB   |
| 1917 | Mason <sup>64</sup> | Sarah      | 44  | 1997 | 10     | AB        | ON   |
| 1918 | Massicotte          | Lyne       | 43  | 2003 | 16     | CN        | QC   |
| 1919 | Masson              | Ann        | *   | 1986 | 10     | UN        | NS   |
| 1920 | Masters             | Edna       | 1   | 1960 | 1      | CN        | BC   |
| 1921 | Matesic             | Maryanne   | 47  | 1995 | 19     | UN        | ON   |
| 1922 | Mathews             | Sonia      | *** | ***  | 40     | UN        | BC   |
| 1923 | Mathieu-Read        | Shelly     | 45  | 2007 | 16     | CI        | ON   |
| 1924 | Matinat             | Adele      | 22  | 2004 | 16     | AB        | ON   |
| 1925 | Mattar              | Monique    | 30  | 2009 | 1      | UN        | AB   |
| 1926 | Matthews            | Chloe      | 11  | 2011 | 19     | FN        | ON   |
| 1927 | Matthewson          | Liana      | 44  | 2008 | 19     | AB        | ON   |
| 1928 | Mattinson           | Joyce      | 68  | 2001 | 19     | UN        | ON   |
| 1929 | Mattison            | Nicole     | 52  | 1991 | 16     | UN        | ON   |
| 1930 | Matwij              | Emelia     | 0   | 2007 | 15     | UN        | AB   |
| 1931 | Maunder             | Tracy      | 26  | 1992 | 10     | UN        | AB   |
| 1932 | Maw                 | Maw        | 28  | 2010 | 10     | AS        | SK   |
| 1933 | Max                 | Dazi       | **  | 2006 | 1      | UN        | AB   |
| 1934 | Maxheleau           | Louise     | 60  | 2005 | 50     | CN        | ON   |
| 1935 | Maxheleau           | Michelle   | 25  | 2005 | 50     | CN        | ON   |
| 1936 | Maxwell             | Janie      | 33  | 1995 | 16     | UN        | ON   |

<sup>64</sup> Mason was the sister of Edith McGinnis Quagon, murdered in separate incidents.

| #    | Last Name                 | First Name | Age | Year | Status | Ethnicity | Prov |
|------|---------------------------|------------|-----|------|--------|-----------|------|
| 1937 | May                       | Arlene     | 39  | 1996 | 46     | UN        | ON   |
| 1938 | May                       | Genoia     | 3   | 1985 | 13     | CN        | BC   |
| 1939 | May                       | Maureen    | *** | 1991 | 10     | UN        | BC   |
| 1940 | Mayo                      | Victoria   | 32  | 1964 | 58     | UN        | ON   |
| 1941 | Mbele                     | Thozamile  | *** | 1991 | 56     | UN        | ON   |
| 1942 | McAllister                | Jacqueline | 62  | 1991 | 10     | UN        | ON   |
| 1943 | McAlpine                  | Henny Ann  | 48  | 2004 | 46     | UN        | ON   |
| 1944 | McAndrew                  | Kimberly   | 19  | 1989 | 2      | CN        | NS   |
| 1945 | McBryan                   | Ann        | 60  | 1978 | 10     | UN        | BC   |
| 1946 | McCabe                    | Carmel     | *** | ***  | 18     | UN        | BC   |
| 1947 | McCafferty                | Sharon     | 32  | 1982 | 10     | UN        | ON   |
| 1948 | McCall                    | Mary       | 33  | 1981 | 10     | UN        | BC   |
| 1949 | McCall                    | Zaria      | 0   | 2011 | 15     | UN        | AB   |
| 1950 | McCallum                  | Madeline   | 47  | 2000 | 16     | UN        | SK   |
| 1951 | McCann                    | Dominique  | 19  | 2011 | 19     | UN        | MB   |
| 1952 | McCann                    | Marie      | 77  | 2010 | 8      | CN        | AB   |
| 1953 | McCarthy                  | Eileen     | 23  | 1971 | 1      | UN        | AB   |
| 1954 | McCauley                  | Amy        | *** | ***  | 40     | UN        | BC   |
| 1955 | McCay                     | Belinda    | 38  | 2012 | 10     | FN        | MB   |
| 1956 | McClean                   | Christine  | 27  | 1998 | 10     | CN        | NS   |
| 1957 | McClements                | Diane      | 61  | 2012 | 19     | UN        | AB   |
| 1958 | McClenaghan <sup>65</sup> | Catherine  | 48  | 2001 | 11     | UN        | NL   |
| 1959 | McCormack                 | Carol      | 43  | ***  | 19     | UN        | ON   |
| 1960 | McCrae                    | Christine  | *** | ***  | 40     | UN        | BC   |
| 1961 | McCullough                | Martha     | 7   | 1952 | 50     | UN        | MB   |
| 1962 | McDonald                  | Colleen    | 19  | 1999 | 19     | AB        | MB   |
| 1963 | McDonald                  | Jocelyn    | 16  | 2000 | 12     | AB        | ON   |
| 1964 | McDonald                  | Margaret   | 80  | 1994 | 10     | UN        | ON   |

<sup>65</sup> McClenaghan is the daughter of murder victims Bill and Mildred Simpson, killed the year before, in 2000. The same suspect has been identified in both cases but he was acquitted in her murder and charges were stayed for the Simpson's murders.

| #    | Last Name  | First Name    | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|---------------|-----|------|-------------|----------------|------|
| 1965 | McDonell   | Jacqueline    | **  | 1999 | 21          | CN             | BC   |
| 1966 | McDougall  | Justina       | 47  | 2010 | 19          | UN             | MB   |
| 1967 | McDowell   | Marion        | 17  | 1953 | 1           | CN             | ON   |
| 1968 | McFarland  | Amber         | 24  | 2008 | 2           | CN             | MB   |
| 1969 | McGillion  | Michelle      | 43  | 1997 | 1           | CN             | AB   |
| 1970 | McGroarty  | Rose          | 46  | 2005 | 16          | UN             | ON   |
| 1971 | McGuigan   | Daphene       | 61  | 1992 | 19          | UN             | ON   |
| 1972 | McGuire    | Jamie         | 20  | 1994 | 10          | FN             | MB   |
| 1973 | McInnes    | Brittany      | 17  | 2010 | 15          | CN             | AB   |
| 1974 | McIvor     | Roberta       | 32  | 2011 | 13          | FN             | SK   |
| 1975 | McKay      | Chloey        | 13  | 2013 | 1           | AB             | MB   |
| 1976 | McKay      | Honey         | 21  | 2003 | 16          | FN             | MB   |
| 1977 | McKay      | Kayla         | 13  | 2004 | 17          | AB             | BC   |
| 1978 | McKay      | Madison       | 22  | 2013 | 19          | UN             | MB   |
| 1979 | McKay      | Monica        | 18  | 2000 | 16          | AB             | BC   |
| 1980 | McKeown    | Corrine       | **  | 2000 | 16          | AB             | MB   |
| 1981 | McKinney   | Deanne        | 25  | 2013 | 1           | AB             | MB   |
| 1982 | McKinnon   | Brett         | 21  | 2006 | 19          | CN             | NS   |
| 1983 | McKnight   | Janet         | 52  | 1994 | 16          | UN             | ON   |
| 1984 | McLaren    | Lisa          | 24  | 1993 | 13          | UN             | BC   |
| 1985 | McLaughlin | Katherine     | 33  | 1979 | 10          | UN             | ON   |
| 1986 | McLaughlin | Lois          | 22  | 1957 | 10          | UN             | ON   |
| 1987 | McLaughlin | Sherri        | **  | 1993 | 2           | CN             | AB   |
| 1988 | McLean     | Arlene        | 27  | 1999 | 2           | CN             | NS   |
| 1989 | McLean     | Christine     | 27  | 1998 | 10          | UN             | NS   |
| 1990 | McLean     | Faye          | 25  | 1968 | 10          | UN             | ON   |
| 1991 | McLean     | Kimberley-Ann | 9   | 1966 | 2           | CN             | MB   |
| 1992 | McLean     | Leanne        | 23  | 2012 | 19          | FN             | MB   |
| 1993 | McMaster   | Jean          | *** | 1992 | 10          | AB             | AB   |
| 1994 | McMath     | Debbie        | *** | ***  | 40          | UN             | BC   |
| 1995 | McMath     | Janice        | 64  | 2008 | 19          | UN             | BC   |
| 1996 | McMillan   | Mavis         | *** | ***  | 40          | UN             | BC   |
| 1997 | McMillan   | Nadine        | *** | ***  | 40          | UN             | BC   |
| 1998 | McNab      | Lorraine      | 45  | 1997 | 10          | UN             | AB   |

| #    | Last Name     | First Name    | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------|---------------|-----|------|-------------|----------------|------|
| 1999 | McNeil        | Senny-Rea     | 15  | 2005 | 1           | UN             | BC   |
| 2000 | McNicol       | Stella        | 40  | 1996 | 19          | UN             | ON   |
| 2001 | McPherson     | Frances       | 60  | 1991 | 58          | UN             | ON   |
| 2002 | McPherson     | Jennifer      | 41  | 2013 | 19          | CN             | BC   |
| 2003 | McVicker      | Gail          | 71  | 2005 | 18          | UN             | AB   |
| 2004 | McWilliam     | Margaret      | 21  | 1987 | 10          | UN             | ON   |
| 2005 | Mechko        | Valentina     | 57  | 1997 | 16          | UN             | ON   |
| 2006 | Medeiros      | Lucia         | 32  | 2008 | 16          | UN             | QC   |
| 2007 | Medwayosh     | Mary Anne     | 23  | 1981 | 17          | AB             | BC   |
| 2008 | Medzech       | Antonie       | 67  | 2002 | 1           | CN             | SK   |
| 2009 | Meere         | LaMura        | 75  | 2000 | 75          | UN             | ON   |
| 2010 | Meersman      | Marilyn       | 28  | 1980 | 10          | UN             | BC   |
| 2011 | Meguinis      | Talia         | 27  | 2012 | 19          | FN             | AB   |
| 2012 | Meise         | Andria        | 34  | 2008 | 1           | AB             | BC   |
| 2013 | Melanson      | Therese       | 32  | 1997 | 10          | UN             | ON   |
| 2014 | Mellor        | Jenna         | 1   | 1997 | 17          | CN             | ON   |
| 2015 | Melnick       | Diana         | 20  | 1995 | 21          | CN             | BC   |
| 2016 | Melvin        | Bertha        | 46  | 2003 | 1           | UN             | AB   |
| 2017 | Melvin        | Viola         | 65  | 1977 | 18          | AB             | ON   |
| 2018 | Ménard        | Sylvie        | 37  | 2004 | 1           | CN             | QC   |
| 2019 | Mendez        | Alfaro        | 34  | 2009 | 10          | UN             | ON   |
| 2020 | Mendez        | Evelyn        | 34  | 2009 | 10          | UN             | ON   |
| 2021 | Meneano       | Deborah       | *** | ***  | 19          | UN             | ON   |
| 2022 | Menendez      | Paula         | 34  | 2007 | 17          | UN             | ON   |
| 2023 | Merasty       | Josephine     | 17  | 2013 | 1           | AB             | MB   |
| 2024 | Merasty       | Rose          | *** | ***  | 10          | AB             | BC   |
| 2025 | Merasty       | Sharon        | 18  | 1993 | 41          | AB             | SK   |
| 2026 | Mercer        | Cherissa-Lynn | 14  | 2001 | 1           | AB             | BC   |
| 2027 | Mercer        | Michelle      | **  | 2006 | 1           | UN             | AB   |
| 2028 | Mercredi      | Janelle       | 20  | ***  | 19          | UN             | AB   |
| 2029 | Merle         | Priscilla     | 21  | 1972 | 10          | UN             | ON   |
| 2030 | Merrick-Klyne | Paige         | 1   | 2005 | 46          | AB             | MB   |
| 2031 | Mervyn        | May           | 56  | 1975 | 10          | UN             | BC   |
| 2032 | Mey           | Yorn          | 49  | 2005 | 50          | UN             | ON   |

| #    | Last Name   | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------|------------|-----|------|-------------|----------------|------|
| 2033 | Meyer       | Ellie      | 33  | 2005 | 13          | UN             | AB   |
| 2034 | Michael     | Helen      | 46  | 1997 | 46          | UN             | ON   |
| 2035 | Michael     | Kathy      | *** | 2013 | 19          | UN             | NU   |
| 2036 | Michaud     | Nancy      | 37  | 2008 | 12          | UN             | QC   |
| 2037 | Michaud     | Rita       | 70  | 2010 | 46          | UN             | NB   |
| 2038 | Michayluk   | Joanne     | 15  | 1974 | 16          | UN             | SK   |
| 2039 | Michel      | Tammikah   | 0   | 1997 | 19          | UN             | QC   |
| 2040 | Middleton   | Joyce      | *** | 1997 | 18          | UN             | ON   |
| 2041 | Middleton   | Julienne   | 23  | 1994 | 43          | UN             | ON   |
| 2042 | Mihaljevic  | Helena     | *** | 2006 | 41          | UN             | AB   |
| 2043 | Mike        | Marie      | 22  | 1964 | 1           | AB             | SK   |
| 2044 | Mikszan     | Olimpia    | 18  | 1996 | 1           | CN             | BC   |
| 2045 | Miles       | Tatum      | 19  | 2012 | 19          | UN             | MB   |
| 2046 | Millek      | Henrietta  | 25  | 1982 | 2           | IT             | NL   |
| 2047 | Miller      | Gail       | 20  | 1969 | 48          | UN             | SK   |
| 2048 | Miller      | Heather    | 29  | 1992 | 1           | CN             | AB   |
| 2049 | Miller      | Linda      | 48  | 2001 | 46          | UN             | ON   |
| 2050 | Miller      | Livette    | 26  | 2005 | 10          | UN             | ON   |
| 2051 | Miller      | Susan      | 46  | 2009 | 50          | UN             | BC   |
| 2052 | Miller      | Suzanne    | 26  | 1974 | 10          | UN             | ON   |
| 2053 | Mills       | Barb       | *** | ***  | 40          | UN             | BC   |
| 2054 | Mills       | Kandice    | *** | ***  | 40          | UN             | BC   |
| 2055 | Milosevic   | Veilka     | 43  | 1990 | 50          | UN             | ON   |
| 2056 | Miner       | Leah       | 35  | 1993 | 1           | CN             | BC   |
| 2057 | Mink        | Victoria   | 43  | 2011 | 19          | FN             | MB   |
| 2058 | Mink        | Maggie     | 28  | 1987 | 1           | AB             | BC   |
| 2059 | Minor       | Marianne   | 23  | 1984 | 1           | CN             | ON   |
| 2060 | Misra       | Anupma     | 42  | 2011 | 46          | UN             | ON   |
| 2061 | Missar      | Verna      | *** | ***  | 40          | UN             | BC   |
| 2062 | Mitchell    | Eva        | 83  | 2004 | 1           | MS             | BC   |
| 2063 | Mitchell    | Joanne     | 60  | 2011 | 19          | UN             | ON   |
| 2064 | Mitchell    | Sabina     | 18  | 1994 | 10          | UN             | QC   |
| 2065 | Mkurazhizha | Nyumwai    | 23  | 2013 | 19          | BL             | ON   |

| #    | Last Name              | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------------------|------------|-----|------|-------------|----------------|------|
| 2066 | Moar <sup>66</sup>     | Elaine     | 32  | 2004 | 1           | AB             | MB   |
| 2067 | Moar                   | Hailey     | 1   | 2004 | 1           | AB             | MB   |
| 2068 | Moccasin               | Jean       | *** | 1961 | 11          | AB             | SK   |
| 2069 | Mocharski              | Jean       | 43  | 1961 | 10          | FN             | MB   |
| 2070 | Moen                   | Ashton     | 17  | 2006 | 17          | CN             | AB   |
| 2071 | Moerike                | Jennifer   | *** | ***  | 40          | UN             | BC   |
| 2072 | Moggy                  | Heather    | 17  | 2003 | 1           | CN             | ON   |
| 2073 | Mohamed                | Sharon     | 14  | ***  | 19          | UN             | ON   |
| 2074 | Mohammad <sup>67</sup> | Rona Amir  | 50  | 2009 | 16          | ME             | ON   |
| 2075 | Mohammed               | Neena      | 10  | 2006 | 10          | UN             | BC   |
| 2076 | Mohammed               | Joan       | *** | **   | 18          | UN             | ON   |
| 2077 | Mohanned               | Joanne     | *** | 1994 | 46          | UN             | ON   |
| 2078 | Moloi-<br>Straightnose | Paige      | 18  | 2010 | 19          | UN             | MB   |
| 2079 | Mombourquett<br>e      | Kelly      | 14  | 1987 | 43          | UN             | ON   |
| 2080 | Monast                 | Helene     | 18  | 1977 | 10          | CN             | QC   |
| 2081 | Monk                   | Murial     | 47  | 2012 | 10          | UN             | BC   |
| 2082 | Monroe                 | Mary Anne  | *** | ***  | 40          | UN             | BC   |
| 2083 | Montans                | Graciela   | 42  | ***  | 19          | UN             | ON   |
| 2084 | Montgomery             | Natasha    | 23  | 2010 | 8           | AB             | BC   |
| 2085 | Montgrand              | Myrna      | 14  | 1979 | 1           | AB             | SK   |
| 2086 | Monzon                 | Maria      | 31  | 2005 | 10          | UN             | BC   |
| 2087 | Moody                  | Gloria     | *** | 1969 | 58          | AB             | BC   |
| 2088 | Moore                  | Marilyn    | 34  | 1985 | 1           | CN             | BC   |
| 2089 | Moosomin               | Corrine    | 25  | 1986 | 1           | FN             | SK   |
| 2090 | Moosomin               | Lisa       | *** | ***  | 10          | AB             | BC   |
| 2091 | Morales                | Malena     | 31  | 2006 | 54          | UN             | ON   |
| 2092 | Morden                 | Gloria     | 54  | 1996 | 46          | UN             | ON   |
| 2093 | Mordue                 | Lois       | 59  | 2005 | 16          | UN             | ON   |

<sup>66</sup> Moar is the mother of Hailey Moar; the two disappeared together.

<sup>67</sup> Mohammad was killed in 2009 along with her husband's three daughters, Zainab, Sahari and Geeti Safia.

| #    | Last Name               | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------------------|------------|-----|------|-------------|----------------|------|
| 2094 | More                    | Marjorie   | *** | 1962 | 16          | UN             | MB   |
| 2095 | Moreau                  | Solange    | 64  | 2011 | 46          | UN             | NB   |
| 2096 | Moreside                | Brenda     | **  | 2005 | 11          | MS             | AB   |
| 2097 | Moreside                | Marilyn    | 34  | 1986 | 1           | CN             | BC   |
| 2098 | Morgan                  | Alva       | *** | ***  | 18          | UN             | ON   |
| 2099 | Morgan                  | Shelley    | 35  | 1996 | 19          | UN             | ON   |
| 2100 | Morin                   | Daylin     | 12  | 2008 | 1           | UN             | SK   |
| 2101 | Morin                   | Ginette    | 70  | 2012 | 50          | UN             | QC   |
| 2102 | Morin                   | Lana       | *** | ***  | 40          | UN             | BC   |
| 2103 | Morin                   | Lucille    | 69  | 1991 | 10          | CN             | QC   |
| 2104 | Morin                   | Nicole     | 8   | 1985 | 4           | CN             | ON   |
| 2105 | Morin                   | Savanah    | 20  | 2012 | 19          | AB             | AB   |
| 2106 | Morningstar<br>Keenan   | Sharin'    | 9   | 1983 | 56          | UN             | ON   |
| 2107 | Morrey                  | Kristy     | 28  | 2006 | 10          | UN             | BC   |
| 2108 | Morris                  | Charmaine  | 52  | 2005 | 19          | UN             | BC   |
| 2109 | Morris                  | Donna      | *** | ***  | 46          | UN             | ON   |
| 2110 | Morriseau <sup>68</sup> | Kelly      | 27  | 2006 | 10          | FN             | ON   |
| 2111 | Morriseau               | Glenda     | 19  | 1991 | 10          | AB             | MB   |
| 2112 | Morrison                | Gale       | 29  | 1993 | 13          | FN             | BC   |
| 2113 | Morrison                | Muriel     | 49  | ***  | 46          | UN             | ON   |
| 2114 | Morrison                | Tiffany    | **  | 2006 | 10          | FN             | QC   |
| 2115 | Morrisette              | Shannon    | 5   | 1992 | 13          | UN             | AB   |
| 2116 | Morton                  | Mae        | 17  | 1973 | 10          | FN             | ON   |
| 2117 | Moses                   | Alacie     | 20  | 2004 | 16          | IT             | NU   |
| 2118 | Mosie                   | Maureen    | 33  | 1981 | 10          | AB             | BC   |
| 2119 | Mott                    | Gloria     | 26  | 1982 | 10          | UN             | BC   |
| 2120 | Mourao                  | Erlina     | 57  | ***  | 16          | UN             | ON   |
| 2121 | Mowat                   | Chrissy    | 15  | 1989 | 17          | UN             | AB   |
| 2122 | Moyer                   | Katherine  | 30  | ***  | 19          | UN             | ON   |
| 2123 | Mueller                 | Kathy      | 66  | 2011 | 46          | UN             | BC   |
| 2124 | Mullarkey               | Lynn       | 31  | 2001 | 1           | UN             | ON   |

<sup>68</sup> Morriseau is the niece of Glenda Morrisseau.

| #    | Last Name  | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|------------|-----|------|-------------|----------------|------|
| 2125 | Munch      | Melissa    | 20  | 2003 | 10          | UN             | AB   |
| 2126 | Munni      | Shainaj    | 31  | 2001 | 19          | UN             | ON   |
| 2127 | Munroe     | Audrianna  | 22  | 2007 | 1           | AB             | BC   |
| 2128 | Munroe     | Joann      | 45  | ***  | 19          | UN             | ON   |
| 2129 | Munroe     | Marilyn    | 14  | 2009 | 19          | FN             | MB   |
| 2130 | Murdock    | Irma       | 38  | 2000 | 2           | AB             | MB   |
| 2131 | Murdock    | Jacqueline | 28  | 1997 | 22          | AB             | BC   |
| 2132 | Murray     | Laura      | 30  | 1992 | 1           | CN             | AB   |
| 2133 | Murray     | Mistie     | **  | 1995 | 2           | CN             | QC   |
| 2134 | Murrell    | Tania      | **  | 1983 | 5           | CN             | AB   |
| 2135 | Musca      | Elena      | 50  | 1999 | 16          | UN             | ON   |
| 2136 | Musekamp   | Susan      | 17  | 1975 | 10          | UN             | BC   |
| 2137 | Muzylouski | Iris       | 18  | 1990 | 46          | UN             | MB   |
| 2138 | Myers      | Kelly      | *** | ***  | 40          | UN             | BC   |
| 2139 | Myra       | Jean       | 31  | 1990 | 10          | AB             | NS   |
| 2140 | Mysyk      | Zenovia    | 42  | ***  | 19          | UN             | ON   |
| 2141 | Nabors     | Karen      | 48  | 2013 | 41          | UN             | BC   |
| 2142 | Nadon      | Lucie      | 42  | 2001 | 1           | CN             | QC   |
| 2143 | Naglingniq | Jennifer   | 13  | 2002 | 12          | AB             | NU   |
| 2144 | Naistus    | Jarita     | 20  | 2005 | 11          | FN             | AB   |
| 2145 | Napoleon   | Adina      | 49  | 2012 | 46          | UN             | BC   |
| 2146 | Napope     | Shelley    | 16  | 1992 | 28          | FN             | SK   |
| 2147 | Napper     | Audrey     | 61  | 2009 | 50          | UN             | ON   |
| 2148 | Nashacappo | Victoria   | **  | 2002 | 13          | FN             | SK   |
| 2149 | Natar      | Susan      | *** | 2003 | 16          | AB             | NU   |
| 2150 | Natomagan  | Maggie     | 74  | 1976 | 1           | FN             | SK   |
| 2151 | Navarro    | Glennie    | 46  | 1994 | 14          | BL             | ON   |
| 2152 | Naw        | Deena      | 31  | 2001 | 16          | UN             | ON   |
| 2153 | Neabel     | Elizabeth  | 76  | 1961 | 19          | UN             | MB   |
| 2154 | Neaslose   | Debbie     | *** | ***  | 10          | AB             | BC   |
| 2155 | Neely      | Marilyn    | 33  | 1983 | 6           | CN             | ON   |
| 2156 | Neff       | Karina     | 31  | 2008 | 16          | UN             | ON   |
| 2157 | Negasi     | Selamawit  | 46  | 2009 | 16          | BL             | AB   |
| 2158 | Neifer     | Sheena     | 29  | 2013 | 46          | UN             | BC   |
| 2159 | Neill      | Marilynne  | 30  | 2003 | 2           | CN             | BC   |

| #    | Last Name    | First Name | Age | Year  | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------|------------|-----|-------|-------------|----------------|------|
| 2160 | Neilson      | Jessica    | 25  | 2008  | 10          | CN             | QC   |
| 2161 | Nelligan     | Jessica    | 33  | 2012  | 1           | CN             | BC   |
| 2162 | Nelson       | Cheryl     | 20  | 1991  | 10          | UN             | ON   |
| 2163 | Nelson       | Heather    | 19  | 1982  | 10          | AB             | BC   |
| 2164 | Nelson       | Janis      | 43  | 1995  | 16          | UN             | ON   |
| 2165 | Nelson       | Jennifer   | 25  | 2008  | 10          | UN             | QC   |
| 2166 | Nelson       | Linda      | *** | ***   | 40          | UN             | BC   |
| 2167 | Nemet        | Tunde      | 46  | 2011  | 16          | CN             | ON   |
| 2168 | Nepinak      | Tanya      | 31  | 2011  | 8           | AB             | MB   |
| 2169 | Nessa        | Meherun    | 35  | 2006  | 16          | UN             | ON   |
| 2170 | Nestegard    | Leah       | 14  | 2004  | 1           | CN             | BC   |
| 2171 | Netemegeisic | Alice      | *** | 1970s | 10          | FN             | ON   |
| 2172 | Nethery      | Jessica    | 21  | 2002  | 16          | UN             | ON   |
| 2173 | Neville      | Ashley     | 27  | 2013  | 10          | UN             | BC   |
| 2174 | Neville      | Theresa    | *** | 2013  | 10          | UN             | BC   |
| 2175 | Newfield     | Melody     | 33  | 1995  | 19          | UN             | BC   |
| 2176 | Newland      | Marcieline | 22  | 2013  | 19          | UN             | ON   |
| 2177 | Newman       | Chrissy    | 28  | 2007  | 11          | CN             | NL   |
| 2178 | Newman       | Lori       | *** | ***   | 40          | UN             | BC   |
| 2179 | Newman       | Monique    | 26  | 1989  | 46          | UN             | MB   |
| 2180 | Newman       | Katherine  | 43  | 2012  | 58          | UN             | ON   |
| 2181 | Newton       | Margaret   | 37  | 2003  | 1           | UN             | BC   |
| 2182 | Ngoc Ha      | Oahn       | 19  | 1977  | 10          | UN             | BC   |
| 2183 | Nguyen       | Dung       | 30  | 1992  | 12          | UN             | ON   |
| 2184 | Nichol       | Tracy      | 45  | 2013  | 59          | UN             | BC   |
| 2185 | Nicholas     | Lillian    | 82  | 2011  | 19          | UN             | SK   |
| 2186 | Nicholls     | Lindsey    | **  | 1993  | 1           | CN             | BC   |
| 2187 | Nicholson    | Melissa    | 17  | 1991  | 10          | AB             | BC   |
| 2188 | Nicholson    | Jean       | 47  | 2002  | 16          | UN             | ON   |
| 2189 | Nicholson    | Maureen    | 39  | 2003  | 46          | UN             | ON   |
| 2190 | Nickerson    | Sarah      | 53  | 2012  | 50          | UN             | BC   |
| 2191 | Nicolak      | Danusia    | 68  | 1996  | 18          | UN             | ON   |
| 2192 | Nijjar       | Kiranjit   | 17  | 2011  | 46          | UN             | ON   |

| #    | Last Name           | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------------|------------|-----|------|-------------|----------------|------|
| 2193 | Nikal <sup>69</sup> | Cecilia    | 15  | 1989 | 1           | FN             | BC   |
| 2194 | Nikal               | Delphine   | **  | 1990 | 1           | FN             | BC   |
| 2195 | Noble               | Alexandra  | 25  | 2012 | 19          | UN             | AB   |
| 2196 | Noble               | Katelyn    | **  | 2007 | 1           | CN             | AB   |
| 2197 | Nonato              | Renelle    | 28  | 2012 | 46          | LO             | MB   |
| 2198 | Norcia              | Christine  | 22  | 1999 | 16          | UN             | ON   |
| 2199 | Norn                | Dorothy    | *** | 1951 | 13          | FN             | NT   |
| 2200 | Norn                | Mary       | 10  | 1951 | 13          | FN             | NT   |
| 2201 | Noskey              | Jessica    | 25  | 2001 | 19          | FN             | AB   |
| 2202 | Noskey              | Madeline   | *** | ***  | 10          | FN             | AB   |
| 2203 | Novak               | Dawn       | 20  | 2006 | 16          | CN             | ON   |
| 2204 | Novak               | Natalie    | 20  | 2006 | 16          | UN             | ON   |
| 2205 | Nuon                | Lily       | 21  | 2001 | 41          | AS             | BC   |
| 2206 | Nusca               | Elena      | 50  | 1999 | 19          | UN             | ON   |
| 2207 | Nzokilandevi        | Maria      | 53  | 2009 | 16          | UN             | ON   |
| 2208 | O'Dare              | Lillian    | 34  | 1978 | 10          | CN             | BC   |
| 2209 | Oakes               | Kiona      | 1   | 2007 | 15          | FN             | SK   |
| 2210 | Oberman             | Breanne    | 16  | 2010 | 1           | AB             | MB   |
| 2211 | O'Brian             | Umi        | 34  | 1989 | 10          | UN             | BC   |
| 2212 | O'Brien             | Charlotte  | 22  | 1993 | 10          | UN             | BC   |
| 2213 | O'Connell           | Soraya     | 15  | 1970 | 10          | UN             | ON   |
| 2214 | Odjick              | Maisy      | 16  | 2008 | 1           | FN             | QC   |
| 2215 | O'Donnell           | Mary       | 53  | 1988 | 10          | UN             | BC   |
| 2216 | Odstral             | Anne       | 63  | 1992 | 46          | UN             | ON   |
| 2217 | Ogilve              | Donna      | 24  | 1998 | 10          | AS             | ON   |
| 2218 | Ohijenko            | Tatiana    | 68  | 1983 | 19          | UN             | MB   |
| 2219 | Okeymow             | Roberta    | 24  | 1998 | 13          | FN             | AB   |
| 2220 | Okimaw              | Crystal    | 24  | 2006 | 2           | AB             | BC   |
| 2221 | Olafson             | Lily       | **  | 1970 | 10          | UN             | BC   |
| 2222 | Olajide             | Tracey     | 30  | 1995 | 10          | BL             | BC   |
| 2223 | Olara               | Pamela     | 33  | 2009 | 16          | UN             | ON   |

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<sup>69</sup> Cecilia and Delphine Nikal are cousins.

| #    | Last Name             | First Name | Age | Year | Status | Ethnicity | Prov |
|------|-----------------------|------------|-----|------|--------|-----------|------|
| 2224 | Olding                | Lenora     | 19  | 1986 | 1      | CN        | BC   |
| 2225 | Oldwoman              | Desiree    | 21  | 2011 | 1      | FN        | AB   |
| 2226 | Oliver                | Catherine  | 88  | 2011 | 17     | UN        | ON   |
| 2227 | Oliver                | Lynn       | 22  | 1979 | 1      | CN        | NS   |
| 2228 | Oliver                | Ruth       | *** | ***  | 40     | UN        | BC   |
| 2229 | Olson                 | Jackie     | 43  | 2013 | 19     | UN        | BC   |
| 2230 | Olson                 | Olivia     | 4   | 1979 | 17     | AB        | BC   |
| 2231 | Olson                 | Samara     | 0   | 2004 | 15     | AB        | YK   |
| 2232 | O'Neill               | Melanie    | 37  | 2011 | 19     | CN        | BC   |
| 2233 | Oneschuk              | Murial     | 52  | 1999 | 19     | UN        | MB   |
| 2234 | Ono                   | Wesu       | 70  | 1981 | 10     | AS        | MB   |
| 2235 | Oppenheim             | Cherish    | 16  | 2001 | 13     | AB        | BC   |
| 2236 | Orlesky               | Tara       | 14  | 1997 | 1      | UN        | AB   |
| 2237 | Orshalak              | Charlene   | 17  | 1987 | 10     | FN        | MB   |
| 2238 | Osborne               | Claudette  | **  | 2008 | 2      | AB        | MB   |
| 2239 | Osborne <sup>70</sup> | Helen      | **  | 1971 | 13     | FN        | MB   |
| 2240 | Osman                 | Ayan       | 28  | 2010 | 16     | BL        | ON   |
| 2241 | Osmond                | Emily      | 78  | 2007 | 1      | FN        | SK   |
| 2242 | Ottenbreit            | Corrie     | **  | 2004 | 2      | CN        | AB   |
| 2243 | Ottey                 | Marsha     | 19  | 1995 | 16     | UN        | ON   |
| 2244 | Ottey                 | Tammy      | 16  | 1995 | 17     | UN        | ON   |
| 2245 | Ouimet                | Sylvie     | 21  | 1975 | 1      | CN        | QC   |
| 2246 | Owens                 | Betsy      | 15  | 1988 | 2      | AB        | MB   |
| 2247 | Owens                 | Lillian    | 46  | 1991 | 1      | CN        | AB   |
| 2248 | Pacheco-Hernandez     | Patricia   | 41  | 2011 | 16     | LO        | ON   |
| 2249 | Paddy                 | Vivian     | 33  | 2001 | 12     | AB        | AB   |
| 2250 | Painter               | Holly      | 18  | 1995 | 2      | CN        | ON   |
| 2251 | Pajak                 | Jeanne     | *** | 1950 | 40     | UN        | BC   |
| 2252 | Pajkowki              | Melissa    | 21  | 1999 | 16     | UN        | ON   |

<sup>70</sup> Osborne was a cousin of Felicia Solomon, who was murdered in 2003. Osborne's brother, Kelvin, was murdered in 2001.

| #    | Last Name        | First Name | Age | Year | Status | Ethnicity | Prov |
|------|------------------|------------|-----|------|--------|-----------|------|
| 2253 | Palmer           | Dolores    | 35  | 1990 | 10     | UN        | AB   |
| 2254 | Palmiere         | Lisa       | 48  | 2010 | 17     | UN        | ON   |
| 2255 | Pan              | Bich-Ha    | 53  | 2011 | 19     | AS        | ON   |
| 2256 | Panacheese       | Viola      | **  | 1991 | 1      | FN        | ON   |
| 2257 | Panaktak         | Desery     | 19  | 2011 | 16     | IT        | NU   |
| 2258 | Panamick         | Charlene   | 36  | ***  | 19     | UN        | ON   |
| 2259 | Panarello        | Nadia      | 38  | 2004 | 10     | CN        | QC   |
| 2260 | Panghali         | Manjit     | 38  | 2006 | 16     | SA        | BC   |
| 2261 | Pantherbone-Hunt | Raven      | 15  | 2008 | 10     | AB        | BC   |
| 2262 | Papastesis       | Amelia     | 26  | 2006 | 19     | FN        | SK   |
| 2263 | Papin            | Georgina   | **  | 1999 | 20     | FN        | BC   |
| 2264 | Papousek         | Eva        | 36  | 2000 | 16     | UN        | ON   |
| 2265 | Paquet           | Louise     | 68  | 2013 | 59     | UN        | QC   |
| 2266 | Paquet           | Solange    | 72  | 2013 | 59     | UN        | QC   |
| 2267 | Paquette         | Chantel    | 33  | ***  | 19     | UN        | ON   |
| 2268 | Paquette         | Joyce      | *** | ***  | 10     | AB        | BC   |
| 2269 | Paquette         | Mary Ann   | *** | ***  | 18     | UN        | ON   |
| 2270 | Paquette         | Noelle     | 27  | 2013 | 19     | CN        | BC   |
| 2271 | Paquette         | Tricia     | 8   | 1978 | 43     | AB        | ON   |
| 2272 | Paquette         | Fabian     | 42  | 2002 | 12     | AB        | BC   |
| 2273 | Paradis          | Lillian    | 46  | 1982 | 19     | UN        | MB   |
| 2274 | Paraszcuk        | Patricia   | 25  | 1982 | 10     | UN        | ON   |
| 2275 | Paraton          | Jennifer   | 25  | 2010 | 17     | UN        | MB   |
| 2276 | Pare             | Micheline  | *** | 1970 | 10     | AB        | BC   |
| 2277 | Pare             | Stephanie  | 32  | 2006 | 1      | AB        | ON   |
| 2278 | Parisien         | Nicole     | 33  | 2007 | 13     | UN        | BC   |
| 2279 | Park             | Edwina     | 42  | 2006 | 40     | FN        | SK   |
| 2280 | Park             | Tara       | 28  | 2013 | 19     | UN        | NS   |
| 2281 | Park             | Yong Sun   | 32  | 2007 | 46     | AS        | BC   |
| 2282 | Park             | Sandy      | 19  | 2009 | 16     | UN        | ON   |
| 2283 | Parker           | Beverley   | 49  | 2008 | 19     | UN        | AB   |
| 2284 | Parker           | Cheryl     | 42  | 2004 | 10     | CN        | ON   |
| 2285 | Parker           | Julie      | 33  | 2006 | 1      | CN        | BC   |

| #    | Last Name              | First Name | Age | Year | Status | Ethnicity | Prov |
|------|------------------------|------------|-----|------|--------|-----------|------|
| 2286 | Parker                 | Nadine     | 36  | 2008 | 46     | UN        | ON   |
| 2287 | Parkinson              | Katrina    | 19  | 2005 | 16     | AB        | SK   |
| 2288 | Parks                  | Judy       | 14  | 1976 | 10     | UN        | NS   |
| 2289 | Parnell                | Verna      | *** | ***  | 40     | UN        | BC   |
| 2290 | Parr                   | Tina       | 25  | 1994 | 10     | UN        | BC   |
| 2291 | Parrott                | Alison     | 11  | 1985 | 13     | UN        | ON   |
| 2292 | Parsons                | Karen      | 31  | 1997 | 19     | UN        | ON   |
| 2293 | Parsons                | Kelly      | 30  | 1998 | 10     | UN        | BC   |
| 2294 | Parvez                 | Aqsa       | 16  | 2007 | 14     | UN        | ON   |
| 2295 | Parvin                 | Sabiha     | *** | ***  | 18     | UN        | ON   |
| 2296 | Pascal                 | Precious   | **  | 2004 | 19     | AB        | MB   |
| 2297 | Paskemin               | Crystal    | 21  | 2000 | 13     | AB        | SK   |
| 2298 | Pasqualino             | Marisa     | 36  | 2002 | 16     | UN        | ON   |
| 2299 | Passage                | Mary       | 73  | 1964 | 10     | UN        | MB   |
| 2300 | Patrycja               | Skibinska  | 17  | 2001 | 16     | UN        | ON   |
| 2301 | Patterson              | Dayle      | 32  | 1993 | 12     | UN        | BC   |
| 2302 | Patterson              | Sabrina    | 25  | 2010 | 16     | UN        | ON   |
| 2303 | Pattison <sup>71</sup> | Ashley     | 4   | 1994 | 4      | CN        | ON   |
| 2304 | Paul                   | Amy        | 27  | 2013 | 10     | CN        | ON   |
| 2305 | Paul                   | Barbara    | *** | 1981 | 25     | AB        | BC   |
| 2306 | Paul                   | Emma       | *** | 1991 | 12     | AB        | NS   |
| 2307 | Paul                   | Harpreet   | 0   | 1990 | 5      | AS        | BC   |
| 2308 | Paul                   | Lisa       | 17  | 2005 | 1      | FN        | BC   |
| 2309 | Paul                   | Maxine     | *** | 1981 | 10     | FN        | BC   |
| 2310 | Paul                   | Sherry     | *** | 1993 | 46     | AB        | MB   |
| 2311 | Pauls                  | Angelika   | 51  | 2004 | 16     | UN        | ON   |
| 2312 | Paulson                | Cindy      | 32  | 2001 | 12     | AB        | AB   |
| 2313 | Pavel                  | Peggy      | *** | ***  | 10     | AB        | BC   |
| 2314 | Pavica                 | Paula      | 21  | 2012 | 19     | UN        | QC   |
| 2315 | Pawluch                | Nathalie   | 42  | 1996 | 46     | UN        | ON   |
| 2316 | Payash                 | Cecilia    | 47  | 1957 | 1      | AB        | ON   |

<sup>71</sup> Pattison and her brother, Andrew, were abducted together.

| #    | Last Name           | First Name   | Age | Year | Status | Ethnicity | Prov |
|------|---------------------|--------------|-----|------|--------|-----------|------|
| 2317 | Payette             | Shirley      | 44  | 1990 | 10     | UN        | ON   |
| 2318 | Paypompee           | Valerie      | 36  | 2009 | 16     | AB        | MB   |
| 2319 | Pearson             | Irene        | 31  | 1979 | 10     | UN        | MB   |
| 2320 | Pedersen            | Bernadette   | 30  | 1969 | 50     | AB        | SK   |
| 2321 | Pedersen            | Christa      | **  | 1972 | 10     | UN        | BC   |
| 2322 | Pedersen            | Grace        | 9   | 1969 | 50     | AB        | SK   |
| 2323 | Pedersen            | Jo-Anne      | 10  | 1983 | 5      | CN        | BC   |
| 2324 | Pedersen            | Rhonda       | 3   | 1969 | 50     | AB        | SK   |
| 2325 | Pedersen            | Tania        | **  | 1998 | 1      | CN        | BC   |
| 2326 | Peever              | Aline        | 45  | ***  | 46     | UN        | ON   |
| 2327 | Peirce              | Bernadette   | *** | ***  | 40     | UN        | BC   |
| 2328 | Pelchat             | Daphnée      | 6   | 2009 | 46     | UN        | QC   |
| 2329 | Pellerin            | Clara        | 22  | 1965 | 1      | CN        | QC   |
| 2330 | Pelletier           | Heather      | 30  | 1988 | 19     | AB        | ON   |
| 2331 | Pelletier           | Janet        | *** | ***  | 10     | AB        | BC   |
| 2332 | Pelletier           | Pamela       | 23  | 2007 | 1      | CN        | ON   |
| 2333 | Pelletier           | Patricia     | 88  | 2010 | 19     | UN        | BC   |
| 2334 | Pelletier           | Sonia        | *** | 1989 | 46     | UN        | QC   |
| 2335 | Pelletier-Charrette | Réjeanne     | 82  | 2010 | 19     | CN        | QC   |
| 2336 | Pelzman             | Gisele       | 17  | 1993 | 17     | UN        | NS   |
| 2337 | Pendleton           | Patricia     | 29  | 1992 | 11     | AB        | BC   |
| 2338 | Penney              | Barbara      | 21  | 1992 | 40     | UN        | NS   |
| 2339 | Pennycok            | Lori         | 29  | 1993 | 10     | UN        | BC   |
| 2340 | Perez               | Natasha      | 28  | 2013 | 19     | LO        | ON   |
| 2341 | Periard             | Mary         | 70  | 2005 | 19     | FN        | AB   |
| 2342 | Pernosky            | Rachel       | 18  | 2013 | 10     | CN        | BC   |
| 2343 | Perrambalam         | Annaluxumy   | 73  | 2001 | 16     | UN        | ON   |
| 2344 | Perrault            | Margaret     | 32  | 1988 | 11     | FN        | ON   |
| 2345 | Perrault            | Melody-Ann   | 18  | 2003 | 1      | CN        | BC   |
| 2346 | Perreault           | Marthe       | *** | 1950 | 16     | UN        | MB   |
| 2347 | Perreault           | Marie-Berthe | 57  | 1975 | 1      | UN        | QC   |
| 2348 | Perry               | Jeanine      | 20  | 2001 | 46     | UN        | ON   |
| 2349 | Perry               | Serena       | 22  | 2012 | 10     | CN        | NB   |

| #    | Last Name | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------|------------|-----|------|-------------|----------------|------|
| 2350 | Persaud   | Devita     | *** | 1993 | 16          | UN             | ON   |
| 2351 | Pesek     | Laura      | 51  | 2013 | 1           | CN             | BC   |
| 2352 | Pete      | Angeline   | 28  | 2011 | 2           | AB             | BC   |
| 2353 | Pete      | Jennifer   | *** | ***  | 10          | AB             | BC   |
| 2354 | Pete      | Thelma     | **  | 2004 | 11          | AB             | BC   |
| 2355 | Peteigney | Irene      | 30  | 2004 | 16          | UN             | ON   |
| 2356 | Peter     | Andrea     | 69  | 1982 | 10          | CN             | ON   |
| 2357 | Peters    | Anne       | 22  | 2008 | 1           | AB             | BC   |
| 2358 | Peters    | Bonnie     | *** | ***  | 10          | AB             | BC   |
| 2359 | Peters    | Mariam     | 16  | 1975 | 10          | UN             | ON   |
| 2360 | Peters    | Mary       | *** | ***  | 10          | AB             | ON   |
| 2361 | Peters    | Maxine     | 34  | 2004 | 14          | FN             | ON   |
| 2362 | Peters    | Nadia      | 27  | 1989 | 19          | UN             | MB   |
| 2363 | Peters    | Nikita     | 11  | 2008 | 1           | UN             | SK   |
| 2364 | Peters    | Rose       | 28  | 1988 | 10          | FN             | BC   |
| 2365 | Peterson  | Elizabeth  | 31  | 1973 | 1           | UN             | AB   |
| 2366 | Peterson  | Evelyn     | *** | 1967 | 50          | AB             | SK   |
| 2367 | Peterson  | Marguerite | 31  | 1973 | 1           | CN             | AB   |
| 2368 | Peterson  | Michelle   | 43  | 2007 | 10          | UN             | AB   |
| 2369 | Petrache  | Carina     | 24  | 2010 | 10          | CN             | ON   |
| 2370 | Pettman   | Ashleigh   | *** | 2005 | 2           | CN             | BC   |
| 2371 | Pham      | Lien       | **  | 2003 | 19          | AS             | ON   |
| 2372 | Pham      | Tri        | 28  | 1997 | 16          | AS             | ON   |
| 2373 | Phaneuf   | Emmanuelle | *** | 2011 | 19          | UN             | QC   |
| 2374 | Phaneuf   | Laurie     | 13  | 2011 | 19          | UN             | QC   |
| 2375 | Phillips  | Alisse     | *** | 2003 | 46          | UN             | ON   |
| 2376 | Phillips  | Nevie      | 58  | 2009 | 19          | UN             | ON   |
| 2377 | Phillips  | Spring     | 26  | 2009 | 17          | AB             | ON   |
| 2378 | Phillips  | Louise     | *** | 2011 | 58          | UN             | BC   |
| 2379 | Piapst    | Rose       | *** | ***  | 40          | UN             | BC   |
| 2380 | Piccolo   | Alisha     | 7   | 1996 | 19          | UN             | ON   |
| 2381 | Piccolo   | Fran       | 36  | 1996 | 19          | UN             | ON   |
| 2382 | Pickford  | Geraldine  | 41  | 1965 | 10          | UN             | ON   |
| 2383 | Picotte   | Chantal    | 35  | 1995 | 1           | CN             | QC   |

| #    | Last Name            | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|----------------------|--------------|-----|------|-------------|----------------|------|
| 2384 | Picoulas             | Tina         | 19  | 2008 | 10          | UN             | ON   |
| 2385 | Pidlesny             | Charmaine    | *** | 1986 | 12          | UN             | AB   |
| 2386 | Pierce               | Birdena      | 38  | 1993 | 10          | UN             | BC   |
| 2387 | Pierre               | Juthlande    | *** | 1995 | 19          | UN             | QC   |
| 2388 | Pierre               | Shernell     | **  | 2008 | 19          | BL             | AB   |
| 2389 | Pietras              | Anna         | 38  | 1998 | 9           | UN             | ON   |
| 2390 | Pilgrim              | Gwendolyn    | 35  | 2006 | 19          | UN             | ON   |
| 2391 | Pilon                | Brenda       | *** | ***  | 18          | UN             | ON   |
| 2392 | Pilon                | Laura        | 22  | 1992 | 10          | AB             | ON   |
| 2393 | Pincott              | Keeley       | **  | 1992 | 10          | UN             | AB   |
| 2394 | Pingo                | Jenny        | 33  | 2012 | 46          | AB             | NT   |
| 2395 | Pinkus               | Lori         | 21  | 1991 | 10          | UN             | ON   |
| 2396 | Pipe                 | Tammy        | 24  | 1995 | 10          | AB             | BC   |
| 2397 | Pironen              | Marjorie     | *** | ***  | 10          | AB             | NL   |
| 2398 | Pitre                | Monique      | 30  | 2003 | 10          | AB             | AB   |
| 2399 | Plaha                | Jasvir       | 30  | 1998 | 16          | UN             | ON   |
| 2400 | Plante-<br>Larivière | Jocelyne     | *** | 1992 | 10          | CN             | QC   |
| 2401 | Plassot              | Gabriela     | *** | ***  | 19          | UN             | ON   |
| 2402 | Plett                | Mary Ann     | 29  | 1971 | 18          | UN             | AB   |
| 2403 | Plouffe-<br>Guénette | Pierrette    | 52  | 1996 | 10          | CN             | QC   |
| 2404 | Poissant             | Shanna       | 16  | 2005 | 17          | UN             | QC   |
| 2405 | Poitrass             | Jeannine     | 79  | 2007 | 1           | CN             | QC   |
| 2406 | Polanski             | Elizabeth    | 26  | 1983 | 13          | UN             | MB   |
| 2407 | Polwarth             | Bonnie       | 34  | 1995 | 1           | CN             | MB   |
| 2408 | Pompana              | Denise       | 31  | 1988 | 12          | AB             | MB   |
| 2409 | Poole                | Nancy        | *** | ***  | 40          | UN             | BC   |
| 2410 | Poole                | Wendy        | 26  | 1989 | 11          | FN             | BC   |
| 2411 | Pope                 | Robin        | 50  | 1999 | 16          | UN             | ON   |
| 2412 | Posluns              | Lisa         | 38  | 2002 | 13          | UN             | ON   |
| 2413 | Pothier              | Marie-Claire | *** | 2003 | 18          | UN             | QC   |
| 2414 | Potter               | Catherine    | 13  | 1971 | 10          | UN             | ON   |
| 2415 | Potts Jaffary        | Amber        | 16  | 1988 | 2           | AB             | ON   |



| #    | Last Name      | First Name         | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|----------------|--------------------|-----|------|-------------|----------------|------|
| 2416 | Potvin         | Guyline            | 19  | 2000 | 10          | UN             | QC   |
| 2417 | Poucachiche    | Ruby               | 34  | 1999 | 40          | AB             | QC   |
| 2418 | Poulette       | Terrilyne          | 17  | 2005 | 41          | FN             | NS   |
| 2419 | Poulin         | Pascal             | 10  | 1990 | 10          | UN             | QC   |
| 2420 | Poulin Begley  | Carole             | *** | ***  | 18          | UN             | ON   |
| 2421 | Pourchamani    | Samantha           | 35  | 2012 | 46          | UN             | MB   |
| 2422 | Poustkova      | Aneta              | 12  | 1993 | 46          | UN             | MB   |
| 2423 | Power          | Amanda             | 29  | 2008 | 16          | UN             | NL   |
| 2424 | Powers         | Anne-<br>Catherine | 21  | 2012 | 19          | UN             | QC   |
| 2425 | Powers         | Donna Lee          | 64  | 2013 | 19          | CN             | AB   |
| 2426 | Pozzobon       | Catherine          | 16  | 1977 | 17          | UN             | BC   |
| 2427 | Prajak         | Zdenka             | 53  | 2008 | 16          | UN             | ON   |
| 2428 | Prajapati      | Amiben             | 27  | 2012 | 46          | SA             | AB   |
| 2429 | Prashad        | Preya              | 6   | 1991 | 46          | UN             | ON   |
| 2430 | Prashad        | Veronica           | 30  | 1991 | 46          | UN             | ON   |
| 2431 | Prekatsounakis | Elena              | 25  | 2011 | 19          | UN             | QC   |
| 2432 | Presvich       | Susan              | *** | ***  | 40          | UN             | BC   |
| 2433 | Prevost        | Diane              | 2   | 1966 | 5           | CN             | ON   |
| 2434 | Price          | Laurel             | 17  | 2003 | 16          | UN             | ON   |
| 2435 | Primeau        | Elizabeth          | 52  | 1996 | 1           | CN             | SK   |
| 2436 | Prince         | Christine          | 25  | 1982 | 10          | CN             | ON   |
| 2437 | Prince         | Vanessa            | 20  | 1997 | 10          | UN             | MB   |
| 2438 | Prior          | Sharron            | 16  | 1975 | 1           | UN             | QC   |
| 2439 | Prisnen        | Maijorie           | *** | ***  | 40          | UN             | BC   |
| 2440 | Pritlove       | Donna              | 46  | 2000 | 19          | UN             | ON   |
| 2441 | Proctor        | Kimberley          | 18  | 2010 | 17          | UN             | BC   |
| 2442 | Proian         | Donna              | 30  | 1981 | 19          | UN             | ON   |
| 2443 | Proulx         | Annie              | 37  | 2007 | 1           | CN             | QC   |
| 2444 | Proulx         | Marie-<br>Pascale  | 40  | 2010 | 19          | UN             | QC   |
| 2445 | Proulx         | Tammy              | *** | 1997 | 19          | UN             | ON   |
| 2446 | Provencher     | Cédrika            | 9   | 2007 | 5           | CN             | QC   |
| 2447 | Providence     | Denise             | 26  | 2006 | 18          | FN             | AB   |

| #    | Last Name          | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------|--------------|-----|------|-------------|----------------|------|
| 2448 | Pruden             | Bonnie       | *** | ***  | 40          | UN             | BC   |
| 2449 | Pruyser            | Carolyn      | 18  | 1984 | 2           | CN             | AB   |
| 2450 | Psyrry             | Dora         | 27  | 1994 | 10          | UN             | QC   |
| 2451 | Purcell            | Leionette    | **  | 2004 | 2           | CN             | NS   |
| 2452 | Pyne <sup>72</sup> | Cheryl       | 27  | 2004 | 17          | CN             | NB   |
| 2453 | Qavavauq           | Leah         | *** | 2005 | 19          | AB             | QC   |
| 2454 | Qiu                | Angela       | 17  | 2010 | 13          | AS             | BC   |
| 2455 | Quemener           | Michelle     | 46  | 2010 | 19          | UN             | ON   |
| 2456 | Quewezance         | Bernadine    | 36  | 2012 | 10          | FN             | SK   |
| 2457 | Quigley            | Sandra       | 32  | ***  | 16          | UN             | ON   |
| 2458 | Quill              | Judy         | 35  | 2009 | 10          | FN             | ON   |
| 2459 | Quinn              | Patricia     | 33  | 2008 | 1           | AB             | BC   |
| 2460 | Quinney            | Rachel       | 19  | 2004 | 11          | FN             | AB   |
| 2461 | Quirion            | Jessy        | 16  | 2013 | 1           | CN             | QC   |
| 2462 | Quoquat            | Alice        | *** | ***  | 10          | FN             | ON   |
| 2463 | R.                 | Shannon      | *** | ***  | 18          | UN             | SK   |
| 2464 | Rae                | Kimberley    | 24  | 2002 | 1           | CN             | ON   |
| 2465 | Rae                | Sarah        | 24  | 2008 | 16          | CN             | AB   |
| 2466 | Raghunauth         | Hemoutie     | 28  | 2000 | 19          | UN             | ON   |
| 2467 | Rail               | Sherry       | **  | 1984 | 1           | CN             | BC   |
| 2468 | Rainville          | Marie-Nicole | 71  | 2009 | 16          | UN             | QC   |
| 2469 | Rajher             | Kathy        | 66  | 2006 | 46          | UN             | ON   |
| 2470 | Raman              | Gnanalakshmi | 29  | 2006 | 16          | SA             | ON   |
| 2471 | Ramano             | Jessica      | 45  | 1998 | 46          | UN             | ON   |
| 2472 | Ramkarran          | Bejawattie   | *** | 1994 | 16          | UN             | ON   |
| 2473 | Ramos              | Rosaura      | 26  | 2004 | 56          | LO             | ON   |
| 2474 | Ramsay             | Sandra       | 41  | 2010 | 17          | AB             | SK   |
| 2475 | Ramsey             | Donna        | 37  | 1992 | 17          | UN             | MB   |
| 2476 | Randhawa           | Poonam       | 18  | 1999 | 16          | SA             | BC   |
| 2477 | Ranford            | Nora         | 52  | 1962 | 10          | UN             | ON   |

<sup>72</sup> Pyne is the daughter of Kathryn Welner.

| #    | Last Name   | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------|------------|-----|------|-------------|----------------|------|
| 2478 | Rang        | De Qian    | 29  | 1992 | 11          | AS             | ON   |
| 2479 | Ransome     | Rebecca    | 27  | 2013 | 19          | UN             | ON   |
| 2480 | Rapai       | Heather    | 47  | 2001 | 19          | UN             | ON   |
| 2481 | Rasan       | Mandana    | 43  | 1998 | 19          | UN             | ON   |
| 2482 | Ratnanesan  | Subalini   | 50  | 2008 | 19          | SA             | BC   |
| 2483 | Ratté       | Wendy      | 44  | 1997 | 16          | CI             | BC   |
| 2484 | Rattlesnake | Diana      | 48  | 2004 | 10          | AB             | SK   |
| 2485 | Rawlings    | Shelley    | *** | 2001 | 46          | UN             | ON   |
| 2486 | Raymond     | Sonia      | *** | 1996 | 10          | CN             | QC   |
| 2487 | Real        | Patricia   | 46  | 2000 | 10          | UN             | ON   |
| 2488 | Reddy       | Yasmine    | 1   | 1997 | 4           | CN             | BC   |
| 2489 | Redford     | Margaret   | 47  | 2006 | 13          | UN             | BC   |
| 2490 | Redhead     | Jaylene    | 1   | 2009 | 15          | FN             | MB   |
| 2491 | Redhead     | Lorna      | 42  | 2009 | 19          | FN             | MB   |
| 2492 | Redman      | Amber      | 19  | 2005 | 13          | FN             | SK   |
| 2493 | Redman      | Beatrice   | *** | 1974 | 10          | UN             | NB   |
| 2494 | Redman      | Jessica    | 27  | 2012 | 19          | FN             | SK   |
| 2495 | Redmond     | Mary       | 56  | 1974 | 10          | UN             | NB   |
| 2496 | Reed        | Karen      | 54  | 2010 | 14          | UN             | ON   |
| 2497 | Rees        | Dorthy     | 35  | 2008 | 41          | UN             | AB   |
| 2498 | Regan       | Jennifer   | 16  | 1991 | 1           | CN             | AB   |
| 2499 | Regier      | Helene     | 73  | 2007 | 13          | UN             | ON   |
| 2500 | Rego        | Maria      | 47  | 2011 | 19          | UN             | BC   |
| 2501 | Rehorek     | Melissa    | *** | 1976 | 10          | UN             | AB   |
| 2502 | Reid        | Mary Ann   | 42  | 1989 | 46          | UN             | MB   |
| 2503 | Reilly      | Kelly      | 24  | 2001 | 10          | AB             | AB   |
| 2504 | Reinhardt   | Susan      | 40  | 2006 | 19          | AB             | SK   |
| 2505 | Remi        | Michelle   | **  | 2003 | 1           | FN             | BC   |
| 2506 | Rengel      | Stefanie   | 14  | 2008 | 17          | CN             | ON   |
| 2507 | Renn        | Jennifer   | 29  | 2004 | 17          | UN             | AB   |
| 2508 | Reoch       | April      | **  | 2000 | 12          | FN             | BC   |
| 2509 | Reynolds    | Janet      | 31  | 1999 | 19          | UN             | ON   |
| 2510 | Reynolds    | Juliet     | 28  | 1996 | 16          | UN             | ON   |
| 2511 | Rezanowicz  | Kelli      | 32  | 1996 | 19          | UN             | ON   |

| #    | Last Name              | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------------------|------------|-----|------|-------------|----------------|------|
| 2512 | Rich                   | Bernice    | 21  | 2013 | 19          | IT             | NL   |
| 2513 | Richard                | Cherie     | 20  | 2012 | 19          | UN             | MB   |
| 2514 | Richard                | Michèle    | *** | 1989 | 46          | UN             | QC   |
| 2515 | Richardson             | Debra      | 17  | 1972 | 2           | CN             | MB   |
| 2516 | Richmond               | Melissa    | 28  | 2013 | 19          | CN             | ON   |
| 2517 | Rideout                | Kelly      | 35  | 2011 | 2           | CN             | BC   |
| 2518 | Rider                  | Connie     | *** | ***  | 40          | UN             | BC   |
| 2519 | Riding-at-the-<br>Door | Maureen    | **  | ***  | 10          | AB             | BC   |
| 2520 | Riegel                 | Melodie    | 21  | 1986 | 10          | UN             | AB   |
| 2521 | Riendeau               | Jolène     | 10  | 1999 | 10          | CN             | QC   |
| 2522 | Riendeau               | Sandra     | 31  | 2003 | 1           | CN             | QC   |
| 2523 | Rightmeyer             | Debra      | 23  | 2006 | 46          | UN             | ON   |
| 2524 | Rimniceance-<br>Rincon | Cosmina    | *   | 2004 | 4           | UN             | ON   |
| 2525 | Riopel                 | Lynda      | 47  | 2013 | 19          | UN             | QC   |
| 2526 | Riopelle               | Jessica    | 23  | 2011 | 17          | CN             | ON   |
| 2527 | Ritchey                | Darlinda   | *** | 1986 | 11          | AB             | BC   |
| 2528 | Ritchie                | Belinda    | *** | ***  | 10          | AB             | NL   |
| 2529 | Ritchie                | Fatima     | 1   | 1995 | 46          | UN             | ON   |
| 2530 | Ritchie                | Sheila     | 20  | 1998 | 11          | UN             | AB   |
| 2531 | Ritchie                | Vanessa    | 24  | 1995 | 46          | UN             | ON   |
| 2532 | Rivers                 | Lorraine   | *** | ***  | 10          | FN             | ON   |
| 2533 | Rivet                  | Delores    | *** | ***  | 10          | AB             | BC   |
| 2534 | Riviere                | Carol      | *** | 2006 | 16          | AB             | AB   |
| 2535 | Rix                    | Laurie     | *** | ***  | 40          | UN             | BC   |
| 2536 | Rizzi                  | Pina       | 47  | 2009 | 19          | UN             | QC   |
| 2537 | Roach                  | Lorraine   | 58  | 2013 | 1           | CN             | ON   |
| 2538 | Robailard              | Nya        | *** | ***  | 10          | AB             | NL   |
| 2539 | Robert                 | Cheryl     | 50  | 2009 | 10          | UN             | MB   |
| 2540 | Roberts                | Adrienne   | 33  | 2010 | 16          | UN             | ON   |
| 2541 | Roberts                | Caroline   | *** | 1975 | 19          | UN             | SK   |
| 2542 | Roberts                | Marie      | 29  | 2010 | 17          | UN             | ON   |
| 2543 | Roberts                | Nadine     | 42  | 2002 | 46          | UN             | ON   |

| #    | Last Name           | First Name   | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------------|--------------|-----|------|-------------|----------------|------|
| 2544 | Robertson           | Chantel      | 20  | 2008 | 12          | CN             | AB   |
| 2545 | Robertson           | Elaine       | 61  | 2011 | 16          | UN             | ON   |
| 2546 | Robertson           | Jo-Ann       | *** | 2004 | 46          | UN             | ON   |
| 2547 | Robertson           | Laura        | 47  | 2011 | 19          | UN             | NS   |
| 2548 | Robichaud           | Marie-France | 52  | 2007 | 12          | UN             | QC   |
| 2549 | Robichaud           | Michelle     | 17  | 2000 | 12          | AB             | ON   |
| 2550 | Robillard           | Nya          | *** | ***  | 40          | UN             | BC   |
| 2551 | Robinson            | Carmen       | 17  | 1973 | 2           | CN             | BC   |
| 2552 | Robinson            | Cynthia      | 24  | 1986 | 16          | UN             | MB   |
| 2553 | Robinson            | Philippe     | 16  | 1991 | 56          | UN             | ON   |
| 2554 | Robinson            | Sarah        | 15  | 2012 | 1           | AB             | BC   |
| 2555 | Robinson-<br>Creary | Nadine       | 36  | 2006 | 10          | BL             | AB   |
| 2556 | Robitaille          | Isabel       | 49  | 2010 | 19          | UN             | ON   |
| 2557 | Roche               | Audrey       | 29  | ***  | 19          | UN             | ON   |
| 2558 | Rochon              | Helga        | 45  | 1990 | 10          | UN             | BC   |
| 2559 | Rochon              | Pauline      | 19  | 1990 | 10          | UN             | BC   |
| 2560 | Rochon              | Sherri       | 28  | 1990 | 10          | UN             | BC   |
| 2561 | Rock                | Dianne       | 34  | 2001 | 21          | CN             | BC   |
| 2562 | Rock                | Jean         | 32  | 1990 | 16          | CN             | ON   |
| 2563 | Rockery             | Christine    | 35  | 2000 | 19          | UN             | ON   |
| 2564 | Roe                 | Deborah      | 22  | 1975 | 10          | UN             | BC   |
| 2565 | Roelink             | Hilda        | *** | 2012 | 50          | CN             | ON   |
| 2566 | Rogelstand          | Kim          | 43  | 2007 | 1           | CN             | BC   |
| 2567 | Rogers              | Kathryn      | 55  | 2012 | 46          | UN             | ON   |
| 2568 | Rogers              | Sadie        | 80  | 1981 | 10          | UN             | NS   |
| 2569 | Roland              | Annie        | 50  | 2001 | 17          | UN             | MB   |
| 2570 | Rollin              | Isabelle     | *** | 1991 | 18          | UN             | QC   |
| 2571 | Rollo               | Deborah      | 29  | 1986 | 46          | UN             | ON   |
| 2572 | Romano              | Jessica      | 45  | 1998 | 46          | UN             | ON   |
| 2573 | Roncaioli           | Ibi          | 66  | 2003 | 16          | UN             | ON   |
| 2574 | Rong                | Ry           | 21  | 2001 | 41          | AS             | BC   |
| 2575 | Roopdial            | Hemattie     | 25  | 2004 | 46          | UN             | ON   |
| 2576 | Roper               | Marie        | 17  | 1967 | 13          | FN             | BC   |

| #    | Last Name           | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|---------------------|------------|-----|------|-------------|----------------|------|
| 2577 | Rose                | Monica     | *** | ***  | 46          | UN             | ON   |
| 2578 | Ross                | Alicia     | 25  | 2005 | 12          | CN             | ON   |
| 2579 | Ross                | Elaine     | 25  | 1993 | 10          | UN             | AB   |
| 2580 | Ross                | Heather    | 26  | 2002 | 1           | CN             | BC   |
| 2581 | Ross                | Laurie     | *** | 2002 | 9           | UN             | BC   |
| 2582 | Ross-<br>Armstrong, | Jeannine   | 38  | 2013 | 19          | UN             | ON   |
| 2583 | Rossette            | Tasha      | 21  | 2005 | 16          | AB             | BC   |
| 2584 | Rousseau            | Pamela     | 23  | 1978 | 2           | CN             | ON   |
| 2585 | Roussel             | Jacqueline | 49  | 1980 | 10          | UN             | ON   |
| 2586 | Rousselle           | Anise      | 35  | 2013 | 46          | UN             | QC   |
| 2587 | Rowbotham           | Bev        | 42  | 2001 | 11          | UN             | SK   |
| 2588 | Rowe                | Cheryl     | 45  | 2011 | 2           | CN             | ON   |
| 2589 | Roy                 | Diane      | 46  | 1996 | 1           | CN             | ON   |
| 2590 | Roy                 | Lise       | 27  | 2003 | 16          | CN             | ON   |
| 2591 | Roy                 | Mertyl     | *** | ***  | 10          | AB             | BC   |
| 2592 | Roy-Roland          | Isabelle   | 32  | 2011 | 1           | CN             | QC   |
| 2593 | Rudderham           | Tracy      | 37  | 2011 | 19          | CN             | NS   |
| 2594 | Rudge               | Amanda     | 27  | 1991 | 1           | CN             | ON   |
| 2595 | Run                 | Sonya      | 47  | 1994 | 16          | UN             | ON   |
| 2596 | Running Bird        | Rhonda     | 25  | 1995 | 2           | AB             | AB   |
| 2597 | Rusnell             | Alletta    | 89  | 2013 | 19          | UN             | ON   |
| 2598 | Russell             | Belva      | 57  | 1964 | 13          | UN             | ON   |
| 2599 | Russell             | Faith      | 38  | 1985 | 16          | UN             | ON   |
| 2600 | Russell             | Jessica    | 9   | 2000 | 17          | UN             | BC   |
| 2601 | Russell             | Rachel     | 29  | 2007 | 43          | UN             | ON   |
| 2602 | Ruston              | Ruth       | 58  | 2006 | 1           | CN             | ON   |
| 2603 | Rutherford          | Tara       | 26  | 2001 | 46          | UN             | ON   |
| 2604 | Rutter              | Daniel     | *** | ***  | 41          | UN             | BC   |
| 2605 | Ryan                | Susan      | 57  | 2008 | 16          | UN             | ON   |
| 2606 | S.                  | Chrystal   | *** | ***  | 18          | UN             | SK   |
| 2607 | S.                  | Lorraina   | *** | ***  | 18          | UN             | SK   |
| 2608 | S.                  | R.         | 84  | 2011 | 50          | UN             | MB   |
| 2609 | Saddleback          | Roberta    | *   | ***  | 40          | AB             | BC   |

| #    | Last Name   | First Name   | Age | Year | Status | Ethnicity | Prov |
|------|-------------|--------------|-----|------|--------|-----------|------|
| 2610 | Sadiqi      | Khatera      | 20  | 2006 | 14     | ME        | ON   |
| 2611 | Sadova      | Dora         | *** | 1949 | 13     | UN        | MB   |
| 2612 | Sadowski    | Barbara      | 55  | 2006 | 1      | CN        | ON   |
| 2613 | Sahpassum   | Linda        | 48  | 2004 | 43     | AB        | SK   |
| 2614 | Sakakeesic  | Liz          | *** | 1994 | 17     | FN        | ON   |
| 2615 | Salemink    | Colette      | 59  | 2010 | 50     | UN        | BC   |
| 2616 | Salopree    | Gillian      | 28  | 2010 | 59     | FN        | AB   |
| 2617 | Saltel      | Erica        | 17  | 2009 | 46     | UN        | AB   |
| 2618 | Saltel      | Gail         | 47  | 2009 | 46     | UN        | AB   |
| 2619 | Saludares   | Aicha        | 40  | 2012 | 19     | SA        | ON   |
| 2620 | Sampare     | Virginia     | 18  | 1974 | 1      | FN        | BC   |
| 2621 | Sampson     | Katelynn     | 7   | 2008 | 15     | AB        | ON   |
| 2622 | Samson      | Claire       | 23  | 1983 | 10     | UN        | ON   |
| 2623 | Samson      | Sylvie       | *** | 1995 | 10     | UN        | QC   |
| 2624 | Sanchez     | Maria        | 33  | 1996 | 16     | UN        | ON   |
| 2625 | Sandeman    | Dianna       | 27  | 2006 | 10     | UN        | ON   |
| 2626 | Sanders     | Sara         | 28  | 2009 | 19     | CN        | AB   |
| 2627 | Sanderson   | Charmaine    | 22  | 2001 | 10     | UN        | MB   |
| 2628 | Sanderson   | Cynthia      | 24  | 2002 | 13     | FN        | SK   |
| 2629 | Sanderson   | Simone       | 23  | 2012 | 10     | AB        | MB   |
| 2630 | Sandford    | Norma        | 20  | 1999 | 17     | UN        | MB   |
| 2631 | Sandler     | Simone       | 21  | 1994 | 10     | CN        | ON   |
| 2632 | Sands       | Amy          | 27  | 2012 | 19     | CN        | AB   |
| 2633 | Sansoucy    | Lyne         | 41  | 2010 | 17     | UN        | QC   |
| 2634 | Santos      | Lorry        | 34  | 2012 | 19     | UN        | SK   |
| 2635 | Saran       | Jasbir       | *** | 1996 | 46     | UN        | BC   |
| 2636 | Sarao       | Ranbir       | 30  | ***  | 19     | UN        | ON   |
| 2637 | Saric-Auger | Aielah       | 14  | 2006 | 10     | AB        | BC   |
| 2638 | Sasakamoose | Jasmine      | 14  | 2013 | 1      | UN        | SK   |
| 2639 | Sassoon     | Nicole       | *** | 1992 | 10     | CN        | QC   |
| 2640 | Saul        | Janice       | *** | ***  | 10     | AB        | BC   |
| 2641 | Saumur      | Lillian      | 79  | 2009 | 12     | UN        | ON   |
| 2642 | Saumure     | Marie-Claude | 26  | 1993 | 46     | UN        | ON   |
| 2643 | Saunders    | Crystal      | 24  | 2007 | 10     | FN        | MB   |

| #    | Last Name     | First Name | Age | Year | Status | Ethnicity | Prov |
|------|---------------|------------|-----|------|--------|-----------|------|
| 2644 | Savard        | Maude      | 17  | 2013 | 1      | CN        | QC   |
| 2645 | Savoy         | Frederick  | 21  | 1981 | 10     | UN        | BC   |
| 2646 | Sayegh        | Leidya     | *** | ***  | 18     | UN        | ON   |
| 2647 | Schaeffler    | Janice     | 34  | 1981 | 10     | UN        | ON   |
| 2648 | Schaper       | Gilda      | 52  | 2003 | 16     | UN        | ON   |
| 2649 | Scheeren      | Shirley    | 77  | 2011 | 46     | UN        | BC   |
| 2650 | Schembri      | Kathleen   | 53  | 2001 | 46     | UN        | ON   |
| 2651 | Scherban      | Irene      | 16  | 1975 | 1      | CN        | SK   |
| 2652 | Schmidt       | Sophia     | 0   | 1996 | 15     | AB        | MB   |
| 2653 | Schmouttz     | Ruth       | 32  | 1952 | 46     | UN        | MB   |
| 2654 | Schneider     | Andrea     | 38  | 2001 | 19     | UN        | ON   |
| 2655 | Schnitzer     | Marlene    | 27  | 1982 | 10     | UN        | ON   |
| 2656 | Schochenmaier | Margaret   | 40  | 1985 | 1      | CN        | BC   |
| 2657 | Schoeborn     | Kaitlynne  | 10  | 2008 | 50     | UN        | ON   |
| 2658 | Scholtz       | Laurie     | *** | ***  | 10     | AB        | BC   |
| 2659 | Schott        | Sandra     | 32  | 2005 | 46     | UN        | ON   |
| 2660 | Schuett       | Marianne   | 10  | 1967 | 4      | CN        | ON   |
| 2661 | Schwabe       | Margaret   | 55  | 1970 | 1      | CN        | MB   |
| 2662 | Schwartz      | Elaine     | 50  | 2011 | 19     | UN        | BC   |
| 2663 | Scott         | Betty Jo   | 20  | 1997 | 19     | UN        | ON   |
| 2664 | Scott         | Linda      | 29  | 2000 | 1      | UN        | AB   |
| 2665 | Scott         | Madison    | 20  | 2011 | 2      | CN        | BC   |
| 2666 | Scott         | Mary       | 59  | 2009 | 17     | UN        | NB   |
| 2667 | Scromeda      | Shannon    | 25  | 2008 | 16     | UN        | MB   |
| 2668 | Sebastian     | Elsie      | **  | 1992 | 1      | AB        | BC   |
| 2669 | Sedore        | Angela     | 40  | 2007 | 46     | UN        | ON   |
| 2670 | Seecharran    | Rita       | *** | 1997 | 18     | UN        | ON   |
| 2671 | Sellhorn      | Corinne    | 34  | 2010 | 46     | CN        | AB   |
| 2672 | Sembhi        | Rajpinder  | *** | 2010 | 50     | UN        | AB   |
| 2673 | Semenova      | Kataryna   | 27  | 2008 | 46     | CN        | BC   |
| 2674 | Semret        | Nighisti   | 55  | 2013 | 10     | BL        | ON   |
| 2675 | Senyk         | Krystal    | *** | 1992 | 56     | UN        | YK   |
| 2676 | Sepp          | Krista     | 21  | 1989 | 17     | UN        | ON   |

| #    | Last Name         | First Name         | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------------|--------------------|-----|------|-------------|----------------|------|
| 2677 | Serloin           | Mary Jane          | 35  | 1981 | 28          | FN             | AB   |
| 2678 | Serre             | Brigitte           | 17  | 2006 | 17          | UN             | QC   |
| 2679 | Servant           | Claudette          | *** | 1995 | 10          | CN             | QC   |
| 2680 | Sesen             | Aysun              | 25  | 2007 | 16          | ME             | ON   |
| 2681 | Settee            | Geraldine          | 11  | 1970 | 10          | AB             | MB   |
| 2682 | Seymour           | Jennifer           | 25  | 2007 | 1           | FN             | BC   |
| 2683 | Shachtay          | Victoria           | 23  | 2011 | 19          | CN             | AB   |
| 2684 | Shade             | Edna               | *** | 1987 | 25          | AB             | BC   |
| 2685 | Shafia            | Geeti              | 13  | 2009 | 15          | ME             | ON   |
| 2686 | Shafia            | Sahari             | 17  | 2009 | 15          | ME             | ON   |
| 2687 | Shafia            | Zainab             | 19  | 2009 | 15          | ME             | ON   |
| 2688 | Shahdady          | Shaher             | 21  | 2011 | 19          | ME             | ON   |
| 2689 | Shand             | Tanya              | 33  | 2013 | 19          | UN             | NB   |
| 2690 | Shang             | Kui                | 30  | 2003 | 19          | UN             | ON   |
| 2691 | Shapwaykeesi<br>c | Barbara            | 29  | 1989 | 10          | FN             | ON   |
| 2692 | Sharma            | Sheela             | *** | 1976 | 10          | UN             | BC   |
| 2693 | Shaver            | Joanne             | 17  | 1990 | 11          | UN             | AB   |
| 2694 | Shaw              | Linda              | 21  | 1990 | 58          | UN             | ON   |
| 2695 | Sheeler           | Margaret           | 20  | 1963 | 10          | UN             | ON   |
| 2696 | Sheen             | Julliette          | 81  | 1975 | 10          | UN             | MB   |
| 2697 | Sheepskin         | Lisa               | 18  | 2000 | 19          | FN             | SK   |
| 2698 | Shelleau          | Carol              | 41  | 1988 | 2           | CN             | ON   |
| 2699 | Shen              | Selina             | 22  | 1998 | 16          | UN             | ON   |
| 2700 | Shepherd          | Rachel             | 46  | 2013 | 19          | FN             | SK   |
| 2701 | Shepherd          | Betty              | *** | 1972 | 40          | UN             | BC   |
| 2702 | Sheppard          | Sheryl             | 29  | 1998 | 2           | CN             | ON   |
| 2703 | Sheppit           | Melinda            | 16  | 1990 | 10          | UN             | ON   |
| 2704 | Shimizu           | Kiyo <sup>73</sup> | 86  | 1989 | 11          | UN             | MB   |
| 2705 | Shimizu           | Linda              | 59  | 1989 | 11          | UN             | MB   |

<sup>73</sup> Shimizu was murdered at the same time as her daughter, Linda Shimizu.

| #    | Last Name            | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|----------------------|------------|-----|------|-------------|----------------|------|
| 2706 | Shingoose            | Natalia    | 2   | 2012 | 19          | FN             | AB   |
| 2707 | Shirran              | Ann        | 32  | 2010 | 19          | CN             | NL   |
| 2708 | Shook                | Colleen    | 24  | 1975 | 10          | AB             | BC   |
| 2709 | Shore                | Janice     | 45  | 2013 | 10          | UN             | BC   |
| 2710 | Shorson              | Dorcas     | **  | 2003 | 1           | FN             | BC   |
| 2711 | Short                | Barbara    | 48  | 2008 | 16          | UN             | ON   |
| 2712 | Shorting             | Irene      | 30  | 1980 | 11          | UN             | MB   |
| 2713 | Shpeley              | Candace    | **  | 2007 | 2           | CN             | BC   |
| 2714 | Shuler               | Ramona     | **  | 2003 | 1           | CI             | BC   |
| 2715 | Shumakova            | Margarita  | 18  | 2011 | 19          | CN             | ON   |
| 2716 | side Toussaint       | Shamie     | 16  | 2013 | 1           | BL             | QC   |
| 2717 | Sidhu                | Monisha    | 26  | 2013 | 19          | SA             | AB   |
| 2718 | Sidhu                | Surinder   | *** | ***  | 19          | UN             | ON   |
| 2719 | Sidime               | Nouténé    | 13  | 2010 | 15          | BL             | QC   |
| 2720 | Sieben               | Kate       | **  | 2006 | 1           | CN             | AB   |
| 2721 | Siegel               | Jean       | 42  | 1962 | 2           | CN             | MB   |
| 2722 | Siegel               | Susan      | 20  | 1984 | 10          | UN             | ON   |
| 2723 | Silva                | Lailaina   | 22  | 1993 | 13          | UN             | AB   |
| 2724 | Silva                | Therena    | **  | 2002 | 10          | FN             | MB   |
| 2725 | Silverman            | Debbie     | 21  | 1978 | 10          | CN             | ON   |
| 2726 | Sim                  | Cheryl     | 53  | 2010 | 19          | AB             | BC   |
| 2727 | Simard               | Verna      | 50  | 2011 | 41          | AB             | BC   |
| 2728 | Simoes <sup>74</sup> | Isabel     | 14  | 2004 | 77          | UN             | BC   |
| 2729 | Simoes               | Marissa    | 10  | 2004 | 77          | UN             | BC   |
| 2730 | Simon                | Keya       | 19  | 2011 | 18          | AS             | NS   |
| 2731 | Simon                | Michelle   | 45  | 2009 | 16          | UN             | ON   |
| 2732 | Simpson              | Amanda     | 4   | 1999 | 10          | MS             | BC   |
| 2733 | Simpson              | Ariana     | 20  | 2009 | 13          | UN             | BC   |
| 2734 | Simpson              | Mildred    | *** | 2000 | 43          | UN             | BC   |
| 2735 | Sinclair             | Beatrice   | 65  | 1974 | 41          | FN             | MB   |
| 2736 | Sinclair             | Carolyn    | 25  | 2011 | 19          | AB             | MB   |

<sup>74</sup> Isabel and Marissa Simoes are sisters; they were abducted together.

| #    | Last Name  | First Name  | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|-------------|-----|------|-------------|----------------|------|
| 2737 | Sinclair   | Chastity    | 13  | 2008 | 1           | UN             | SK   |
| 2738 | Sinclair   | Elsie       | *** | 1996 | 46          | UN             | ON   |
| 2739 | Sinclair   | Lorraine    | 37  | 1997 | 19          | AB             | MB   |
| 2740 | Sinclair   | Pheonix     | 5   | 2005 | 15          | FN             | MB   |
| 2741 | Singh      | Dianna      | 21  | 1974 | 10          | BL             | ON   |
| 2742 | Singh      | Janki       | 67  | 2002 | 18          | UN             | BC   |
| 2743 | Sismar     | Vanessa     | 24  | 2005 | 50          | UN             | ON   |
| 2744 | Sivret     | Jeanne      | *** | 1986 | 10          | UN             | NB   |
| 2745 | Skunk      | Sarah       | 43  | 1995 | 1           | FN             | ON   |
| 2746 | Skye       | Naiomi      | 25  | 1997 | 10          | AB             | BC   |
| 2747 | Skye       | Tiffany     | 19  | 2011 | 41          | AB             | MB   |
| 2748 | Sleiman    | Diana       | 3   | 2000 | 4           | ME             | QC   |
| 2749 | Slichta    | Helen       | 71  | 2009 | 14          | UN             | ON   |
| 2750 | Slots      | Carla       | 29  | 2000 | 10          | AB             | BC   |
| 2751 | Smaaslet   | Cindy-Lou   | 21  | 1987 | 17          | AB             | ON   |
| 2752 | Small-Legs | Darlene     | *** | ***  | 10          | AB             | BC   |
| 2753 | Smallpiece | Edith       | 65  | 1973 | 10          | UN             | MB   |
| 2754 | Smith      | Alma        | 82  | 1994 | 14          | UN             | ON   |
| 2755 | Smith      | Amber       | 35  | 2013 | 1           | CN             | ON   |
| 2756 | Smith      | Ashley      | 18  | 2007 | 17          | FN             | ON   |
| 2757 | Smith      | Beverly     | 22  | 1974 | 19          | UN             | ON   |
| 2758 | Smith      | Carla       | 27  | 2011 | 10          | UN             | BC   |
| 2759 | Smith      | Cheri       | 18  | 1990 | 10          | AB             | BC   |
| 2760 | Smith      | Debbie      | 51  | 2007 | 10          | UN             | AB   |
| 2761 | Smith      | Deborah     | 39  | 2009 | 16          | UN             | SK   |
| 2762 | Smith      | Eugena      | 33  | 2007 | 16          | UN             | ON   |
| 2763 | Smith      | Gina        | 40  | 2005 | 1           | CN             | ON   |
| 2764 | Smith      | Jane        | 20  | 1975 | 2           | CN             | BC   |
| 2765 | Smith      | Jasmine     | 18  | 2011 | 13          | UN             | SK   |
| 2766 | Smith      | Julie       | 33  | 2002 | 12          | AB             | BC   |
| 2767 | Smith      | Marie-Elyse | 25  | 2011 | 19          | UN             | QC   |
| 2768 | Smith      | Mary        | 25  | 1999 | 1           | AB             | MB   |
| 2769 | Smith      | Mary        | **  | 1998 | 1           | AB             | BC   |
| 2770 | Smith      | Ruth        | 71  | 2001 | 46          | UN             | ON   |

| #    | Last Name              | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------------------|------------|-----|------|-------------|----------------|------|
| 2771 | Smith                  | Tanya      | 16  | 1995 | 13          | UN             | BC   |
| 2772 | Smith                  | Tasha      | 28  | 2010 | 1           | CN             | ON   |
| 2773 | Smith                  | Wendy      | **  | 1995 | 1           | CN             | ON   |
| 2774 | Smith-Fairbairn        | Joann      | 44  | 2007 | 16          | UN             | ON   |
| 2775 | Smoker                 | Marietta   | *** | ***  | 10          | AB             | BC   |
| 2776 | Smrekar                | Marj       | 42  | 2003 | 16          | UN             | ON   |
| 2777 | Smyrski                | Nellie     | 46  | 1978 | 12          | UN             | MB   |
| 2778 | Snow                   | Peggy      | *** | ***  | 10          | AB             | BC   |
| 2779 | Snow                   | Shirley    | 44  | 2002 | 19          | UN             | ON   |
| 2780 | Sodhi                  | Kamlesh    | 39  | 1995 | 19          | UN             | ON   |
| 2781 | Soet                   | Ingrid     | 40  | 1989 | 1           | AB             | BC   |
| 2782 | Sollen                 | Candice    | 23  | 1998 | 10          | UN             | ON   |
| 2783 | Solomon                | Felicia    | 16  | 2003 | 10          | FN             | MB   |
| 2784 | Solway <sup>75</sup>   | Danika     | 3   | 2002 | 46          | AB             | SK   |
| 2785 | Solway                 | Starr      | *** | 2002 | 46          | AB             | SK   |
| 2786 | Somerton               | Lisa       | **  | 1988 | 1           | CN             | ON   |
| 2787 | Soosay                 | Bernice    | *** | 1986 | 12          | FN             | AB   |
| 2788 | Sorella                | Amanda     | 9   | 2009 | 15          | CN             | QC   |
| 2789 | Sorella                | Sabrina    | 8   | 2009 | 15          | CN             | QC   |
| 2790 | Soukonnik              | Maia       | 60  | 2008 | 50          | UN             | AB   |
| 2791 | Sousa                  | Leah       | 13  | 1990 | 36          | UN             | ON   |
| 2792 | Sousa                  | Lorena     | 36  | 2010 | 46          | UN             | ON   |
| 2793 | Sowan                  | Glenna     | 25  | 1988 | 10          | UN             | BC   |
| 2794 | Spence                 | Dorothy    | **  | 1995 | 2           | AB             | BC   |
| 2795 | Sperling <sup>76</sup> | Corinna    | 5   | 1998 | 4           | CN             | BC   |
| 2796 | Spooner                | Stephanie  | 16  | 1991 | 16          | UN             | AB   |
| 2797 | St Jean                | Jeanine    | 42  | 2006 | 10          | CN             | ON   |
| 2798 | St. Arnault            | Stella     | 15  | 1971 | 1           | FN             | AB   |
| 2799 | St. Germain            | Jeanne     | *** | 1970 | 10          | UN             | ON   |

<sup>75</sup> Solway is the daughter of Starr Solway; they were murdered together.

<sup>76</sup> Sperling and her brother, Sheldon, were abducted together.

| #    | Last Name              | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------------------|------------|-----|------|-------------|----------------|------|
| 2800 | St. Jean               | Jeanine    | 42  | 2007 | 10          | AB             | ON   |
| 2801 | St. Jean               | Joan       | 53  | 1999 | 46          | UN             | ON   |
| 2802 | Stafford               | Victoria   | 8   | 2009 | 13          | CN             | ON   |
| 2803 | Stalman                | Brittany   | 17  | 2006 | 1           | UN             | BC   |
| 2804 | Standingready          | Bernadine  | 26  | 1991 | 10          | FN             | BC   |
| 2805 | Stanicia               | Jacqueline | 40  | 2003 | 1           | AB             | MB   |
| 2806 | Starkey-<br>Brailsford | Barbara    | 79  | 2010 | 19          | UN             | ON   |
| 2807 | St-Arneault            | Annie      | *** | 1989 | 46          | UN             | QC   |
| 2808 | Starr                  | Carrie     | *** | ***  | 40          | UN             | BC   |
| 2809 | Stauffer               | Emily      | 14  | 2008 | 13          | UN             | AB   |
| 2810 | Stearne                | Donna      | 17  | 1973 | 10          | UN             | ON   |
| 2811 | Stein                  | Betty      | 23  | 1972 | 10          | UN             | BC   |
| 2812 | Steinhoefer            | Renate     | 66  | 1999 | 19          | UN             | ON   |
| 2813 | Stephen                | Linda      | 58  | 2011 | 1           | CN             | BC   |
| 2814 | Stephenson             | Nona       | 17  | 1979 | 10          | UN             | BC   |
| 2815 | Steppa                 | Elsie      | 81  | 2013 | 56          | UN             | MB   |
| 2816 | Stevens                | Cindy      | 35  | 1999 | 19          | UN             | ON   |
| 2817 | Stevens                | Valerie    | 19  | 1989 | 10          | UN             | ON   |
| 2818 | Stevenson              | Stephanie  | 33  | 2006 | 16          | UN             | ON   |
| 2819 | Stevenson              | Cindy      | *** | 1999 | 17          | AB             | MB   |
| 2820 | Stewart                | Carol      | 0   | 1972 | 15          | MS             | SK   |
| 2821 | Stewart                | Dawn       | **  | 1995 | 10          | UN             | ON   |
| 2822 | Stewart                | Dianne     | 42  | 1996 | 10          | FN             | BC   |
| 2823 | Stewart                | Evelyn     | 25  | 1998 | 10          | FN             | MB   |
| 2824 | Stewart                | Jennifer   | 36  | 2010 | 19          | AB             | ON   |
| 2825 | Stewart                | Jessie     | 88  | 1982 | 13          | UN             | MB   |
| 2826 | Stewart                | Patricia   | 71  | 1990 | 10          | UN             | ON   |
| 2827 | Stewart                | Stephanie  | 70  | 2006 | 2           | CN             | AB   |
| 2828 | Stinson                | Elizabeth  | 69  | 1970 | 19          | UN             | MB   |
| 2829 | St-Martin              | Sylvie     | 46  | 2013 | 1           | CN             | QC   |
| 2830 | Stolarchuk             | Luanne     | *** | ***  | 10          | AB             | BC   |
| 2831 | Stolberg               | Kim        | *** | 1989 | 10          | UN             | BC   |
| 2832 | Stoll                  | Louise     | *** | 1971 | 12          | UN             | AB   |

| #    | Last Name   | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------|------------|-----|------|-------------|----------------|------|
| 2833 | Stone       | Donna      | *** | 1994 | 16          | UN             | BC   |
| 2834 | Stone       | Gail       | *** | 1998 | 10          | UN             | NS   |
| 2835 | Stone       | Karrie     | 42  | 2010 | 13          | CN             | BC   |
| 2836 | Stonechild  | ***        | 24  | ***  | 10          | AB             | NL   |
| 2837 | Stonehouse  | Jinisina   | **  | 1983 | 1           | CN             | ON   |
| 2838 | Stoney      | Cybil      | 37  | 2009 | 16          | FN             | ON   |
| 2839 | Stony       | Donna      | *** | ***  | 10          | AB             | NL   |
| 2840 | Stoppel     | Barbara    | 16  | 1981 | 10          | UN             | MB   |
| 2841 | St-Pierre   | Francesca  | 14  | 2007 | 17          | FN             | QC   |
| 2842 | Strachan    | Sarah      | 16  | 2004 | 1           | AB             | BC   |
| 2843 | Strickland  | Carla      | *   | 1991 | 10          | UN             | NS   |
| 2844 | Strojnuk    | Zofia      | 54  | 2006 | 16          | UN             | ON   |
| 2845 | Struble     | Courtney   | 13  | 2004 | 2           | CN             | SK   |
| 2846 | Stuchenko   | Jill       | 35  | 2009 | 19          | CN             | BC   |
| 2847 | Subramaniam | Thayalini  | 31  | 2006 | 16          | UN             | ON   |
| 2848 | Sukhdeo     | Christina  | 19  | 2003 | 16          | UN             | ON   |
| 2849 | Suljovic    | Sultana    | 15  | 2000 | 1           | CN             | ON   |
| 2850 | Sullivan    | Cindy      | 40  | 2012 | 19          | UN             | ON   |
| 2851 | Sullivan    | Delonna    | 0   | 2011 | 41          | UN             | AB   |
| 2852 | Sun         | Lan        | 46  | 2008 | 1           | AS             | BC   |
| 2853 | Sunga       | Cynthia    | **  | 2005 | 1           | AS             | ON   |
| 2854 | Supleve     | Johanne    | 22  | 1976 | 10          | UN             | MB   |
| 2855 | Surprenant  | Julie      | 16  | 1999 | 58          | CN             | QC   |
| 2856 | Susan       | Trudel     | 50  | 2009 | 11          | UN             | AB   |
| 2857 | Sutherland  | Jane       | *** | 1984 | 10          | FN             | ON   |
| 2858 | Sutherland  | Tashina    | 23  | 2012 | 19          | UN             | BC   |
| 2859 | Sutton      | Meloni     | 18  | 2003 | 13          | AB             | ON   |
| 2860 | Swanson     | Gina       | 33  | 2011 | 19          | UN             | MB   |
| 2861 | Swaranjitk  | Thandi     | *** | ***  | 40          | UN             | BC   |
| 2862 | Swart       | Janetta    | 76  | 2010 | 46          | UN             | BC   |
| 2863 | Swartz      | Brenda     | 50  | 1998 | 16          | UN             | ON   |
| 2864 | Sweeney     | Renée      | **  | 1998 | 10          | UN             | ON   |
| 2865 | Sweet       | Marlene    | *** | 1982 | 10          | UN             | ON   |
| 2866 | Sweet       | Tracy Lynn | 32  | 2002 | 46          | UN             | ON   |

| #    | Last Name   | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------|------------|-----|------|-------------|----------------|------|
| 2867 | Swenty      | Nancy      | 33  | 2011 | 19          | UN             | MB   |
| 2868 | Sylvestre   | Janet      | **  | 1994 | 29          | FN             | SK   |
| 2869 | Szava       | Ildiko     | 46  | 2008 | 46          | UN             | ON   |
| 2870 | Szendrei    | Laura      | 15  | 2010 | 13          | UN             | BC   |
| 2871 | Tagoona     | Vanessa    | 29  | 2009 | 41          | IT             | ON   |
| 2872 | Tait        | Susan      | 45  | 2006 | 10          | UN             | BC   |
| 2873 | Takhar      | Jaswinder  | 45  | 2010 | 10          | SA             | BC   |
| 2874 | Takyi       | Bridget    | 27  | 2013 | 19          | BL             | ON   |
| 2875 | Talbot      | Olivia     | 19  | 2005 | 16          | CN             | AB   |
| 2876 | Talbot      | Taiya      | 6   | 2009 | 14          | UN             | ON   |
| 2877 | Taleshi     | Sholeh     | 42  | 1997 | 16          | UN             | ON   |
| 2878 | Talley      | Leslie     | 29  | 2010 | 10          | AB             | AB   |
| 2879 | Tam         | Yuk Ngor   | 67  | 2013 | 19          | UN             | QC   |
| 2880 | Tanaskow    | Stephanie  | 36  | 1997 | 16          | UN             | ON   |
| 2881 | Tannous     | Hinda      | 64  | 2010 | 46          | UN             | ON   |
| 2882 | Tarantino   | Benita     | 17  | 1985 | 10          | UN             | ON   |
| 2883 | Tashoots    | Norma      | 17  | 1989 | 13          | FN             | BC   |
| 2884 | Tasker      | Elsie      | 42  | 1947 | 10          | UN             | MB   |
| 2885 | Tatchell    | Allanna    | 14  | 2009 | 1           | CN             | BC   |
| 2886 | Tatrai      | Linda      | 18  | 1985 | 10          | UN             | BC   |
| 2887 | Tawakuil    | Aziz       | *** | 1995 | 16          | UN             | ON   |
| 2888 | Taylor      | Donna      | 36  | 2007 | 10          | FN             | BC   |
| 2889 | Taylor      | Ella       | 18  | 1955 | 10          | UN             | NS   |
| 2890 | Taylor      | Karen-Lee  | 19  | 1990 | 10          | UN             | BC   |
| 2891 | Taylor      | Nadine     | 29  | 2010 | 13          | CN             | NS   |
| 2892 | Taylor      | Noreen     | 32  | 2001 | 10          | AB             | MB   |
| 2893 | Taylor      | Shelley    | *** | ***  | 18          | UN             | ON   |
| 2894 | Taylor      | Shirley    | 36  | 1999 | 19          | UN             | ON   |
| 2895 | Taylor      | Wanda      | 44  | 2010 | 16          | UN             | ON   |
| 2896 | Taysup      | Eva        | 22  | 1992 | 28          | FN             | SK   |
| 2897 | Tchoudakoba | Elaine     | *** | 1995 | 16          | UN             | ON   |
| 2898 | Teague      | Jennifer   | 13  | 2005 | 13          | CN             | ON   |
| 2899 | Tebbenham   | Donna      | 16  | 1987 | 31          | AB             | ON   |
| 2900 | Tedford     | Wendy      | 17  | 1973 | 10          | UN             | ON   |

| #    | Last Name  | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|------------|------------|-----|------|-------------|----------------|------|
| 2901 | Teeple     | Lyanna     | 1   | 2011 | 19          | UN             | BC   |
| 2902 | Tehran     | Fatermeh   | 36  | 2001 | 19          | UN             | ON   |
| 2903 | Temperton  | Mélanie    | 20  | 1988 | 2           | CN             | QC   |
| 2904 | Teravainen | Alma       | 67  | 2005 | 10          | UN             | ON   |
| 2905 | Teske      | Barbara    | 38  | 1998 | 19          | UN             | ON   |
| 2906 | Tessier    | Beverley   | 44  | 2010 | 19          | UN             | ON   |
| 2907 | Thayakumar | Malini     | 36  | 2006 | 46          | UN             | ON   |
| 2908 | Thayakumar | Neruuya    | 14  | 2006 | 46          | UN             | ON   |
| 2909 | Theodorou  | Grace      | 21  | 1991 | 10          | UN             | BC   |
| 2910 | Therrien   | France     | 58  | 2007 | 1           | CN             | QC   |
| 2911 | Thiara     | Roxanne    | 15  | 1994 | 10          | AB             | BC   |
| 2912 | Thibault   | Christine  | 58  | 2009 | 1           | CN             | QC   |
| 2913 | Thibault   | Judith     | **  | 2000 | 16          | AB             | ON   |
| 2914 | Thibault   | Madeleine  | 53  | 1981 | 1           | CN             | QC   |
| 2915 | Thibault   | Rolande    | 69  | 2013 | 2           | CN             | QC   |
| 2916 | Thibert    | Lalonne    | 25  | 1993 | 12          | AB             | BC   |
| 2917 | Thiessen   | Marion     | **  | 1979 | 1           | CN             | BC   |
| 2918 | Thomas     | Alison     | **  | 1978 | 1           | CN             | BC   |
| 2919 | Thomas     | April      | 42  | 1998 | 19          | UN             | ON   |
| 2920 | Thomas     | Cassandra  | 1   | 2003 | 15          | FN             | MB   |
| 2921 | Thomas     | Heather    | 10  | 2000 | 13          | UN             | BC   |
| 2922 | Thomas     | Mary       | *** | 1971 | 2           | AB             | BC   |
| 2923 | Thomas     | Patricia   | *** | 1984 | 25          | AB             | BC   |
| 2924 | Thomas     | Sonia      | 41  | 2010 | 1           | AB             | BC   |
| 2925 | Thomas     | Stephanie  | *** | 1998 | 16          | AB             | BC   |
| 2926 | Thomas     | Theresa    | 58  | 2009 | 19          | UN             | BC   |
| 2927 | Thompson   | Charmaine  | 23  | ***  | 19          | UN             | ON   |
| 2928 | Thompson   | Josephine  | **  | 1971 | 10          | AB             | ON   |
| 2929 | Thompson   | Kimberly   | 30  | ***  | 19          | UN             | ON   |
| 2930 | Thompson   | Tina       | 20  | 1993 | 10          | UN             | BC   |
| 2931 | Thomson    | Melanie    | 36  | 2010 | 1           | BL             | BC   |
| 2932 | Threlfell  | Ann        | 24  | 1980 | 10          | AB             | BC   |
| 2933 | Thunder    | Arlene     | *** | 1994 | 40          | AB             | AB   |
| 2934 | Thurier    | Heather    | 23  | 2010 | 13          | AB             | AB   |



| #    | Last Name | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------|------------|-----|------|-------------|----------------|------|
| 2935 | Thyrone   | Regina     | 35  | 2000 | 13          | CN             | YK   |
| 2936 | Tian      | Yuan       | 31  | 2008 | 10          | AS             | ON   |
| 2937 | Tice      | Susan      | 45  | 1983 | 10          | UN             | ON   |
| 2938 | Tilley    | Erin       | 27  | 2007 | 10          | CN             | AB   |
| 2939 | Tillotson | Joyce      | 42  | 1993 | 1           | FN             | SK   |
| 2940 | Timlock   | Debbie     | 33  | 1989 | 16          | UN             | ON   |
| 2941 | Tinao     | Zenaida    | 36  | 2001 | 16          | SA             | ON   |
| 2942 | Tocher    | Lavina     | 35  | 1991 | 1           | AB             | SK   |
| 2943 | Todd      | Catherine  | 48  | 2013 | 19          | CN             | ON   |
| 2944 | Tolgyes   | Kimlyn     | 19  | 2002 | 10          | UN             | ON   |
| 2945 | Tom       | Destiny    | 21  | 2013 | 10          | FN             | BC   |
| 2946 | Tom       | Shelby     | 40  | 2003 | 13          | BL             | BC   |
| 2947 | Tom       | Tracey     | *** | 2003 | 10          | UN             | BC   |
| 2948 | Tomajin   | Josie      | 45  | 2011 | 19          | UN             | BC   |
| 2949 | Tomat     | Helena     | *** | 1989 | 10          | AB             | BC   |
| 2950 | Tomlinson | Lizzie     | 6   | 1980 | 43          | UN             | ON   |
| 2951 | Tomma     | Elsie      | *** | ***  | 10          | AB             | BC   |
| 2952 | Tompkins  | Elizabeth  | 41  | 2008 | 46          | UN             | ON   |
| 2953 | Tong      | Angela     | 22  | 1997 | 19          | AS             | ON   |
| 2954 | Tong      | Gui Feng   | 61  | 2013 | 1           | AS             | BC   |
| 2955 | Tonn      | Heather    | 31  | 1981 | 19          | UN             | MB   |
| 2956 | Toope     | Jocelyn    | 70  | 1995 | 13          | UN             | QC   |
| 2957 | Toor      | Ranjitk    | *** | ***  | 40          | UN             | BC   |
| 2958 | Tootiak   | Belinda    | 30  | 2008 | 16          | IT             | NU   |
| 2959 | Topic     | Ljubica    | 6   | 1971 | 10          | UN             | ON   |
| 2960 | Topping   | Cheryl     | 19  | 2002 | 46          | UN             | ON   |
| 2961 | Toreihi   | Nasrin     | 47  | 2011 | 58          | UN             | ON   |
| 2962 | Torvalson | Brianna    | 21  | ***  | 10          | CN             | AB   |
| 2963 | Toulouse  | Deborah    | 41  | 2002 | 46          | FN             | ON   |
| 2964 | Tousant   | Lillian    | 83  | 1975 | 10          | UN             | ON   |
| 2965 | Toussaint | Cinthia    | 23  | 2010 | 19          | BL             | QC   |
| 2966 | Tracey    | Tami       | 17  | 1990 | 12          | AB             | BC   |
| 2967 | Tracy     | Kimberley  | *** | 1999 | 13          | UN             | BC   |
| 2968 | Tran      | Kaila      | 26  | 2012 | 19          | UN             | MB   |

| #    | Last Name      | First Name  | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|----------------|-------------|-----|------|-------------|----------------|------|
| 2969 | Tran           | Linh        | 48  | 2005 | 19          | UN             | ON   |
| 2970 | Tran           | Mindy       | 8   | 1994 | 11          | BL             | BC   |
| 2971 | Tran           | Xuyen       | 51  | 2011 | 46          | UN             | ON   |
| 2972 | Traverse       | Heaven      | 1   | 2005 | 43          | AB             | MB   |
| 2973 | Tremblay       | Émilie      | 29  | 2013 | 1           | CN             | QC   |
| 2974 | Tremblay       | Lyne        | 42  | 2003 | 1           | CN             | QC   |
| 2975 | Tremblay       | Mandy       | 3   | 1992 | 10          | UN             | AB   |
| 2976 | Tremblay       | Jacynthe    | 23  | 1978 | 10          | CN             | QC   |
| 2977 | Triff          | Teresa      | **  | 1993 | 1           | CN             | BC   |
| 2978 | Truscott       | Wendy       | 52  | 2006 | 18          | UN             | AB   |
| 2979 | Tsana          | Marianthi   | 25  | 2010 | 46          | UN             | BC   |
| 2980 | Tubbs          | Shelley     | 38  | 2011 | 1           | CN             | BC   |
| 2981 | Tuccaro        | Amber       | 20  | 2010 | 10          | AB             | AB   |
| 2982 | Tuckatuck      | Heather     | 23  | 2001 | 1           | AB             | NT   |
| 2983 | Tucker         | Darlene     | **  | 1983 | 1           | CN             | ON   |
| 2984 | Tuks           | Carol       | **  | 2002 | 1           | CN             | AB   |
| 2985 | Tuncer         | Muruwet     | 41  | 2009 | 16          | UN             | ON   |
| 2986 | Tunnel         | Lucie       | *** | 1990 | 13          | AB             | AB   |
| 2987 | Turcan         | Brenda      | 59  | 2009 | 16          | CN             | BC   |
| 2988 | Turcotte       | Anne-Sophie | 3   | 2009 | 50          | UN             | ON   |
| 2989 | Turcotte       | Annie       | *   | 1989 | 46          | UN             | QC   |
| 2990 | Turley         | Rachel      | 20  | 1985 | 18          | AB             | BC   |
| 2991 | Turnau         | Helga       | 79  | 2013 | 1           | CN             | ON   |
| 2992 | Turner         | Dana        | 31  | 2011 | 19          | UN             | AB   |
| 2993 | Turner         | Nancy       | *** | ***  | 46          | UN             | ON   |
| 2994 | Tzallas        | Maria       | 6   | 1992 | 4           | CN             | ON   |
| 2995 | Ullah          | Nabella     | 28  | 1997 | 16          | UN             | ON   |
| 2996 | Ulm            | Tatia       | 39  | 2005 | 10          | FN             | MB   |
| 2997 | Ulmer-Billy    | Lorna       | 15  | 2005 | 16          | AB             | BC   |
| 2998 | Um             | Judy        | 52  | 2003 | 16          | UN             | ON   |
| 2999 | Unger          | Margaret    | 55  | 1989 | 10          | UN             | MB   |
| 3000 | Upright        | Sherry      | 25  | 1999 | 12          | AB             | AB   |
| 3001 | Upton La Fleur | Corrine     | *** | ***  | 40          | UN             | BC   |

| #    | Last Name          | First Name        | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------|-------------------|-----|------|-------------|----------------|------|
| 3002 | Urry               | Faye              | *** | 2002 | 10          | UN             | BC   |
| 3003 | Uttak              | Tracy             | 26  | 2012 | 19          | IT             | NU   |
| 3004 | Valencia-<br>Russo | Anna-<br>Consuelo | 44  | 2009 | 17          | UN             | ON   |
| 3005 | Vallière           | Nicole            | 62  | 2008 | 1           | CN             | QC   |
| 3006 | Van Der<br>Basch   | Shawna            | 20  | 1991 | 10          | UN             | AB   |
| 3007 | Van Der<br>Wouden  | Whitney           | 15  | 2009 | 17          | UN             | ON   |
| 3008 | van Diest          | Taylor            | 18  | 2011 | 19          | UN             | BC   |
| 3009 | Van Huuksloot      | Crystal           | 20  | 1977 | 1           | CN             | BC   |
| 3010 | Van Overdijk       | Madelene          | 37  | 1971 | 1           | CN             | ON   |
| 3011 | Vandale            | Michelle          | 41  | 2009 | 19          | UN             | BC   |
| 3012 | Vander Stoel       | Heather           | 66  | 2011 | 19          | UN             | ON   |
| 3013 | Vanderbasch        | Shawna            | 20  | 1991 | 10          | UN             | AB   |
| 3014 | Vanscoy            | Jasmine           | 14  | 1996 | 19          | UN             | ON   |
| 3015 | Vanwieren          | Jamie             | 17  | 1994 | 18          | UN             | BC   |
| 3016 | Varaschin          | Sonia             | 42  | 2010 | 10          | CN             | ON   |
| 3017 | Varity             | Ann               | *** | 1948 | 16          | UN             | MB   |
| 3018 | Vauden<br>Kermode  | Kathleen          | 73  | 1990 | 10          | UN             | BC   |
| 3019 | Vedan              | Margaret          | 41  | 1988 | 10          | AB             | BC   |
| 3020 | Velasquez          | Sarvia            | 1   | 2010 | 10          | UN             | AB   |
| 3021 | Venne              | Chantal           | **  | 1986 | 10          | AB             | BC   |
| 3022 | Veres              | Szilvia           | 35  | 2005 | 46          | UN             | ON   |
| 3023 | Vermeersch         | Jacqueline        | 85  | 2011 | 46          | UN             | ON   |
| 3024 | Vernon             | Cathy             | *** | 1985 | 58          | UN             | ON   |
| 3025 | Vesely             | Libuse            | 77  | 2002 | 46          | UN             | ON   |
| 3026 | Vetters            | Laverne           | 53  | 2012 | 1           | CN             | BC   |
| 3027 | Viau               | Carol             | 41  | 1985 | 1           | AB             | ON   |
| 3028 | Vicary             | Helen             | 84  | 2007 | 19          | UN             | ON   |
| 3029 | Vickery            | Linda             | 38  | 1998 | 18          | UN             | ON   |
| 3030 | Vicklund           | Cheryle           | *** | ***  | 40          | UN             | BC   |
| 3031 | Villeneuve         | Benoit            | *** | 1993 | 11          | UN             | ON   |

| #    | Last Name             | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------------------|------------|-----|------|-------------|----------------|------|
| 3032 | Vincent               | Lucielle   | *** | ***  | 10          | UN             | QC   |
| 3033 | Virk                  | Reena      | 14  | 1997 | 17          | AS             | BC   |
| 3034 | Vitiello              | Beverley   | 53  | 1997 | 43          | UN             | MB   |
| 3035 | Voght                 | William    | *** | 1993 | 13          | UN             | BC   |
| 3036 | Volker                | Debi       | 44  | 2009 | 16          | UN             | AB   |
| 3037 | Vollmershause<br>n    | Laurie     | 35  | 2000 | 16          | UN             | ON   |
| 3038 | Voth                  | Breann     | 19  | 2002 | 13          | CN             | BC   |
| 3039 | Vu                    | Thuy Yen   | 38  | 2011 | 10          | AS             | BC   |
| 3040 | Wadhams               | Adriane    | 6   | 1989 | 12          | AB             | BC   |
| 3041 | Wadhams               | Patricia   | *** | ***  | 10          | AB             | BC   |
| 3042 | Wadman                | Triffie    | *** | 2011 | 19          | UN             | NL   |
| 3043 | Wagler                | Nicole     | 17  | 2012 | 19          | UN             | ON   |
| 3044 | Walden                | Carol      | *** | ***  | 40          | UN             | BC   |
| 3045 | Walkowaik             | Christ     | *** | 1971 | 10          | UN             | ON   |
| 3046 | Wallace               | Christina  | 72  | 2004 | 1           | FN             | BC   |
| 3047 | Wallace               | Sherry     | 31  | 1984 | 10          | UN             | BC   |
| 3048 | Wallace               | Tanya      | *** | ***  | 10          | AB             | BC   |
| 3049 | Walters               | Delores    | 21  | 1988 | 11          | UN             | ON   |
| 3050 | Walters <sup>77</sup> | Kerry      | 25  | 2009 | 46          | CN             | ON   |
| 3051 | Walters               | Starla     | 0   | 2009 | 46          | BL             | ON   |
| 3052 | Wang                  | Ling       | 32  | 2002 | 16          | UN             | ON   |
| 3053 | Wanner                | Wilhelmina | ##  | 1989 | 1           | UN             | AB   |
| 3054 | Wapass                | Maxine     | 23  | 2002 | 11          | FN             | SK   |
| 3055 | Waquan                | Shirley    | 39  | 2007 | 1           | AB             | AB   |
| 3056 | Ward                  | Jennifer   | 26  | 2008 | 17          | AB             | MB   |
| 3057 | Ward                  | Misty      | 27  | 2012 | 17          | UN             | AB   |
| 3058 | Ward                  | Sharon     | 29  | 1997 | 1           | CN             | BC   |
| 3059 | Warenko               | Lucille    | 64  | 1983 | 19          | UN             | MB   |
| 3060 | Waring                | Michelle   | 36  | 2002 | 19          | UN             | BC   |
| 3061 | Warne                 | Penny      | 57  | 2009 | 1           | CN             | ON   |

<sup>77</sup> Walters is the mother of Starla Walters; they were murdered together.

| #    | Last Name    | First Name | Age | Year        | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------|------------|-----|-------------|-------------|----------------|------|
| 3062 | Wasicuna     | Wilma      | 42  | 1998        | 46          | AB             | MB   |
| 3063 | Wassaykeesic | Sophie     | *** | 1976        | 41          | FN             | ON   |
| 3064 | Waterhen     | Calinda    | 22  | 1992        | 28          | FN             | SK   |
| 3065 | Watson       | Alyssa     | 20  | 2006        | 17          | UN             | ON   |
| 3066 | Watson       | Carole     | 25  | 1990        | 13          | UN             | MB   |
| 3067 | Watson       | Desiree    | 23  | 1990        | 46          | UN             | MB   |
| 3068 | Watt         | Gail       | 42  | 2007        | 19          | AB             | MB   |
| 3069 | Watters      | Victoria   | *   | 1992        | 6           | CN             | BC   |
| 3070 | Wattley      | Kathleen   | **  | 1992        | 2           | BL             | BC   |
| 3071 | Wawia        | Sarah      | *** | 1966        | 10          | FN             | ON   |
| 3072 | Way          | Brenda     | 28  | 1995        | 16          | UN             | NS   |
| 3073 | Weaver       | Christal   | 29  | 2007        | 10          | UN             | BC   |
| 3074 | Weber        | Cynthia    | 22  | 1981        | 1           | UN             | AB   |
| 3075 | Weber        | Jutta      | 48  | 1997        | 16          | UN             | ON   |
| 3076 | Webster      | Michelle   | 44  | 2004        | 40          | BL             | BC   |
| 3077 | Wedel        | Shirley    | 35  | 1991        | 16          | UN             | MB   |
| 3078 | Wedge        | Michelle   | 7   | 1975        | 5           | CN             | NB   |
| 3079 | Wei          | Siya       | 29  | 2009        | 1           | AS             | BC   |
| 3080 | Weismiller   | Darlene    | *** | ***         | 40          | UN             | BC   |
| 3081 | Weller       | Christine  | 12  | 1980        | 34          | AB             | BC   |
| 3082 | Wells        | Patricia   | 28  | 1975        | 10          | FN             | ON   |
| 3083 | Wellwood     | Katherine  | 54  | 1999        | 43          | UN             | ON   |
| 3084 | Welner       | Kathryn    | 45  | 2005        | 10          | UN             | NB   |
| 3085 | Wesaquate    | Brandy     | 29  | 2012        | 1           | AB             | SK   |
| 3086 | Wesaquate    | Janine     | 20  | 2004        | 10          | AB             | SK   |
| 3087 | Wesley       | Glenda     | *** | 1994        | 40          | AB             | MB   |
| 3088 | Wesley       | Mariah     | 18  | 2009        | 14          | FN             | ON   |
| 3089 | West         | Margaret   | 66  | 1996        | 46          | UN             | ON   |
| 3090 | Westby       | Shelly     | *** | 2005        | 19          | UN             | BC   |
| 3091 | Westgarde    | Tara Lynn  | 34  | 2010        | 10          | UN             | BC   |
| 3092 | Wesu         | Ono        | 70  | 1981        | 10          | AS             | MB   |
| 3093 | Ways         | Gale       | 19  | 1973        | 58          | CN             | BC   |
| 3094 | Whalan       | Bonnie     | 32  | 1990/<br>89 | 10          | UN             | BC   |

| #    | Last Name       | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-----------------|------------|-----|------|-------------|----------------|------|
| 3095 | Whalen          | Marissa    | 2   | 2011 | 19          | UN             | ON   |
| 3096 | Wheeler         | Jaime      | 20  | 2000 | 17          | FN             | SK   |
| 3097 | Whiskeyjack     | Marilyn    | 42  | 2007 | 16          | AB             | BC   |
| 3098 | White           | Hazel      | *** | ***  | 18          | UN             | BC   |
| 3099 | White           | Lauredith  | 51  | 2011 | 19          | UN             | ON   |
| 3100 | White           | Laurie     | 20  | 1996 | 11          | UN             | ON   |
| 3101 | White           | Liana      | 29  | 2005 | 16          | UN             | MB   |
| 3102 | White           | Lynda      | 19  | 1968 | 10          | UN             | ON   |
| 3103 | White           | Melinda    | 31  | 1999 | 41          | UN             | BC   |
| 3104 | White           | Tara       | *** | 1976 | 10          | UN             | AB   |
| 3105 | Whitcrow        | Katrina    | *** | ***  | 18          | FN             | ON   |
| 3106 | Whitehawk       | Celine     | 0   | 2008 | 15          | FN             | SK   |
| 3107 | Whitehead       | Rhonda     | *** | 1999 | 46          | AB             | AB   |
| 3108 | Whiteman        | Delores    | *   | 1987 | 1           | FN             | SK   |
| 3109 | Whiteman        | Freda      | *** | 2006 | 1           | UN             | AB   |
| 3110 | Whitford        | Chasidy    | 2   | 2002 | 15          | FN             | BC   |
| 3111 | Whitford        | Florence   | *** | 1986 | 46          | AB             | AB   |
| 3112 | Whitley         | Charmaine  | 38  | 2010 | 16          | BL             | ON   |
| 3113 | Whitney         | Beverley   | *** | ***  | 40          | UN             | BC   |
| 3114 | Whynot          | Kelly      | 17  | 1991 | 18          | UN             | NS   |
| 3115 | Wiebe           | Jeannie    | *** | ***  | 40          | UN             | BC   |
| 3116 | Wielguszezewski | Valentine  | 84  | ***  | 19          | UN             | ON   |
| 3117 | Wilkinson       | Amber      | 32  | 2011 | 13          | UN             | ON   |
| 3118 | Wilkinson       | Thomas     | 31  | 1996 | 13          | UN             | ON   |
| 3119 | Williams        | Alberta    | 24  | 1989 | 10          | AB             | BC   |
| 3120 | Williams        | Angela     | 31  | 2001 | 41          | AB             | BC   |
| 3121 | Williams        | Betty      | *** | ***  | 10          | AB             | BC   |
| 3122 | Williams        | Cathy      | 21  | 1988 | 2           | CN             | MB   |
| 3123 | Williams        | Cindy      | 4   | 1974 | 10          | UN             | ON   |
| 3124 | Williams        | Cindy      | *** | ***  | 10          | AB             | BC   |
| 3125 | Williams        | Geraldine  | *** | ***  | 10          | AB             | BC   |
| 3126 | Williams        | Heather    | 27  | 2005 | 46          | UN             | ON   |
| 3127 | Williams        | Leslie     | 32  | 1998 | 46          | UN             | ON   |
| 3128 | Williams        | Maribeth   | 16  | 1997 | 12          | UN             | ON   |

| #    | Last Name      | First Name  | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|----------------|-------------|-----|------|-------------|----------------|------|
| 3129 | Williams       | Olivia      | **  | 1996 | 2           | AB             | BC   |
| 3130 | Williams       | Ruby        | *** | ***  | 10          | AB             | BC   |
| 3131 | Williams       | Tara        | 40  | 2013 | 10          | UN             | BC   |
| 3132 | Williams       | Teressa     | **  | 1988 | 10          | AB             | BC   |
| 3133 | Williams       | Teri-Lyn    | 41  | 2010 | 13          | BL             | BC   |
| 3134 | Williamson     | Debilleanne | 29  | 2003 | 10          | UN             | ON   |
| 3135 | Williams-Scott | Evadne      | 3   | 2013 | 19          | BL             | ON   |
| 3136 | Willier        | Lisa        | 15  | 2004 | 1           | AB             | AB   |
| 3137 | Wilneff        | Kelly Lynn  | 17  | 1993 | 10          | UN             | NS   |
| 3138 | Wilson         | Adrienne    | 6   | 1989 | 19          | AB             | BC   |
| 3139 | Wilson         | Beverly     | *** | ***  | 40          | UN             | BC   |
| 3140 | Wilson         | Cassandra   | 41  | 2012 | 2           | CN             | BC   |
| 3141 | Wilson         | Emma        | 20  | 2009 | 17          | FN             | BC   |
| 3142 | Wilson         | Hillary     | 18  | 2009 | 10          | AB             | MB   |
| 3143 | Wilson         | John        | *** | 1994 | 16          | UN             | ON   |
| 3144 | Wilson         | Katherine   | 12  | 1970 | 14          | CN             | ON   |
| 3145 | Wilson         | Laura       | 23  | 2004 | 16          | UN             | ON   |
| 3146 | Wilson         | Lindsay     | 26  | 2013 | 46          | UN             | ON   |
| 3147 | Wilson         | Mona        | 26  | 2001 | 20          | FN             | BC   |
| 3148 | Wilson         | Ramona      | **  | 1994 | 10          | AB             | BC   |
| 3149 | Wilson         | Rhonda      | 31  | 2002 | 8           | CN             | NS   |
| 3150 | Wilson         | Sandra      | 42  | 2012 | 1           | CN             | BC   |
| 3151 | Wilson         | Therssa     | 30  | 2010 | 19          | AB             | ON   |
| 3152 | Wing           | Michelle    | *** | ***  | 40          | UN             | BC   |
| 3153 | Wiper          | Lyndon      | 26  | 2007 | 46          | UN             | ON   |
| 3154 | Wise           | Louise      | 17  | 1971 | 18          | UN             | BC   |
| 3155 | Wiwcharuk      | Alexandra   | 23  | 1962 | 10          | CN             | SK   |
| 3156 | Woelk          | Christine   | 49  | 2004 | 10          | UN             | ON   |
| 3157 | Wolanski       | Julian      | 16  | 1962 | 10          | UN             | ON   |
| 3158 | Wolfe          | Brenda      | 31  | 1999 | 20          | AB             | BC   |
| 3159 | Wolfe          | Karina      | 20  | 2010 | 1           | AB             | SK   |
| 3160 | Wolfe          | Wannita     | 18  | 1999 | 12          | AB             | SK   |
| 3161 | Wolffeg        | Ellen       | *** | 2005 | 41          | FN             | AB   |
| 3162 | Wolfsteiner    | Sandra      | 16  | 1981 | 34          | AB             | BC   |

| #    | Last Name          | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|--------------------|------------|-----|------|-------------|----------------|------|
| 3163 | Wolgram            | Brianne    | 19  | 1979 | 1           | CN             | BC   |
| 3164 | Wolski             | Valerie    | 41  | 2011 | 50          | UN             | AB   |
| 3165 | Wong <sup>78</sup> | Fang       | *** | ***  | 40          | AS             | BC   |
| 3166 | Wong               | Jenny      | 30  | 2012 | 16          | AS             | BC   |
| 3167 | Wong               | Maria      | 44  | 1999 | 19          | UN             | ON   |
| 3168 | Wong               | Wai        | 83  | 1981 | 18          | UN             | BC   |
| 3169 | Wood               | Ardeth     | 27  | 2003 | 13          | CN             | ON   |
| 3170 | Wood               | Marie      | 38  | 2010 | 17          | FN             | MB   |
| 3171 | Wood               | Renee      | 33  | 2009 | 41          | UN             | AB   |
| 3172 | Wood               | Sunshine   | 16  | 2004 | 1           | FN             | MB   |
| 3173 | Woodcock           | Jennie     | 50  | 1985 | 46          | UN             | ON   |
| 3174 | Woodcock           | Karen      | 33  | 1973 | 10          | UN             | ON   |
| 3175 | Woodland           | Marilyn    | 54  | 1996 | 16          | UN             | ON   |
| 3176 | Woodrow            | Edwina     | *** | ***  | 18          | UN             | ON   |
| 3177 | Woods              | Dorothy    | 45  | 2011 | 19          | CN             | SK   |
| 3178 | Woods              | Marie      | 31  | 1981 | 10          | UN             | ON   |
| 3179 | Woods              | Samantha   | 19  | 2011 | 19          | UN             | AB   |
| 3180 | Woodward           | Brenda     | 34  | 2003 | 12          | UN             | BC   |
| 3181 | Woolfsmith         | Mackenzey  | 1   | 2012 | 19          | UN             | AB   |
| 3182 | Woolley            | Jane       | 62  | 1969 | 58          | UN             | ON   |
| 3183 | Worm               | Gail       | *** | ***  | 40          | AB             | BC   |
| 3184 | Woznesensky        | Rose       | *** | 1974 | 58          | UN             | MB   |
| 3185 | Wrathmall          | Rachelle   | 31  | 2007 | 10          | CN             | QC   |
| 3186 | Wray               | Lorraine   | **  | 1990 | 10          | AB             | AB   |
| 3187 | Wrigglesworth      | Janina     | 72  | 2013 | 10          | CN             | ON   |
| 3188 | Wright             | Chrystal   | 19  | 1991 | 12          | AB             | BC   |
| 3189 | Wright             | Janice     | *** | ***  | 19          | UN             | ON   |
| 3190 | Wright             | Joy        | 49  | 2010 | 50          | UN             | NS   |
| 3191 | Wright-<br>Rikheim | Chantelle  | **  | 2005 | 19          | UN             | MB   |

<sup>78</sup> Wong is the mother of Jane Doe #101.

| #    | Last Name               | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------------------|------------|-----|------|-------------|----------------|------|
| 3192 | Wu                      | Shih Hsueh | 30  | 2012 | 1           | AS             | BC   |
| 3193 | Wyley                   | Laurie     | 46  | 2009 | 41          | UN             | AB   |
| 3194 | Wyrsh                   | Nadia      | 24  | 2006 | 46          | UN             | ON   |
| 3195 | Wyss                    | Cornelia   | *** | ***  | 18          | UN             | ON   |
| 3196 | Xavier                  | Valerie    | 80  | 2010 | 17          | UN             | ON   |
| 3197 | Yakimchuk <sup>79</sup> | Theresa    | **  | 1973 | 2           | CI             | ON   |
| 3198 | Yan                     | Betty      | 39  | 2009 | 10          | AS             | BC   |
| 3199 | Yassie                  | Annie      | 13  | 1974 | 2           | FN             | MB   |
| 3200 | Yeasmin                 | Tahmina    | 23  | 2008 | 16          | SA             | ON   |
| 3201 | Yeates                  | Mary       | 57  | 2003 | 46          | UN             | ON   |
| 3202 | Yelle                   | Suzanne    | *** | 1984 | 10          | CN             | QC   |
| 3203 | Yeo                     | Melissa    | 24  | 1999 | 1           | CN             | ON   |
| 3204 | Yeung                   | Rita       | 21  | 2005 | 34          | UN             | BC   |
| 3205 | Yin                     | Hong       | 33  | 2009 | 10          | AS             | BC   |
| 3206 | Ying                    | Yhonette   | 25  | 2004 | 19          | UN             | ON   |
| 3207 | Younes                  | Garcia     | 14  | 2013 | 1           | AS             | QC   |
| 3208 | Young                   | Amber      | 21  | 2008 | 13          | UN             | ON   |
| 3209 | Young                   | Brenda     | 39  | 1976 | 10          | UN             | BC   |
| 3210 | Young                   | Brenda     | *** | 1993 | 43          | UN             | NL   |
| 3211 | Young                   | Donna      | 32  | 1999 | 19          | UN             | ON   |
| 3212 | Young                   | Frances    | **  | 1996 | 1           | CN             | BC   |
| 3213 | Young                   | Judy       | 40  | 2006 | 1           | AB             | AB   |
| 3214 | Young                   | Julie      | **  | 1998 | 1           | CN             | BC   |
| 3215 | Young                   | Laura      | 37  | 2011 | 19          | UN             | ON   |
| 3216 | Young                   | Lisa       | 21  | 2002 | 2           | AB             | BC   |
| 3217 | Young Soon              | Koh        | 44  | 2003 | 10          | BL             | BC   |
| 3218 | Younker                 | Victoria   | 35  | 1995 | 10          | UN             | BC   |
| 3219 | Zajackowska             | Krystyna   | 44  | 2004 | 16          | UN             | ON   |
| 3220 | Zammit                  | Antonia    | 62  | 2009 | 14          | UN             | ON   |
| 3221 | Zarb                    | Violet     | 24  | 1993 | 1           | CN             | ON   |

| #    | Last Name   | First Name | Age | Year | Sta-<br>tus | Eth-<br>nicity | Prov |
|------|-------------|------------|-----|------|-------------|----------------|------|
| 3222 | Zatelný     | Alysa      | 19  | 2009 | 41          | UN             | BC   |
| 3223 | Zaveda      | Bailey     | 23  | 2008 | 13          | CN             | ON   |
| 3224 | Zawadi      | Hanan      | 22  | 1985 | 15          | UN             | ON   |
| 3225 | Zelic       | Dana       | **  | 1999 | 1           | CN             | ON   |
| 3226 | Zerbinos    | Panagiota  | 43  | 2012 | 19          | UN             | BC   |
| 3227 | Zeschner    | Elisabeth  | 14  | 1975 | 13          | CN             | BC   |
| 3228 | Zhang       | Cecilia    | 9   | 2003 | 13          | AS             | ON   |
| 3229 | Zhao        | Wei        | 21  | 2002 | 16          | AS             | BC   |
| 3230 | Zhou        | Shi        | 51  | 2013 | 19          | AS             | ON   |
| 3231 | Ziomkiewicz | Christine  | 27  | 1978 | 2           | CN             | BC   |
| 3232 | Zois        | Ilidia     | 22  | 2007 | 19          | UN             | ON   |
| 3233 | Zollerano   | Louise     | *** | ***  | 46          | UN             | ON   |
| 3234 | Zumach      | Jennifer   | 21  | 1999 | 16          | UN             | ON   |
| 3235 | Zwicker     | Lori       | *** | 1977 | 10          | UN             | ON   |

<sup>79</sup> Yakimchuk disappeared at the same time as her husband, Ron.

**Figure F-2: Unidentified or Unnamed Persons in the DD****Notes:**

1. In this chart, the year the body was found is provided, as it is more useful for the reader.
2. Some of the women are not unidentified, but have not been publically identified or their full names are not known.
3. All Jane Does were listed by numbers when first entered. If the person's remains were identified or identity was released, that information was entered. The numbers were not repeated. Hence, there may be numbers "missing" in this list.

| #    | Last Name         | First Name | Age | Status | Ethnicity | Prov. | Year |
|------|-------------------|------------|-----|--------|-----------|-------|------|
| 3236 | Doe               | Chantal    | *** | 10     | UN        | BC    | 1995 |
| 3237 | Doe               | Jane 001   | *** | 40     | RA        | AB    | 2006 |
| 3238 | Doe               | Jane 002   | *** | 10     | RA        | AB    | 1979 |
| 3239 | Doe               | Jane 003   | *** | 40     | CN        | QC    | 2000 |
| 3240 | Doe               | Jane 004   | *** | 40     | RA        | SK    | 1997 |
| 3241 | Doe               | Jane 007   | *** | 40     | RA        | BC    | 2006 |
| 3242 | Doe               | Jane 008   | *** | 40     | UN        | BC    | 1974 |
| 3243 | Doe               | Jane 020   | *** | 40     | UN        | ON    | 1992 |
| 3244 | Doe               | Jane 021   | 20  | 10     | UN        | BC    | 2009 |
| 3245 | Doe               | Jane 022   | *** | 10     | CN        | SK    | 2006 |
| 3246 | Doe               | Jane 023   | *** | 40     | CN        | ON    | 1978 |
| 3247 | Doe               | Jane 024   | *** | 40     | CN        | ON    | 2002 |
| 3248 | Doe               | Jane 025   | *** | 40     | CN        | ON    | 1975 |
| 3249 | Doe <sup>80</sup> | Jane 026   | *** | 10     | CN        | ON    | 1975 |
| 3250 | Doe               | Jane 027   | *** | 10     | UN        | ON    | 2006 |
| 3251 | Doe               | Jane 028   | *** | 40     | CN        | ON    | 2005 |
| 3252 | Doe               | Jane 029   | 28  | 18     | UN        | BC    | 2006 |
| 3253 | Doe               | Jane 030   | 67  | 1      | UN        | BC    | ***  |

<sup>80</sup> This unidentified homicide victim is also known as the "Nation River Lady."

| #    | Last Name         | First Name | Age | Status | Ethnicity | Prov. | Year |
|------|-------------------|------------|-----|--------|-----------|-------|------|
| 3254 | Doe               | Jane 031   | *** | 41     | RA        | ON    | 2005 |
| 3255 | Doe               | Jane 032   | *** | 40     | CN        | ON    | 1995 |
| 3256 | Doe               | Jane 033   | *** | 40     | CN        | ON    | 1975 |
| 3257 | Doe               | Jane 034   | *** | 40     | CN        | ON    | 1995 |
| 3258 | Doe               | Jane 035   | *** | 10     | UN        | BC    | 1994 |
| 3259 | Doe               | Jane 037   | *** | 40     | UN        | BC    | 2001 |
| 3260 | Doe               | Jane 043   | 22  | 12     | FN        | SK    | 2006 |
| 3261 | Doe               | Jane 047   | *** | 40     | AB        | SK    | 1994 |
| 3262 | Doe               | Jane 048   | 5   | 19     | IT        | NU    | 2006 |
| 3263 | Doe               | Jane 049   | 33  | 40     | AB        | BC    | 1993 |
| 3264 | Doe               | Jane 050   | *** | 10     | AB        | BC    | 1994 |
| 3265 | Doe               | Jane 051   | *** | 40     | RA        | BC    | 2004 |
| 3266 | Doe               | Jane 052   | *** | 10     | UN        | BC    | 1994 |
| 3267 | Doe               | Jane 053   | *** | 10     | UN        | BC    | 1995 |
| 3268 | Doe               | Jane 056   | 14  | 19     | UN        | MB    | 2004 |
| 3269 | Doe               | Jane 057   | *** | 41     | UN        | BC    | 2004 |
| 3270 | Doe               | Jane 059   | *** | 40     | UN        | BC    | 2009 |
| 3271 | Doe               | Jane 065   | 16  | 41     | UN        | MB    | 2009 |
| 3272 | Doe               | Jane 073   | *** | 40     | RA        | AB    | 2006 |
| 3273 | Doe               | Jane 074   | *** | 40     | CN        | AB    | 2003 |
| 3274 | Doe               | Jane 075   | *** | 10     | UN        | QC    | 2009 |
| 3275 | Doe               | Jane 077   | 67  | 1      | UN        | BC    | ***  |
| 3276 | Doe               | Jane 084   | 51  | 40     | UN        | AB    | 2009 |
| 3277 | Doe               | Jane 085   | *** | 10     | RA        | BC    | 1990 |
| 3278 | Doe <sup>81</sup> | Jane 086   | *** | 21     | UN        | BC    | 1995 |
| 3279 | Doe               | Jane 087   | *** | 10     | CN        | ON    | 1984 |
| 3280 | Doe               | Jane 088   | *** | 40     | CN        | ON    | 2006 |
| 3281 | Doe               | Jane 089   | *** | 40     | CN        | ON    | 1996 |
| 3282 | Doe               | Jane 090   | *** | 40     | CN        | SK    | 1997 |
| 3283 | Doe               | Jane 092   | *** | 10     | CN        | ON    | 2002 |
| 3284 | Doe               | Jane 094   | 16  | 19     | FN        | ON    | 2006 |

<sup>81</sup> This unidentified woman whose half-skull was found in Mission in 1995 and other bones recovered from the Pickton property.

| #    | Last Name         | First Name | Age | Status | Ethnicity | Prov. | Year |
|------|-------------------|------------|-----|--------|-----------|-------|------|
| 3285 | Doe               | Jane 097   | 19  | 10     | UN        | SK    | 2009 |
| 3286 | Doe               | Jane 098   | 0   | 15     | AB        | SK    | 2002 |
| 3287 | Doe               | Jane 101   | 0   | 40     | UN        | BC    | ***  |
| 3288 | Doe               | Jane 102   | 4   | 14     | 2         | AB    | 2009 |
| 3289 | Doe               | Jane 105   | 30  | 19     | AB        | AB    | 1981 |
| 3290 | Doe               | Jane 106   | 1   | 19     | AB        | AB    | 2010 |
| 3291 | Doe               | Jane 107   | 17  | 19     | UN        | AB    | 2008 |
| 3292 | Doe               | Jane 108   | 16  | 19     | FN        | BC    | 2010 |
| 3293 | Doe               | Jane 109   | *   | 10     | UN        | BC    | 2012 |
| 3294 | Doe               | Jane 110   | 23  | 46     | IT        | NU    | 2013 |
| 3295 | Doe               | Jane 111   | 16  | 16     | FN        | BC    | 2010 |
| 3296 | Doe               | Jane 112   | *** | 19     | UN        | MB    | 2013 |
| 3297 | Doe               | Jane 113   | 0   | 19     | UN        | MB    | 1998 |
| 3298 | Doe               | Jane 115   | *** | 19     | UN        | QC    | 2013 |
| 3299 | Doe               | Jane 117   | 22  | 19     | UN        | ON    | 2007 |
| 3300 | Doe               | Jane 118   | 19  | 19     | UN        | ON    | 2009 |
| 3301 | Doe               | Jane 119   | 84  | 13     | UN        | AB    | 2011 |
| 3302 | Doe               | Jane 120   | 1   | 41     | FN        | AB    | 2013 |
| 3303 | Doe <sup>82</sup> | Jane 121   | 0   | 46     | CN        | MB    | 2013 |
| 3304 | Doe               | Jane 122   | 0   | 8      | UN        | ON    | 2013 |
| 3305 | Doe               | Jane 123   | *** | 19     | CN        | MB    | 2013 |
| 3306 | Doe               | Jane 124   | 15  | 19     | UN        | QC    | 2013 |
| 3307 | Doe               | Jane 125   | 16  | 17     | UN        | ON    | 2010 |
| 3308 | Doe               | Jane 126   | 16  | 19     | UN        | AB    | 2012 |
| 3309 | Doe               | Jane 127   | 49  | 19     | UN        | AB    | 2012 |
| 3310 | Doe               | Jane 128   | 31  | 19     | IT        | NU    | 2010 |
| 3311 | Doe               | Jane 129   | 57  | 13     | IT        | NU    | 2010 |
| 3312 | Doe               | Jane 130   | 34  | 19     | UN        | AB    | 2011 |
| 3313 | Doe               | Jane 131   | 93  | 46     | UN        | AB    | 2011 |
| 3314 | Doe               | Jane 132   | 51  | 59     | UN        | SK    | 2011 |
| 3315 | Doe               | Jane 133   | 56  | 59     | UN        | SK    | 2011 |
| 3316 | Doe               | Jane 134   | *** | 59     | UN        | AB    | 2011 |

<sup>82</sup> Her infant brother was also murdered at the same time by Lisa Gibson.

| #    | Last Name         | First Name | Age | Status | Ethnicity | Prov. | Year |
|------|-------------------|------------|-----|--------|-----------|-------|------|
| 3317 | Doe               | Jane 135   | 34  | 14     | UN        | AB    | 2009 |
| 3318 | Doe               | Jane 136   | 45  | 19     | UN        | QC    | 2010 |
| 3319 | Doe               | Jane 137   | 56  | 46     | UN        | BC    | 2009 |
| 3320 | Doe <sup>83</sup> | Jane 138   | *** | 14     | UN        | AB    | 2006 |
| 3321 | Doe               | Jane 139   | *** | 41     | UN        | ON    | 2013 |
| 3322 | Doe               | Jane 141   | *   | 41     | UN        | BC    | 1971 |
| 3323 | Doe               | John 001   | *** | 40     | CN        | ON    | 1980 |
| 3324 | Doe               | Person 1   | *** | 41     | UN        | ON    | 1993 |
| 3325 | Doe               | Person 2   | *** | 40     | AB        | SK    | 1997 |
| 3326 | Doe               | Person 3   | 0   | 40     | FN        | SK    | 1987 |
| 3327 | Doe               | Person 4   | *** | 40     | UN        | AB    | 2009 |
| 3328 | Doe               | Person 5   | *   | 40     | UN        | BC    | 2006 |
| 3329 | Doe               | Kelly      | *** | 40     | UN        | NS    | 1985 |

<sup>83</sup> Her husband and 8-year-old son were murdered at the same time.

## **APPENDIX G**

### **SERIAL KILLERS TARGETING SEX WORKERS IN THE U.S. AND U.K.**

#### **I. U.S. SERIAL KILLERS TARGETING SEX WORKERS (BY NAME)**

##### **1) John Eric Armstrong (Multiple States)**

John Armstrong was a U.S. Navy seaman who travelled the world between 1992 and April 1999. After reporting to police that he had found the body of a woman, he was eventually charged with her murder. Sex worker Wilhemina Drane, 42, escaped from Armstrong and later helped to identify him. Devon Marcus and Jane #1 also escaped being murdered by Armstrong.

In April 2000, the bodies of three women were found on the same day. Police knew immediately they were facing a serial murder investigation. The women had been murdered at different times, based on decomposition, but dumped in the same location. Police also knew the victims were street prostitutes. Police had already been focused on Armstrong as a suspect in the murders of two women, Wendy Jordan, 39, and Kelly Hood, 34, both street sex workers.

In 2001, Armstrong was convicted of the first degree murder of Jordan. He also admitted to the murders of four sex workers; Hood, Rose Marie Felt, 32, Robbin Brown, 18/20, of Detroit, and that of Linette Hillig, 34, a sex worker murdered in Norfolk, Virginia. Armstrong also admitted to killing a man in Seattle, Washington after a fight.

Police looked into the possibility of Armstrong having murdered sex workers abroad between 1993 and 1999. Authorities have thus far linked him to two murders in both Hawaii



and Hong Kong, and one murder each in North Carolina, Thailand, Singapore and Virginia. Further murders of sex workers in Japan, Korea and Israel are also potentially the work of Armstrong. Indeed, he has admitted being responsible for the murders of as many as 30 sex workers in various countries, including Thailand, Singapore, Korea, Israel, and Hong Kong.<sup>1</sup>

## **2) Benjamin (Tony) Atkins (Detroit, Michigan)**

Over an 11 month period during 1991 and 1992, Benjamin Atkins murdered 11 women in Michigan. In 1992, a task force of police investigators from the Detroit and Highland Park police forces, the Michigan State Police and the FBI was created to apprehend the serial killer. Darlene Saunders, 35, was the only woman to survive his attacks, which led to his arrest. Atkins initially claimed that as a gay man, he would not be interested in murdering prostitutes. Later, Atkins explained his murderous actions as a result of his hatred of prostitutes. His mother had been a prostitute who had performed sex acts with clients in cars while Atkins was present.

Two separate trials were held for the crimes that occurred in Detroit and in Highland Park. He was acquitted of attempted murder against Saunders, but found guilty of all the murders. His victims were black women. They were: Bertha Mason, 26; Patricia Cannon George, 36; Vickie Truelove, 39; Valerie Chalk, 34; Juanita Hardy, 23; Brenda Mitchell, 38; Vicki Beasley-Brown, 43; Joanne O'Rourke, 40; Ocinea Waymer, 22; and Jane Doe. He

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<sup>1</sup> Mark Gribben, "John Eric Armstrong: The model sailor" *True TV*; Sally Boshier, *et al.*, "John Eric Armstrong" *Serial Killer Timelines*, Department of Psychology, Radford University; Trevor Greene. *Bad Date: The Lost Girls of Vancouver's Low Track*. (Toronto: ECW Press, 2001); Eric W. Hickey. *Serial murderers and their victims*. 5<sup>th</sup> Edition. (California: Wadsworth, 2010) at 150; "Suspected or convicted serial killers in Washington: Part 1 of 2" *Seattle Post-Intelligencer* (20 February 2003); Michael Newton. *The encyclopedia of serial killers*, 2<sup>nd</sup> Edition. (New York: Checkmark Books, 2006) at 312; Suzette Hackney, Dennis Niemiec, Joe Swickard and Jack Kresnak, "Killing spree blamed on childhood trauma: Suspect charged in 5 deaths" *Detroit Free Press* (14 April 2000).

was sentenced to 11 life sentences in 1994, but died four years into his sentence from AIDS-related illnesses at age 29. Atkins was a black man.<sup>2</sup>

### **3) Anthony Balaam (Trenton, Alabama)**

In 2000, Anthony Balaam, a black man from Trenton, Alabama, was convicted in the murders of four women. He had approached each woman near dawn between 1994 and 1996, offering crack cocaine in exchange for sex; Balaam was addicted to crack himself. Balaam called 911 to report one of his victim's bodies although she was not found for another 17 months. His DNA was found on the bodies of two victims, and a surviving rape victim was able to identify him. Balaam was convicted in the murders of Debra Walker, 37, Concetta Hayward, 27, Valentina Cuyler, 29, and Karen Patterson, 41. In 2000, he was sentenced to four life sentences without the possibility of parole.<sup>3</sup>

### **4) Robert Berdella (Missouri)**

Robert Berdella, like John Wayne Gacy and Michael D. Terry, targeted male sex workers, runaways and other marginalized young men. Berdella killed six men between 1984 and 1988 in Missouri, after first drugging, torturing, sexually assaulting and holding them for several days. He dismembered and disposed of the bodies after they died. Berdella took photographs and kept a log of some of his crimes.

Berdella murdered Jerry Howell, 19; Robert Sheldon; Mark Wallace; James Ferris; Todd Stoops; and Larry Pearson. Chris Bryson, 22, who worked as a prostitute, was able to escape and alert police. To avoid the death penalty, Berdella pled guilty to the murder of

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<sup>2</sup> Todd Lighty and Louise Kiernan, "South Side slayings defy myths about serial killers" *Chicago Tribune* (10 August 1999); Joe Swickard, "Serial killer dies 4 years into 11 life sentences" *Detroit Free Press* (11 October 1997); Janet Wilson, "Atkins convicted of killing 11 women" *Detroit Free Press* (22 April 1994); Newton, *supra* note 1 at 313; Suzette Hackney, "Cops target serial killer: Chief links 3 women found near rail tracks in southwest Detroit" *Detroit Free Press* (12 April 2000); Gribben, *supra* note 1.

<sup>3</sup> "Balaam Anthony" *Serial Killer Crime Index*; Newton, *supra* note 1 at 314.

Pearson. Later, he pled guilty to the first degree murder of Sheldon and second degree murder for the remaining victims as part of a plea bargain. Berdella died in prison in 1992. He was Caucasian.<sup>4</sup>

### **5) Charles (Charlie) Brandt (Orlando, Florida)**

In September 2004, Teri Brandt was stabbed to death by her husband, Charles. He then murdered his niece, Michelle Jones, with whom the couple had been staying for the weekend in Orlando, due to warnings regarding Hurricane Ivan. Jones had been decapitated and had her organs removed; her head had been propped up beside her body. Following the murders of his wife and niece, Brandt committed suicide by hanging himself in Jones' garage.

After the deaths, Brandt's sister, Angela, came to police with a shocking story from 33 years prior. In 1971, in Fort Wayne, Indiana, Brandt had killed his mother when he was 13-years-old. Brandt had first shot his father in the back as he shaved and then shot his mother, who was eight-months pregnant, as she lay in the bathtub. Brandt had then turned the gun on one of his sisters, who escaped. His father survived the shooting, and Brandt's three younger sisters all were unharmed. The two youngest sisters never knew the details of how their mother had died. Due to his age, Brandt never faced charges related to the case. He spent one year in a psychiatric hospital until he was released back into his father's care. The family moved to Florida.

Police began to investigate other murders that might have been committed by Brandt. Two murders immediately required further investigation. Darlene Toler was found in a garbage bag beside the side of the road in 1995, her head and heart removed. Upon review,

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<sup>4</sup> Ryan Fisher, *et al.*, "Robert Berdella" *Serial Killer Timelines*, Department of Psychology, Radford University.

some former friends of Brandt were able to provide evidence suggesting Brandt was responsible. Police closed Toler's case and determined it was Brandt who had killed her.

The second murder was that of Sherry Perisho, 38, who was brutally murdered as she slept on her small row boat in the Florida Keys. Perisho was eviscerated and had her heart and head removed. There was a witness to the murder, a woman returning home, and she provided a description to police, but it would be 17 years before the case was solved following Brandt's death.

After Toler's murder, nine other prostitutes were found dead, several in similar circumstances as Toler. Brandt is suspected to have killed between 10 and 12 women, the majority of whom worked as prostitutes. Due to his wide travels across the U.S. and internationally, police continue to look for similar cases further afield. Brandt was Caucasian.<sup>5</sup>

## **6) Larry Bright (Illinois)**

Over a 15 month period in 2003 and 2004, Larry Bright, a white man, murdered eight women. Bright's victims were black and led what police described as "questionable lifestyles;" they were drug addicted and involved in prostitution. The murdered women were Sabrina Payne, 36; Barbara Williams, 36; Linda K. Neal, 40; Brenda Erving, 41; Shaconda Thomas, 32; Shirley Ann Trapp, 45; Tamara Walls, 29; and Laura Lollar, 33. Seven of Bright's victims were strangled and one died from a drug overdose he gave her. He disposed of his victims on county roads or by burning the bodies in a fire pit in his yard. The bodies of Thomas, Trapp, Walls and Lollar were burnt to ash. Vicki Bomar was able to escape from

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<sup>5</sup> Patrick Fraser, "7 new investigations: Killer connection" *7 News* (15 May 2006); *Deadly Obsession* (30 May 2006), Dateline 48 Hours Mystery, Documentary; Joanne Green, "The Suitcase Murders" *Miami New Times* (24 May 2007).

Bright after being raped; she did not report the attack because she feared arrest on two outstanding warrants. Two months after the incident, she was persuaded by residents of a homeless shelter where she was lived to speak to police. Bomar testified against Bright but was denied any portion of the \$20,000 reward offered in the case.

Bright had a fascination with violent pornography involving black women. He had spent time in prison for theft; relatives stated he changed upon release. He had developed an addiction to prescription pain medicine after a construction work injury. He became depressed after this injury and began to abuse cocaine and alcohol. His trial was delayed for several years due to psychological evaluations but he was found fit to stand trial. Bright pled guilty to eight counts of first degree murder in order to avoid the death penalty. He waived all rights to appeal and was sentenced to a natural life sentence without the possibility of parole.<sup>6</sup>

## **7) Carroll Cole (Nevada and Texas)**

At age nine, Carroll Cole drowned another child, Duane, who had teased him. Officials thought it was an accident and he escaped punishment or detection; he later confessed to the murder. In 1963, Cole married an alcoholic prostitute, Neville “Billy” Whitworth, whom he assaulted many times before finally setting fire to a motel where his wife worked. He was imprisoned for arson. After his release, he moved to Las Vegas, Nevada, where he was fined \$20 for “vagrancy by pimping” in 1967. Cole had many further interactions with police over the years, including an assault on Virginia Rowden, 11, a month after the pimping charges. In 1970, he attempted to strangle two women he met in bars but they both escaped. Cole confessed to Reno, Nevada, authorities that he had fantasies

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<sup>6</sup> “Larry D. Bright” *Murderpedia*; “Ten lesser-known serial killers” *Crime Library*.

about raping and murdering women. Psychiatrists did not believe he was dangerous, writing “Prognosis: Poor. Condition on release: Same as on admittance. Treatment: Express bus ticket to San Diego, California.”

Unfortunately, Cole was indeed dangerous. Within six months of his release, he had murdered at least three women. He killed women in different ways. His victims were prostitutes and bar regulars. Dorothy King, Wanda Roberts, 32, and Sally Thompson, 43, met Cole in Dallas, Texas, bars. There may have been other victims, he related at his trial, but he could not recall details due to excessive alcohol consumption. The prosecutor dismissed his claims that he sometimes practiced cannibalism and necrophilia as exaggeration. The jury deliberated for only 25 minutes before convicting him in 1981. He was sentenced to life imprisonment, but was spared the death penalty. Nevada authorities interviewed him in Texas regarding the deaths of Kathlyn Blum, 26, and Marie Cushman, 50. In 1984, Cole waived extradition to Nevada, having decided that he preferred the death penalty to prison. He pled guilty to Blum and Cushman’s murders. Cole was sentenced to the death penalty for only Cushman’s murder because Blum’s death occurred in 1977, when no death penalty existed in the U.S. Cole refused any attempts at appeals or interventions. He was executed by lethal injection in December 1985.

In addition to the five murders for which he was convicted, Cole is thought to be responsible for an additional 11, including his childhood playmate. His wife, Diana Cole, 35, was strangled in 1979 in San Diego, although the coroner initially attributed her death to alcohol poisoning. Cole is also thought to have murdered Essie Buck, 39; “Wilma,” Bonnie Stewart; Bonnie Sue O’Neil, 39; Jane Doe in California; Myrlene “Teepee” Hamer in

Wyoming; Dorothy King in Texas; a second Jane Doe in Oklahoma; and two Hispanic Jane Does he buried near the Mexican border. Cole was Caucasian.<sup>7</sup>

### **8) Dellmus Colvin (Ohio)**

Dellmus Colvin was a long-haul trucker before his arrest for killing prostitutes. Colvin, a black man, apparently expressed hatred towards prostitutes. One woman, while being assaulted by Colvin, urinated on sheets in his truck in order to leave DNA evidence as she was convinced she was going to be murdered. She was able to remember details of his truck which led to his arrest. A mistrial was declared in a trial against Colvin on rape charges but police continued to investigate him for a series of murders.

In 2006 Colvin went on trial for two counts of first degree murder for the deaths of Jackie Simpson, 33, and Melissa Weber, 37. Colvin, entered into a plea agreement to avoid the death penalty. Colvin pled guilty to three additional counts of first degree murder and was sentenced to five consecutive life sentences. He admitted to killing Simpson, Weber, Lily Summers, 43, Jacquelynn Thomas, 42, and Valerie Jones, 38. He also admitted to investigators that he killed Dorothea Wetzel, 40, but did not face charges in her death. Five of Colvin's six victims were white women, and one was black. All of Colvin's victims were working as street prostitutes at the time of their deaths.<sup>8</sup>

### **9) Robert Cooper and Charles MacKay (Ohio and Michigan)**

Robert Cooper and Charles MacKay raped and murdered numerous prostitutes in Ohio and Michigan over a period of a year. The bodies of Felita Thomas, 36, and Yvonne

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<sup>7</sup> "Cole Caroll (sic) Edward" *Serial Killer Crime Index*; Michael Newton, "Carroll Edward Cole" *True TV*; Newton, *supra* note 1 at 50; Jessica Richmond, Amber Dalton and Laura Clement, "Carroll Edward Cole: Eddie" *Serial Killer Timelines*, Department of Psychology, Radford University.

<sup>8</sup> Robin Erb and Erica Blake, "Colvin tied to 6<sup>th</sup> murder" *Toledo Blade* (04 October 2006); Janet McClellan. "Delivery drivers and long-haul truckers: Traveling serial murderers" (2008) 3 J. of Applied Security Res. at 183.

Mipe, 43, were found at the same time, buried in shallow graves. The women had been kidnapped from Toledo, Ohio, but were likely killed in Michigan where their bodies were found. Michigan took responsibility for the cases after considerable discussion between the states' prosecutors. The two men were out on bail at the time the bodies were found after they had been charged with rape in Michigan. Their bonds were revoked the day after the bodies were discovered, in January 2000.

In 2000, Cooper pleaded no contest to the killing of Thomas and received a life sentence.<sup>9</sup> In addition, he also pleaded no contest to a rape charge and received a seven-year sentence to be served consecutively. MacKay also pled guilty to the same rape charge. MacKay He was convicted of the second degree murder of Mipe and received a sentence of 37-to 57- years. Later in the same year, Cooper was sentenced to 10-to-15-years for two murders in Ohio. These victims, Valerie Jones, 38, and Debra Dixon, 44, were also street prostitutes from Toledo. Their bodies were found in Ohio. Cooper and MacKay are Caucasian.<sup>10</sup>

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<sup>9</sup> No contest pleas allow a defendant to enter a plea accepting the general facts of the case as set out by the prosecution, without accepting guilt or admitting that the facts set out are indeed correct. Such pleas are not permitted in all U.S. states, or in criminal cases in Canada. However, no contest pleas are allowed in some Canadian tribunals in some provinces. See e.g., Richard Steinecke, "No Contest" *Grey Areas* (October 2011).

<sup>10</sup> Newton, *supra* note 1 at 442; Cecil Angel, "Cops have suspect in slayings Monroe County man jailed on unrelated charges" *Detroit Free Press* (18 January 2000); "Judge gives convicted killer 7 years in rape case" *The Blade* (05 May 2000); Ben Schmitt, "After slayings, Michigan and Ohio sort charges laws, strategies differ in trying two suspects" *Detroit Free Press* (10 February 2000); Ben Schmitt, "Duo to be charged in deaths of women men may be linked to other Ohio slayings" *Detroit Free Press* (26 January 2000); "Toledo Man is found guilty in prostitute's kidnapping and death" *The Bryan Times* (01 April 2000); Dale Emch, "Toledo man convicted for rape, slaying of prostitute" *The Blade* (31 March 2000).



**10) Frederick Cox (Orlando, Florida)**

In 1997, Frederick Cox attacked five women in Orlando, killing three. Four of his victims were prostitutes. In 2003, he received three life terms for each homicide, plus two additional 30-year terms for the attempted murder of the other women. Cox is a black man.<sup>11</sup>

**11) Scott Cox (Portland, Oregon)**

Street prostitutes Rheena Ann Brunson and Victoria Rhone were found murdered in Portland, Oregon, in the early 1990s. Scott Cox had been arrested for assaulting a prostitute in 1991, prior to the murders of Brunson and Rhone. DNA evidence linked Cox to their murders. He pleaded no contest and was sentenced to two consecutive terms of 12 and one half years. A long-haul trucker, Cox was of interest to police in 20 similar murders from Western Canada to Mexico; but no further charges were laid. Cox was released from prison in February 2013, after serving 20 years of the 25-year sentence. Cox is a white man.<sup>12</sup>

**12) Louis Craine (Los Angeles, California)**

Louis Craine, a black man, was one of a possible five serial killers targeting poor black women in the Los Angeles area in the 1980s. Two of Craine's victims had previously thought to have been murdered by Chester Turner, known as the Southside Slayer, a serial killer active in the same area and time. Craine implicated his brother, Roger, as being a participant in the murders of Loretta Perry, 24, and Vivian Collins but no charges were ever filed against him. Craine was also charged with sexually assaulting another prostitute, Cheryl Williams, and physically assaulting Yolanda Parker, a family friend. In the Williams

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<sup>11</sup> Newton, *supra* note 1 at 333.

<sup>12</sup> *Ibid.*; "Cox Scott Willam (sic)" *Serial Killer Crime Index*; Mike Barber, "Part 4: Serial killers prey on 'the less dead'" *Seattle Post-Intelligencer Reporter* (19 February 2003); Green River Killings Blog, "Analyzing the possibility of a serial killer in the Index-Gold Bar Region" (08 January 2011); "Michelle Koski" *Dignity of Victims Everywhere (DOVE)*; Nicole Doll, "Double murderer to be released from Oregon prison" *Fox 12 Oregon* (07 February 2013).

case, his brother was also charged. He was named as a suspect in the death of a black “John Doe” in 1986, who has not been identified.

During his first trial, a mistrial was declared after a statement by Craine’s brother, Shatay, was read during jury deliberations. Unfortunately, that statement had not been introduced into evidence but had inadvertently been sent to the jury. Crane was later convicted of the first degree murders of Collins, Perry, Carolyn Barney, 29, and Gail Ficklin, 24. He was acquitted of the 1984 killing of Sheila Burton, 30. He received the death penalty but died in prison months after sentencing.<sup>13</sup>

### **13) James Cruz (Multiple States)**

James Cruz, a Hispanic man, was a long-haul truck driver convicted of one murder and the suspect in many others. In 1993, Cruz picked up a runaway from Maine hitchhiking. The body of Dawn Birnbaum, 17, was found three days later in Pennsylvania. Police noted similarities between Birnbaum’s murder and those of eight women who prostituted from truck stops around Ohio. Further charges have not been laid but he is a suspect in 40 murders of young women, mostly prostitutes and stranded female motorists, over a 10-year period in multiple states.<sup>14</sup>

### **14) Arlie Davis (Petoria, Illinois)**

Arlie Davis died of a heart attack in prison in 2002, five days before a hearing to determine if he should remain on death row. Davis had been convicted of the 1995 rape and murder of Laurie Gwinn. Davis is a suspect in the murders and disappearances of many

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<sup>13</sup> “Serial killer: Louis Craine” *Los Angeles Times* (no date); “Unidentified serial killer” *Los Angeles Times* (no date); Jack Jones, “Man sought in slayings of 10 L.A.-area prostitutes” *Los Angeles Times* (24 September 1985); “Craine Louis” *Serial Killer Crime Index*; Newton, *supra* note 1 at 248, 333.

<sup>14</sup> Newton, *supra* note 1 at 334; “Dawn Marie Birnbaum” *Dawn Marie Birnbaum Memorial Website*; “James Cruz” *Murderpedia*.

other Petoria prostitutes including Stacey Morrison, 23,<sup>15</sup> Cheryl Murray, 43, Loretta Tinkham, 30, and Stephanie Gibson, 47.<sup>16</sup>

### **15) Fransico Del Junco (Miami, Florida)**

Fransico del Junco, a Hispanic man, was a Cuban refugee living in Miami, Florida. He revealed to a mental health therapist that he had homicidal urges, had difficulty controlling his sexual thoughts and had delusions beginning nearly 10 years before his arrest in 1996. Del Junco first began to hear voices at age 16; he had undergone counselling several times between 1987 and 1992. Del Junco had been diagnosed as epileptic at age three. He had been homeless during parts of his adulthood and had a criminal record for theft, burglary and loitering. In one incident, del Junco threatened and brandished a chainsaw at an officer while being arrested.

His victims were black women working as street prostitutes and addicted to cocaine. The women sustained head injuries before their upper bodies were set ablaze. His victims were Vida Hicks, 43, Diane Nelms, 44, Cheryl Ray, 37, and Janice Cox, 37. They were killed in an eight-month period over 1995 to 1996. Shortly before del Junco had begun killing he had beaten another woman, possibly with the intent to kill her. She was able to escape and when she spotted him nine months later, she flagged down a police car and alerted them of his whereabouts. During questioning by police following his arrest, del Junco explained that he did not “do it because he is racist, but that he got a sense of relief and satisfaction from it.”<sup>17</sup> He was sentenced to life in prison in 2002 for the four murders.<sup>18</sup>

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<sup>15</sup> Morrison is also listed as a possible victim of Joseph Miller.

<sup>16</sup> Phil Luciano, “Killer’s babblings nothing new” *PJ Star* (14 January 2005); “Lock box may contain murder secrets” *Quad-City Times* (20 January 2003); “The Doe Network: Unexplained Disappearances Geographic Index 2” *The Doe Network*; *People v. Davis* (1998) No. 81595.

<sup>17</sup> Donna Pazdera, “Records out on accused serial killer” *Sun Sentinel* (31 October 1996).

<sup>18</sup> *Ibid.*

**16) Carl Drew and Robin Murphy (Massachusetts)**

In Massachusetts, Carl Drew, a white man, was a pimp who practiced Satanism. Drew was convicted of killing two prostitutes that worked for him from 1979 to 1980. Two prostitutes who worked for him, Karen Marsden, 20, and Robin Murphy, 18, witnessed Drew killing Donna Levesque. Levesque was tortured and her body mutilated. Marsden was horrified by the homicide. Marsden was tortured by Drew, and Murphy slit her throat before Drew decapitated her. In 1981, Drew was convicted on one count of murder and sentenced to life without parole. Murphy entered into a plea agreement for a life sentence in exchange for her testimony against Drew and Andre Maltais for the murder of Barbara Raposa, 22. Murphy, a white woman, was granted parole in 2004 but returned to prison in 2011 on drug charges.<sup>19</sup>

**17) Dwayne Elton (Fort Lewis, Washington)**

In 1984, an army sergeant from Fort Lewis, Washington, killed two prostitutes, dumping their bodies near an army hospital. Dwayne Elton pleaded guilty in a military court, avoiding the death penalty. He is serving his sentence in a military prison in Kansas. He is Caucasian.<sup>20</sup>

**18) Wayne Ford (California)**

Wayne Ford, a Caucasian man, enlisted as a Marine after high school. His wife divorced him following domestic violence and controlling behaviour. In 1983, Ford's superiors requested he be examined by psychologists, who diagnosed him with depression and alcohol abuse. After returning to the U.S. from overseas, he experienced a psychotic

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<sup>19</sup> Newton, *supra* note 1 at 338; "Carl H. Drew" *Murderpedia*; Kevin P. O'Connor, "Parole board grills convicted Fall River murderer Robin Murphy" *Herald News* (13 March 2012); *Commonwealth vs. Andre O. Maltais* [1982] 387 Mass. 79.

<sup>20</sup> Newton, *supra* note 1 at 340; "Elton Dwayne" *Serial Killer Crime Index*; "Suspected or ...," *supra* note 1.

break, was hospitalized and attacked a doctor. He was diagnosed as having borderline personality disorder. The escalation in his behaviour may have been caused by a brain injury sustained during combat. He was honourably discharged two years later.

In the next few years Ford was charged but not prosecuted with the physical and sexual assault of a prostitute, and spent one week in jail for pleading guilty to animal cruelty after he shot a dog. In 1995, Ford raped his pregnant wife. She left him after the birth of their child due to his increasingly violent and erratic behaviour. He began to kill shortly after the dissolution of his second marriage.

At the time of he began killing, Ford was a long-haul truck driver. He confessed to killing four women who were hitchhikers, runaways or prostitutes. Ford turned himself in to police in 1998 and stated that he had started killing in 1996 in different counties of California. To prove that he was telling the truth, Ford showed police a bag containing a human breast that he had in his coat. Ford confessed to murdering Patricia Anne Tamez, 29, Tina Gibbs, 26, Lanette White, 25, and Jane Doe. He was convicted of four counts of first degree murder and sentenced to death in 2007. He remains on death row.<sup>21</sup>

### **19) Morris Frampton (Washington)**

Morris Frampton was convicted of assaulting two prostitutes and killing another prostitute, Rosemary Stuart, in 1978. In 1978, he received a death sentence for Stuart's murder. He was acquitted of murdering Iantha Peters, who was killed the same year. His lawyers were successful in challenging the death penalty; Frampton received 50 years imprisonment, which allowed for parole possibilities in 2011.

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<sup>21</sup> Hickey, *supra* note 1 at 150; Rachel Bell, "Wayne Adam Ford: The remorseful serial killer" *True TV*; "Serial killer's victim could be from Colorado" *Serial Killer News*; Mike Cruz, "Prostitute tells of ordeal with accused serial killer" *Inland Valley Daily Bulletin* (11 April 2006).

In 2005, DNA evidence was matched to Frampton in the 1976 murder of Agnes Williams, 48. Frampton was charged with second degree murder in 2006. He confessed and was sentenced to an additional 17 years and remains in prison in Washington. He is Caucasian.<sup>22</sup>

## **20) Ray MacArthur Freeney (Texas)**

Ray MacArthur Freeney, a black man, was sentenced to death in 2003 by a Texas court for the murders of two women, Kirshalynne Jones, 15, and Vicky Dean, within the same week in April 2002. Both women worked as street prostitutes. A diagnosed schizophrenic, Freeney confessed to three other stabbings of prostitutes, none of which were fatal. He remains on death row.<sup>23</sup>

## **21) Kendall Francois (Poughkeepsie, New York)**

In Poughkeepsie, New York, Kendall Francois murdered eight street prostitutes between 1996 and 1998. The bodies of Wendy Meyers, 30, Gina Barone, 28/29, Catherine Marsh, Kathleen Hurly, 47, Mary Healey Giaccone, 29, Sandra French, Audrey Pugliese, 34, and Catina Newmaster, 25, were found in crawl spaces in his home.<sup>24</sup> The fifth victim, Lora Gallagher, convinced Francois to return her to the area where he had picked her up; she immediately contacted police. Francois pled guilty to assault charges against Gallagher and served seven days of a 15 day sentence. All but one of his victims were white women.

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<sup>22</sup> "Frampton Morris" *Serial Killer Crime Index*; "Suspected or ...," *supra* note 1; Tracy Johnson, "Prisoner charged with 1976 slaying" *Seattle Post-Intelligencer* (15 February 2006); Tracy Johnson, "Convict suspected in '76 killing" *Seattle Post-Intelligencer* (16 February 2005); Tracy Johnson, "Justice comes after 30 years" *Seattle Post-Intelligencer* (06 October 2006); Tracy Johnson, "Killer in prison pleads guilty to 2nd murder" *Seattle Post-Intelligencer* (11 August 2006); Newton, *supra* note 1 at 344; "Second conviction adds to murder sentence" *Seattle Times* (07 October 2006).

<sup>23</sup> *Ray McArthur Freeney, Appellant v. The State of Texas* (2005) Court of Criminal Appeals, Texas; Newton, *supra* note 1 at 345; "Offenders on Death Row" *Texas Department of Criminal Justice*.

<sup>24</sup> During the initial phases of the VPD's Missing Women Review Team, Detective Constable Lori Shenher contacted the Poughkeepsie police regarding their investigation. This was the only comparable case that Shenher was able to find in which prostitutes were going missing but bodies were not found until after an arrest was made. See, MWI, *January 31, 2012* at 34.

Prior to his sentence, he had been questioned in relation to the missing women when his car was seen in the area where they had worked but he was released. He continued to abduct women. Diane Franco, also a street prostitute, was also able to convince Francois to release her after he attempted to strangle her. Francois was arrested, and confessed to the murders of the eight missing women. In 2000, he pled guilty to the murders in order to avoid the death penalty. He had been a suspect in the disappearance of Michelle Eason, 27, the only black sex worker to have gone missing during this time period, but police now suspect she is the victim of another killer. Francois is black.<sup>25</sup>

## **22) John Wayne Gacy (Chicago, Illinois)**

John Wayne Gacy earned the moniker “The Killer Clown” upon his arrest for his habit of dressing as a clown for children’s parties in the neighbourhood. Between 1972 and 1978, Gacy murdered and buried 29 men under his crawl space and backyard of his home. Four additional victims were discarded in a river due to lack of space beneath his house. Gacy’s victims included his employees and male prostitutes he had met. These men were lured back to his home on the promise of either employment or paid sex before being sedated, tortured and killed.

At age 26, Gacy was charged and spent 18 months of a 10-year sentence for sodomy of a 16-year-old boy. In 1971, he was accused of attempted rape of another teenager, but the charges were dropped when the complainant did not attend the court proceeding. Gacy killed his first victim, Tim McCoy, 15, in 1972. In 1975, Tony Antonucci, 15, escaped from Gacy but it is not clear if the incident was reported to police. Gacy killed John Butovitch, 17, the same month as Antonucci’s escape. He continued to murder young men and boys and bury

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<sup>25</sup> John Massey, *et al.*, “Kendall Francois” *Serial Killer Timelines*, Department of Psychology, Radford University; Mark Gado, “Kendall Francois” *True TV*; Greene, *supra* note 1; Newton, *supra* note 1 at 344.

them under his house. His victims included: Daryl Sampson, 18; Randall Reffett, 15/16; Samuel Stapleton, 14; William Carroll, 16; and Michael Bonnin, 17. David Cram moved into Gacy's home, where he was attacked but escaped. Gacy continued to kill young men: Rick Johnston, 17/18; Gregory Godzik, 17; John Szyc, 19; John Prestige, 20; Matthew Bowman, 19; Robert Gilroy, 18; John Mowery, 19; Robert Winch, 16; Tommy Baling, 20; and David Talsma, 19.

In 1976, Robert Donnelly escaped and sought assistance from the police, but prosecutors did not pursue a case and no charges were laid. Billy Kindred, 20, was killed in 1978, the same year a 26-year-old unidentified man was released after Gacy's attack. Charges were filed against Gacy, and the young man also filed a civil suit, which was settled for \$3,000. The bodies of four other men, Tim O'Rourke, Frank Landington, 19, James Mazzara, 21, and Robert Piest, 15, were found in a nearby river in 1978. Gacy was questioned about his last victim, Piest, and was arrested. Police searched his home and found the bodies.

Gacy confessed to killing 33 men, only 22 of whom were identified by the time of his trial. An additional four men were later identified although DNA testing in 2012 showed that one victim, thought to be Michael Marino, had been misidentified. Gacy was found guilty on all 33 counts of murder in 1980. He was sentenced to 12 death sentences and 21 life terms; he was executed in 1994 in Illinois.<sup>26</sup> In 2011, authorities issued a plea for DNA samples of anyone who might be a relative of one of the eight unidentified victims. "Authorities said changing attitudes about the homosexuality, prostitution and drug use attributed to some of

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<sup>26</sup> Hickey, *supra* note 1 at 185; Rachael Bell and Marilyn Bardsley, "John Wayne Gacy, Jr." *True TV*; Jane Sirkel, *et al.*, "John Wayne Gacy, Jr.: The Killer Clown" *Serial Killer Timelines*, Department of Psychology, Radford University; "John Wayne Gacy, Jr." *Born to Kill*. (07 December 2011), Documentary, Investigation Discovery; Newton, *supra* note 1 at 85.



Gacy's victims might make relatives less reluctant to come forward." The same year, William Bundy, 19, was identified through DNA. Bundy was last seen in 1976 and worked for Gacy before he disappeared. Gacy was a white man, as were his victims.<sup>27</sup>

### **23) David Gerard (Washington)**

David Gerard is suspected of killing 11 people in Washington State. Four members of the same family are among the suspected victims. Patty Rodriguez, 34, her sons Matthew, 8, and Joshua, 6, and her mother, Patricia McDonnell, 66, were killed in a 1995 house fire. Gerard was interviewed by police but not arrested. It had been thought to be an accidental fire, although police now suspect it was started by Gerard on the night he and Rodriguez broke up.

Among the other victims, the majority were prostitutes or women with mental health issues. They included: Carin Conner, 19, (1983); Connie Rolls, 20, (1984); Roberta Strasbaugh, 18, (1985); Tracy West, 17, (1988); Elaine McCollum, 33, (1991); Misty Copsey, 14, (1992); and Carol Leighton, 33, (1996). Copsey's body has not been found, although her clothing was found in the woods a year after her disappearance. In 1988, Gerard was linked to the murders of McCollum and Leighton and was suspected of West's murder. In 1999, he was arrested for the attempted murder of Frankie Cochran, 31, who had been dating Gerard. He confessed and was sentenced to 37 years in prison. Later that year, his DNA was matched to the Leighton murder. In 2004, he was charged with second degree murder of Leighton. He entered an Alford plea in the case.<sup>28</sup> In 2005, Gerard was sentenced

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<sup>27</sup> "Help sought identifying U.S. killer Gacy's victims" *Ottawa Citizen* (13 October 2011), C8.

<sup>28</sup> An Alford plea is similar to a plea of no contest. A defendant can claim innocence, but accept that the facts of the case point to guilt. It stems from a capital murder case in North Carolina (*North Carolina v. Alford* (1970) 400 U.S. 25) in which the accused pled guilty in order to avoid a death sentence. See e.g., Josh Weinstein, "Innovations in the plea of 'guilty': the Alford plea" *Canadian Bar Association*.

to 17 years, to be served concurrently with his previous sentence for attempted murder.

Gerard was Caucasian, as were his victims.<sup>29</sup>

#### **24) Sean Gillis (Baton Rouge, Louisiana)**

Sean Gillis, a white man, murdered eight women in Baton Rouge, six of whom were sex workers, over a 10-year period between 1994 and 2004. His first victim was Ann Bryan, 81, in 1994. She was stabbed nearly 50 times and was almost decapitated. Gillis did not kill again for five years. Katherine Hall, 29, Hardee Schmidt, 52, and Joyce Williams, 36, were killed in 1999. The other victims were: Lillian Robinson, 52, (2000); Marilyn Nevils, 38, (2000); Johnnie Williams, 45, (2003); and Donna Johnston, 43, (2004). Schmidt was jogging when Gillis spotted her. His last seven victims were dismembered and some were cannibalized. Nevils' body was not recovered. His last victim, Johnston, was photographed after her murder.

In March 2004, a task force was created to look at the Hall, Williams and Johnston homicides. Tire tracks at the Johnston murder scene led investigators to develop a list of people whose vehicle might be a match. Gillis, along with other vehicle owners, was asked to provide a DNA sample. Only two months after Johnston's murder, Gillis was arrested and began to confess. In 2007, Gillis pleaded guilty to Williams' murder and was sentenced to life in prison. In 2008, Gillis was convicted of Johnston's murder and sentenced to life imprisonment and hard labour, without parole. In 2009, he pleaded guilty to the first degree murder of Nevils and was sentenced to life. At the time of his arrest, Gillis was referred to as the "Other Baton Rouge Killer" because Derrick Todd Lee had been previously arrested for

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<sup>29</sup> Christine Clarridge, "One-man task force keeps cold cases on front burner" *Seattle Times* (09 February 2006); Kasey Campbell, Bryan Campbell and Julie Bursey, "David Allen Gerard" *Serial Killer Timelines*, Department of Psychology, Radford University.

the murders of several white women in the Baton Rouge area. Four of Gillis' victims were black and four were white.<sup>30</sup>

### **25) Sean Goble (Tennessee and North Carolina)**

In 1995, Sean Goble, a long-distance truck driver, was sentenced to two consecutive life sentences for the murders of two prostitutes in Tennessee. He had confessed to the murder of Brenda Hagy, 45, and Alice Hanes, 36, in Tennessee. He was charged with a third murder in North Carolina, to which he confessed. Police in 10 other states questioned him in regards to murders of prostitutes along his trucking routes. Goble is Caucasian.<sup>31</sup>

### **26) Harrison Graham (Pittsburgh, Pennsylvania)**

A drug addict, Harrison Graham lured seven women to his home in Pittsburgh with the promise of drugs in exchange for sex. In some cases, he offered to let the women live with him. Authorities came to his home in August, 1987, due to reports of a terrible smell. Police saw the motionless legs of a woman through the window. Upon entering the home, they found a second corpse beside the first. Eventually, authorities found seven bodies in Graham's current and former residences.

Graham admitted to the killings, saying he had been on drugs and would awake to find a woman dead beside him. His former girlfriend, Robin DeShazor, was the first victim in October 1986. Graham also killed Cynthia Brooks, 28, Mary Jeters, Barbara Mahoney, 22, Patricia Franklin, 24, Mary Mathis and Jane Doe.

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<sup>30</sup> "Baton Rouge serial killer Sean Vincent Gillis" *Bizarre Crimes* (22 July 2008); Charles Montaldo, "Sean Vincent Gillis: The other Baton Rouge serial killer" *About.com*; Charlie Morrison, Drew Carawan and Kimmy Faller, "Sean Vincent Gillis" *Serial Killer Timelines*, Department of Psychology, Radford University.

<sup>31</sup> "Goble Sean Patrick" *Serial Killer Crime Index*; "Killer driver: Gentle giant or wild one?" *New York Times* (24 April 1995); Newton, *supra* note 1 at 349.

At his trial, Mary Hogan testified to having lived with Graham and survived, but not without incident. Hogan and Graham had sex several times a day, and he had also strangled her. She fled the home after she saw DeShazor's body on the roof of the apartment. Graham had threatened to kill her, so she returned with a police escort to fetch her belongings. Hogan told the officer about having seen a corpse on the roof, but she was not believed. Graham's lawyers argued he was mentally incompetent due to low intelligence and inability to understand his situation; Graham played with hand puppets throughout the trial. Graham was found guilty of seven murders and abuse of a corpse. He was given six consecutive sentences ranging from seven to 14 years, six death sentences and one life term for DeShazor's murder. The judge also ordered Graham not to be executed until after he had completed his life term.

Graham was ordained as a minister in prison. In 1994, the Pennsylvania Supreme Court reviewed the case, finding the execution was to be carried out without delay. After several delays to the execution, the Supreme Court of the U.S. banned execution of "mentally retarded" individuals in 2002.<sup>32</sup> A year later, Graham was declared mentally incompetent; his life sentence was restored; he would not be executed. Graham is black, as were his victims.<sup>33</sup>

## **27) Geoffrey Griffin (Chicago, Illinois)**

During the summer of 2000, black Chicago prostitutes in the South Side neighbourhood were stalked by a man who beat or strangled them to death. Geoffrey Griffon, a black man, was charged with the murder of Angela Jones, 32, and Beverly Burns.

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<sup>32</sup> *Atkins v. Virginia* (2002) 536 U.S. 304, 122 S. Ct. 2242, 153 L. Ed. 2d 335. The term "mentally retarded" is used by the United States Courts.

<sup>33</sup> "Graham Harrison" *Serial Killer Crime Index*; Katherine Ramsland, "Harrison Graham: The corpse collector" *True TV*; Newton, *supra* note 1 at 350.

He was the suspect in six other murders and police said DNA linked Griffon to all the murders. He was convicted of Jones' death and sentenced to 125 years, but was acquitted in relation to Burns' death. A judge later acquitted Griffin of the murder of Roberta McKinney, stating the only evidence linking him to the crime was Griffin's DNA under her fingernail. He has not been charged with any further murders, but authorities are satisfied that Griffin is responsible for all eight homicides.<sup>34</sup>

## **28) Vincent Groves (Denver, Colorado)**

Vincent Groves, a black man, served five years for the 1981 death of Tammy Woodrum, and was released on mandatory parole in 1987. He voluntarily confessed to Woodrum's death, after being urged to do so by his wife. Groves claimed Woodrum died of a drug overdose despite autopsy findings she died of strangulation. He was convicted of second degree murder and sentenced to 12 years. In 1990, he was charged with two additional murders, but police in Denver believe he was responsible for at least three murders and possibly many more.

In the late 1980s, police began a task-force investigation after finding an average of one body a month with similarities which suggested serial murder. Groves was, at that time, a suspect in the 20 murders, but evidence was unavailable to proceed to charges. Groves is suspected of up to 26 murders between 1979 and his 1988 arrest. Many of his victims were street prostitutes. DNA developed from the Woodrum case has led police to four additional murders in which Groves' DNA has now been found. The 1979 murders of Emma Jenefor, 25, Joyce Ramey, 23, and Peggy Cuff, 20, have now been linked to Groves by DNA. The 1988 slaying of Pamela Montgomery, 35, has also been linked by DNA evidence.

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<sup>34</sup> "Griffin Geoffrey" *Serial Killer Crime Index*; "Geoffrey Griffin" *Serial Killer Central*; "Geoffrey Griffin" *Murderpedia*.

Groves was convicted of first degree murder for the death of Juanita “Becky” Lovato, 19, and second degree murder of Diane Montoya Mancera, 25. He was sentenced to a life sentence and a 20-year sentence for those crimes. Groves died in prison in 1996; police continue to investigate potential victims.<sup>35</sup>

## 29) William Hance (Indiana, Georgia)

William Hance, a black soldier, was convicted of the 1978 murders of two black sex workers, Brenda Gail Faison, 21, and Irene Thirkield, 32, as well as of the 1977 death of Karen Hickman, 24, a white army private. Racial tensions were high due to the “Stocking Strangler,” a serial murderer responsible for the rapes and murders of six elderly white women, said to have been killed by a black man.<sup>36</sup> Hance had sent letters to police, calling himself the “Chairman of the Forces of Evil,” advising that black women would be killed if the Strangler was not caught. Through details in letters and telephone calls from Hance, police were able to locate the bodies of Faison and Thirkield. The telephone call about Thirkield’s body led authorities to Hance, 26. Hance has also been identified as the killer of an unnamed black woman in Indiana, but was not tried for her death. He was executed in Georgia in 1994.<sup>37</sup>

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<sup>35</sup> Solomon Banda, “Vincent Groves, deceased Denver serial killer, may have killed up to 20 people” *Huffington Post* (08 March 2012); Newton, *supra* note 1 at 352; “Could serial killer be responsible for 26 unsolved murders?” *Daily Mail* (08 March 2012).

<sup>36</sup> Carlton Gary was convicted of three murders in 1986 and sentenced to death in the “Stocking Strangler” case. Concerns regarding his guilt have been raised, including hair and blood analyses that did not match that of Gary. His 2009 execution was halted by the Georgia Supreme Court for DNA testing to be conducted. Newton, *supra* note 1 at 91, 275; David Rose, “Terminate with extreme prejudice” *The Observer* (13 June 2004); Rankin, Bill and Cook, Rhonda, “Georgia Supreme Court halts Carlton Gary’s execution” *The Atlanta Journal-Constitution* (16 December 2009).

<sup>37</sup> Bob Herbert, “In America; judicial coin toss” *New York Times* (03 April 1994); “Hance William Henry” *Serial Killer Crime Index*; “Georgia executions” *Pro Death Penalty*; Newton, *supra* note 1 at 109.

**30) Dewayne Harris (Seattle, Washington)**

A transient, Dewayne Harris, also known as Khalil Iman Muhammad, killed three women with histories of prostitution and homelessness in Seattle in 1997 and 1998. Harris is a black man. He was convicted of one count of murder and received a life sentence. It is not known if Harris is alive; he is not listed among the current Washington State inmate population.<sup>38</sup>

**31) Larry Hall (Multiple States)**

Larry Hall, a white man, was a history buff and professional Civil War re-enactor, who also was a serial killer whose victims crossed cultural and social strata. His victims were teenage girls, college students and street prostitutes. It was Hall's stalking of likely potential victims that resulted in his arrest, after many incidents in which he was identified to the police. In May 1994, Amy Baker was followed by a man in a car and remembered the plate number, which was registered to Hall. The same day, Abby Mariage, 13 and Kaylen Hoskins, 15, were also stalking victims of Hall. Mariage's parents found the van and called the police with the plate number.<sup>39</sup> Only two days later, Hall's van was again identified by the parents of one of the four girls Hall had been following. In July, Natasha, 13, and Nicole Crockett, 10, were approached by a man in a van; their parents were able to get the plate number. In October, Nichole Brucker, 14, and Danielle Mullens, 14, were approached by a man in a van and ran away, calling police. Police found Larry Hall driving the van. A week later, in October 1994, police began investigating Hall in relation to possible abductions and the 1993 murder of Jessica Roach, 15, but he was not arrested. In mid-November, Hall was

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<sup>38</sup> "Suspected or ...," *supra* note 1; Newton, *supra* note 1 at 354; "Find an Offender" *Washington State Department of Corrections*.

<sup>39</sup> Heather Edgett, 20, and Kristian Zoeller, 19, are also thought to have been stalked by Hall in 1993.

interviewed and confessed to Roach's murder. In June the following year, Hall was found guilty of the abduction of Roach and sentenced to life in prison.

Hall has reportedly confessed to various people regarding the murders of Michelle Dewey in 1991, Tri Laurie Depies in 1992, Rayna Rison, 16, and Tricia Reitler in 1993. Medication with the label "R. Rison" was found among Hall's belongings by police in a 1994 search. Since his conviction, he has claimed to have abducted and killed approximately 40 women, although he has also recanted. His victims were street prostitutes and students, whose age varied greatly. Among his suspected homicide victims were: Marcie Swinford (Washington, 1985); Berit Beck, 18, (Washington, 1990); Michelle Dewey, 20, (Indiana, 1991); Georgia Schreve, 37, (Indiana, 1991); Holly Anderson, 18, (Indiana); Toni Spicer, 28, (1992); Kathryn Menendex, 17, (Ohio, 1994); and Kerry Smith, 20, (Indiana).

Hall is suspected in the abduction and likely murders of many girls and women across several states whose bodies have never found. Dean Marie Peters, 14, and Debra Cole were last seen in 1981, from Michigan and Indiana respectively. In 1985, Jennifer Schmidt, 19, and in 1986, Denise Pflum and Kimberly Thompson all disappeared from Indiana. In 1989 Aundria Bowman, 15, Penny Lease, 23, Lynn Thompson, 26, Tracy Kroth, 17, and Janet Dolae, 28, disappeared. In 1991, Julie Johnson, 29, disappeared. Laura Thompson, 15, and Tricia Reitler, 19, disappeared in 1993. Donda Martino disappeared in 1994, only days after Hall's vehicle had been identified to police in three separate stalking incidents. Shaylene Farrell, 18, also disappeared in 1994 after identification of his van by several parents of potential victims. Several young women who disappeared from or near historical sites are also thought to be victims of Hall, including: Paulette Webster, 19, and Cynthia Carmack, 16, in 1988; and Laurie Depies, 20, and Bridget Felter, in 1992.



Several murder victims suspected to be Halls' victims were not identified when their bodies were found.<sup>40</sup> In 1986, an unidentified woman was found murdered in Illinois. Exhumed in 2002, Jane Doe #1 has now been identified as Pholia Chavez, 28. Jane Doe #2, 20, was found murdered in Kansas in 1987. Jane Doe #3, 19, was found in Georgia in 1988. Jane Doe #4, 20 to 25, was found in 1988 near the Georgia/Alabama state line near a Civil War site. Jane Doe #5, 25, found in Illinois, and Jane Doe #6, approximately 25-years-old, were found in 1990. Jane Doe #7, 30, was found in 1991 in Virginia. Jane Doe #8 was found in Georgia in 1992, as was Jane Doe #9, 28, a year later. Jane Doe #10, 30, was found in 1993 in Virginia. The skeletal remains of Jane Doe #11 were found in 1994 in Ohio. In 2003, the remains of Jane Doe #11 were identified through DNA as those of Sarah Boehm, 14, who had disappeared in 1994. Jane Doe #13, 30, and Jane Doe #14 were found in Missouri in 1994. Jane Doe #14 was found after Hall's arrest in 1994, as was Jane Doe #15, 25, in 1995, but it is believed the bodies had been there for some time prior to discovery. Hall's known and suspected victims were white and Hispanic.<sup>41</sup>

### **32) Robert Hansen (Alaska)**

Robert Hansen, a white man, came to the attention of Alaskan police in 1983 after sex worker Victoria Matthew, 17, escaped him. Matthew waved down a truck driver to bring her to safety and told police of her assault. Matthew was able to identify the plane he had used to fly her to his home. Hansen denied the allegations and his alibi was unable to be disproven. Shortly thereafter, however, a body was found – the third such body in three

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<sup>40</sup> It is unclear from the sources whether all of these victims were Jane Doe's, or if Jane Doe #2, #3, #5, #7, #8, #9, #10 and #15 were identified but their names are not available.

<sup>41</sup> Dinesh Ramde, "Larry DeWayne Hall claims he abducted 39 women, including Appleton's Laurie Depies" *Associated Press* (28 May 2011); Brittany Begley, Kasey Frith and Kari Elliot, "Larry DeWayne Hall" *Serial Killer Timelines*, Department of Psychology, Radford University; "A brother's secret" *Help Find the Missing*; Scott Swan, "Who killed Michelle Dewey?" *Eyewitness News* (23 November 2009).

years. The police returned to speak to Hansen, and evidence collected led to charges in four deaths: a Jane Doe known as “Eklutna Annie,” Joanne Messina, Paula Goodling and Sherry Morrow. The majority of Hansen’s victims were prostitutes or exotic dancers. Hansen would subdue his victims then fly them to his remote Alaskan home. He would rape and torture women before killing them. In some cases, he would release a woman into the woods before “hunting” her down with a knife or rifle. Those who offered sex without requesting payment were spared from death.

Hansen pled guilty and was sentenced to life plus an additional 461 years in prison. In order to serve his sentence in a federal prison, rather than in a maximum-security prison, Hansen provided details to investigators which led to the graves of 15 murdered sex workers. Among the dead were: Roxanne Easlund; Andrea Altieri; Paula Golding; Sue Luna; Malai Larsen; Delynn Frey; Teresa Watson; Angela Fedder; Tamara Pederson; and Lisa Futrell. Hansen is thought to have killed at least 17 sex workers between 1971 and 1983, and perhaps as many as 37. His victims were primarily white women, with the exception of one black and one Asian woman.<sup>42</sup>

### **33) Gary Heidnik (Pennsylvania)**

Gary Heidnik spent four years in prison after the mentally challenged sister of his girlfriend, who was also mentally challenged, was found chained in his basement in 1978. The woman had been signed out of a hospital on a day pass by Heidnik. During her time with Heidnik, he sexually abused her and infected with her gonorrhea. Heidnik had several mentally challenged girlfriends after his release from prison. In 1971, he had started his own

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<sup>42</sup> Emily McLaughlin, Megan Donnally, Carrie Draper, Jennifer Duncan, “Robert Hansen” *Serial Killer Timelines*, Department of Psychology, Radford University; David Lohr, “Hunting humans” *True TV*; Murray Lundberg, “Robert Hansen: A Serial Killer in Alaska” *Explore North*; Hickey, *supra* note 1 at 165; “Hanson Robert” *Serial Killer Crime Index*; Newton, *supra* note 1 at 110.

church. Heidnik was in and out of mental hospitals but continued to operate his church until his arrest. He was skilled at investments and had over half a million dollars at the time of his arrest. Heidnik had worked in hospitals for the army. He was discharged for medical reasons, based on his mental illness. He continued to work as a nurse in homes for the mentally challenged where he sexually abused women without being charged. In 1986, his wife fled to a women's shelter in Pennsylvania to escape his violence. Heidnik was arrested but charges were dropped when she did not appear in court.

After his wife's departure, Heidnik began establishing a "harem" of abducted black women who he held captive in his basement and hoped would bear his children. Josephina Riveria, a sex worker, was the first woman to be abducted. His next victim was Sandra Lindsay, 24/25, a mentally challenged member of his congregation. Lindsay died in February 1987, after being suspended from basement beams too long. Between January and March of 1987, Deborah Dudley, 23, Lisa Thomas, 19, and Jacqueline Askins, 18, were also abducted and held captive. Heidnik forced Thomas to push an electrical cord into a pit of water in the floor, which resulted in the electrocution death of Dudley because she was not as "cooperative" as his other captives. Lindsay's body was dismembered and the parts stored in the house. Heidnik cooked and served Lindsay's body, mixed with dog food, to his captives. Dudley's body was discarded in the woods. Riveria was forced to assist with the dismemberment and disposal of the two murdered captives and the abduction of at least one woman.

Heidnik had Riveria accompany him on errands and occasionally sent her by herself. Riveria was sent to find another woman to abduct in March of 1987. She was to meet Heidnik in an hour and lead him to the next victim. She used the opportunity to find a police officer. Although suspicious of her story, Riveria had signs of restraints on her ankles.

Heidnik was arrested at the prearranged location he was to meet Riveria. Police found three women in the basement, including one in a hole in the floor covered by wood and sandbags. Police found human remains wrapped in the freezer, later to be determined to be Lindsay's. His victims testified at his trial but were subjected to public taunts of "Alpo," referencing the dog food he forced them to eat and being called "Heidnik's girls." Riveria was accused by Thomas of being Heidnik's accomplice but Askins refuted this, insisting that Riveria was a victim, just as she and Thomas were. Heidnik pleaded not guilty by reason of insanity, but was found guilty of the murders of Lindsay and Dudley and sentenced to death in 1988. Heidnik attempted suicide several times while in prison; he was executed in 1999. Heidnik was Caucasian; his victims were black.<sup>43</sup>

#### **34) Stephen Hobbs (Houston, Texas)**

In September 2011, a police officer pulled his motorcycle over on the side of a road in order to set up a roadside speed test. There, he found the body of a woman, later identified as Wendy Trombley, 57, who had been missing since July of that year. Her body was located approximately nine meters from the entrance of the site in which Stephen Hobbs worked as a security guard. Trombley worked as a street prostitute, and police began to canvass women in the area she worked in. One woman, Jane Doe #1, 43, had escaped from a man after a brutal assault at a motel. She had seen the man put on a uniform and call his employer. Two other women also provided a description of a man wearing a security guard uniform. The three women were able to identify a photograph of Hobbs.

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<sup>43</sup> Sally Moore, *et al.*, "Gary Heidnik" *Serial Killer Timelines*, Department of Psychology, Radford University; Newton, *supra* note 1 at 112; Patrick Bellamy, "Gary Heidnik: To Hell and back" *True TV*; "House of horrors" *Evil, I* (15 June 2012), Investigation Discovery, Documentary.

Hobbs was charged with kidnapping and the sexual assault of Jane Doe #1 and aggravated assault of Danielle Perfitt, 28, and Sandra Gunter, 33. Police tested the DNA of the security guards at the location near where Trombley's body had been found. His DNA matched two homicides. He was charged with the 2002 murder of Patricia Pyatt, 38, the 2010 murder of Sarah Sanford, 48, and the sexual assault of Jane Doe #2. He has not been charged in Trombley's murder but remains the only suspect. Hobbs was a college graduate with no criminal background (other than a minor traffic violation) and unknown to police prior to his arrest in 2011. Police continue to investigate unsolved homicides dating back 15 years for links to Hobbs. He is a white man; his victims were white women.<sup>44</sup>

### **35) Desmond Jennings and John Freeman (Texas)**

Desmond Jennings, along with John Freeman, entered a known "crack house" in late 1993. Jennings shot the two occupants, Sylvester Walton, 44, and Wonda Matthews, 27. The two men were arrested shortly afterwards. Although Jennings had no prior convictions, prosecutors in Texas linked him to previous murders. Two months before the Walton-Matthews murders, Jennings and his accomplices also raided a home known for drugs, killing Larry Eugene Wilson. Only a week before the Walton-Matthews murders, Jennings and Freeman killed Dino Beasley, 29, and Charlotte Dickerson, 31, in the same manner.

Prosecutors believed that Jennings could be responsible for as many as 20 murders of drug addicts and prostitutes in drug houses in the Fort Worth area. Jennings' accomplice for several of the murders, John Freeman, was convicted and sentenced to 30 years in prison.

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<sup>44</sup> Wally T. Oppal. *Volume I – The women, their lives and the framework of Inquiry: Setting the context for understanding and change* (December 2012) at 16; Christina Caron, "Serial killer in Texas? Steven Hobbs charged with murders, rapes" *ABC News* (22 October 2011).

Jennings was convicted of capital murder for the Walton-Matthews murders and sentenced to death. Jennings, a black man, was executed in 1991.<sup>45</sup>

**36) Richard Jensen Jr. (Grand Rapids, Michigan)**

Between 1990 and 1991, Richard Jensen Jr., a high school teacher, murdered three street prostitutes in Grand Rapids, Michigan. He received a life sentence for the second degree murder of Kerry Mansfield, 23, in 1991. Mansfield had given birth just 19 days before her death. She was stabbed 55 times in a church parking lot over a disagreement regarding a \$50 charge for sexual services. Jensen is a white man.<sup>46</sup>

**37) Steven Johnson, Earnest Hunter and Robert Jones (North Carolina)**

Steven Johnson, Earnest Hunter and Robert Jones worked as “enforcers” in a prostitution ring in North Carolina in 1993. Johnson is a white man; Hunter and Jones are black men. In the course of their “duties,” they murdered two women who worked in the prostitution ring. In 1994, Johnson received two life sentences for the murders. Jones received 13 years, while Hunter received 10 years.<sup>47</sup>

**38) William Lindsey Sr. (Florida and North Carolina)**

William Lindsey Sr. was convicted and sentenced to 30 years imprisonment in 1999 for the murders of seven sex workers between 1988 and 1996 in Florida and North Carolina. Lindsey had been part of the National Guard and had a history of heroin, alcohol and prescription pill abuse. At one point he had been diagnosed as a sociopath, when he was hospitalized after he had written a suicide note. After his release, he was arrested for

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<sup>45</sup> Newton, *supra* note 1 at 362; “Desmond Jennings” *Texas Execution Information Center*; “Desmond Dominique Jennings” *Murderpedia*; *Desmond Dominique Jennings v. Gary L. Johnson, Director, Texas Department of Criminal Justice* (1999) No. 98-10846, United States Court of Appeals for the Fifth Circuit.

<sup>46</sup> Newton, *supra* note 1 at 362; “Richard Allen Jensen Jr.” *Murderpedia*; “Jury convicts teacher of murdering prostitute” *The Tuscaloosa News* (21 September 1991); “Teacher is held in death of prostitute” *The Tuscaloosa News* (21 March 1991).

<sup>47</sup> Newton, *supra* note 1 at 447.

aggravated assault after he was in a car accident with his five children. His wife left him following this event but he married again the year after.

Lindsey was convicted in the deaths of Anita Stevens, 27 (1988), Connie Terrell, 26 (1989), Lashawna Streeter, 26 (1992), Cheryle Lucas, 31 (1995), Diana Richardson, Lucy Raymer and Donetha Snead-Haile. Lindsay was interviewed by police in connection to unsolved murders in Virginia, Florida, Tennessee and North Carolina. He died in prison in 2001; he was a white man; his victims were white and black women.<sup>48</sup>

### **39) Robert Joe (Bobbie Joe) Long (Florida)**

Robert Joe (Bobby Joe) Long was accused of the rape of an acquaintance at age 18 but no charges were laid.<sup>49</sup> At 27, he was accused of the rape and assault of his friend; he was charged and found guilty of assault, and sentenced to probation in 1983. Shortly after, Long began raping sex workers in the Miami and Fort Lauderdale, Florida areas.

In 1984, Long began to select rape victims through newspaper ads and to begin to murder sex workers. Known as the “Classified Ad Rapist,” Long is thought to have committed at least 50 attacks on women and girls and perhaps as many as 150. He would search for items for sale and make appointments to purchase the items and then attack the women or girls found in the home. After many murders, Long inexplicably released one woman he had abducted from a donut shop where she worked. Lisa McVey, 17, assisted in the identification of Long’s car, leading to surveillance of Long, and eventually his arrest.

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<sup>48</sup> Ashley Shifflett, Michelle Simmons and Mary Simon, “William Darrell Lindsey” *Serial Killer Timelines*, Department of Psychology, Radford University; “Lindsey William Darrell” *Serial Killer Crime Index*.

<sup>49</sup> Long is a distant maternal cousin of Henry Lee Lucas, another serial killer who murdered alone and with accomplice, Ottis Toole. The exact number of Lucas’ victims is unknown, as he confessed to many murders. Due to weak and contradictory evidence, Lucas’ death sentence was commuted to life by then-Governor George Bush. Lucas was the only death row inmate that Bush commuted during his tenure as Texas Governor. Newton, *supra* note 1 at 159.

In 1984, Long was charged with nine counts of first degree murder. His victims were: exotic dancers Ngeun Thi Long, 20, and Kim Swann, 21; and street prostitutes Michelle Simms, 22, Chanel Williams, 18, Karen Dinsfriend, 28, Kimberly Hopps, 22, and Virginia Johnson, 18. According to the sources, Long's other two victims were not sex workers; Elizabeth Loudenback, 22, was a factory worker, and Vicky Elliot, 21, was a waitress, as was McVey. He was also charged with felony counts of abduction, rape, and sexual assault of McVey. There was evidence that Long had existing head injuries but doctors ruled him fit to stand trial. Long was convicted and received two death sentences and 34 life sentences. He has appealed his death sentences based on faulty fibre evidence and medical evidence regarding his neurological impairment and hormone abnormalities. One of his death sentences was overturned but he awaits execution in Florida.

Police suspect that Long murdered Artis Wick, 20, also a sex worker. Wick is thought to be Long's first murder victim, but her remains were found after that of his last victim. He was never charged with her murder and did not confess to Wick's murder. Long is Caucasian.<sup>50</sup>

#### **40) Victor Malone (Detroit, Michigan)**

Victor Malone had obtained a master's degree in social work prior to his conviction for murdering three street prostitutes. In 1985, Malone was first convicted in the 1984 murder of Leshia Brooks, followed by a second conviction shortly afterwards for the 1984 murder of Anita Willis. He had been charged with first degree murder but was convicted of

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<sup>50</sup> Long v. State of Florida (1997) 83, 593; "Bobbie Joe Long" Wikipedia; "Bobbie Joe Long" *Serial Killer Central*; Katherine Ramsland, "Bobby Joe Long" *True TV*; Catherine Reynolds, *et al.*, "Bobby Joe Long" *Serial Killer Timelines*, Department of Psychology, Radford University; Hickey, *supra* note 1 at 151; Katherine Ramsland and Patrick N. McGrain. *Inside the minds of sexual predators*. (Santa Barbara, California: ABC Clio, 2010) at 145; Newton, *supra* note 1 at 159; Robert Long" *Florida Department of Corrections* (02 December 2012).



second degree murder in both cases, receiving a sentence of 65 to 100 years in prison. A third jury in 1986 convicted him of the first degree murder of Deborah Debus, 21, in 1985. Police suspected Malone of being responsible for 10 murders over a 12 year period. Malone is a black man.<sup>51</sup>

#### **41) Chander (Bobby) Matta (Virginia and District of Columbia)**

Chander Matta murdered three street prostitutes over a 36-hour period on the Memorial Day weekend in 1990 in Virginia and the District of Columbia. They were asphyxiated with a plastic bag or strangled. The three murdered women were Jodie Phillips, 16, Sherry Larman, 20, and Sandra Johnson, 26. Matta was 21 at the time of the killings. Matta killed Phillips and Larman in his parents' home. The three women were similar in appearance and all were blonde. A plastic bag containing a credit card receipt belonging to his father was found over the head of Phillips, leading police to Matta. Matta confessed his crimes to police. At trial, he pled not guilty by reason of insanity due to schizophrenia; his lawyers sought treatment in a mental hospital. In 1991, he was convicted and sentenced to life in prison without the possibility of parole. Matta is a white man.<sup>52</sup>

#### **42) Anthony McKnight (Oakland, California)**

In 1987, Anthony McKnight, a former U.S. Navy sailor, was sentenced to a 63-year term for a series of attacks between 1984 and 1986. The 11 felony counts included attempted murder, kidnapping, and sexual assaults. McKnight's six victims of these attacks were street prostitutes. In 2005, DNA evidence led police to charge McKnight with five

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<sup>51</sup> Newton, *supra* note 1 at 375; Patricia Chagot, "Killer of 2 prostitutes on trial in 3d (sic) murder" *Detroit Free Press* (27 February 1986); Hackney, *et al.*, *supra* note 2; Joe Swickard, "Accessibility makes prostitutes frequent targets of murderers" *Detroit Free Press* (03 September 1985).

<sup>52</sup> Newton, *supra* note 1 at 377; "Chander Matta" *Murderpedia*; "Death of hookers detailed" *The Free Lance-Star* (16 June 1990); Stephanie Griffith, "Matta will use insanity defense; attorneys say schizophrenia triggered impulse to kill 3 women" *The Washington Post* (05 March 1991).

murders that occurred over a four-month period in 1985 in Oakland. The five women and girls, all working in prostitution, whom McKnight was convicted of killing were: Diane Stone, 17; Talita Dixon, 13; Monique Davis, 18; Beverly Bryant, 24; and Betty Stuart, 22. In 2008, McKnight was found guilty of five counts of first degree murder and sentenced to death. He remains on death row; he is a black man.<sup>53</sup>

#### **43) Bruce Mendenhall (Multiple States)**

Bruce Mendenhall, a long-haul truck driver, was convicted of the murder of Sara Hulbert of Tennessee in 2007. He has been charged with the murders of Symantha Winters from Tennessee and two other murders in Alabama and Indiana. Mendenhall is a suspect in the murders of women in five other states which occurred between 1992 and 2007. Video surveillance at a truck stop the night of Hulbert's murder led police to search Mendenhall's truck where bags of bloody clothing, weapons, latex gloves and other items were found. Items in the truck linked him to five murdered or missing women. He was sentenced to a life sentence with no parole possibility for 51 years for Hulbert's murder. In 2010, Mendenhall was sentenced to another 30 years for soliciting the murders of three witnesses prior to his trial.

Mendenhall's alleged victims were prostitutes who frequented truck stops, as well as a student and hitchhiker. He is a suspect in the deaths of Lucille Carter in Alabama; Deborah Ann Glover in Georgia; Sherry Drinkard in Indiana; Tammy Zywicki in Illinois; Jennifer Smith and Robin Bishop in Tennessee; and Belinda Cartwright in Georgia. Items of clothing

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<sup>53</sup> Newton, *supra* note 1 at 379; "Anthony Mcknight" *Murderpedia*; "Man sentenced to death for killing women" *Bay City News* (18 November 2008); Anna Werner, "Justice delayed in Oakland serial murder case" *CBS5* (12 October 2007); "Anthony McKnight" *APB News* (28 June 1999); "Condemned Inmate List" *California Department of Corrections and Rehabilitation*.

and blood evidence matched to Carma Purpura, 31, of Indiana were found in Mendenhall's truck but her body has not been found. Mendenhall is a white man.<sup>54</sup>

#### **44) Joseph Miller (Illinois)**

Joseph Miller, a white man, was sentenced to 15 to 30 years in prison in 1978 for murdering two Chicago-area prostitutes. He served 15 years in prison. Only months after his release on parole in 1993, he was suspected of murdering three street prostitutes in Petoria, Illinois. The bodies of his victims, killed within a two-week period, were all found within a week of each other in September 1993. They were Marcia Logue, Helen Dorrance and Sandra Csesznegi. Within days of the discovery of the bodies, police questioned Miller.

Miller was charged with six counts of first degree murder for three victims: Logue, Dorrance and Csesznegi. He was found guilty and sentenced to death. His sentence was commuted to life in 2003. Police believe he may be responsible for additional murders, including Stacey Morrison, 23,<sup>55</sup> and Valerie Sloan, 18. He is also thought to be responsible for the disappearance of an elderly widow, Bernice Fagotte, 88, for whom he occasionally worked. Her car was found close to Miller's residence, and a knife used in Logue's murder was found in the vehicle.<sup>56</sup> He was not charged with any crimes related to the disappearance and likely homicide of Fagotte; her body has not been located.<sup>57</sup>

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<sup>54</sup> Tom Leonard, "Serial killers working as lorry drivers have murdered 500 women across US" *The Telegraph* (06 April 2009); "Bruce Mendenhall" *Wikipedia*.

<sup>55</sup> Morrison is also listed as a possible victim of Arlie Davis.

<sup>56</sup> Newton, *supra* note 1 at 381; "Joseph Robert Miller" *Murderpedia*; Peter Kendall, "Police fear killer has killed again" *Chicago Tribune* (29 January 1994); Luciano, *supra* note 16; "Lock box may contain," *supra* note 16; *The People of the State Of Illinois v. Joseph R. Miller* (2003) State of Illinois; "The Doe Network...", *supra* note 16; *The People of the State Of Illinois v. Joseph Miller* (1996) State of Illinois, No. 78011.

<sup>57</sup> Some news articles state Miller was convicted of killing Fagotte, but the court decisions do not support that supposition.

**45) William (Billy) Montgomery (Pennsylvania)**

Toshiko Ciaccio, 42, an exotic dancer, was murdered in 1992, her body wrapped in a tarp and dumped by the road. A year later, Amy Moore, 25, a Philadelphia street prostitute, was similarly murdered and dumped, wrapped in a camper awning. A viewer watching a news feature on the murder recognized the awning as belonging to William (Billy) Montgomery and called police. Police discovered Montgomery was a crack addict and a frequent client of strip clubs. When police learned that a neighbour of Montgomery who worked in a strip club had gone missing in 1992, they began to investigate him for five murders and suspicious disappearances. He has not been charged with any other crimes. On the advice of counsel, he pled guilty in 1994 to avoid the death penalty and was sentenced to life in prison. He appealed, asking that his guilty plea be set aside, but the appeal was denied. Montgomery is a white man.<sup>58</sup>

**46) James Randall (Florida and Massachusetts)**

James Randall was convicted of kidnapping and sexual battery of his ex-wife, Linda, for which he served time in prison.<sup>59</sup> In 1994, Randall picked up Terry Jo Howard for sexual services and the two moved into together shortly after; they remained living together until Randall's arrest two years later. Florida street prostitutes Wendy Evans and Cynthia Pugh were murdered by Randall in 1995 and 1996 when Howard was out of town. Randall's ex-wife, Linda, and Howard both testified that he would strangle them during sexual activity. He was convicted of first degree murder and sentenced to death in 1997. The Supreme Court overturned his conviction in 2000, replacing it with a second degree murder conviction and

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<sup>58</sup> Newton, *supra* note 1 at 383; Doug Donovan, "Judge denies killers request: William Montgomery sought to withdraw his guilty plea" *Inquirer* (07 September 1995); "William David Montgomery" *Murderpedia*.

<sup>59</sup> Sexual battery is the term used in the state of Florida. See, State of Florida, *Florida Statutes*, Title XLVI (Crimes), Chapter 794.

sentencing him to life imprisonment. Randall was a suspect in the death of Holly Jean Cote, a friend of his wife, in Massachusetts, but was never charged. He was also suspected of murders of sex workers in both Massachusetts and Florida. Randall is a white man.<sup>60</sup>

#### **47) Robert Rhoades (Multiple States)**

Police believe that Robert Rhoades is responsible for between 50 and several hundred deaths spanning 15 years and multiple states. A long-haul truck driver, Rhoades picked up runaways, hitchhikers and prostitutes working at truck stops before torturing and eventually killing the women after days of holding them hostage. Hitchhiking couples were often picked up. Rhoades killed the male immediately; the female was held, tortured and eventually murdered. Police have speculated that by 1990 he was kidnapping and murdering three women a month.

In 1990, an Arizona highway patrolman offering assistance to a truck on the side of the road discovered Lisa Pennal, 18, bound, nude and chained in the sleeper berth along with Rhoades. Pennal told investigators that Rhoades had told her he had been abducting and killing women for 15 years. The police began to look into his activities spanning the country. Within a day of his arrest, police had linked him to a similar incident in another state, where Shana Holts, 18, was also able to escape. Rhoades was sentenced to six years for the abduction and torture of Pennal.

While Rhoades was in prison, police continued to try to link him to unsolved murders. Photographs of his victims found after his arrest eventually linked him to a murdered teenage girl from Texas. Regina Walters, 14, was a runaway who was hitchhiking with Ricky Lee Jones, 18, in 1990 when she was murdered by Rhoades. The body of Jones

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<sup>60</sup> *Randall v. State of Florida* (2000) SC90977; “James Randall (murderer)” *Wikipedia*; Newton, *supra* note 1 at 397.

was found in 2006, in a wooded area off an interstate highway in Mississippi. The cause of death could not be determined but he is assumed to have been murdered by Rhoades.

Rhoades pled guilty to the murder of Walters in order to avoid the death penalty in Illinois.

He was sentenced to life imprisonment.

In 2005, Rhoades was extradited to Utah for the 1990 murder of Patricia Walsh, 24. Walsh had been abducted along with her husband, Scott Zyskowski, 25/28, in Texas. Zyskowski was killed immediately but Walsh was kept for seven days. Both bodies were found in 1990; Walsh was found in Utah and Zyskowski in Texas. Zyskowski was identified in 1992 but Walsh's body was not identified until 2003. As Rhoades could only stand trial for Walsh's murder in Utah, where he faced the death penalty, the families of Walsh and Zyskowski requested that Utah stay the charges and return Rhoades to Illinois, which the State of Utah did in 2006. Texas filed first degree murder charges against Rhoades for the deaths of both Walsh and Zyskowski; he also faced the death penalty in Texas. Rhoades' extradition and trial in Texas was delayed for several years. In 2012, at age 66, Rhoades pled guilty and waived all rights to appeal in order to avoid the death penalty. Rhoades is suspected of having many more yet unidentified victims. He is a white man.<sup>61</sup>

#### **48) Derek Richardson (Missouri)**

In February 2013, Kansas City police announced that Derek Richardson had been charged with two counts of first degree murder and two counts of abandonment of a corpse. Tamara Sparks, 40, and Nicoleone Reed, 24, were white street prostitutes who were

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<sup>61</sup> Sarah Stallard, *et al.*, "Robert Ben Rhoades" *Serial Killer Timelines*, Department of Psychology, Radford University; "Case study: Murder – One jurisdiction at a time: The case of Robert Ben Rhoades" *Articles Base* (07 April 2008); Karen Brandel, "Dead end" *Tucson Weekly* (29 February 1996); "Robert Ben Rhoades" *Murderpedia*; "Serial killer Texas trucker kept dungeon in cab" *CBC News* (29 March 2012); "Robert Rhoades" *Villains* (April 2013), Investigation Discovery, Documentary.

murdered in October 2011. Both had been found with their clothing arranged in similar manners, exposing their breasts and genitals, and had bleach poured over their bodies. Sparks' death was initially ruled as a result of a drug overdose until investigators learned of Reed's death. Police reclassified Sparks' death as a homicide and a task force was struck in December 2012.

Richardson was arrested only days after police received tips from two individuals to whom Richardson had allegedly told he was a serial killer. Richardson confessed to police and said he would have continued killing if he had not been captured. DNA found on a dropped shoe near one of the bodies has been linked to Richardson. Police are investigating the possibility that he was also responsible for a woman who regained consciousness after being left in a rural area with her clothing arranged similarly to the dead women. As Richardson has been known to travel throughout the U.S., police are investigating possible victims outside Missouri. Richardson, a white man, committed suicide in jail two months after his arrest.<sup>62</sup>

#### **49) Joel Rifkin (New York)**

In 1993, a New York State police officer stopped Joel Rifkin because his truck had no rear license plate. Detecting a foul odour, the officer looked in the back of the truck and found the decomposing corpse of Tiffany Brescani, 22. After his arrest, Rifkin began to recount his crimes, leading investigators to the remains of two missing women. He confessed to murdering 17 sex workers in four years.

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<sup>62</sup> Christine Vendel and Donald Bradley, "Arrest made in killings of two women" *The Kansas City Star* (16 February 2013); Christine Vendel, "Slayings of two KC women linked to killer with Crocs loafer" *The Kansas City Star* (07 February 2013); Christine Vendel, "Tips begin arriving on women's deaths" *The Kansas City Star* (08 February 2013); Barrett Tryon, "Man police dubbed 'potential serial killer' dies" *Fox 4 News* (11 April 2013).

Identification of some of the victims was difficult because Rifkin often only knew their street names. For instance, Jane Doe #1 was Rifkin's first victim in 1989. He thought her name was "Susie" but she has still never been identified. Rifkin had been surprised when her body was found, and frightened when the media reported that the murdered woman was HIV-positive.

Rifkin confessed to the murders of: Jane Doe #1/"Susie"; Julie Blackbird; Barbara Jacobs, 31; Mary Ellen Deluca, 22; Yun Lee, 31; Jane Doe #2; Lorraine Orvieto, 28; Mary-Ann Holloman; Jane Doe #3; Iris Sanchez, 25; Anna Lopez, 33; Violet O'Neill, 21; Mary Williams, 31; Jenny Soto, 23; Leah Evans, 28; Lauren Marquez, 28; and Brescani. Rifkin's victims were white, black and Asian women.

The fates of his second and third victims would not have been known save for his confession, as the body of Blackbird has never been found and the coroner had erroneously attributed the cause of death for Jacobs as an overdose. His confession was backed up with the knowledge of where additional bodies could be found and hundreds of trophies from the victims, including jewellery, identification and personal effects such as the diary of Blackbird. Rifkin pled not guilty to the murders but was found guilty of nine murders and sentenced to 203 years to life.

In 2013, investigators identified the victim, Jane Doe #1/Susie, Rifkin had confessed to killing. A woman's severed head was found on a golf course in 1989. Using facial recognition technology and familial DNA, the victim was identified as Heidi Balch, 25.



Balch had been using the street name “Susie” at the time she disappeared. Rifkin is a white man.<sup>63</sup>

### **50) David Rogers (California)**

David Rogers was a sheriff’s deputy in California with a long history of involvement with street prostitutes, both professionally and personally. In 1983, he was fired from his job for taking photographs of a naked prostitute in a cemetery. He was reinstated on appeal a few months later. The complainant in that case failed to show for the hearing and disappeared; her fate is unknown. He was removed from duties that placed him in contact with sex trade workers and assigned to work in the jail, where he was accused of mistreating an inmate in 1984. The charges were dismissed and he returned to patrol duties in 1986.

Jeanine Benintende, 21, was found shot to death in 1986. The same gun was used to kill Tracy Clark a year later. Clark was a 15-year-old pregnant girl also working in prostitution. Rogers was arrested five days after Clark’s death and he admitted having stolen the murder weapon in 1982. Rogers was charged with two counts of murder, though police suspected there could be more victims, including the missing witness.

Rogers was convicted of second degree murder in regards to Benintende, and first degree murder for Clark’s death. A witness in the penalty phase was a prostitute who had survived an attack by Rogers in 1986. Rogers was sentenced to death for Clark’s murder. In

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<sup>63</sup> Lori Ligon, *et al.*, “Joel Rifkin” *Serial Killer Timelines*, Department of Psychology, Radford University; Michael Newton, “Joel David Rifkin: New York’s most prolific serial killer” *True TV*; Geraldine Baum and Faye Fiore, “Fear and loathing in Long Island” *Ottawa Citizen* (23 April 2011), A10; Newton, *supra* note 1 at 399; “The Doe Network: Closed Cases (Found / Identified)” *The Doe Network*; “Woman whose severed head was found on a golf course is identified after 24 years as first victim of serial killer Joel Rifkin” *Daily Mail* (27 March 2013).

2006, the California Supreme Court upheld his conviction and his sentence. Rogers, a white man, is awaiting execution.<sup>64</sup>

### **51) Anthony (Jack) Sully (California)**

Anthony Sully, known as Jack, was a former police officer in California, employed as electrical contractor in 1983 at the time of his arrest. Sully, along with Michael Shing, the owner of an escort agency, was charged with the assault of a prostitute. Shing told police that Sully was responsible for many unsolved murders in the area.

Gloria Fravel worked as an escort for Tina Livingston in 1983. Sully, with Livingston and another escort, Angel Burns, forcibly confined Fravel over the course of a weekend. Fravel was held in a warehouse owned by Sully. Livingston had asked for Sully's assistance in recovering \$500 owed to her by Fravel. Sully tortured and sexually assaulted Fravel for days while the two women waited in the front of the warehouse. The three murdered Fravel after attempting to silence her.

Shortly after Fravel's murder, Sully requested Livingston's assistance in finding a woman to kill who was not involved in professional sex work. Livingston suggested Brenda Oakden, 19, the roommate of a receptionist at the escort agency who had worked as an escort on one occasion only. Burns brought Oakden to Sully, who killed her and put her body in an oil drum and dumped it in Golden Gate Park. Sully confided to Shing, his co-defendant in the assault case, that he had killed a pimp and prostitute and similarly disposed of their bodies. Police found the bodies of Michael Thomas and Phyllis Melendrez, who had been

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<sup>64</sup> Newton, *supra* note 1 at 401; "David Keith Rogers" *Murderpedia*; "Hearing set in Kern deputy's death penalty case" *KGET News* (11 December 2009); Norma Jean Almodovar, "The consequences of arbitrary and selective enforcement of prostitution laws" (2010) 8 *Wagadu* at 241; *The People v. David Keith Rogers* (2006) Supreme Court of California, Super. Ct. No. 33477.

shot, placed in barrels and left in the park, as was Oakden. Fingerprints on the oil drums eventually linked Sully to the murders.

Barbara Searcy, 22, went to the warehouse on her own volition, as Sully was her landlord. The two had used drugs and had sex together before, with Sully giving her money occasionally, although Searcy was not a professional sex worker. Sully killed Searcy and asked Livingston to break into Searcy's apartment to recover evidence, but she was unable to do so. Livingston assisted in the disposal of the body.

Kathryn Barrett offered to sell cocaine to Sully. Michael Francis, a friend of Sully's, suggested stealing the drugs and the two arranged for Livingston to bring Barrett to the warehouse. Livingston witnessed Francis stabbing Barrett but she did not die from the assault; Sully killed her with a sledgehammer.

Sully denied any involvement in the murders, identifying the various accomplices as being responsible. Sully was convicted on six counts of first degree murder in 1986 and sentenced to death.<sup>65</sup> His death penalty sentence has been held up through various appeals. Sully is a white man. Livingston, who had a previous manslaughter conviction from 1976, accepted a plea agreement in exchange for testimony. She pleaded guilty as an accessory in the murder of Barrett and received a three-year sentence. Francis was convicted of the first degree murder of Barrett.<sup>66</sup>

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<sup>65</sup> Some references indicate that Sully was convicted of seven counts of first degree murder. The court cases confirm it was six counts.

<sup>66</sup> "Anthony Sully" *Murderpedia*; Newton, *supra* note 1 at 406; "Ex-police officer convicted of six murders" *Los Angeles Times* (04 June 1986); *People v. Sully* (1991) Supreme Court of California, 53 Cal.3d 1195; "Death penalty upheld for former cop who dumped bodies in Golden Gate Park" *The San Francisco Appeal* (06 August 2013).

**52) Daniel Siebert (Alabama)**

In 1972, Daniel Siebert, also known by the last names Marlow and Spence, was dishonourably discharged from the army. In 1979, he was convicted of manslaughter of a woman in Las Vegas. In 1985, he began volunteering as an art teacher under the name Spence in an Alabama Institute for the Blind and Deaf. In 1986, Sherri Weathers and her sons, Chad, 5, and Joseph, 4, were found murdered. At the crime scene, the building manager advised police to check another apartment, that of Linda Jarman, 31, who was also found murdered. Both women were students at the same institute that Siebert worked. Witnesses advised that Siebert may have been romantically interested in Jarman. Fingerprints led police to identify “Spence” as Siebert. When police discovered Spence’s real identity, they learned that he was wanted on charges of attempted murder of a prostitute in San Francisco. Police began actively searching for Siebert for the four murders.

On the same day the bodies were discovered, Siebert was thought to have murdered Sheryl Evans, 19, a black prostitute. Several days later, a waitress, Linda Odum, 32, also thought to have been involved with Siebert, was reported missing. Odum’s remains were found several weeks later.

A friend of Siebert’s contacted police six months after police had begun to search for him in relation to the murders. Tracing the calls, police were able to arrest Siebert without incident in Tennessee. He had been in at least three states, and perhaps Canada, during his time fleeing Alabama. He confessed to the murders of the Weathers family, Jarman and Odum. He also confessed to two 1985 Los Angeles murders previously thought to be committed by the Southside Slayer, those of Gidget Castro, 28, and Nesia McElrath, 19. Police believed he was responsible, but he was not charged with these murders. He was charged with the 1986 murder of Beatrice McDougall, 57, from Atlantic City, New

Jersey. Siebert was sentenced to death for the Weathers and Jarman murders, and to life for Odum's murder. During his imprisonment, his extremely graphic drawings depicting bondage and torture were sold on death "memorabilia" sites. Siebert, a white man, spent 20 years on death row before he died of cancer in 2008.<sup>67</sup>

### **53) Robert Shulman (New York)**

Robert Shulman was a former postal worker who murdered and dismembered five sex workers over a five-year period between 1991 and 1996. In his first trial, Shulman was convicted for the murders of Lisa Warner, 18, Kelly Bunting, 28, and Jane Doe #1. He was sentenced to death for the murder of Bunting, which occurred after New York had re-established the death penalty. His sentence was reduced to life in prison after the death penalty was invalidated in New York in 2004. In 2000, Shulman confessed to the murders of Lori Vasquez, 24, and an unknown victim, Jane Doe #2. Shulman was a white man; he died in prison. Shulman's brother, Barry, pled guilty and was sentenced to two years in prison for helping to dispose of the bodies of the first three victims.<sup>68</sup>

### **54) Lawrence (Larry) Singleton (Berkley, California)**

Larry Singleton received a 14-year sentence for the 1978 rape, attempted murder and kidnapping of 15-year-old Mary Bell Vincent in Berkeley, California. Vincent was hitchhiking when she was abducted and assaulted by Singleton. Her arm was cut off during the attack. Upon his arrest, Singleton claimed she was a sex worker who had kidnapped him.

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<sup>67</sup> "Daniel Lee Siebert - Serial killer, faces of death pictures" *Documenting Reality*; "Siebert Daniel Lee" *Serial Killer News*; Desiree Hunter, "Alabama death row inmate who challenged protocol dies" *USA Today* (23 April 2008).

<sup>68</sup> "Serial Killer Robert Shulman" *The Frances Farmers Revenge Portal*; "Robert Shulman" *Wikipedia*; John T. McQuiston, "An inmate on death row pleads guilty in more killings" *The New York Times* (05 January 2000); "Shulman Robert" *Serial Killer Central*; "Robert Shulman (Serial Killer)" *Serving History*; Baum and Fiore, *supra* note 63; Newton, *supra* note 1 at 408.

Upon his release, he moved to Florida. Neighbours called the police after witnessing Singleton strangling Roxanne Hayes, 31. Police arrived to find the victim, a prostitute, already dead. His first victim, Vincent, testified at the trial. He was convicted and sentenced to death. Singleton died of cancer in prison while awaiting his execution. He was a white man.<sup>69</sup>

### **55) Samuel Smithers (Florida)**

Samuel Smithers has two confirmed victims but experts suspect he has other, unknown victims. In 1996, Smithers killed two Florida sex workers at the home of a woman for whom he mowed lawns. His employer, Marion Whitehurst, found him with an axe and a puddle of blood in her home and called the police, despite his assurance it was the blood of a dead animal. The bodies of Denise Roach and Christy Cowan were found in the home. Smithers was convicted in the murders of Roach and Cowan and received the death penalty. The police suspected Smithers in the rape of a sex worker and the murder of Roslin Kruse, who was Cowan's roommate. Smithers is a white man; he remains on death row in Florida.<sup>70</sup>

### **56) Gerald Eugene Stano (Florida)**

Prior to his execution in 1998 in Florida, Gerald Eugene Stano confessed to murdering 41 prostitutes, runaways and hitchhikers. Donna Hensley, a prostitute, had escaped from Stano and gone to the police. He was suspected in the assaults of several other prostitutes, and a witness description of a vehicle last seen with Mary Maher, 20, before she disappeared, matched that of Stano's car.

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<sup>69</sup> Amanda Spake, "The return of Larry Singleton" *The Salon* (05 March 1997).

<sup>70</sup> Lindsay Seals, Annamarie Roszko, and Kinsey Martin, "Samuel L. Smithers" *Serial Killer Timelines*, Department of Psychology, Radford University; "Samuel L. Smithers" *Profiles on Florida's Death Row* (04 January 2008).

Stano pleaded guilty to the murders of Maher, Toni Van Haddocks, 26, and Nancy Heard, 24, between 1976 and 1980, for which he received three consecutive life sentences. Incensed that he had not received enough attention for the full scope of his crimes, he confessed to murdering Cathy Scharf, 17, (1973); Ramona Neal, 18, (1976); Susan Bickrest, 24, (1975); Mary Muldoon, 23, (1977); Janine Ligotino, 19, (1973); Ann Arceneau, 17, (1973); Barbara Baur, 17, (1974); Jane Doe, (1974); Bonnie Hughes, 34; Dinana Valleck, 18; Emily Branch, 21; Christina Goodson, 17; Phoebe Winston, 23; Joan Foster, 18; Susan Basile, 12; Sandra DuBose, 35, (1978); Linda Hamilton, 16, (1975); Nancy Heard, 24, (1976); and Dorothy Williams, 17, (1976).

In 1983, Stano pled guilty to the deaths of Bickrest and Muldoon, for which he was sentenced to death. Later the same year, a jury trial found him guilty of Sharf's murder and he was sentenced to death a second time. No further charges were brought against him, and it is not certain he was responsible for all the deaths to which he confessed. Stano was a white man.<sup>71</sup>

### **57) Michael D. Terry (Atlanta, Georgia)**

Michael Terry, a black man, murdered six young black men in Atlanta in the mid-1980s. The victims were: Curtis Brown, 21; Daryl Williams, 21; George Willingham; Richard Williams; Alvin George, 31; and Jason McColley, 18. Four of the victims were known to work as prostitutes. In 1987, Terry was convicted and sentenced to life for the

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<sup>71</sup> Tara Gaynor, *et al.*, "Eugene Paul Stano" *Serial Killer Timelines*, Department of Psychology, Radford University; "1998: Gerald Eugene Stano, misogynist psychopath" *Executed Today*; Newton, *supra* note 1 at 50, 249; David Lohr, "Gerald Eugene Stano" *True TV*; "Execution List" *Florida Department of Corrections*.

murders of Brown and Williams. A year later, a jury convicted Terry of a third murder. He confessed to the remaining three murders in 1988.<sup>72</sup>

### **58) Maury Travis (St. Louis, Missouri)**

In St. Louis, Missouri, in 2001, a reporter received a letter in response to a story about six unsolved murders of sex workers. The letter provided a computer-generated map leading to the remains of “victim number 17.” Computer technology helped pinpoint the Internet Protocol (IP) address used to generate the map, and police arrested Maury Travis in relation to the murders.

Travis claimed to have murdered 17 sex workers between 2000 and 2002. Travis had videotaped many of his crimes. Police eventually linked him to the murders of 12 identified victims before he committed suicide in custody a few days after his 2002 arrest. Prior to his suicide, police linked Travis to the murders of: Mary Shields, 61; Alysa Greenwade, 34; Jane Doe #1, 44; Teresa Wilson, 36; Betty James, 46; Verona Thompson, 36; Yvonne Crues, 50; Brenda Beasley, 33; and four additional unidentified women. He may have been responsible for as many as 20 murders. Travis was a black man whose victims were black women in the sex trade, many of whom were addicted to crack.<sup>73</sup>

### **59) Johann (Jack) Unterweger (California and Austria)**

Born in Austria to a prostitute, Jack Unterweger committed 16 sexual and physical assaults on prostitutes in the late 1960s and early 1970s in Austria. His earliest conviction for assault was at age 16. Over a nine-year period, he was in prison all but one year for

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<sup>72</sup> “Serial killer Michael Terry” *The Frances Farmers Revenge Portal*; Hickey, *supra* note 1 at 252; *Terry v. State of Georgia et al* (2007) 1:07-cv-01304-RWS; *Terry v. Smith*, Civil Action No. 1:05-CV-2986-RWS.

<sup>73</sup> Katherine Ramsland, “Murder cop: A profile of Vernon J. Geberth” *True TV*; “Maury Travis” *The Frances Farmers Revenge Portal*; Peter Shinkle, “Serial killer caught by his own internet footprint” *St. Louis Post-Dispatch* (17 June 2002); Bill Smith, Tim O’Neil and Bill Bryan, “Mystery of serial killings unravels slowly” *Post-Dispatch* (22 June 2002); Newton, *supra* note 1 at 420.



separate sentences. He was suspected of the murder of Marcia Horveth in 1974 but was not charged. He was convicted of the 1975 murder of Margaret Schaefer, 18, and sentenced to life in prison. While in prison, the formerly illiterate Unterweger learned to read and write, then began to write books, short stories, plays and an autobiography. He wrote a bestselling book, *Fegefeuer* (Purgatory), and received a literary prize for *Endstation Zuchtaus* (Terminus Prison). When he was released from prison in May 1990, Unterweger began to be featured on talk shows and *Fegefeuer* was made into a movie the same year. Six prostitutes, including Brunhilde Masser and Blanka Bockova, were murdered in 1990. Unterweger would eventually be convicted for these deaths.

Unterweger travelled to Los Angeles in 1991. He did ride-alongs with Los Angeles police and wrote articles on crime. Shortly after his arrival, three prostitutes were murdered: Shannon Exley, 35, Irene Rodriguez, 33, and Peggy Booth, 26. He returned to Vienna but then fled with his girlfriend, going to Switzerland, France, Canada and the United States. Throughout his trip he phoned Austrian media to proclaim his innocence and to taunt the police in their inability to locate him.

The FBI arrested Unterweger in Florida in February, 1992. He was deported to Austria in May. Unterweger was suspected of murdering six women in Austria, three in Los Angeles and two in Czechoslovakia. All the victims were prostitutes or “party girls,” and all had been murdered since his release from prison in 1990.<sup>74</sup> Austrian officials tried Unterweger on all 11 murder charges. In 1994, Unterweger was convicted of nine counts of murder and acquitted on two; he was sentenced to life in prison. The day after his

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<sup>74</sup> The term “party girls” is used in the media to refer to women, generally young, white and affluent, who are not prostitutes or addicted to drugs or alcohol, but frequent bars or clubs.

conviction, Unterweger committed suicide by hanging himself in his cell. He was a white man.<sup>75</sup>

#### **60) John Williams and Rachel Cumberland (Multiple States)**

John Williams, accompanied by his girlfriend, Rachel Cumberland, travelled across the U.S. as a long-haul truck driver. Both Williams and Cumberland are Caucasian. The two were arrested after the FBI's creation of a task force focusing on highway serial killers. The couple was arrested in relation to the death of Nikki Hill, whom they met at a casino in Mississippi. Cumberland called authorities to inform them that she had discovered a body, which ultimately led to her arrest. Williams was arrested shortly afterwards. The two were convicted of Hill's murder. An *America's Most Wanted* episode featuring the death of Casey Jo Pipestem, 19, in Oklahoma, led to a tip from a relative of Williams. Williams had bragged of the murder. Ultimately, Williams admitted to a number of murders in multiple states including that of Buffie Brawley, 27 (Indiana). Williams faced the death penalty for the murder of another prostitute. Information on the results of that case and Williams' other confessed crimes are unavailable. In June 2013, Williams was charged with the 2004 murder of Pipestem. The victims killed by Williams and Cumberland were white, black and Native American.<sup>76</sup>

#### **61) Fred Willis (Las Vegas, Nevada)**

Bonnie Ann Woods, 25, worked as an exotic dancer and escort in Las Vegas, Nevada. She was murdered in a motel room in 1984. Fred Willis was arrested and in 1985

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<sup>75</sup> "Jack Unterweger" *Biography*; Chelsea Newton and Tiffany Waller, "Johann 'Jack' Unterweger" *Serial Killer Timelines*, Department of Psychology, Radford University; Newton, *supra* note 1 at 263.

<sup>76</sup> Patricia Phillips, "Serial killers linked to truckers – FBI analysis began with Oklahoma I-40 case" *The Examiner* (06 April 2009); Robin Erb, "Serial killer confesses to murdering Toledo woman in Indiana in 2004" *Toledo Blade* (10 August 2007); Leonard, *supra* note 54; "Suspected serial killer charged with metro teen prostitutes death" *John TV* (04 July 2013).

pleaded no contest to second degree murder. His life sentence included a chance for parole. He served slightly over 10 years of the sentence before being released in 1995. In 1997, Zabrina Seaborn, 24, also an exotic dancer and escort, was murdered. Video surveillance of the victim gambling with a man the night of her death was released to the public. Several people identified Willis as the man in question. Physical evidence was also found and Willis was arrested. Willis pled guilty and was sentenced to life without the possibility of parole. Willis is a black man.<sup>77</sup>

**62) Robert Lee Yates, Jr. (Spokane, Washington)**

Robert Yates murdered at least 15 people in and around Spokane, Washington, from 1975 until his arrest in 2000. Yates was charged with one murder and subsequently charged with an additional 12. Yates pled guilty to 13 murders going back to 1975 and one charge of attempted murder. The earliest victims were a young couple, Patrick Oliver, 21, and Susan Savage, 22, from Walla Walla, killed while picnicking. The 1988 murder of Stacy Hawn, 23, in Skagit County, was thought to be the first sex worker Yates murdered. Yates confessed to the murders of several street prostitutes from Spokane County. The murder victims were Jennifer Joseph, 16; Heather Hernandez, 20; Darla Scott, 29; Sunny Oster, 41; Linda Maybin, 34; Michelyn Darning, 47; Laurel Wason, 31; Shawn McClenahan, 39; Melody Murfin, 43; and Shawn Johnson, 36.

One woman, Christine Smith, 32, survived a 1998 attack in which she was robbed and shot by a client in a van. The bullet grazed her head and the hospital that treated her did not realize there was a gunshot wound. Police began investigating Yates after a task force found a traffic stop citation from 1997 in which his car had been listed as a Camaro, not a

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<sup>77</sup> Newton, *supra* note 1 at 432; “Fred Willis” *Murderpedia*.

Corvette. Police had been looking for a white Corvette in connection with Jennifer Joseph, who was last seen in that type of car. A check in 1999 revealed the correct type of car, which prompted police to question him in connection with Joseph's murder. Police searched a van previously owned by Yates and found evidence that supported Smith's allegations, including blood stains, a bullet casing and a bullet in the roof. After Yates' arrest in 2000, Smith recognized him as her attacker. DNA tests matched Yates to six other murders. Debris from Yates' yard linked him to the sites where three other bodies had been found.

Although he initially pled not guilty, Yates changed his mind, pled guilty and led police the body of Melody Murfin, buried in his yard, which had not been found in previous police searches. Yates received a sentence of 408 years in prison. A year later, he was charged with two additional deaths, those of Melinda Mercer, 24, and Connie Ellis, 35. He was convicted and was sentenced to death in 2002. He was to be executed in 2008, but was given a stay of execution while additional appeals were allowed to proceed. He is serving his sentence in the same prison he once worked in as a guard. Police investigated unsolved murders in Washington State spanning from 1977 to 1998 for links to Yates. No further charges have been laid against Yates. He is a white man.<sup>78</sup>

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<sup>78</sup> "No Vancouver connection to U.S. prostitute murders" *CBC News* (17 October 2000); Gary C. King, "Robert Lee Yates, Jr." *True TV*; Bill Morlin, "Robert Lee Yates Jr." *The Frances Farmers Revenge Portal*; "Serial killer may get death" *ABC News Archive* (12 January 2001); "Serial killer Robert L. Yates, Jr." *True Crime & Justice*; Marianne Wells, *et al.*, "Robert Lee Yates" *Serial Killer Timelines*, Department of Psychology, Radford University; "Robert Lee Yates" Spokane serial killer timeline" *Mayhem*; Greene, *supra* note 1; Barri R. Flowers. *Murder, at the end of the day and night*. (Springfield, Illinois: Charles C. Thomas Publisher, Ltd., 2002) at 173; Hickey, *supra* note 1 at 171; "Suspected or ...," *supra* note 1; Newton, *supra* note 1 at 294; James Alan Fox and Jack Levin. *Extreme Killing: Understanding Serial and Mass Murder*, 2<sup>nd</sup> Edition. (Thousand Oaks: Sage Publication, 2012) at 122.

## II. U.S. SERIAL KILLERS TARGETING SEX WORKERS (BY MONIKER)<sup>79</sup>

### 1) A Real American Jack the Ripper (William Christenson) (Quebec and Multiple States)

William Christenson was an American citizen.<sup>80</sup> His first criminal offence was the sexual assault and stabbing of a teenage girl in Maryland in 1969. In 1971, he raped a go-go dancer, for which he served nine years in prison. Christenson was released on parole in 1980. The following year he sexually assaulted a Montreal woman but pled guilty to indecent assault. Travelling to Canada was a parole violation; upon completion of his term in Canadian jail, Christenson was to have been returned to Maryland. He was a suspect in several violent rapes in Maryland. Due to an error, he was released by Corrections Canada.

In April 1982, the decapitated and dismembered body of Sylvie Trudel, 27, was found in an apartment in Montreal rented to Christenson under the name Richard Owen. The same day in Mille-Isles, 80 kilometres from Montreal, the dismembered body of Murielle Guay, 26, was discovered. The state of the bodies of the two women differed in that Trudel's body appeared to have been dismembered with some skill whereas Guay's body was described as "butchered." Only two days after the discoveries, an arrest warrant for Christenson on two counts of first degree murder was issued.

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<sup>79</sup> Many serial killers are given nicknames by the media or police either during the search for the killer, or after the killer has been identified and facts about the case are released. Rarely, serial killers give themselves in names to police or media, as was the case with Dennis Radar, who called himself "BTK" (which stood for Bind, Torture, Kill) and Steven Griffiths, who called himself the Crossbow Cannibal. Symbols left at the crime scenes led to the moniker in the unsolved crimes of the Zodiac Killer. In letters to police, Keith Jespersion drew happy faces in closing, leading to the moniker of the "Happy Face Killer." See e.g., Marilyn Bardsley, Rachael Bell, and David Lohr, "The BTK Story" *True TV*; Jake Wark, "The Zodiac Killer" *True TV*; Gary C. King, "Keith Hunter Jespersion" *True TV*.

<sup>80</sup> Some sources spell his last name as Christensen.

Christenson had fled back to the U.S. where his parents provided him with \$5,000 and he began travelling across the eastern U.S.<sup>81</sup> In September 1982, go-go dancer Michelle Angiers was stabbed 30 times outside of a tavern in Denton, Pennsylvania. Christenson was living in nearby Scranton, New York, under the name Stanley Holl. Nine months later Christenson shot two black men he met in a bar, wounding both. In December, Christenson shot another black man in Pennsylvania with the same gun used in the New Jersey shooting. Jeffrey Schrader, 51, died of his wounds. Christenson was arrested and a search of his apartment revealed a bloody mattress and saw that had hair and blood on it. The go-go dancer with whom he lived had disappeared and no trace of her has been found.

Christenson was convicted of the Schrader homicide and was sentenced to life without parole. In 1984, Crown counsel in Quebec cited the life sentence for the decision not to request extradition to stand trial for the murders of Guay and Trudel. New Jersey prosecutors wanted Christenson extradited on the double shooting. Police in the U.S. named Christenson as a suspect in 13 to 30 homicides and several rapes. He was referred to by the press as “a Real American Jack the Ripper.” Christenson was tried for Angiers’ murder; he was convicted of third degree murder. His sentence of 20 years was ordered to be served following the life sentence in the Schrader case. In 1989, he was sentenced to 40 years for rape and battery in Maryland.<sup>82</sup>

## **2) The Backpage Murders (James Brown) (Michigan)**

On December 19, 2011, the bodies of Renisha Landers, 23, and Demesha Hunt, 24, were found in the trunk of a car. On Christmas Day, the bodies of Natasha Curtis, 29, and

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<sup>81</sup> His parents were later charged with harbouring a fugitive for this assistance to Christenson.

<sup>82</sup> Mellor, *supra* note 225; “William Dean Christenson” *Murderpeida*; “Police close case on mutilation murder” *Montreal Gazette* (07 August 1984); Paul Duggan, “Md. Court Adds 40 Years to Murderer’s Life Term” *The Washington Post* (25 August 1989).

Vernithea McCray, 28, were found in the trunk of a burning car; their bodies were burned beyond recognition. All four women were black and at least three worked as independent escorts, using Backpage to advertise their services.

Computer and phone evidence led police to charge James Brown, 24, a black man, with mutilation of a dead body and arson in May of 2012. In November, Brown was charged with four counts of first degree murder. The women arrived at Brown's home in pairs after making contact with him on Backpage. The medical examiner could not determine the cause of death of any of the victims. Brown has pled not guilty. In 2013, a judge will decide if there is enough evidence to proceed to trial and the admissibility of incriminating statements made to police during questioning. He remains in jail on a \$1 million bond.<sup>83</sup>

### **3) The Brooklyn Strangler (Vincent Johnson) (New York)**

Vincent Johnson was a homeless crack addict who murdered six women who were involved in the street sex trade and had substance abuse issues. Four women were strangled in 1999, in Brooklyn, New York. They were Vivian Caraballo, 26; Joanne Feliciano, 35; Rhonda Tucker, 21; and Katrina Niles, 34. The following year, Laura Nusser, 43, and Patricia Sullivan, 49, died the same way. Johnson came to the attention of police after another homeless man confided his concern that Johnson was responsible for the murders. Two months after Sullivan's murder, DNA evidence led to the arrest of Johnson, who

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<sup>83</sup> "DPD Chief Ralf Godbee applauds Crime Task Force for work in cracking the BackPage.com Escort murders" *Tell Us Detroit* (November 2012); "James Brown, Michigan Man, Charged in 4 Detroit Women's Murders Related to Escort Ads on Backpage Site" *Huffington Post* (26 November 2012); Ed White, "Man pleads not guilty to murdering 4 women found in trunks of abandoned cars in US" *Montreal Gazette* (26 November 2012); "Serial killer? Detroit victims worked as escorts, police say" *MSNBC* (27 December 2011); "Detroit suspect charged in 'trunk, Backpage' murders, more details" *The Examiner* (26 November 2012).

admitted to five murders, but denied killing Niles. In 2001, he was convicted and sentenced to life in prison. Vincent is black; as were all his victims.<sup>84</sup>

#### 4) The Broomstick Killer (Kenneth McDuff) (Texas)

Kenneth McDuff killed Louise Sullivan, 15, and two teenage boys, Marcus Dunnam and Robert Brand, in Texas in 1966. He was tried for the murder of Dunnam, and was sentenced to death. Capital punishment was repealed in the U.S. in 1972, which resulted in having his sentence commuted to life and allowed parole eligibility.<sup>85</sup> He received parole in 1989 and soon after began to kill. All of his subsequent victims were women.

After tips from accomplices identified him, McDuff was the subject of a manhunt and was apprehended after being seen by an *America's Most Wanted* viewer.<sup>86</sup> In separate trials, McDuff was convicted and sentenced to death for the murder of Melissa Northrop, 22, and Coleen Reed, 28. In exchange for a reduced sentence for his nephew's unrelated drug conviction, McDuff assisted authorities in locating Reed's body, as well as the bodies of two other victims. He also confessed to the murders of sex workers Valencia Joshua, Brenda Thompson and Regina Moore. He was executed in 1988 in Texas, after having two last minute reprieves.<sup>87</sup>

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<sup>84</sup> "Vincent Johnson" *Lustmord Class of 2000*; Nicholas Haap, Starlett Phillingane, Taylor Quillen and Jonathan Reedy, "Vincent Johnson: 'Brooklyn Strangler'" *Serial Killer Timelines*, Department of Psychology, Radford University.

<sup>85</sup> The U.S. Supreme Court heard three death penalty challenges in 1972: *Furman v. Georgia*, *Jackson v. Georgia* and *Branch v. Texas*. They are collectively known as *Furman v. Georgia* (1972) 408 U.S. 238. It ruled that capital punishment violated the Eighth Amendment of the U.S. Constitution due to its arbitrariness of its application and was therefore "cruel and unusual." In 1976 the Supreme Court again heard three cases: *Proffitt v. Florida*, *Jurek v. Texas* and *Gregg v. Georgia*, known collectively as the Gregg decision, *Gregg v. Georgia* (1976) 428 U.S. 153. The revised sentencing guidelines which sought to eliminate the arbitrary nature of capital punishment application were approved by the court and the death penalty was restored. See also, "History of the Death Penalty" *Death Penalty Information Centre*.

<sup>86</sup> McDuff was the 208<sup>th</sup> capture for the television series.

<sup>87</sup> Rorey Senger, Emily Healy, and Rachel Binsky, "Kenneth McDuff" *Serial Killer Timelines*, Department of Psychology, Radford University; Gary Lavergne, "The Many Faces of Kenneth Allen McDuff" Gary Lavergne;

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**5) The Chicago Rippers (Robin Gecht, Andrew and Thomas Kokoraleis and Edward Spreitzer) (Illinois)**

In 1981 and 1982, attacks and homicides of women, some of whom were prostitutes, were linked by the mutilation of the victims. Linda Sutton, 28, Lorraine Borowski, 21, Shui Make, Rose Davis, 30, Carole Pappas, 42, and Sandra Delaware, were all murdered and mutilated. Angel York had her breast slashed by a man posing as a client, but was dumped alive on the side of the road and survived. Another street prostitute, Beverly Washington, 20, was found near a railroad track with her breast nearly severed but she also survived her ordeal.

In October 1982, Robin Gecht, 28, was arrested for the attack on Washington, and was suspected of an attack on a second prostitute, Cynthia Smith, who was also slashed before escaping.<sup>88</sup> Although police suspected him of additional crimes, Gecht was released from jail after six days. Additional police investigation led to Andrew Kokoraleis, 20, Thomas Kokoraleis, 23, and Edward Spreitzer, 23. The older brother, Thomas, explained the four were a cult, and provided information necessary to search Gecht's home. Inside, police found a "satanic chapel" and torture chamber. Kidnapped women were held there, tortured, raped and murdered. The killers removed one or both breasts, eating part and keeping the rest as trophies. Street prostitute Susan Baker, 22, was found murdered after the arrest of the four men, and initially police were concerned there were additional cult members. However, police have since determined her death was not related.

Confessions made by Thomas Kokoraleis were admitted into evidence, despite objections by lawyers for him and his co-accused. He was convicted and sentenced to 70

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"Serial Killer Hit List – Part 2" *Mayhem*; Michael Graczyk, "Infamous Texas killer put to death" *Texas News* (18 November 1998).

<sup>88</sup> Gecht had been a former employee of serial killer John Wayne Gacy. Newton, *supra* note 1 at 39.

years for Borowski's murder. His brother, Andrew, had two trials in different counties. He was first convicted of Davis' murder and sentenced to life. At his second trial he claimed his four confessions were coerced and he was not guilty. He was convicted of Borowski's murder and sentenced to death. On appeal, he claimed to have been suffering from schizophrenia during the crimes and should have entered a plea of not guilty by reason of insanity. His trial lawyers had a psychological evaluation conducted but did not enter it into evidence. His death sentence was affirmed; all Illinois death sentences were commuted to life sentences in 2003.

Gecht confessed to the attack on Washington and was convicted on charges of rape, attempted murder and aggravated battery. He was sentenced to 120 years. Spreitzer pled guilty to the murders of Davis, Delaware, Mak and Torado. Two years later he was convicted for the murder of Sutton, and received the death penalty. Andrew Kokoraleis was convicted for the death of Davis and received the death penalty. He was executed in March 1999. The media referred to the murders as the Chicago Rippers and The Ripper Crew. All four killers are white men.<sup>89</sup>

## **6) The Cleveland Strangler (Anthony Sowell) (Ohio)**

Anthony Sowell, a former Marine, was found guilty of the deaths of 11 women in Cleveland, Ohio. Initially, he claimed to be not guilty due to insanity but later changed his plea to not guilty.<sup>90</sup> He was also found guilty of various charges related to the deaths, including kidnapping. Sowell had previously spent 15 years in prison for rape.

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<sup>89</sup> *Ibid.* at 38; Katherine Ramsland, "The Chicago Rippers" *Tru TV*.

<sup>90</sup> In *Ford v. Wainwright* (1986) 477 U.S. 399, the court ruled that it was unconstitutional to execute inmates deemed "insane." To date, only lower courts have ruled on whether a prisoner with serious mental health issues can be forcibly medicated in order to ready them for execution. See, Brian D. Shannon and Victor R. Scarano, "Incompetency to be executed: Continuing ethical challenges and time for a change in Texas" (2013, forthcoming) 45 Texas Tech Law Review.

His victims had begun disappearing in 2007; all were poor black women. When the remains of the decomposing women were found, nine had traces of cocaine or depressants in their bodies. The majority of the victims were drug or alcohol dependent and had criminal records. Sowell lured them to his home with drugs or alcohol before strangling them. Five bodies were buried in his backyard, and six were found in his house. The stench from the home had been thought to be due to a sausage factory in the area.

Five other women were sexually assaulted in his home but survived the attack. Gladys Wade survived an attack in December 2008, but charges were not filed.<sup>91</sup> A second woman also reported an attack in September 2009, but no charges were laid at the time. In a third incident, neighbours witnessed a naked women fall from a window, after which Sowell, also naked, was seen choking her. The woman claimed she had been drinking and had fallen; no charges were laid. In October, the police returned to arrest Sowell for the September attack but Sowell was not home. However, police found two bodies in the living room. He was arrested two days later.

Sowell's victims were identified as Tonia Carmichael, 52; Tishana Culver, 31; Crystal Dozier, 38; Janice Webb, 48; Amelda Hunter, 47; Telacia Fortson, 31; Nancy Cobbs, 43; Michelle Mason, 45; Leshanda Long, 25; Kim Yvette Smith, 44; and Diane Turner, 38. Families of five of the victims petitioned the Court to accept a plea agreement that would have avoided a trial and spared Sowell the death penalty. The families hoped to avoid a trial

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<sup>91</sup> Police claim Wade declined to press charges, which she denies. James Bones "Stench still wafts from home of accused serial killer Anthony Sowell" *The Times* (06 November 2009).

and the publicity that would ensue. The trial proceeded, however, and Sowell was found guilty and sentenced to death in August 2011. Sowell is a black man.<sup>92</sup>

### **7) The Craigslist Killer (Philip Markoff) (Boston, Massachusetts)**

Philip Markoff was a medical student and engaged at the time he assaulted two sex workers and murdered another, all of whom he found using Craigslist during a week-long period in 2009. He was identified from video surveillance in the hotels where he committed his crimes. He was charged with the first degree murder of Julissa Brisman, 25. Trisha Leffler, 29, and an unnamed exotic dancer were robbed and assaulted by Markoff. The unnamed woman was rescued when her boyfriend, who had been waiting in the hotel, came to the room when she had not checked in with him as was their practice. Markoff pled not guilty and was indicted by a grand jury for first degree murder, as well as theft and kidnapping. Markoff committed suicide in jail in August 2010, while awaiting trial. Markoff was a white man; his victims were white women.<sup>93</sup>

### **8) The Connecticut Prostitute Murders (Stephen Hayes) (Connecticut)**

The bodies of Karen Everett, 24, and Mildred Alvarado, 30, were found in the late 1980s on Route 8 near New Haven, Connecticut. Both women had worked as prostitutes before their deaths, which police suspected were connected. No one was ever charged or convicted for their murders. Two other women without histories of drug use or

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<sup>92</sup> “Ohio” *Behind Bars*, Documentary, (07 October 2011); “Anthony Sowell, ‘The Cleveland Strangler,’ Found Guilty Of Murder” *Huntington Post* (21 July 2011); Bones, *supra* note 368; Kim Palmer, “Serial killer Anthony Sowell apologizes to victims’ families” *Reuters* (08 August 2011); Kim Palmer, “Victims’ families want plea deal in Anthony Sowell case” *Reuters* (07 June 2011); Edecio Martinez, “Pictures: Who Were the Women Found at Anthony Sowell’s House?” *CBC News* (16 November 2009); “Cleveland: Anthony Sowell sentenced to death” *WKYC News* (12 August 2011).

<sup>93</sup> *Seven Days of Rage: The Craigslist Killer*, (19 February 2011), Dateline 48 Hours Mystery, Documentary; Beverly Ford, Nancy Dillon and Tracy Connor, “Surviving victim of Craigslist Killer: Phillip Markoff should be jailed for life” *New York Daily News* (22 April 2009); Beverly Ford and Helen Kennedy, “‘Craigslist Killer’ traced former fiancée’s [sic] name on jailhouse wall in blood before his suicide” *New York Daily News* (15 August 2009).

prostitution, Evelyn Bettencourt and Olga Cornieles-Ubiera, 32, were also found in the same area in the early 1990s, and an unidentified person was convicted in Bettencourt's death. Police have not indicated if Cornieles-Ubiera's death was related to the Everett and Alvarado's murders. In 2006, hunters found the body of Jessica Muskus, 22, who had been missing for two years. Area residents Bernadine Paul, 37, and Marilyn Mendez Gonzalez, 26, have been missing since 2000 and 2003 respectively.

Stephen Hayes is a convicted rapist and murder currently on death row for the home invasion murders of a mother, Jennifer Hawke Petit, and her children, Haley and Michaela. His co-accused in the Petit case, Joshua Komisarjevsky, was also found guilty. In letters to the press in 2011, he claimed responsibility for the murders of 17 other women. Hayes claims to have killed his first victim in 1982, but police doubt his claims. Hayes is a white man.<sup>94</sup>

### **9) The Corridor Killer/The US 40 Killer (Steven Pennell) (Delaware)**

The State of Delaware's first convicted serial killer, Steven Pennell, was executed in 1992 after persuading the courts to proceed with the execution without delay. Pennell argued to be allowed to be executed by lethal injection although the state had not put anyone to death since 1946. Since his 1989 conviction for murder, Pennell refused all legal assistance and represented himself. Despite his request for a speedy execution, Pennell never admitted guilt for any of the murders of street prostitutes for which he was convicted. Pennell's wife attempted to intercede on his behalf but was unsuccessful.

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<sup>94</sup> "Connecticut Prostitute Murders" *Serial Killer Crime Index*; "Possible Serial Killers" *Connecticut Cold Cases*; Antoinette Kelly, "Serial killer Steven Hayes boasted of killing 17 people in prison letters" *Irish Central* (25 October 2011).

A 100 person task force comprised of FBI, state and county officers was set up in 1988 after the bodies of four women were found. Pennell was identified as a suspect early on and was put under surveillance. One year to the day the body of his first victim had been found, he was arrested. All his victims were tortured before they were eventually killed with a hammer. He was convicted of the deaths of Shirley Ellis, 23, murdered in 1987, and Catherine DiMauro, 32, murdered in 1988. He was sentenced to life without the possibility of parole. Prosecutors were set to go to trial for the murders of Michele Gordon, 22, and Kathleen Meyer, 26, both killed in September 1988, although Meyer's body was not recovered. Pennell, however, changed his plea from not guilty to no contest; he was sentenced to the death penalty. He was a white man.<sup>95</sup>

### **10) The Detroit Prostitute Killers (Detroit, Michigan)**

#### **a. Donald Murphy**

In 1980, 18 women were killed in Detroit, Michigan. The victims were students, fast-food workers, prostitutes, drug addicts and alcoholics; 13 of those murders remain unsolved. The murdered women were: Cynthia Warren; Cecilia Knott; Lois Johnson, 31; Patricia Real, 26; Helen Conniff, 23; Cecilia Jacobs, 20; Denise Dunmore, 26; Arlette McQueen, 21; Jeanette Woods, 24; Etta Frazier, 20; Rosemary Frazier, 28; Linda Monteiro; Diane Burks, 22; Cassandra Johnson, 17; Delores Willis, 23; Paulette Woodward, 19; Betty Rembert, 26; and Diane Carter, 30.

David Payton was arrested and confessed to the murders of Woods, Frazier, Burks and Rembert. A month after his arrest, another man, Donald Murphy, was charged with the

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<sup>95</sup> Reid Kanaley, "Serial killer pleads for execution the grisly Delaware killings deserve a swift punishment, the killer calmly told the justices" *Inquirer* (12 February 1992); William Thompson, "Delaware killer gets last wish – death" *Baltimore Sun* (15 March 1992); G.B. Inguito, A. Sekula-Perlman, M.J. Lynch and R.T. Callery. "Delaware's first serial killer" (2000) 72 *Del Med J.*, 479.

murders of two prostitutes, Warren and Knott. After his arrest Murphy confessed to the murders of Woods, Burks, and Rembert.

Prosecutors continued to trial on the original charges with both suspects, but not the additional murders confessed to during questioning. Patyon was acquitted of the murders and won an \$8 million civil suit against the police for coercing his confession. Murphy was convicted of the original two murders, but not for those of Woods, Burks, and Rembert. He received two concurrent 30-year sentences. Murphy is a black man.<sup>96</sup>

**b. Shelly Brooks**

Almost 20 years later, another serial killer was responsible for the murders of seven prostitutes over five years. In 2006, a 45-year-old woman survived an attack and identified Shelly Brooks as the man responsible. Brooks was arrested for the attack, and charged with seven murders linked to him by DNA. Brooks was charged with the death of Sandra Davis, 53; Pamela Greer, 33; Marion Woods-Daniels, 36; Rhonda Myles, 45; Thelma Johnson, 30; Melissa Toston, 38; and Jane Doe. All his victims were black women working as prostitutes and were addicted to drugs. Davis and Greer were found in the same building a year apart. He was convicted of the murder of Greer in 2007. Eight days later, he was convicted of the murder of Myles. He received a life sentence for each murder. Brooks is a black man.<sup>97</sup>

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<sup>96</sup> “Detroit Prostitute Killer” *Serial Killer Crime Index*; “Donald Murphy” *Serial Killer Central*.

<sup>97</sup> Norman Sinclair and Ronald J. Hansen, “Prostitute killer gets life without parole - Jury finds Shelly Brooks guilty; he faces similar charges in deaths of 6 more, is suspected in 7 others” *The Detroit News* (08 March 2007); “Brooks convicted a second time of murder” *Serial Killer Central*; “Man Charged in Deaths of 7 Prostitutes” *Serial Killer Central*; Jeanne Marie Kerns, “Serial killer suspect, Shelly Andre Brooks convicted in Detroit” *Yahoo* (08 March 2007); Ben Schmit, “Detroiter convicted of killing second prostitute” *Detroit Free Press* (16 March 2007); Newton, *supra* note 1 at 386, 462; Swickard, *supra* note 2; Hackney, *et al.*, *supra* note 2; “Man charged in deaths of 7 Detroit prostitutes, suspected of killing 7 others” *Fox News* (29 August 2006).

**11) The Ditchbank/Ditch Bank Murders (Wilbur Jennings) (Fresno, California)**

Linda Johnson, 28, was the sister of a friend of Wilbur Jennings and a former neighbour, who was murdered in 1984. According to friends of Jennings, he had confessed he killed Johnson after she refused his request that she begin prostituting. Two days after killing Johnson, Jennings sexually assaulted a prostitute, Janyce B., and told her he had killed a woman who lived next door. Jennings is a black man; his four victims were all black women. Olga Cannon, 23, Jacqueline Frazier, 26, and Karen Robinson, 21, worked as street prostitutes. Cannon and Frazier were murdered in 1984 and Robinson in 1983. The three women were sexually assaulted and robbed before being killed. Jennings disposed of his victims in or along canals or irrigation ditches in Fresno, earning the case the moniker of the Ditchbank Murders.

After being arrested for rape, police began investigating Jennings for the murders due to the similarities in the attacks. Jennings was convicted in 1986 for the first degree murder of Johnson, Cannon and Frazier, and second degree murder in the death of Robinson. In addition, he was convicted of various other crimes, including forcible sexual assaults, arsons, robberies and kidnappings (related to the robberies) of three other victims. As the three prostitutes were found to have been murdered during the course of a robbery, special circumstances were applied at the penalty phase. Jennings was sentenced to death for the murders, and a total of 64 years in prison for the other charges.

In 2005, investigators were surprised when DNA obtained from the Johnson homicide linked Jennings to two additional murders of white women not involved in prostitution. Jennings was linked to the murder of Debra Chandler, 17, in 1981, who was a frequent hitchhiker. Clarice Reinke, 76, was killed in her home in 1983. DNA from the Reinke murder linked Jennings and Alvin Johnson, a mentally challenged man who had been



convicted of rape and murder in Utah.<sup>98</sup> Johnson had been set to be released in 2007.

Instead, he was extradited to California to stand trial for Reinke's murder. Both Jennings and Johnson were charged with Reinke's murder in 2008 and convicted.<sup>99</sup> Jennings was sentenced to death; he is a black man.<sup>100</sup>

### **12) The Dumpster Killer (Bryan Jones) (San Diego, California)**

Bryan Jones was given the death penalty in 1994 for the murders of two women in San Diego. He was charged in 1992 with the murders of four women, all prostitutes, as well as two counts of attempted murder and sexual assault. Jones disposed of his victims in dumpsters. Jones is a black man. He remains on death row.<sup>101</sup>

### **13) The Eyeball Killer – The Dallas Ripper/Slasher (Charles Albright) (Texas)**

Charles Albright was charged with the murders of four sex workers in Dallas, Texas, but was convicted of only one murder. In 1990, three sex workers were murdered and had their eyes removed after death. During this time, two Dallas street prostitutes identified only as Veronica and Brenda, independently informed police that a man had attempted to kill them. Following a tip from an ex-girlfriend, police located Veronica in jail. Veronica identified Albright as the man who had tried to kill her.

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<sup>98</sup> Johnson was convicted of the 1983 beating a man to death and sexually assaulting his victim's wife in Salt Lake City, Utah. The attacks occurred six weeks after Reinke's murder. Johnson had previously been convicted of manslaughter in Oregon in the 1970s.

<sup>99</sup> Jennings was sentenced to death and remains on death row. The sentence Johnson received is not clear from the sources but he is not among those on the list of death row inmates. He is, however, listed as an inmate in California. See, "Condemned...", *supra* note 53.

<sup>100</sup> Newton, *supra* note 1 at 362; *People v. Jennings* (1991) No. S004754, Crim. No. 25938; "Wilbur Lee Jennings" *Murderpedia*; Sontaya Rose, "25-Year Old Cold Case Solved" *ABC Local* (29 May 2008); "Killer linked to other deaths" *The Modesto Bee* (26 October 2005); "Gas chamber urged by jury for 4 murders" *The Modesto Bee* (03 July 1986); *Wilbur Jennings v. Robert L. Ayers, Jr., Warden of San Quentin State Prison* (2008) Case 1:91-cv-00684-AWI, United States District Court Eastern District Of California; "DNA evidence allegedly links Utah murderer to a California killing" *Salt Lake Tribune* (17 June 2005).

<sup>101</sup> Newton, *supra* note 1 at 362; "Bryan M. Jones" *Murderpedia*; "Condemned...", *supra* note 53.

Despite a weak case, the district attorney charged Albright with the deaths of Mary Lou Pratt, 33/35, Susan Peterson, 27, and Shirley Williams, 41. Following his arrest, another prostitute, Mary Beth, came forward, alleging that Albright had tried to kill her the same night that Pratt was killed. Another prostitute, Tina, advised that she had known Albright, and seen him in the area the night Williams had disappeared. She took police to a location that Albright had previously taken her. There, police located Williams' bloody coat. Fibre evidence linked these three cases to another unsolved murder of a prostitute, Rhonda Bowie, 30. Albright was then charged with Bowie's murder. The case against Albright for Bowie's murder was eventually dropped due to witnesses who provided alibis for Albright. Albright was convicted and sentenced to life imprisonment. He is also suspected in two Arkansas murders. He raped a 15-year-old girl prior to his arrest but was able to evade charges.

Albright is a white man; his victims were black and white women.<sup>102</sup>

#### **14) The Frankford Slasher (Leonard Christopher) (Philadelphia, Pennsylvania)**

The district of Philadelphia known as Frankford was home to a serial killer in the late 1980s, who murdered at least seven white women. Most of the victims, who were street prostitutes, homeless, or regular bar patrons, were discovered in alleys around the district, while other women were found in their homes.

In 1985, Helen Patent, 52, was found stabbed and slashed. Anna Carroll, 68, was found in her home a year later, as was Susan Olzef on Christmas day, 1987. Jeanne Durkin, 28, was murdered two weeks later. Marge Vaughn, 66, was killed in November 1988, and was found in the doorway of the apartment building of which she had been evicted.

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<sup>102</sup> Katherine Ramsland and Gina Malatesta, "The Texas Eyeball Killer" *True TV*; Victoria Bedford, *et al.*, "Charles Albright" *Serial Killer Timelines*, Department of Psychology, Radford University; Hickey, *supra* note 1 at 34; Newton, *supra* note 1 at 309.

Witnesses had placed a middle-aged white man with two of the victims before their deaths. In 1989, Theresa Sciortino, 30, was found in her home. A year later, Carol Dowd, 45, was found by police near a fish market. Leonard Christopher worked at a fish market nearby and was interviewed, along with other employees, and admitted to having known Dowd and Vaughn. A witness later identified having seen Christopher with Dowd outside a bar the night of her murder and later coming out of the alley, sweating and carrying a large knife. Two other witnesses would later testify to having seen him in the alley and carrying a knife.

Christopher, 39, a black man, was arrested for her murder. Christopher denied any involvement in their deaths. While awaiting trial, Michelle Martin, 30, was murdered in the same manner as the other women. Christopher was convicted and sentenced to life for Dowd's murder.<sup>103</sup> The other murders remain unsolved.<sup>104</sup>

### **15) The Genesee River Strangler (Arthur Shawcross) (Rochester, New York)**

Arthur Shawcross murdered at least 13 people. He killed two children in the early 1970s, and 11 sex workers following his release from prison for those crimes. Shawcross murdered Jack Blake, 10, and Karen Hill, 8, in 1972. He was arrested and confessed to the crimes. However, under a plea agreement, he identified the location of Blake's body in exchange for having the charges dropped in that case and pled guilty to manslaughter for Hill's death, for which he was sentenced to 25 years. He was paroled in 1987 after less than 15 years in prison.

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<sup>103</sup> Newton describes the Frankford Slasher case as unsolved as he feels Christopher is innocent of the crimes. Ramsland does not share this view although she notes that not all of the cases for which Christopher is listed as a suspect may be related. See, Newton, *supra* note 1 at 78. Contra, Katherine Ramsland, "Frankford Slasher" *Tru TV*

<sup>104</sup> Newton, *supra* note 1 at 78; Ramsland, *supra* note 380.

Over a two-year period, 1988 to 1990, Shawcross murdered 11 women in the Rochester, New York area. He eventually confessed to murdering Dorothy Blackburn, 27; Anna Marie Steffen, 27/28; Dorothy Keeler, 59; Patricia Ives, 25; June Stotts, 30; Frances Brown, 22; Marie Welch, 22; Elizabeth Gibson, 29; Darlene Trippi, 32; June Cicero, 34; and Felicia Stephens, 19/20. Kimberly Logan, 30, is thought to be another of Shawcross's victims, but he did not confess to her murder. Stotts was not involved in prostitution and was the first of the victims to be mutilated. It is not known if Gibson was a prostitute, and Keeler was homeless, but the remaining victims were street prostitutes.

Shawcross mutilated and claimed to have cannibalized some of his victims, including the vaginas of three of his victims. There is some scepticism as to whether this was true as only one woman's vaginal area is known to have been cut out of her body. Shawcross was a regular client of prostitutes and was known to many. One woman, Jo Ann Van Nostrand, was able to escape from Shawcross, whom she knew as "Mitch." Van Nostrand went to police; she told police that "Mitch" had told her "it would be easier if she pretended to be dead" at which time she pulled out a knife and fled from the car. She was later able to identify Shawcross from photo lineups; several other prostitutes had him as a client without issues. Shawcross became a person of interest after he was seen on a bridge near where a body had been found. The police had staked out the area for the offender to return, due to the assumption that the mutilation and possible necrophilia had occurred at different times post-mortem. Although he was not seen with the body, his presence in the area was suspicious. When police questioned him and discovered his previous sexual assault and murders of the children, he became the prime suspect.

Shawcross was charged with 10 counts of first degree murder. Shawcross pled not guilty by reason of insanity due to head injuries, childhood sexual abuse and PTSD from

having fought in Vietnam. He was found guilty and sentenced to 25 years to life on each of the 10 counts of murder. Three months after being sentenced, Shawcross pled guilty to the eleventh count of murder, that of Gibson. Gibson's case was found in a different county and it was not included in the first trial. Artwork produced by Shawcross in prison was sold until 2002 when protest over his profiting from his crimes caused the prison to cancel the annual sale. He died in prison in 2008 at age 63. Shawcross was a white man; all of his victims except one black woman were white.<sup>105</sup>

### **16) The Gilham Park Strangler (Ray Jackson) (Kansas City, Missouri)**

Over a seven-month period between 1989 and 1990, six black women in Kansas City, Missouri, were strangled to death. All were working as street prostitutes. A seventh victim was saved by a passerby. Ray Jackson was arrested, and confessed to the attacks and murders of the other six women. Jackson, a black man, explained he had lured the women by promising crack cocaine then murdered them due to his hatred of black women.

Despite his confession, which police contend included details only known to the killer, lawyers for Jackson asserted that he was mentally retarded. Doctors gave evidence that Jackson would have been able neither to be the killer nor to have kept his secret for seven months, if he had been responsible. Prosecutors allowed Jackson to plead guilty to avoid facing the death penalty. In 1991, he was sentenced to six consecutive life terms without the possibility of parole.<sup>106</sup>

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<sup>105</sup> Justice Canada, *supra* note 6 at 34; Katherine Ramsland, "The Genesee River Strangler" *True TV*; "Arthur Shawcross" *Wikipedia*; Flowers, *supra* note 78 at 173; Hickey, *supra* note 1 at 63; "Serial killer Arthur Shawcross dead at 63" *MSNBC* (11 November 2008); "Body snatcher" *Evil, I* (15 June 2012), Investigation Discovery, Documentary.

<sup>106</sup> Newton, *supra* note 1 at 361; "Ray Shawn Jackson" *Murderpedia*; "Suspect held in slaying of 6" *The New York Times* (14 April 1990); "Evidence allowed in strangling case" *Lawrence Journal-World* (05 May 1990); Casey Parks, "Lethal injection process challenged" *Missourian* (27 January 2006).

**17) The Green River Killer (Gary Ridgway) (Seattle, Washington)**

Gary Ridgway murdered street prostitutes and hitchhikers between 1982 and 1998, leaving their bodies along the Green River. The Green River Task Force was formed in 1984 but was disbanded six years later after the murders stopped. In 1985, convicted serial killer Ted Bundy offered his assistance from death row in Florida in the case to law officials.

At age 16, Ridgway critically injured a six-year-old boy by stabbing him. The police did not lay charges, even after the boy identified Ridgway as his attacker. His victim asked why he had “killed him,” to which Ridgway reportedly explained “I always wanted to know what it felt like to kill somebody.”<sup>107</sup> In 1980, at age 31, Ridgway was accused of choking a sex worker but no charges were laid. He choked his second ex-wife in 1982 but it is not clear if the incident was reported to the police.

In 1982, police noticed him parked with Kelli McGinnis, 18, who was murdered a year later; her body has never been found and Ridgway is the prime suspect. In 1983, he first became a suspect in the case of Marie Malvar, 18, one of the many missing and murdered women in the Seattle area, but he passed two polygraph examinations. In November 1984, Rebecca Guay, 19, survived an attempted strangulation in the woods by a client. She did not report the incident for two years, but was able to identify Ridgway from a photo. Ridgway was questioned and admitted to purchasing sex. He claimed he had choked her after she had bitten him.<sup>108</sup> No charges were filed. That same year, Ridgway picked up a prostitute with his seven-year-old son in the truck and went to a wooded area. When she did not return to the vehicle with him, he explained that she had chosen to walk home. Due to the number of

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<sup>107</sup> Newton, *supra* note 1 at 225.

<sup>108</sup> Ridgway’s claim of self-defence is similar to that of Pickton’s description of the 1997 attempted murder of Ringwald. See, *Ibid.* at 224. See also, MWI, *Exhibit 91 – Document entitled – Transcript of interview of Robert Pickton.*

women who went missing in that year, police are unsure who she was. In 1984, Ridgway took his son with him to Oregon, where he disposed of the bodies of Denise Bush and Shirley Sherrill in an effort to confuse police.

In 1986, the FBI asked Ridgway to take a polygraph test. He first agreed but then refused on the advice of counsel. The local investigators began surveillance on him that year but that yielded no useful results. In 1987, hair and saliva samples were taken from Ridgway as part of the investigation. The affidavit supporting a 1987 search warrant states that “It is highly probable that Gary Leon Ridgway is the Green River killer.”<sup>109</sup> DNA taken from the bodies of three victims could not be matched to Ridgway due to technical limitations in 1988.

By 2001, DNA technology had improved sufficiently to run the tests again. In September, tests revealed that Ridgway’s DNA was a match to the DNA found in the three victims. Police created an “evidence review team,”<sup>110</sup> with the intention of quietly building a case against Ridgway. In November, Ridgway was arrested for loitering for the purposes of prostitution. He pled guilty to that charge two weeks later. Three days later he was arrested on charges of murder in relation to Marcia Chapman, 31, Cynthia Hinds, 17, Opal Mills, 16, and Carol Christensen, 19/21. Ridgway pled not guilty to the murders.

In 2003, he was charged in the deaths of three additional women: Wendy Coffield, 16; Debra Estes, 15; and Deborah Bonner, 23. Later that year Ridgway confessed and was convicted of the murders of 48 women in Washington State. He was sentenced to life imprisonment for the murders. He was also fined \$480,000 and ordered to pay \$74,549 in

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<sup>109</sup> Newton, *supra* note 1 at 225.

<sup>110</sup> *Ibid.*

restitution to the families of his victims. There is little chance that Ridgway will pay either the fine or the restitution.

Although he confessed and was sentenced for 48 murders, he has confessed to killing 60 sex workers. Ridgway admitted he had killed: Gisele Lovvorn, 17; Terry Milligan, 16; Mary Meehan, 18; Linda Rule, 16; Denise Bush, 22; Shawnda Summers, 17; Shirley Sherrill, 18; Colleen Brockman, 15; Alma Smith, 18/19; Delores Williams, 17; Gail Mathews, 24; Andrea Childers, 19; Sandra Gabbert, 17; Kimi-Kai Pitsor, 16; Marie Malvar, 18; Martina Authorlee, 18; Cheryl Wims, 18; Yvonne Antosh, 19; Carrie Rois, 15; Constance Naon, 21/23; Kelly Ware, 22; Tina Thompson, 22; April Buttram, 17; Debbie Abernathy, 26; Tracy Winston, 19; Maureen Feeney, 19; Mary Bello, 25; Pammy Avent, 16; Delise Plager, 22; Kimberly Nelson, 26; Lisa Yates, 26; Mary West, 16; Cindy Smith, 17; Patricia Barczak, 19; Roberta Hayes, 21; Marta Reeves, 37; and Patricia Yellowrobe, 38. Ridgway also confessed to the murders of four women known as Jane Doe B-10; Jane Doe B-16; Jane Doe B-17; and Jane Doe B-20.

He is also a suspect in the murders of other missing and murdered women: Amina Agisheff, 35/36; Kasee Lee (Woods), 16; Kristi Vorak, 13; Rebecca Marrero, 20; Tammie Liles, 16; Keli McGinness, 18; Angela Girdner, 16; Patricia Leblanc, 15; Patricia Osborn, 19; Kimberly Reames, 27; Joanne Hovland, 16; Rose Kurran, 16; Kelli McGinnis; and Cora McGuirk, 22. His first victim may have been Leann Wilcox, 16, strangled in January, 1982.



Investigators from British Columbia looked for links between Ridgway and the DTES; no evidence has been found that Ridgway is responsible for any murders in Canada. He is suspected of murders in Oregon.<sup>111</sup>

### **18) The Grim Sleeper (Lonnie Franklin Jr.) (California)**

Lonnie Franklin Jr., 57, was charged with 10 counts of murder and one count of attempted murder in July, 2010. Franklin was known as the “Grim Sleeper” due to a 14-year break between murders. Franklin is accused of murdering seven street prostitutes between 1985 and 1988. The murdered women were Debra Jackson, 29; Henrietta Wright, 34/35; Barbara Ware, 23; Bernita Sparks, 26; Mary Lowe, 26; Lachrica Jefferson, 22; and Alicia Alexander, 18. In 1988, Enietra Washington, 30, survived an attack, after which Franklin took a 14-year hiatus from murder. He began to murder again in 2002. In 2007, the “800 Task Force” was assembled, so named after the number of the room in which they were located in the police station. When there was no DNA match found within their database, police began to search for “familial DNA” to identify close matches to their samples, which could identify a family member of the killer. Franklin’s son’s DNA was in the California system.<sup>112</sup> Police began to investigate Franklin, including collecting an unfinished pizza slice to test for DNA, which proved a definitive match to the samples taken from victims and crime scenes.

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<sup>111</sup> *Ibid.* at 223; Greene, *supra* note 1; Tracy Quan, “Green River killings point up prostitutes’ plight” *San Francisco Chronicle* (28 December 2003); Tracy Quan, “Pimps are people too” *Philadelphia City Paper* (18 December 2003); Silja J.A. Talvi, “The truth about the Green River killer” *Alternet* (12 November 2003); John Lowman, “Violence and the outlaw status of (street) prostitution” (2000) 6 *Violence against Women* at 997; “Green River Killer confesses” *Seattle Post-Intelligencer* (05 November 2003); “Green River Killer list of victims” *True Crime & Justice*; “Gary Ridgway” *Wikipedia*; Brenda Lackey, Carlie Jones, and Julie Johnson, “Gary Leon Ridgway” *Serial Killer Timelines*, Department of Psychology, Radford University; Kenna Quinet, “The missing missing: Toward a quantification of serial murder victimization in the United States” (2007) 11 *Homicide Studies* at 327; Hickey, *supra* note 1 at 20.

<sup>112</sup> In California, all felons must submit DNA samples.

In addition to the seven murders linked to Franklin before his hiatus, he was charged with three murders which occurred between 2002 and 2007. Those victims are Princess Berthomieux, 14/15; Valeria McCorvey, 35; and Janecia Peters, 25. DNA has linked him to all ten homicides. All of the victims were shot, but many were strangled and/or beaten as well. All his alleged victims were black women; Franklin is also black.

Police found hundreds of photos and videos among Franklin's possessions in his house. The photos and videos are believed to have been taken between 1976 and 2010 and feature hundreds of women. Some of the women appear to be sleeping, unconscious or possibly deceased but others are of smiling women. Some of the women appear to be in vehicles. The majority of the women pictured are black, but not exclusively. Police created still images from video and were able to identify some of the women. In 2010, police released images of 180 women to the media in hopes of identifying them. A year later, 55 of the women remained unidentified. In 2012, the photos of 42 women were released on social media sites. Franklin has been linked with the 1986 shooting death of one man, Thomas Steele. He has not been charged in the case; Steele is the only suspected male victim.

Some police and researchers suspect that Franklin did not stop killing, but found a different area to dispose of his victims, and perhaps a different manner of killing them. Police are investigating 250 homicides dating back to the 1970s for possible links to Franklin. Some of the cases police are looking at had been closed through convictions. In 2011, police identified eight cases that they were focusing on, ranging from 1982 to 2005. Six of the women are missing persons where foul play is suspected. They are: Ayellah Marshall, 18; Rolenia Morris, 29; Cathern/Catherine Davis, 33; Rosalind Giles, 27; Lisa Knox, 29; and Anita Parker, 37. Three of the cases were linked to Franklin by evidence found in his residence. Police were seeking for links to the 1988 unsolved murder of Inez

Warren as there are similarities between her murder and Franklin's alleged victims. The eighth case is a woman identified as #117 in the photos released.

Franklin pleaded not guilty to 10 counts of first degree murder and one count of attempted murder. Prosecutors have indicated they will be seeking the death penalty. Police continue to investigate similar homicides and to identify the women in the photos. As of September 2013, a date has not been set for the trial.<sup>113</sup>

### **19) The Hammond Prostitute Executioner (Andrew Urdiales) (California and Illinois)**

In 1988, two prostitutes, Julie McGhee, 29, and Mary Ann Wells, 31, were shot by the same gun in California. A year later, Tammy Erwin, 18/20, was murdered by the same killer. At the time, California police did not connect these murders to that of Robbin Brandley, 23, a college student stabbed to death in 1986. Jennifer Asbenson, 19, a nursing assistant, accepted a ride from a stranger after missing her last bus in 1992. The man offered her a ride again the next day, outside her work; she accepted. The man pulled out a knife and drove her to an isolated area where she was sexually assaulted and strangled into unconsciousness. She was able to escape from the trunk of the car and flagged down a passing motorist who took her to the police.

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<sup>113</sup> "Are these 42 women the nameless victims of the Grim Sleeper - feared to be L.A.'s worst ever serial killer" *Daily Mail* (19 October 2012); "Are these 42 women the nameless victims of the Grim Sleeper - feared to be L.A.'s worst ever serial killer" *Daily Mail* (19 October 2012); "Police make arrest in 'Grim Sleeper' killings" *MSNBC News* (07 July 2010); Jack Leonard, "Authorities missed a chance to catch Grim Sleeper suspect" *Los Angeles Times* (15 July 2010); "Alleged serial killer nabbed in L.A." *CBC News* (07 July 2008); Christine Pelisek, "Grim Sleeper returns: He's murdering Angelenos, as cops hunt his DNA" *LA Weekly* (27 August 2008); Christine Pelisek, "The sex murder files: A serial killer may be stalking L.A.'s prostitutes" *LA Weekly* (07 June 2007); David Lohr, "LAPD Posts 'Grim Sleeper' photos to Facebook, Twitter in to [sic] help identify possible victims" *The Huffington Post* (19 October 2012); "Grim Sleeper killings: Thomas Steele, 36, in 1986" *Los Angeles Times* (no date); Grim Sleeper" *Los Angeles Police Department (LAPD)*; Steve Cooley. *Report to the People 2009-2010* (Los Angeles, Los Angeles County District Attorney's Office); Tori Richards, "Neighbors: Murder suspect had taste for porn, hookers" *AOL News* (08 July 2010).

In 1995, Denise Maney, 32, was shot to death in California. The following year, Laura Uylaki, 25, Cassandra Corum, 21, and Lynn Huber, 22, were murdered with the same weapon in Illinois. The four women all worked in the Hammond area as prostitutes.

In 1996, a police officer pulled over Andrew Urdiales, a white man, after witnessing him outside a known crack house with a prostitute. The officer saw a gun in the car, and Urdiales was arrested, as he did not have a permit. He was convicted of a misdemeanour and released. A year later, police were called to a motel due to complaints of a man and woman fighting. Urdiales and a prostitute were fighting, after she refused to be handcuffed to the back of his truck and driven into a remote area. The officer filed his report and looked further into Urdiales. As a result, the homicide unit had the gun checked; ballistics showed that it was the gun used to kill Uylaki, Corum, and Huber.

Police took Urdiales into custody where he confessed to the three murders, as well as to further murders in California that were hereto unconnected. Eventually, Urdiales confessed to eight murders and the attack on Asbenson. Urdiales had been promoted several ranks in the Marines but was demoted after those under him refused to take orders from him. He was eventually honourably discharged. He suffered from Tourette's Syndrome, had a family history of mental illness on both sides of his family, and had suffered sexual abuse as a child. He had sought help at a Veteran's Hospital in 1996, only two days before his first murder. The doctor had urged him to be more open about his need to express anger.

In 2002, Urdiales was convicted of the first degree murders of Uylaki and Huber and sentenced to death. A year later, Urdiales was convicted of the murder of Corum and sentenced to death. A year later, before leaving office, the Illinois Governor commuted all death sentences to life in prison without the possibility of parole. In 2011, the state of Illinois

banned the death penalty.<sup>114</sup> California extradited Urdiales, charging him with the deaths of five women: McGhee, Wells, Erwin, Brandley and Maney. In 2011, prosecutors in California confirmed they would be seeking the death penalty against the former Marine. The outcome of those trials is unknown.<sup>115</sup>

## **20) The Happy Face Killer (Keith Jespersion) (Washington State)**

Keith Jespersion met his fiancée, Julie Winningham, 41, while she was hitchhiking in Washington State. When Winningham was murdered, Jespersion was questioned but released from police custody. Following his release, he went to Arizona, where he confessed to police in that state that he had murdered her. Jespersion was a truck driver.

In the five-year period he was killing, Jespersion made confessions to his young daughter related to his strangling a woman and being able to dispose of bodies without detection. Jespersion also wrote a letter to his brother confessing to the murders of several sex workers. He penned letters to authorities, signed with a happy face, hence the name the “Happy Face Killer.” Eventually Jespersion entered guilty or no contest pleas for the murders of Angela Surbrise, 21, in Washington State, as well as Taunja Bennett, 23, and Laurie Pentland, both of Oregon.

Initially two others, a couple, were arrested and convicted of Bennett’s murder after Laverne Pavlinac falsely confessed in an odd attempt to have her husband, John Sosnovske, incarcerated. They spent four years in prison before being released after Jespersion’s confession and conviction. Jespersion also confessed to killing Bobbi Crescenzi in 1992.

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<sup>114</sup> A bill to reintroduce the death penalty in Illinois was brought forward but defeated in 2012. “History of the death penalty” *Death Penalty Information Centre*.

<sup>115</sup> “Urdiales Andrew” *Serial Killer Crime Index*; “Hammond prostitute executioner” *Serial Killer Crime Index*; Gary C. King, “Serial killer Andrew Urdiales” *True TV*; “Andrew Urdiales trial: DA wants death penalty for Marine accused of murders” *Huffington Post* (26 October 2011); “Andrew Urdiales, Illinois murder convict accused in 5 California slayings” *Huffington Post* (04 October 2011); Newton, *supra* note 1 at 265.

Police and prison officials, however, discovered Crescenzi's husband, Jack, convicted in her murder, was supplying information to Jespersen about the crime, promising to pay \$10,000 to his children if he was released. They were also able to confirm Jespersen was not in the area at the time of that murder.

Jespersen claimed responsibility for the murders of over 160 people, although he recanted most of those confessions later. Among his confessions, he claimed that he murdered: "Susanne" in Florida; Cynthia Rose, 32, Jane Doe #1 and Jane Doe #2 in California; "Bobbie" in Oregon; "Lynn" and "Carol" in Nevada; "Susan" in Oklahoma; "Linda" in Washington State; Jane Doe #3 and "Carrie" in Idaho; "Sunny" and Jane Doe #4 in Arizona; "Karen" in Georgia; Jane Doe #5 in Nebraska; Jane Doe #6 in Iowa; and Jane Doe #7 in Indiana. Police suspect he is responsible for at least four additional homicides. Jespersen is a white man; all but one of his victims were white.<sup>116</sup>

## **21) The Hillside Stranglers (Kenneth Bianchi and Angelo Buono Jr.) (California and Washington)**

Three young women involved in the street sex trade, Yolanda Washington, 19, Judith Miller, 15, and Elissa Kastin, 21, were murdered in Los Angeles in 1977 with little public reaction. Only when two young girls who did not lead high-risk lifestyles involving drugs or prostitution were found murdered in a similar fashion did public and police attention become focused on the serial killings. The murders of Dolores Cepeda, 12, and Sonja Johnson, 14, focused the public and police attention on a possible serial killer.

Five other women would be murdered by the same killers, including Kristina Weckler, 20, Jane King, 28, Lauren Wagner, 18, and Cindy Hudspeth, 20, none of whom

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<sup>116</sup> Tamara King, "Two months, no sign of Lorna" *Winnipeg Sun* (12 March 2012); Peggy Krueger, Kendra Justice and Amy Hunt, "Keith Hunter Jespersen" *Serial Killer Timelines*, Department of Psychology, Radford University; Greene, *supra* note 1; "Keith Jespersen" *The devil you know* (30 July 2011), OWN, Documentary; Newton, *supra* note 1 at 136; Quinet, *supra* note 111 at 222.

were prostitutes or runaways, as well as Kimberly Martin, 17, a runaway involved in prostitution. The murders of two young women in Washington State, Karen Mandic and Diane Wilder, broke the Hillside Strangler case. Cousins Kenneth Bianchi and Angelo Buono Jr., are thought to be responsible for the murders of at least 12 women in two states. Bianchi was a security guard, after having been rejected by the police department.

In 1983, Buono was found not guilty in the first Hillside Strangler case, that of Washington, but guilty of the other nine. Bianchi and Buono knew Washington through a woman who had given them a false list of clients of prostitutes. Bianchi first attempted to convince psychologists that he had multiple personality disorder but eventually abandoned this approach and began to assist police. Bianchi testified against his cousin. The jury voted against the death penalty for Buono and he died in prison.

Bianchi was only charged with five of the 10 California murders, and pled guilty. Bianchi is serving his sentence in Washington State, where he was also found guilty of the murders of Mandic and Wilder. Bianchi and Buono were also involved in forcing young women into prostitution through threats and violence, some of whom testified at their trials. Bianchi was born to a 17-year-old, alcoholic prostitute in 1951 and placed for adoption after his birth. Bianchi and Buono are white men.<sup>117</sup>

## **22) The Kansas City Strangler (Lorenzo Gilyard) (Kansas City, Missouri)**

Lorenzo Gilyard, a black man, strangled 13 street sex workers in Kansas City between 1977 and his arrest in 2004. He had a criminal record for theft and had spent time in

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<sup>117</sup> Marilyn Bardsley, "The Hillside Stranglers" *True TV*; "Hillside Strangler" *Wikipedia*; "Hillside Strangler" *Hillside Strangler*; "Hillside Stranglers" *Hillside Stranglers*; Jennifer Cable, *et al.*, "Kenneth Alesion Bianchi" *Serial Killer Timelines*, Department of Psychology, Radford University; Hickey, *supra* note 1 at 195. Newton, *supra* note 1 at 19; "The Hillside Strangler" *Born to Kill* (17 December 2012) Documentary, Investigation Discovery.

prison.<sup>118</sup> There were approximately a dozen rape allegations against Gilyard between 1969 and 1973 without conviction. In 1975, he was convicted of child molestation against the 13-year-old child of a friend. He received a nine-month sentence. He was acquitted in a 1979 charge of rape. A year later, he was convicted of physical assault against his wife; he stalked and beat her again while appealing the conviction. He eventually spent another two years in jail for these crimes and theft.

Gilyard is believed to be responsible for the deaths of Stacie Swofford, 17, (1977); Gwendolyn Kizine, 15, (1980); and Margaret Miller, 17, (1982). He was imprisoned for four years, after which he began killing within months of his parole, including: Catherine Barry, 34, (1986); Naomi Kelly, 23, (1986); Debbie Blevins, 32, (1986); Ann Barnes, 36, (1987); Kellie Ford, 20, (1987); Angela Mayhew, 19, (1987); Shelia Ingold, 36, (1987); Carmeline Hibbs, 30, (1987); Helga Kruger, 26, (1989); and Connie Luther, 29, (1993). All but Barry and Barnes were street prostitutes. Barry was mentally ill, known to accept rides from strangers, and lived on the streets of Kansas City. Barnes was an exotic dancer. Nine of his victims were white, four were black.

His DNA had been taken in 1987 and was matched to DNA from the Kelly crime scene. Two weeks after his arrest, he was indicted on 12 counts of murder; a 13<sup>th</sup> was added two years later. In 2007, he was convicted in the deaths of Barry, Kelly, Barnes, Ford, Ingold and Hibbs. DNA had linked Gilyard to all six cases. He was acquitted in the death of Mayhew for lack of evidence, although his hair had been found on her body. In 2007, he received a life sentence with no chance of parole. Prosecutors agreed not to seek the death

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<sup>118</sup> Many members of Gilyard's family had serious criminal histories. His father was imprisoned in 1970 for rape. His sister, Patricia Dixon, was a prostitute. In 1983, she was convicted in the stabbing death of her client and was thought to have been involved in the murder of another prostitute. In 1989, his brother, Darryl Gilyard, was sentenced to life for a drug-related murder.



penalty if Gilyard agreed to be tried by a judge only. It is not known why – or if – he stopped killing almost a decade before his arrest; Gilyard has not confessed or explained his crimes.<sup>119</sup>

### **23) The Killing Cousins (David Gore and Fred Waterfield) (Florida)**

While still in their teens, David Gore and his cousin, Fred Waterfield, were high school voyeurs. Waterfield sexually assaulted an eight-year-old friend of Gore's sister, Wendy, when he was just ten. Waterfield sexually assaulted Wendy Gore when she was 15 and he was 19; Gore watched the molestation of his sister.

In 1976, the two failed at an attempt to kidnap Jane Doe #1, who Gore later attacked. In 1981, Gore stalked Ying Ling, 17, and later killed her and her mother, Hisang Ling, 48. The same year, there was a second failed abduction, that of Jane Doe #2, and the murder of Judy Daley, 35, who was abducted after being stranded on the highway.

The two then began murdering prostitutes and hitchhikers. In 1983, the cousins failed in a third abduction, of Jane Doe #3, an Orlando prostitute. The same year, Gore and Waterfield murdered Angelica LaVallee, 14, and Barbara Byer, 15. Lynn Elliot, 17, and Regan Martin were abducted and sexually assaulted by the cousins. A teenage boy, Michael Rock, witnessed Gore chasing and shooting at a naked Elliot in Gore's parents' driveway. Gore caught Elliot and dragged her back into the house and shot her twice. The police were called but Elliot was already dead; Martin was rescued. Gore and Waterfield were arrested that day.<sup>120</sup>

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<sup>119</sup> Julie Payne, Derek Hommema, Ashley Hash and Catherine Hosford, "Lorenzo Gilyard" *Serial Killer Timelines*, Department of Psychology, Radford University; David Krajicek, "The obscure streetwalker strangler" *True TV*.

<sup>120</sup> Steve Monahan, *et al.*, "David Alan Gore" *Serial Killer Timelines*, Department of Psychology, Radford University; Steve Monahan, *et al.*, "Fred Waterfield" *Serial Killer Timelines*, Department of Psychology, Radford University; *Gore v. State of Florida* (1985) 475 So.2d 1205.

Waterfield received two consecutive life sentences for the murders of Byer and LaVallee, and two kidnapping charges. He has filed numerous appeals, resulting in strong warnings from the courts on the frivolous and procedurally improper nature of his appeals.<sup>121</sup> Gore was convicted in 1985 of the first degree murder of Elliot, the kidnapping of Elliot and Martin, and three counts of sexual battery upon Martin. He was sentenced to death for Elliot's murder and five life sentences on the other counts. Gore was executed in April, 2012. Gore and Waterfield are Caucasian.<sup>122</sup>

#### **24) The Midtown Torso Killer – Torso Killer (Richard Cottingham) (New York)**

In New York City in the late 1970s, area prostitutes were being killed and dismembered. The first known victim was Maryann Carr, 26, in 1977. A year later, the assailant abducted, raped and beat Karen Schilt and Susan Geiger, who was pregnant, but did not kill the women. In December 1979, a firefighter pulled a woman from a hotel fire, only then noticing she was missing her head and hands. A second woman was found in the same room, similarly dismembered. One woman has never been identified; the other was Deedah Goodarzi, 23. In 1980, the body of Valorie Street, 19, was found. Pamela Weisenfeld was beaten and drugged but survived the killer's attack. Days later, Jean Reyner, 25, was found. A week later, the killer brought Leslie O'Dell, 18, to a motel, which police were called to after a woman was heard screaming. Richard Cottingham was found with a gun in his hand exiting the room and was arrested without incident. O'Dell had been forcibly confined, severely sexually assaulted and slashed with a knife.

In May 1980, Cottingham was charged with the murders of Reyner, Goodarzi and Jane Doe. In September, Geiger and Schilt identified him as their attacker. Cottingham

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<sup>121</sup> *Waterfield v. State of Florida* (2008) No. 4D08-3964.

<sup>122</sup> "Execution List...", *supra* note 71; *Gore v. State of Florida* (1985) 475 So.2d 1205.

testified at his murder trial, describing his fascination with bondage. He denied knowing any of the victims, except for O'Dell, with whom he had been caught. He was convicted in 1981; three days later he attempted suicide. He was sentenced to 173 to 197 years in state prison. A mistrial was declared in the 1982 for the murder of Carr, due to the accused's medical condition. Eight months later, during his second trial, he tried to escape but was recaptured by authorities quickly and convicted of second degree murder. He was sentenced to a minimum term of 30 years, to be served consecutively with the 1980 sentence. In 1984, he again attempted suicide during the trial for the Goodarzi, Jane Doe and Reyner murders. Cottingham was convicted and received an additional 75 years. In 2010, Cottingham pled guilty to the 1967 murder of Nancy Vogel, 29. He is a white man; his victims were white women.<sup>123</sup>

## **25) The Molalla Forest Killer (Dayton Rogers) (Oregon)**

Dayton Rogers, a white man, had a long history of violence and sexual assault against women prior to having become a serial murderer. He was convicted of second degree assault for stabbing a 15-year-old hitchhiker in 1972. Six months later he was again charged in the assaults of two 15-year-old girls. He was found not guilty by reason of mental disease or defect and released from hospital in 1974. He was acquitted of rape in 1976, and pled not guilty by reason of mental disease or defect in relation to the rapes of two other young girls the same year. Rogers was convicted only on the coercion charge and received a maximum five-year prison sentence.

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<sup>123</sup> "Cottingham Richard Francis" *Serial Killer Crime Index*; Jacklyn Cowin, Jenna Leonette, and The Phan, "Richard Francis Cottingham: 'The torso killer'" *Serial Killer Timelines*, Department of Psychology, Radford University; Newton, *supra* note 1 at 332.

Until this point, Rogers' victims were young girls; he then turned his attention to street prostitutes. Heather Brown, 31, a prostitute in Oregon, narrowly escaped being murdered by Rogers in 1987. Even after he was identified, he did not face charges in relation to his attack on Brown. Rogers was charged with the 1987 murder of prostitute Jennifer Smith, 25/26, after a witness wrote down his license plate number. Smith had been found with her throat slit and a dozen stab wounds to her chest, abdomen and vagina; she died in hospital an hour after Rogers had fled the scene and witnesses found her. In 1989, he was found guilty and sentenced to life imprisonment for her death. However, while Rogers was in jail in 1987 awaiting trial for Smith's murder, the bodies of seven women were found in the Molalla Forest, near Portland, Oregon.

The murdered women were Lisa Mock, 23; Maureen Hodges, 26; Christine Adams, 35; Nondace Cervantes, 26; Reatha Gyles, 16; Cynthia DeVore, 21; and Jane Doe. All but one of the known victims had worked as street prostitutes and several were heroin addicts; all were white women. Many of the women had their feet cut off before they had died. He was charged and convicted of the murder of the six known victims in 1989, but was not charged with the death of Jane Doe. In March 2006, his death sentence was held up by the Supreme Court.<sup>124</sup>

## **26) The North Side Strangler (Walter E. Ellis) (Milwaukee, Wisconsin)**

In November 1994, Walter E. Ellis was charged with assault on a woman but charges were dropped, as were charges the following year against him for choking his girlfriend. In 1998, Ellis was convicted for assault against a different girlfriend. He pled guilty and served

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<sup>124</sup> Greene, *supra* note 1; Gary C. King, "Dayton Leroy Rogers: Oregon's Molalla Forest killer" *Criminal Catch-Ups*; Gary C. King, "Dayton Leroy Rogers" *True TV*; "Dayton Leroy Rogers" *Serial Killer Central*; Newton, *supra* note 1 at 401.

three years in prison between 1998 and 2001. After 2000, all convicted felons in Wisconsin were required to submit a DNA sample. Ellis had another prisoner, Napoleon Clark, submit DNA under his name, thereby avoiding detection from authorities for eight years. Clark had a previous conviction for a sexual offence; as such, his own DNA was already in the system. The disparity had been noted but was not corrected by officials.

In May 2009, police announced that DNA had linked five of the over 20 unsolved murders of prostitutes over 20 years. Shortly thereafter, a sixth victim was also linked by DNA. The unknown killer's DNA was not in the database. His DNA has also been found on the body of Jessica Payne, 16, a white girl who was a drug user and runaway but not known to be in the sex trade. In 2009, police stated that they believed that the (at that point) unknown killer of the six women had sex with Payne, but had not killed her. Payne had her throat cut whereas the other victims were strangled.

In September 2009, Ellis was arrested in connection to nine murders over a 21-year period. He was charged with the strangling deaths of seven women, all of whom were black street prostitutes. After discussions with the families, in 2011, the prosecution allowed Ellis to plead no contest to the charges related to Tanya Miller, 19, (1986); Deborah Harris, 31, (1986); Irene Smith, 25, (1992); Sheila Farrior, 37, (1995); Florence McCormick, 28, (1995), Joyce Mims, 41, (1997); and Ouithreaun Stokes, 28, (2007). His DNA was found on the bodies of two additional black prostitutes, Maryetta Griffin, 39 and Carron D. Kilpatrick, 32, (1992). Ellis has not been charged in relation to the deaths of Griffin, Kilpatrick or Payne. Ellis is a black man; all of his victims were also black, with the exception of Payne.

William D. Avery had been convicted of the first degree reckless homicide of Griffin in 2004, and sentenced to 40 years in prison. Avery had become a suspect when Griffin was linked to his crack house. He was convicted of drug-related offences in 1998 after

prosecutors did not find enough evidence related to Griffin's death. Avery requested that prosecutors test his DNA against evidence found on Griffin's body; it was found to match Ellis' DNA. Two other men had been charged, after confessing (and later recanting), to the murders of two other women who were later found to have Ellis' DNA on their bodies. Curtis McCoy had been acquitted in the death of Carron Kilpatrick, but Chaunte Ott had been convicted in the murder of Payne. Ott was released after 16 years, following the results of DNA tests indicating Ellis' DNA was present on the body. In 2011, at least seven other cases in which other men have been charged or convicted of murders matching the profile of Ellis' crimes were recommended for further review.<sup>125</sup>

## **27) The Riverside Prostitute Killer (William Suff) (California)**

William Suff, a white man, served 10 years of a 70-year sentence for the murder of his two-month old daughter. Paroled in 1984, he began murdering California sex workers two years later. In 1991, a prostitute escaped an attempt upon her life; she provided police with clues that assisted in the identification of her assailant's vehicle. Unfortunately a friend of the victim was murdered by Suff the same evening. Six months later, an officer noticed his vehicle from the description provided and he was pulled over for an illegal U-turn.

Suff was held and charged for the murders of 19 prostitutes: Michelle Guterrez, 23; Charlotte Palmer, 24; Linda Ortega, 37; Martha Young, 27; Linda Ruiz, 37; Kimberly Lyttle, 28; Judy Angel, 36; Christina Leal, 23; Daria Ferguson, 24; Carol Miller, 35; Cheryl Coker,

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<sup>125</sup> Dinesh Ramde, "Agencies dispute whether DNA was taken in 2001 from suspect now linked to 9 Milwaukee deaths" *The News* (08 September 2009). Haggerty, Ryan, "Man convicted in 1998 case to be released after DNA links another man to killing" *Journal Sentinel* (21 May 2010); Bruce Vielmetti, "DA: Review of 2,100 homicides found none deserving further DNA testing" *Journal Sentinel* (01 July 2011); Bruce Vielmetti, "Serial killer Ellis pleads no contest in deaths of 7 women" *Journal Sentinel* (18 February 2011); John Diedrich, "Ellis again leans toward plea in serial killings" *Journal Sentinel* (29 December 2010); Dinesh Ramde, "Wis. man gets life sentence in slayings of 7 women" *ABC News* (21 February 2011); "Serial killer investigation: The victims" *Journal Sentinel*; "Cops: DNA links 5 Milwaukee women's slayings" *NBC News* (19 May 2009)

33; Susan Sternfeld, 27; Kathleen Millne, 42; Cherrie Payseur, 24; Sherry Latham, 37; Kelly Hammond, 23; Catherine McDonald, 30; Delliah Wallace, 35; and Eleanore Casares, 39. In 1995, Suff went to trial for 13 of the murders, and was convicted in 12 cases. He was sentenced to death. The media referred to Suff as the Riverside Prostitute Killer and the Lake Elsinore Killer.<sup>126</sup>

## **28) The Southside Slayer (Chester Turner) (Los Angeles, California)**

Chester Turner's victims were largely from Figueroa Corridor, a poor area of Los Angeles known for drugs and prostitution. The deaths of 13 women and two fetuses have been linked to Turner; he was eventually charged with murdering 10 women and one fetus.<sup>127</sup>

Loletha Prevot was murdered in 1983, with Patricia Coleman killed on New Year's Day, 1984. Sheila Burton was also killed in 1984. In 1985, again on January 1<sup>st</sup>, Patricia Dennis was killed, followed by Sheily Wilson, Lillian Stoval, Patsy Webb and Cathy Gustavson. Another woman was savagely beaten in August, but survived by jumping from a car. Two weeks later, Gail Ficklin was killed, followed by Gayle Rouselle, Myrtle Collier, Nesia McElrath, 23, Elizabeth Landcraft and Gidget Castro in 1985. The following year, Tammy Sretchings, Lorna Reed, Verna Williams and Trina Chaney were killed. A male acquaintance of a prostitute was beaten while intervening in a violent struggle; their description matched that of the survivor from the year before.

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<sup>126</sup> Kitzi Woodard, *et al.*, "William Lester Stuff" *Serial Killer Timelines*, Department of Psychology, Radford University; David Lohr, "The Riverside Prostitute Killer" *True TV*; Newton, *supra* note 1 at 415.

<sup>127</sup> Under California law, murder is defined as "the unlawful killing of a human being, or a fetus, with malice aforethought." There are several subsections which ensure that abortions or assistance to the mother of the fetus to terminate a pregnancy cannot be prosecuted. See, California, *The Penal Code of California*, s.187. At least 38 states have fetal homicide laws, 23 of which allow for charges at any stage of pregnancy whereas others require the child to be at the quickening stage or viable outside the mother's body. See, "Fetal homicide laws" *National Conference of State Legislators*.

By 1985, police suspected a serial killer was targeting black women, often prostitutes or drug users. The following year, the Black Coalition Fighting Back Serial Murders was formed, outraged by the predation upon black women in the area and the perceived lack of response by police. The same year, a Southside Slayer Task Force was formed, dedicating 49 officers to the cases, but it was disbanded in 1988 for lack of leads. In 1988, the police added Carolyn Barney to the list of suspected victims of the Southside Slayer. Three other victims were “unofficially” linked, but their victimology was different in that they were white. Loretta Jones, 22, a student with no criminal record was killed in 1986, as were Canoscha Griffin, 22, and Jane Doe.

With the arrest and conviction of three men, police considered some of the murders to be solved. Charles Mosley was convicted of one of the 1986 murders. Louis Crane<sup>128</sup> and Daniel Siebert<sup>129</sup> were two serial killers who were thought to have been responsible for the murders of Barney, Burris, Castro, Ficklin and McElrath. Rickey Ross, a sheriff’s deputy, had also been arrested, but was cleared after ballistics testing on his police firearm.

Turner’s first arrest occurred in 1991 when he masturbated in front of a crossing guard. He was released in 1992, reoffended within hours and was released again a few hours later. Due to these convictions, he was a registered sex offender in California. Despite this, Turner was allowed to work as a security guard at a downtown rehabilitation centre.

In 2002, Turner raped Maria Martinez, who was able to escape. The police refused her request to submit a report of sexual assault because she was a known drug user and drug dealer. With support from the rehabilitation centre, Martinez persisted until she was able to make a report and have a sexual assault examination performed upon her. DNA evidence

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<sup>128</sup> Crane was convicted for the murders of Barney and Ficklin.

<sup>129</sup> Siebert confessed to the murders of Castro and McElrath.



was recovered and Turner was arrested the same day. Shortly after, DNA linked Turner to numerous murders in the Los Angeles area.

Turner was linked to the 1987 murders of Diane Johnson, 21, Elandra Bunn, and Annette Ernest, 26, and the 1989 murders of Anita Fishman, 31, Regina Washington and her fetus. In 1992, three bodies were found on or near elementary school grounds. The victims were Tammie Christmas, Mary Edwards, and Debra Williams.<sup>130</sup> Over the next four years, Andrea Tripplett and her fetus, Desarae Jones, Natalie Price, 31, and Mildred Beasley, 45, were thought to be the last victims from the Southside area, before Turner moved downtown. There, he murdered Paula Vance, and Brenda Bries. Bries was Turner's last known victim. In 2007, he was convicted on ten counts of first degree murder and one count of second degree murder for Tripplett's fetus. Turner was sentenced to death in May 2007 and remains on death row. Turner is black, as were his known victims.<sup>131</sup>

## **29) The South Side Slayers (Chicago, Illinois)**

Police in Chicago determined that 66 women, primarily prostitutes with crack cocaine addictions, were murdered between 1989 and 1995. Between 1994 and 1995, 11 men were charged in the deaths of nine women. However, in 1995 alone, there were at least three separate serial killers in a 12 block area of Chicago known as the South Side. Two men

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<sup>130</sup> An intellectually challenged man, David Allen Jones, was convicted and spent 11 years in prison for the murders of Christmas, Edwards and Williams. DNA testing exonerated Jones in two of the cases and he was released and given monetary compensation for being wrongful convicted.

<sup>131</sup> Christine Pelisek, "Silent wraith: Chester Turner" *LA Weekly* (02 May 2007); Christine Pelisek, "Death penalty for Chester Turner" *LA Weekly* (15 May 2007); "Unidentified serial killer" *Los Angeles Times* (no date); Jones, *supra* note 13; Jody Miller and Dheeshana Jayasundera, "Prostitution, the sex industry, and sex tourism" in Ronald M. Holmes and Stephen T. Holmes, (eds), *Current perspectives on sex crimes*. (London: Sage Publications, 2002) at 65; Newton, *supra* note 1 at 247; "Condemned...", *supra* note 53.

confessed and were convicted to murders which were later linked by DNA to other men; two serial killers confessed to the same murder.<sup>132</sup>

**a. Gregory Clepper**

In 1996, Chicago resident Gregory Clepper was charged in the strangling deaths of eight women. The body of his last victim had been discovered in his bedroom closet because Clepper was waiting for assistance from his mother to help him dispose of the body. Clepper had bragged to friends about the slayings; one person alerted police. Clepper claimed to be relieved to have been caught. Following Clepper's arrest, his mother Gladys Clepper, 46, was charged with one count of concealing a homicide and his friend Eric Henderson, 30, was charged with two counts of concealing a homicide. Henderson had witnessed one previous homicide and assisted with the disposal of that victim as well as a second he had not witnessed.

Clepper, a black man, targeted black drug-addicted prostitutes whom he killed if they objected to his refusal to pay them after sexual services had been provided. In a 2001 plea agreement, Clepper pled guilty of murdering Patricia Scott, 30. Clepper confessed to have murdered 40 women, claiming to be Chicago's most prolific serial killer. However, prosecutors stayed the charges in 12 murder cases as there was DNA evidence of other potentially responsible offenders. Clepper remains a suspect in 15 cases. He was sentenced to 80 years in prison in 2001. Although the plea agreement precludes the prosecutors from

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<sup>132</sup> In addition to the two convicted serial killers, a task force were able to link two men, Earl Mack and Geoffrey Griffin, to two of the victims through DNA and laid charges of murder for single homicides. Janan Hanna and Terry Wilson, "Questions arise over links made in serial killings" *Chicago Tribune* (05 July 2000).

requesting the death penalty, it does allow them to file new charges in any of the stayed cases, as well as any new cases of victims not previously attributed to Clepper.<sup>133</sup>

**b. André Crawford**

DNA evidence linked André Crawford to seven murders; Claudia Robinson was the only woman to survive Crawford's attack. In January 2000, Crawford was arrested after tips had been received by the 50-police member task force. After his arrest, Crawford confessed to the seven murders, plus an additional three. Police had not linked the murders of three drug addicted prostitutes between 1997 and 1999 to Crawford. Crawford was a truck driver at the time of his arrest but had previously been in the Navy. Crawford was a black man whose victims were also black.

Crawford detailed his crimes in a three-day videotaped confession. Crawford offered the women crack cocaine for sex, and then attacked them, raping them as they lay dying. He also admitted to having sex with at least one corpse. He met at least six of his victims, Patricia Dunns, Tommie Dennis, Sonja Brandon, Constance Bailey, Sheryl Johnson and Shaquanta Langley, at a crack house where he was a regular user. Another former regular visitor to the crack house, Katrina Martin, tipped the police to Crawford. In addition to the women Crawford killed after meeting them at the crack house, Crawford was also convicted of the murders of Rhonda King, 18/24, Angela Shateen, Nicole Townsend, Evandre Harris, and Cheryl Cross. In 2010, André Crawford received a natural life sentence without the possibility of parole in the murders of 11 women. Another Chicago serial killer, Hubert

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<sup>133</sup> *Ibid.*; Newton, *supra* note 1 at 329; "Clepper Gregory" *Serial Killer Crime Index*; "Gregory Clepper" *The Frances Farmers Revenge Portal*; Eric Ferkenhoff, Maurice Possley and Steve Mills, "Lab tests unravel 12 murder cases" *Chicago Tribune* (31 January 2001); "Hubert Gerald, JR." *Northwestern Law, Centre for the Wrongfully Convicted*.

Geralds Jr., had originally been convicted in the murder of King. When DNA linked King to Crawford, prosecutors vacated Hubert's conviction related to King.<sup>134</sup>

**c. Hubert Gerald Jr.**

As noted above, Gerald had confessed to the 1994 murder of King. Crawford's DNA linked him to that murder which led to Gerald's conviction being vacated by prosecutors in 2000. Gerald was convicted of the deaths of four strangers: Dorthea Withers, 37; Joyce Wilson, 28; Alonda Tart, 23; Millicent Jones, 25; and to his housemate Mary Blackman, 42. The murdered women were black, addicted to crack cocaine and were involved in prostitution. Gerald, a black man, was also addicted to crack cocaine. Gerald's sister, Angela, found the body of Blackman, whom she lived with along with her brother, and contacted police. Gerald was arrested the day after Blackman's death. He was also charged with the sexual assault and attempted murder of Cleshawn Hopes, 25, who had escaped him. Gerald pled not guilty by reason of insanity; he was said to have a mental age of eight and to be mildly retarded. In 1998, Gerald was sentenced to death on six counts of first degree murder. Gerald remained on death row until 2003, when the Governor commuted all death sentences to life imprisonment without parole.

Derrick Flewellen was arrested in 1995 for the murders of two of the women, Sherry Hunt and Lovie Ford. After a controversial interrogation in which he was denied counsel and allegedly physically assaulted by detectives, he confessed to the murders. He was later

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<sup>134</sup> Lighty and Kiernan, *supra* note 2; "Andre Crawford gets life in prison: Serial killer spared of death penalty" *Huffington Post* (18 March 2010); Rummana Hussain, "Andre Crawford: The 'invisible' serial killer?" *Chicago Sun Times* (10 December 2009); Hanna and Terry, *supra* note 132.

acquitted of the charges. Gerald's DNA was discovered on Ford's body, although he was never charged.<sup>135</sup>

### **30) The Sunset Strip Killers (Doug Clark and Carol Bundy) (Los Angeles, California)**

Lovers Doug Clark and Carol Bundy became known as the Sunset Strip Killers, so-named for the area of town where several of their victims, young street prostitutes, worked. Clark and Bundy killed both together and on their own. Between the two, they were responsible for the deaths of at least six people in Los Angeles in 1980.

The killing stopped when Bundy went to police and confessed to her and Clark's involvement in the murders. Prior to her confession, she had murdered the couple's friend, John Murray, after she had told him of the crimes. Bundy accepted a plea deal in order to avoid the death penalty, confessing to the murder of Murray and an unidentified woman. She was sentenced to consecutive terms totalling 52-years-to-life and died in prison in 2003.

Clark murdered teenage half-sisters, Gina Marano, 15,<sup>136</sup> and Cynthia Chandler, 16, who were thought to have been hitchhiking at the time of their abduction. Soon after, together or separately, the couple murdered street prostitutes Karen Jones, 24, Exxie Wilson, 20, and Marnette Comer, 17. Wilson was found without her head, which was discovered days later in a wooden box. Clark was charged with attempted murder in the stabbing of prostitute Charlene Andermann. Clark is suspected in the murder of a young man, Vic

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<sup>135</sup> Maurice Possley, "7 Hours Produces No Verdict In Serial Killings" *Chicago Tribune* (12 November 1997); "A decade later, trial starts for suspected serial killer" *Chicago Tribune* (03 November 2009); Jim Casey and Mark Brown, "Solving riddle of serial killings: Doubts remain despite arrest in Englewood" *Chicago Sun Times* (25 June 1995); Maurice Possley, Steve Mills and Ken Armstrong, "Veteran detective's murder cases unravel" *Chicago Tribune* (12 November 1997); "Crawford André" *Serial Killer Crime Index*; Newton, *supra* note 1 at 347;

"Hubert Gerald's, *supra* note 413; Hanna and Terry, *supra* note 132.

<sup>136</sup> One source identifies this victim as Gina Narano, but all others cite her as Marano. See, Newton, *supra* note 1 at 49.

Weiss, and two unidentified females. Bundy testified against Clark, who was found guilty of six murders and one attempted murder. Clark received six death sentences in 1988 and remains on death row. Both Bundy and Clark are Caucasian.<sup>137</sup>

### **31) The Tamiami Strangler (Rory Conde) (Dade County, Florida)**

Lazaro Comensana, 27, a transsexual sex worker, was Rory Conde's first victim in 1994, the same year Conde's wife left him after years of physical abuse. Five other sex workers in Dade County, Florida, were murdered by Conde between 1994 and 1995: Elisa Martinez, 44; Charity Nava, 23; Wanda Crawford, 38; Necole Schneider, 28; and Rhonda Dunn, 21. Conde engaged in necrophilia with his victims' bodies. Conde, a Hispanic man, targeted white and Hispanic prostitutes.

Conde raped two women following Dunn's murder but did not attempt to kill them. He explained later to police that he considered returning to his family at that time and thus did not want to kill them. His last victim, Gloria Maestre, managed to escape while Conde was out of the house. In 2000, he received a death sentence for Dunn's murder and life sentences for his other five victims in 2001. He remains on death row in Florida.<sup>138</sup>

### **32) The Wirth Park Killer (Mark Profit) (Minneapolis, Minnesota)**

In 1997, Mark Profit was convicted of the 1996 first degree murder of Renee Bell, 30, and sexual assault charges against Phynnice Johnson in Minneapolis. He was sentenced to two consecutive life terms. Police suspected that he was responsible for the murders of other street prostitutes who were found in the same area in the summer of 1996 in which

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<sup>137</sup> *Ibid.* at 48; Katherine Ramsland, "The Sunset Strip killers" *True TV*; "Clark Douglas Daniel" *Serial Killer Crime Index*; Hickey, *supra* note 1 at 200; "Condemned...", *supra* note 53.

<sup>138</sup> Rachael Morrisette, Shota Nagasawa and Christine Parker, "Rory Conde" *Serial Killer Timelines*, Department of Psychology, Radford University; Katherine Ramsland, "Criminal profiling: Part 1 history and method" *True TV*; "Conde Rory E." *Serial Killer Crime Index*; "See if you can catch me" *Mayhem*; Newton, *supra* note 1 at 331; "Execution List...", *supra* note 71.

Bell's body was located. The burnt bodies of Deborah Lavoie, 43, and Avis Warfield, 36, were found in June, 1996. A month later, the body of Keooudorn Phothisane, 21, a male to female transsexual, was found in the same area, also burnt. Witnesses had seen a black man running from the scene; Profit was a black man. His victims were black women.

A task force set up to investigate the murders interviewed Paul Kelly, whose employer contacted police after a conversation with Kelly caused concern. The brother of Kelly's girlfriend was Profit. Kelly related that Profit had borrowed a gas can from him on the day of Bell's murder. Upon returning home, Profit immediately washed his clothing and cleaned his car. Further, Kelly advised that he had seen Profit write a letter of confession, which was later received by a local television station. However, it was later shown that Kelly was the author of the confession letter.

Shortly after this time, a couple, Joan DeMeules and George Barrett, witnessed a struggle in a car, and assisted in saving the woman, Phynnice Johnson, from her attacker. Johnson did not want to report the attack to police. It was only after Profit was arrested for Bell's murder that Johnson went to the police. After requesting that the couple who aided Johnson come forward, DeMeules and Barrett, along with Johnson, all independently identified Profit as being Johnson's assailant.

At age 15, Profit was sent to prison for raping a teenager at knife point, attempting to sexually assault another woman, again at knife point, and kidnapping and raping another teenage girl. He was the youngest person in the state to have been imprisoned. He pled guilty to reduced charges and served 14 years in prison. He was released in early 1996 and was in a half-way house until May. The murders began in June. DNA has linked Profit to Warfield's murder but charges have not been filed. Profit was in jail on a parole violation at the time her body was found, but the exact date of her death was not determined. In 2001, Profit was

charged with attempted murder of a prison guard, which carried a maximum 20-year sentence. He was found dead in his cell later that year.<sup>139</sup>

### **33) The Zoo Man (Thomas Huskey) (Knoxville, Tennessee)**

In 1992, the body of a woman found in Knoxville identified as Patricia Anderson a street prostitute who had been missing for a week. In the next two weeks, three additional bodies were found, including one recent victim and two skeletonized remains. The women were identified as Susan Stone, Darlene Smith, and Patricia Johnson. Smith and Johnson also worked in street prostitution.

The location of the bodies led police to Thomas Huskey, known to local street prostitutes as the Zoo Man, because of his habit of taking them to the zoo, where he had previously worked. He would tie up the women and inflict serious injuries upon them. As with Pickton and Donald Bakker in the DTES, some women knew of his propensity for violence but desperation drove them to accept Huskey as a client despite the known risks; others were unaware of his violent tendencies. One woman, not identified, was not a prostitute but had a cocaine addiction. She was abducted at gun point and sexually assaulted until Huskey heard someone outside the barn where she had been taken and fled. She reported the assault at the hospital and was able to identify her assailant from police photos.

Huskey was interviewed, where he claimed to be different personalities during the session. One of his personalities confessed to the murders. He was charged with all four murders. In 1999, Huskey pled not guilty by reason of insanity. Huskey claimed he had

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<sup>139</sup> Newton, *supra* note 1 at 396; *State v. Profit* (1999) State of Minnesota, No. C4-97-1600; Chris Graves, "Suspected serial killer goes on trial in 1 death" *Star Tribune* (13April 1997); "Profit Mark Antonio" *Serial Killer News*.



dissociative identity disorder (DID) and was not responsible for the murders.<sup>140</sup> Items belonging to the murdered women were found in Huskey's home. Jurors could not agree on a verdict and a mistrial was declared. In 2002, Huskey's confession to police was declared invalid as he (or one of his personalities) had requested but been denied legal counsel.

Huskey had been previously charged with rape, but the charges were dropped when the complainant failed to testify. In 1995, Huskey was convicted of the rape of one victim and sentenced to 64 years in prison. A year later, the cases of four victims were consolidated. He was convicted in three of the cases and acquitted of the fourth; he was sentenced to 44 years. No mention of his alleged mental illness was raised by his defence attorneys. In 2004, one of the rape convictions was overturned but the other two were upheld. The serial murder charges will not proceed due to investigative errors. In 2005, the four charges were dismissed by Justice Baumgartner. In 2012, Huskey became eligible for parole. He remains in custody; his next parole hearing is April 2015. He is a white man.<sup>141</sup>

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<sup>140</sup> Dissociative identity disorder (DID) was formerly known as multiple personality disorder. See, American Psychiatric Association. *Diagnostic and Statistical Manual of Mental Disorders*, 5th Edition, 2013.

<sup>141</sup> Katherine Ramsland and Rachel Kuter, "Multiple personalities: Crime and defense" *Crime Library*; Newton, *supra* note 1 at 360; *State of Tennessee v. Thomas Dee Huskey* (2001) Criminal Appeals of Tennessee; *State of Tennessee v. Thomas Dee Huskey* (2002) Criminal Appeals of Tennessee; Matt Lakin, "Even though Huskey will never be tried in serial killings, 'he did it,' detective who worked on case says" *Knoxnews.com* (20 November 2010); "Mistrial is declared in quadruple murder" *The New York Times* (14 February 1999); "Tennessee felony offender information lookup" *Tennessee Department of Correction*.

### **III. U.S. SERIAL KILLERS TARGETING SEX WORKERS (BY MONIKER - UNSOLVED)**

#### **1) Bigfoot (Detroit, Michigan)**

In 1975, an unknown man killed seven women, mostly street prostitutes, in Detroit. Survivors of the assailant recounted his extremely large feet, borne out by footprints at the scene, leading to the name “Bigfoot.”<sup>142</sup>

#### **2) Jack the Strangler (Denver, Colorado)**

Between 1894 and 1903, four women were strangled and bludgeoned to death in Denver.<sup>143</sup>

#### **3) Jack the Ripper (Atlanta, Georgia)**

In 1911 and 1912, 20 women were mutilated and killed in Georgia, Atlanta. The victims were black women, some of whom were prostitutes.<sup>144</sup>

#### **4) The .22 Calibre Killer (Spokane, Washington)**

A serial killer in Spokane, Washington, is thought by police to be responsible for three murders in 1990. All of the victims were prostitutes and all were shot with the same weapon. At one point, police suspected Robert Lee Yates but eventually discounted him as the killer as he was stationed in Germany at the time of these murders.<sup>145</sup>

#### **5) The Baltimore Prostitute Murders (Baltimore, Maryland)**

The murders of several women in Baltimore, Maryland, may be the result of one serial killer, two serial killers, or separate murderers. In 2001 and 2002, Danielle Fell, 18,

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<sup>142</sup> Swickard, *supra* note 2; Hackney, *et al.*, *supra* note 2; Newton, *supra* note 1 at 460.

<sup>143</sup> Newton, *supra* note 1 at 455.

<sup>144</sup> *Ibid.* at 456.

<sup>145</sup> *Ibid.* at 469; “Suspected or ...,” *supra* note 1; “.22 caliber killer” *Serial Killer Crime Index*.

Melody Brock, 33, and Tabitha Bruce, 22, were murdered. Police noted the similarities between the killings.

Two years later, however, police were not convinced that the murders of three other prostitutes were the result of a serial killer. Emma O’Hearn, 25, Sarah Britt, 19, and Jennifer Fischbach, 32, were killed between 2003 and 2004. O’Hearn was in a coma for seven months before she died in late 2004. In 2008, William Brown was arrested for the death of O’Hearn and Antania Mills, 15. Brown pled guilty to the murders and to the rape of another prostitute who survived; DNA linked all three crimes. In 2008, five prostitutes were found murdered; four of those cases remain unsolved.<sup>146</sup>

#### **6) The California Prostitute Murders (California)**

In 2000 to 2001, an unknown killer in California savagely murdered four women who were prostitutes or would exchange sex for drugs.<sup>147</sup> The victims were poor and welfare recipients; several had substance abuse issues. The victims were in their mid-to-late twenties, with the exception of one, who was 15-years-old.<sup>148</sup>

#### **7) The Eighth Street Killer (Miami, Florida)**

In Miami, Florida, 31 black street prostitutes were murdered in the 1990s. Police suspect a black man is responsible for the crimes.<sup>149</sup>

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<sup>146</sup> “Police find pattern in prostitute murders” *WBAL TV* (17 May 2002); Lynn Anderson, “Talk of serial killer stalking city prostitutes raises alarm” *The Baltimore Sun* (07 November 2004); “Deadly Deeds – Baltimore serial killer! pleads guilty” *Investigative Voice* (16 March 2011).

<sup>147</sup> Hickey does not provide a more precise location of the murders other than the state of California.

<sup>148</sup> Hickey, *supra* note 1 at 304.

<sup>149</sup> Newton, *supra* note 1 at 470.

### **8) The Florida Prostitute Murders**

Police were able to identify three serial killers who preyed on prostitutes in the state of Florida: Fransico del Junco, Charlie Brandt and Rory Conde - known as “the Tamiami Strangler.” However, several other serial murders have remained unsolved.

Over a three-year period, 1983 to 1986, 15 women, largely black prostitutes with addiction problems, were murdered in Miami, Florida. The murders ended in August 1986.

Twenty years later, another set of murders occurred in Florida, in Daytona Beach. Four women were killed between 2005 and 2006 before the killings ceased. Two years later, however, police found the body of a woman whose murder appeared to be connected to the earlier deaths.

The bodies of four women were found between 2000 and 2005 on highway shoulders stuffed into containers. Dubbed the “Suitcase Killer,” police believe that at least two of the murders are related. In 2000, the bodies of Kim Dietz Livesey, 35, and Sia Demas, 21, were found and are believed to be connected. In 2001, the body of Rebeca Pena, 26, was found. Police do not discount the possibility that Pena’s death may be related to the other bodies found in suitcases, but there are other suspects in her case. In 2005, an unidentified woman was found in a suitcase, although the police have not found a link to Livesey and Demas’s cases. There have been no arrests in any of the four homicides.<sup>150</sup>

### **9) The Highway Killer (New Bedford, Massachusetts)**

Nine to 11 women were killed or went missing in 1988 in New Bedford. In 1988 and 1989, the bodies of nine street prostitutes were found: Debra Medeiros, 30; Nancy Paiva, 36; Deborah DeMello, 34; Dawn Mendes, 25; Deborah McConnell, 25; Rochelle Clifford

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<sup>150</sup> “Florida prostitute murders” *Serial Killer Crime Index*; Kevin Spak, “Florida cops suspect hooker serial killer is back” *Newser* (13 January 2008); Greene, *supra* note 1; Newton, *supra* note 1 at 484.

Dopierala, 28; Robin Rhodes, 28; Mary Rose Santos, 26; and Sandy Botelho, 24. Christine Monteiro, 19, and Marilyn Roberts, 34, went missing in 1988 and have not been located, nor have their bodies.

There have been several suspects in the homicides, but no charges have been filed. Tony DeGrazia, who had been charged with several violent sexual assaults, committed suicide while out of jail on bail, and was considered a good suspect by police.

Kenneth Ponte was a local attorney who had previously represented Dopierala. Police had been investigating Ponte for drug dealing and assault. He was charged with the murder of Dopierala but prosecutors dropped the charges in 1991. Ponte admitted to having a relationship with one of the murdered women, and representing three others, including Dopierala. In 2007, police dug up the driveway of Ponte's former home but found no evidence. Ponte died in 2010.

Daniel Thomas Tavares Jr. wrote a letter claiming responsibility for some of the murders. Tavares was already in prison for the murder of his mother at the time of his confession in 2000. He also knew the location of the body of Gayle Botelho, 32, a woman missing for 12 years. Botelho was not known to be a prostitute, but was battling drug addiction at the time of her disappearance. After her body had been recovered, police ruled her death a homicide, as she had been stabbed. He claimed he was not responsible for her death, and was not charged. Tavares was released from prison in 2007. He was charged with the shooting of a couple, Brian and Beverly Mauck, in Washington State later that year. In

2008, Tavares pled guilty in order to avoid the death penalty. He has not been charged with any of the Highway killings.<sup>151</sup>

### **10) The I-10 Killer (Multiple States)**

In the decade between 1980 and 1990, 20 women were murdered. The victims were prostitutes and hitchhikers whose bodies were buried along Interstate Highway 10 between Florida and California. Police postulate the killer was a long-haul truck driver.<sup>152</sup>

### **11) The Index Killer (Seattle, Washington)**

Five murders in the 1980s in the Index area of Seattle are linked. The victims included runaways Molly Purdin, 21, who was found dead, and Diane Robbins, 13, who went missing with Purdin in 1985 and is presumed dead. Prostitutes Jennifer Bernetto, 32, and Robin Kenworthy, 20, were murdered in 1988, as was Hazel Gelnett, 52, who was transient. Another young woman, Michelle Koski, 17, who was murdered in 1990, was not a runaway or prostitute. Scott Cox was a suspect but no charges were laid against him.<sup>153</sup>

### **12) The Independence Avenue Killer (Kansas City, Missouri)**

An unknown serial murderer, known as the Independence Avenue Killer due to the street where his victims worked as prostitutes, is thought to have killed at least ten women between 1996 and 1997. Ten bodies were found in the Missouri River and three other women are missing and presumed murdered. Police suspect the killer disposed of his victims from bridges in Kansas City, Missouri.

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<sup>151</sup> *Ibid.* at 467; “New Bedford highway killer” *Wikipedia*; Ray Henry, “Authorities re-open investigation into unsolved highway killings” *boston.com* (04 May 2007); Michael Holtzman, “New information opens old wounds” *The Herald News* (03 December 2007); Molly Shen, “Serial killings probe looking at Tavares” *KATU TV* (2008-01-24); “Man accused of killing newlyweds strikes deal to avoid death” *KOMO* (13 February 2008).

<sup>152</sup> Newton, *supra* note 1 at 463.

<sup>153</sup> *Ibid.* at 467; *Seattle Post-Intelligencer* (20 February 2003); “Index killer” *Serial Killer Crime Index*; “Suspected or...,” *supra* note 1.

The first suspected victim was Christy Fugate, 21, who was killed in October 1996. Connie Wallace-Byas, 20, was the only known black victim. Sherri Livingston, 26, Linda Custer, 41, Chandra Helsel, 30, and Tammy Smith, 30, have also been identified as victims. Four additional women have been found in the river but were not publically identified. Connie Williams, 32, Jamie Pankey, 40, and Cheresa Lordi, 19, all disappeared during the same time. In 1998, *America's Most Wanted* profiled the case.<sup>154</sup>

### **13) The Inkster Killer (Michigan)**

Three municipal police forces and the Michigan state police began working together in 1990, investigating 10 murders going back to 1985. Three of the 10 victims had criminal records for prostitution. Three women had been strangled or smothered and one had been stabbed.<sup>155</sup>

### **14) The Las Vegas Murders (Las Vegas, Nevada)**

Canadian Jessie Foster, 26, is one of four women who worked as escorts in Las Vegas who disappeared or were murdered in the mid-2000s. Foster has never been found; the other three women were found dead.

In March 2003, the dismembered body of a woman was discovered in a Las Vegas Valley. Two years later, the body was identified as Misty Saens, 25. In 2005, the severed legs of a woman were found in Illinois. These were identified in 2008 as belonging to Lindsay Harris, 19, who had disappeared from Las Vegas in 2003. Three weeks after the discovery of Harris's body, the body of another dismembered woman was found in San Bernardino, California. Shortly afterwards, she was identified as Jodi Brewer, 19.

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<sup>154</sup> Newton, *supra* note 1 at 120; "Missouri River killer" *Mayhem*.

<sup>155</sup> "Inkster prostitute killer" *Serial Killer Crime Index*; Joel Thurtell, "Prostitute says police warned her of killer: Officials downplay talk of serial murders" *Detroit Free Press* (13 January 1990); Newton, *supra* note 1 at 465.

*America's Most Wanted* featured the case in an episode, and noted the similarities between the missing women: "All were white, skinny and pretty, with strawberry blond hair and ranging in age from 19-26. Each girl ranged in height between 5'4" and 5'6", and all of their boyfriends/pimps were black males. In the fall of 2010, police acknowledged that there was likely a serial killer responsible for six or seven murders, whose victims were found in three states, most of whom were sex workers. There is speculation that the killer may be a truck driver."<sup>156</sup>

### **15) The Long Island Ripper/Slayer–Craigslit Killer/Ripper<sup>157</sup> (Long Island, New York)**

In the early morning hours of May 1, 2010, Shannan Gilbert, 24, knocked at the door of a house in an upscale neighbourhood on Long Island. She asked for help, explaining that men were trying to kill her. The home owner, Gus Colletti, let her in and called 911 but Gilbert fled. She hid briefly under a boat in his yard but ran away when an Asian man in a SUV arrived in the driveway. The man in an SUV has been identified as Gilbert's driver, Michael Pak. According to Colletti, Pak claimed to be looking for a woman who had gotten angry and left a party.<sup>158</sup> Colletti met the police at his gate and described the situation. He has asserted that the police seemed unconcerned.

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<sup>156</sup> Thomas Hargrove, "Serial killings: Unsolved, and unpublicized, slayings of women fill FBI files" *Scripps Howard News Service* (20 November 2010); Thomas Hargrove, "Serial killings study prompts police to launch investigations" *Scripps Howard News Service* (20 November 2010); "\$50,000 reward for information" *Jessica Edith Louise Foster*; "Missing woman's DNA fails to match" *Kamloops Daily News* (15 April 2008); Tom Gorman, "Their missing daughter was a Vegas call girl" *Las Vegas Sun* (21 April 2006); *Human Trafficking Show - Jessica Edith Louise Foster*, (17 February 2009); Frank Peebles, "Holidays bring grief for local families" *Citizen* (08 January 2009); "Is a serial killer murdering Las Vegas prostitutes?" *America's Most Wanted* (13 November 2008).

<sup>157</sup> Some media use the moniker the Craigslit Killer or the Craigslit Ripper, which does not refer to Phillip Markoff.

<sup>158</sup> In 2012, Gilbert's mother filed a wrongful death suit against Dr. Peter Hackett. In her suit, she alleges that Hackett had told his friends that Gilbert ran to Hackett's home and that he let her in and medicated her. At some point Hackett released Gilbert into the care of her driver. She further alleges that Hackett called her the

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According to Pak, he had been sleeping in the car outside of the home of Gilbert's client, Joseph Brewer, and had spoken to Gilbert who was inside the home. He was not sure if she was disoriented due to drugs, but said that Brewer had asked for him to remove her from the home before she fled. Brewer admits that he refused to pay Gilbert and that they argued. Gilbert had been booked for two hours but stayed three and a half hours. She made a 23-minute call to 911 to request assistance. Gilbert was described as hysterical, incoherent and panicked.<sup>159</sup> She stated that "they" were going to kill her but did not specify to whom she was referring. Police were unable to identify where Gilbert was calling from until the call from Colletti was received. Her family canvassed the area looking for signs of her but she was not been seen again. Pak and Brewer have both cooperated with authorities and are not considered suspects.

On December 11, 2010, the police found a body while searching for Gilbert. Two days later, three additional bodies were discovered. The bodies were of escorts who had advertised on Craigslist and backpage and had gone missing between 2007 and 2010. The bodies were those of Maureen Brainard-Barnes, 25, Megan Waterman, 22, Amber Costello, 27, and Melissa Barthelemy, 24. Barthelemy's family received eight phone calls, the first from Barthelemy's cell phone, from a man thought to be the killer.

In March 2011, dismembered body parts of Jessica Taylor were found. Taylor's torso had been found in 2003. A few weeks later, five more bodies were found, including "a bag of arms and legs; a human skull; and an unidentified woman lying near a child about five,

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day following Gilbert's disappearance. Hackett's home was searched in 2012 but he has not been named as a suspect. Margaret Hartmann, "Shannan Gilbert's mother sues doctor, claiming he could have prevented her Death" *New York Magazine* (15 November 2012); John Albertson, Greg Cergol, Shimon Prokupecz and Ida Siegal, "Items found in marsh near where Shannan Gilbert was last seen: Sources clothing recovered from knee-deep water in Long Island's Oak Beach" *NBC New York* (14 November 2012).

<sup>159</sup> "Murder or accident: How did Shannan Gilbert die?" *Dateline 48 Hours Mystery* (17 December 2011), Documentary.

wrapped in a blanket.”<sup>160</sup> The last four bodies were all found in a single week in April, 2011. Three of the last four bodies have not been identified but police confirmed that Gilbert was not among the dead. Further analysis has shown that the child, now believed to be between 18 months to two years old, was the daughter of one of the murdered women. Police theorize that the mother was an escort and brought her child with her to meet the client, who was the serial killer. Another body was that of an Asian man who had been dead for approximately five years. He was dressed in women’s clothing and is assumed to have been working as a prostitute at the time of his death.

In late 2011, police continued the search for more bodies in the area. In December 2011, a year after the first remains were found while police searched for Gilbert, the remains of another woman was located. A week later the remains were identified as those of Gilbert. Gilbert’s cause of death was listed as undetermined. Police have stated they believe that Gilbert drowned after fleeing Brewer’s home; prosecutors have stated they believe she was murdered. Gilbert was not wearing her clothes or shoes when her remains were found.

Many escorts remain missing and their families fear their remains are contained in the tangled brush. “When it first appeared that prostitutes were the prime victims, the locals were more curious than threatened” but the number of bodies and diversity of victims now has residents worried.<sup>161</sup> The first of the murdered victims was killed in 1996. Although police originally thought that two to four serial killers were using the same location to dispose of bodies, on the one year anniversary of finding the first body, police announced the theory that one serial killer was responsible. Police are investigating four deaths of escorts in Atlantic City, New Jersey, which may be linked to the Long Island killings. In November

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<sup>160</sup> Baum and Fiore, *supra* note 63.

<sup>161</sup> *Ibid.*

2012, items of clothing were recovered by police in the knee-deep water of the marsh surrounding the area. There are conflicting reports of whether additional human remains were discovered. A \$25,000 reward has been offered, leading to over 1,000 tips.<sup>162</sup>

### **16) The Pomona Strangler (Los Angeles County, California)**

Six to seven women were murdered over a three-year period between 1993 and 1995. Larry Hubbard was imprisoned in Florida for sexual assaults, but escaped. He was recaptured in 2007. The following year he attempted suicide, and died months later from complications. Authorities began investigating Hubbard as a suspect in other deaths. In 2011, DNA testing began, leading investigators to conclude that Hubbard had strangled Vanessa Williams and Christine Fields in Pomona in 2000. He was also linked to at least two other murders, including Sonia Smith, in the 1980s. Police believe Hubbard may have been responsible for numerous murders over the past 30 years. He has not been named as a suspect in the Pomona Strangler killings.<sup>163</sup>

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<sup>162</sup> Jaclyn Gallucci, "Without a serial killer, dead prostitutes just don't matter" *Long Island Press* (27 January 2011); Jaclyn Gallucci, "Long Island serial killer: 4 bodies at Gilgo identified" *Long Island Press* (24 January 2011); "Police search for prostitute killing serial killer on Long Island" *News One* (16 December 2010); Baum and Fiore, *supra* note 63; Ben Dobbin, "Long Island murder mystery: Sister received prank calls from missing prostitute's phone" *Huffington Post* (27 January 2011); David Osborne, "Bodies linked to prostitutes' murders in 'Long Island Ripper' hunt" *The Independent* (09 April 2011); "'Craigslit killer' on Long Island Beach prostitute murder spree" *Metro* (06 April 2011); Raf Sanchez, "The hunt for a lone serial killer" *Ottawa Citizen* (02 December 2011), A9; Louise Osmonde. *Long Island Serial Killer*. (05 December 2011) Documentary, A&E Television; "Bright, married and has access to burlap sacks: 'Craigslit Ripper' profiled as new set of remains found" *Daily Mail* (23 April 2011); "With LI serial killer still loose will police accept FBI help?" *Long Island Serial Killer* (29 August 2012); "Long Island serial killer" *Long Island Serial Killer* (24 August 2012), *Long Island Serial Killer* (29 August 2012); "New York remains are identified as those of Shannan Gilbert" *CNN* (17 December 2011); "Medical examiner classifies Shannan Gilbert's death as 'undetermined'" *CBS New York* (02 May 2011); John Albertson, *et al.*, *supra* note 158.

<sup>163</sup> "The Pomona Strangler" *The Frances Farmers Revenge Portal*; Newton, *supra* note 1 at 473; Beatriz Valenzuela, "Man linked to killings of Pomona women" *San Gabriel Valley Tribune* (06 August 2012).

**17) The Twin Cities Killer (Minneapolis and St. Paul, Minnesota)**

Between 1986 and 1994, 34 women, predominately street prostitutes, were murdered. Some of the victims were mutilated, dismembered or decapitated. It is unknown if the cases are the work of one or more serial killers.<sup>164</sup>

**18) The West Mesa Murders (Albuquerque, New Mexico)**

In February 2009, a woman walking her dog in Albuquerque, New Mexico found a human bone and contacted police. The bodies of 11 women were eventually found in shallow graves. The victims had all gone missing between 2000 and 2006. In 2010, photographs of six of the women were released in an attempt to identify them and to seek information on their whereabouts prior to their deaths. They were identified as Jamie Barela, 15; Monica Candelaria, 22; Victoria Chavez, 26; Virginia Cloven, 24; Syllania Edwards, 15; Cinnamon Elks, 32; Doreen Marquez, 24; Julie Nieto, 24; Veronica Romero, 28; Evelyn Salazar, 27; and Michelle Valdez, 22. All but one of the women were known to be involved in prostitution and drugs; Barela was not known to be involved in prostitution. Valdez was four months pregnant when she died. All the women were naked and no DNA evidence from the killer was found.

In late 2011, the police stated that they believe there are six additional victims with similar backgrounds as the 11 victims found in West Mesa, but bodies have not been found. Anna Vigil, 21, Felipe Victoria Gonzalez, 23, Leah Peebles, 23, Nina Herron, 21, Sephira Mora, 29, Shawntell Waites, 30, and Vanessa Reed, 25, are missing and presumed murdered.

Police created a website in order to generate tips and offered a \$100,000 reward. Police confirmed that believe one person is responsible for all the murders and the six

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<sup>164</sup> Newton, *supra* note 1 at 466; “Twin Cities killer” *Serial Killer Crime Index*.

missing women, but that “the public should not worry that there is a serial killer on the loose.”<sup>165</sup>

A strong suspect is Lorenzo Montoya, who was killed in 2006. He hired a sex worker from an advertisement and she went to his home. The woman’s pimp, Frederick Williams, went looking for her when she did not return when expected; he found Montoya carrying the body of the naked woman to his car. Williams shot Montoya but was not charged with his murder. At the time, police stated that Montoya fit the profile of a serial killer. He had multiple prostitution-related arrests and had been caught by police in the act of strangling and raping a prostitute in 1999; he was not charged. The bodies of the 11 women were found approximately one mile from his home, and all of the victims went missing prior to Montoya’s death. However, police continue to investigate the cases.<sup>166</sup>

#### **IV. U.S. SERIAL KILLERS TARGETING SEX WORKERS (BY LOCATION - UNSOLVED)**

##### **1) Multiple States**

Ten prostitutes working out of truck stops along interstate highways were murdered between 1999 and 2004. The victims were found in Arkansas, Louisiana, Oklahoma, Tennessee and Texas. The victims were all found along interstate highways.<sup>167</sup>

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<sup>165</sup> Ian Schwartz, “West Mesa murders three years later” *KRQE* (02 February 2012).

<sup>166</sup> *Ibid.*; Kim Holland, “FBI profiler joining mesa graves case” *KRQE* (02 March 2009); Alex Tomlin, “West Mesa killer may have 6 more vics” *KRQE* (28 October 2011); Alex Tomlin, “Women’s photos may link to mesa murders” *KRQE* (13 December 2010); “West Mesa murders” *Wikipedia*; Adriann Barboa, “11 women found murdered in Albuquerque desert – why was this not treated as a national tragedy?” *Media Literacy Project* (08 February 2011); “The missing women of ‘West Mesa.’” *Dateline*, Documentary and Interactive Information; Alex Tomlin, “New angle takes on mesa mass murderer” *KRQE* (16 May 2012).

<sup>167</sup> Newton, *supra* note 1 at 483.

**2) Pittsburg, California**

Between 1997 and 1999, four prostitutes were killed and their bodies dumped along highways in Pittsburg, California.<sup>168</sup>

**3) Washington, D.C.**

In 1989, two young street prostitutes were shot to death in Washington, D.C. In a separate case, between 1989 and 1990, five street prostitutes were murdered.<sup>169</sup>

**4) Dade County, Florida**

Between 1999 and 2003, 13 women were murdered in Dade County, Florida. The victims were street prostitutes aged 21 to 35. Between 2000 and 2001, a second serial murderer stabbed two female prostitutes to death before dumping their bodies in the water. A third murder may be linked, but the cause of death and disposal of the body differs as this victim was strangled and left in an alley.<sup>170</sup>

**5) Zephyrhills, Florida**

Between 1973 and 1977, eight women working in the sex trade as prostitutes and exotic dancers were killed in Florida. Police have not released details about the murders.<sup>171</sup>

**6) Atlanta, Georgia**

Between 1985 and 1996, ten street prostitutes were murdered in Atlanta, Georgia.<sup>172</sup>

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<sup>168</sup> *Ibid.* at 478.

<sup>169</sup> *Ibid.* at 468.

<sup>170</sup> *Ibid.* at 483, 484.

<sup>171</sup> *Ibid.* at 459.

<sup>172</sup> *Ibid.* at 466.

**7) East St. Louis, Illinois**

Thirteen black women working as street prostitutes or struggling with addictions were murdered between 2000 and 2001. Many of the victims were covered with garbage bags.<sup>173</sup>

**8) Peoria, Illinois**

Six black prostitutes were murdered between 2000 and 2004 in Peoria.<sup>174</sup>

**9) Hammond, Indiana**

In 1996, four street prostitutes were shot with the same weapon.<sup>175</sup>

**10) Baton Rouge, Louisiana**

Five women were murdered between 1999 and 2000 in Baton Rouge, Louisiana. All the victims were black women working as street prostitutes. Their bodies were left in public places.<sup>176</sup>

**11) Baltimore, Maryland**

An unknown killer attacked 15 women in 2003 and 2004, and killed three. All the victims were street prostitutes. The three murdered women were between 19 and 32; they were beaten and strangled to death.<sup>177</sup>

**12) Boston, Massachusetts**

Two young women in their teens working as street prostitutes were murdered by having their throats cut in 2001 and 2002. In the same timeframe, two other prostitutes, 17

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<sup>173</sup> *Ibid.* at 484.

<sup>174</sup> *Ibid.* at 485.

<sup>175</sup> *Ibid.* at 475.

<sup>176</sup> *Ibid.*, at 482.

<sup>177</sup> *Ibid.* at 488.

and 19, were murdered. Their deaths were linked but it is thought that these are two separate serial killers.<sup>178</sup>

### **13) Worcester, Massachusetts and Maine**

Three women working as prostitutes, all small Hispanic women, were kidnapped and murdered between 2001 and 2003. The three women were all disposed of along the I-290 highway. Two of the victims knew each other from drug treatment programs. Between 2003 and 2004, four additional women, also petite Hispanic prostitutes, were sexually assaulted and murdered. The victims were disposed of in the woods in Massachusetts and Maine.<sup>179</sup>

### **14) Michigan**

In 1973, a minimum of 20 prostitutes were murdered in Michigan. Police have not released details about the murders. In a separate case, over 20 prostitutes were killed between 1990 and 1997.<sup>180</sup>

### **15) Detroit, Michigan**

Nine black street prostitutes with addiction issues were murdered between 1991 and 1992 in Detroit. These cases are not thought to be related to the other serial murder cases involving sex workers in Michigan.<sup>181</sup>

### **16) Flint, Michigan**

Seven prostitutes were murdered in 1999 in Flint, Michigan. All the victims were black women.

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<sup>178</sup> *Ibid.* at 485.

<sup>179</sup> Newton, *supra* note 1 at 486, 488.

<sup>180</sup> *Ibid.* at 459, 470.

<sup>181</sup> *Ibid.* at 470.



**17) Grand Rapids, Michigan**

Eleven women were killed between 1994 and 1996 in Grand Rapids, Michigan. Nine of the victims were identified; all were involved in street prostitution. Two other women remain unidentified. A multi-jurisdictional police force covering the Kent, Ottawa and Muskegon counties where bodies were found was disbanded in 1997. A twelfth woman, Sherry Brown, 32, disappeared in 1996. Her remains were found in 1998, but were not identified until 2002. The cause of Brown's death was undetermined.<sup>182</sup>

**18) Kent County, Michigan**

Eleven women were murdered between 1994 and 1996 in Kent County, Michigan. Eight were street prostitutes.<sup>183</sup>

**19) Minneapolis, Minnesota**

In 1996, two prostitutes and one person listed as a "transvestite" were murdered and their bodies burned in Minneapolis.<sup>184</sup>

**20) Jackson, Mississippi**

Four prostitutes were strangled between 1994 and 1995 in Jackson, Mississippi.<sup>185</sup>

**21) Kansas City, Missouri**

Six women were killed in Kansas City, Missouri, between 1989 and 1990. All were street prostitutes.<sup>186</sup>

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<sup>182</sup> *Ibid.* at 473; Lee Lupo, "Parents wait for answers in daughter's 1996 murder" *The Muskegon Chronicle* (25 April 2008).

<sup>183</sup> *Ibid.* at 473.

<sup>184</sup> *Ibid.* at 475.

<sup>185</sup> *Ibid.* at 473.

<sup>186</sup> *Ibid.* at 468.

**22) Essex County and Newark, New Jersey**

Sixteen black women were murdered between 1993 and 1998 in Essex County and Newark, New Jersey. The victims ranged in age from 19 to 37; they were predominately prostitutes.<sup>187</sup>

**23) Irving and East Orange County, New Jersey**

Five black women, predominately prostitutes, were murdered between 1997 and 1998 in Irving and East Orange, New Jersey. Police noted similarities between these murders and those in nearby Newark, New Jersey, but have not officially linked them.<sup>188</sup>

**24) Somerset County, New Jersey**

Five street prostitutes were killed between 1993 and 1995.<sup>189</sup>

**25) Union County, New Jersey**

Four black street prostitutes were killed in Union County, New Jersey, between 1988 and 1992.<sup>190</sup>

**26) Buffalo, New York**

Two prostitutes, aged 32 and 39, were stabbed and strangled to death a day apart in February 1999. Both women were murdered in the same area of town.<sup>191</sup>

**27) Monroe County, New York**

Four victims, described as prostitutes and drug addicts, were murdered between 1989 and 1992 in Monroe County, New York.<sup>192</sup>

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<sup>187</sup> *Ibid.* at 473; Andrea Kannapell, "N.J. law; Series of killings? Yes. One serial killer? No." *New York Times* (29 November 1998).

<sup>188</sup> Newton, *supra* note 1; Kannapell, *supra* note 403.

<sup>189</sup> Newton, *supra* note 1 at 473.

<sup>190</sup> *Ibid.* at 467.

<sup>191</sup> *Ibid.* at 481.

<sup>192</sup> *Ibid.* at 469.

**28) Rochester, New York**

Between 14 and 16 women were murdered or went missing between 1989 and 1992 in Rochester, New York.<sup>193</sup>

**29) Fayetteville, North Carolina**

Seven to twelve women were murdered in Fayetteville, North Carolina, between 1987 and 2000. The victims were between 21 and 37 years old; seven were prostitutes.<sup>194</sup>

**30) Ohio and Pennsylvania**

Between 1981 and 1999, 27 prostitutes were murdered and dumped along isolated roads between Geauga County, Ohio and Crawford County, Pennsylvania. Twenty-one black women and six white women were murdered during this time frame. The victims worked out of truck stops.<sup>195</sup>

**31) Portland, Oregon**

Four black prostitutes were murdered between 1983 and 1984 in Portland, Oregon.<sup>196</sup>

**32) Philadelphia, Pennsylvania**

Three women described as “known to police” were killed in a two-month period in 2004. The three victims were between 24 and 31 and were all strangled and disposed of naked. Two victims were left in garbage bins.<sup>197</sup>

**33) Woonsocket, Rhode Island**

Three street prostitutes were strangled in Woonsocket, Rhode Island, between 1990 and 1991.<sup>198</sup>

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<sup>193</sup> *Ibid.*

<sup>194</sup> *Ibid.* at 467.

<sup>195</sup> *Ibid.* at 463; Dennis B. Roddy, “Mysterious ‘Mr. No’ sought in Ohio truck stop prostitute probe” *The Pittsburgh Press* (19 April 1997).

<sup>196</sup> *Ibid.* at 464.

<sup>197</sup> *Ibid.* at 488.

**34) Lubbock, Texas**

Three prostitutes were beaten to death between 1999 and 2004 in Lubbock, Texas.

Two of the victims were former roommates.<sup>199</sup>

**V. U.K. SERIAL KILLERS TARGETING SEX WORKERS (BY NAME)****1) The Bradford Murders – The Crossbow Cannibal (Stephen Griffiths) (Bradford, England)**

Three female street prostitutes were murdered in the northern city of Bradford in 2009 and 2010. Stephen Griffiths was a Ph.D. student in homicide studies, a subdivision of criminology, focusing his thesis on homicide methods of the 19<sup>th</sup> century. Although obsessed with serial killers generally, he is reported to have idolized Peter Sutcliffe, known as the Yorkshire Ripper, who murdered 13 women, the majority of whom were prostitutes.<sup>200</sup>

Griffiths was charged and pleaded guilty to the murders of Suzanne Blamires, 36, Shelley Armitage, 31, and Susan Rushworth, 43. Video surveillance captured Griffiths killing Blamires and dragging her body back into his apartment. Griffiths apparently realized he was being filmed and displayed obscene hand gestures at the camera and danced around the body. The apartment caretaker saw the footage and went to police. As Blamires' body lay in his apartment, Griffiths attempted to lure another prostitute, known only as "R." The woman went to get a crack pipe and he left the area without her. Five days after Blamires' murder, Griffiths was taken into custody for questioning; the next day, body parts of his last

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<sup>198</sup> *Ibid.* at 469.

<sup>199</sup> *Ibid.* at 483.

<sup>200</sup> Despite his reported idolization of Sutcliffe and murdering of at least three prostitutes, Griffiths apparently was outraged and physically attacked his friend, Kenneth Valentine, in 1996, who had murdered a prostitute, Caroline Creevy, 25, whom Griffiths knew. Several prostitutes in the area brought clients to Valentine's home, paying him £5 per client. Creevy discovered Valentine had been watching the activity through a hole in the wall. When confronted, he killed Creevy. Like Griffiths, Valentine was captured due to video evidence of him removing the body in a rug.

two victims were found in a river. Blamires was killed with a hammer and the final two women were killed with a crossbow; all three were dismembered in Griffiths' bathroom. Rushworth's body has not been found. Griffiths confessed to cooking and eating flesh from Rushworth and Armitage, and to eating raw flesh from Armitage. Griffiths videotaped Armitage's body; he had spray-painted "my sex slave" on her back.

Griffiths spent a year in custody after slashing a store manager in the face when caught shoplifting at the age of 17. When he was released, he began university, but at age 20 he was in trouble again, having been caught with an air pistol. He received community service. He spent two years in prison for holding a knife to a woman; he was involved in several more domestic violence incidents but his girlfriends were afraid to press charges. In 2009, he was convicted of harassment.

Prior to his arrest, Griffiths was an in-patient in two psychiatric hospitals and was an out-patient at a third. However, as he was deemed not to have a treatable mental illness, he could not be held, despite doctors' concern that he was dangerous. He had apparently disclosed his desire to become a serial killer to his psychiatrists and a probation officer, and also claimed to have skinned and eaten rats alive. Complaints to Bradford police from his neighbours prompted the management company that operated the apartment he rented to increase the number of security cameras.

Griffiths gave himself the moniker of "Crossbow Cannibal" when being interviewed by police. He pleaded guilty to the three murders and received a life sentence. He has attempted suicide on a number of occasions since his imprisonment. He is held in a health-care wing on constant suicide watch, having tried to commit suicide a total of six times by early 2012 by means of hanging, suffocation, ingesting batteries and slitting his wrists. He also staged a 10-month hunger strike.

Police are looking into any links between Griffiths and the disappearance of Gemma Simpson, 23/24 (2000), and Claudia Lawrence, 35/36 (2009) and the murders of Yvonne Fitt, 33 (1992), Dawn Shields, 19 (1994), Rebecca Hall, 19 (2001), and Michaela Hague, 25 (2001). All but Simpson and Lawrence were street prostitutes.<sup>201</sup>

## 2) The Camden Ripper (Anthony Hardy) (Camden, England)

Anthony Hardy had shown signs of mental illness as far back as 1982, and had been accused of trying to kill his estranged wife, Judith Dwight, in 1986. No charges were laid, but he did check himself into a psychiatric clinic. In 1998, charges related to the rape of a street prostitute were dropped although he was later investigated for three murders.

In 2000, the dismembered bodies of two London street prostitutes were found. Zoe Parker, 24, and Paula Fields, 31, were identified as the murdered women. In 2002, Hardy's neighbours caught him pouring battery acid into their mailbox. Other neighbours alerted police that something was going on in his apartment. Upon investigation, police found Sally White, 38, dead on Hardy's bed. A coroner deemed her death to be the result of natural

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<sup>201</sup> "Stephen Griffiths charged with murder of three prostitutes" *The Telegraph* (27 May 2010); Alastair Jamieson, "Bradford murder suspect crime degree course 'highly vocational'" *The Telegraph* (27 May 2010); Stephen Wright and Chris Brooke, "Bizarre double life of murder suspect: Privately-educated loner studying PhD is charged with murder of three prostitutes" *Daily Mail* (29 May 2010); Justin Davenport, "Suspected serial killer tells court 'I'm the crossbow cannibal'" *London Evening Standard* (28 May 2010); Justin Davenport and Rashid Razaq, "Suspect quizzed over six women as police probe CCTV of crossbow attack" *London Evening Standard* (27 May 2010); Amber Patton, Jennifer Carter and Hillary Dolloff, "Stephen Griffiths: 'The Crossbow Cannibal'" *Serial Killer Timelines*, Department of Psychology, Radford University; Alastair Taylor, "Crossbow Cannibal: I've killed loads more" *The Sun* (28 February 2011); Theodore Dalrymple, "Murder most academic: A British Ph.D. candidate puts 'homicide studies' into practice" (2011) 21 *City Journal*, 1; Chris Brooke, James Tozer and Jaya Narin "My Shelley's mutilated body is probably in that rucksack": Father of Crossbow Cannibal victim tells of trauma after seeing CCTV of killer" *Daily Mail* (22 December 2010); "Crossbow Cannibal Stephen Griffiths 'skin and bones' following hunger strike" *The Telegraph* (05 October 2011); Justin Penrose, "'Crossbow Cannibal' Stephen Griffiths slashes wrists after being handed razor blade by inmate" *The Mirror* (22 January 2012); Lucy Thornton, "Crossbow Cannibal Stephen Griffiths battered best pal for murdering a hooker" *The Mirror* (23 December 2010); Steve White, "Crossbow cannibal Stephen Griffiths friends with Baby P killer Steven Barker" *The Mirror* (11 August 2011); Steve White, "Crossbow Cannibal Stephen Griffiths urged to make death bed confessions - did he kill Claudia Lawrence?" *The Mirror* (03 February 2011); "Crossbow Cannibal 'close to death' as weight plummets to six stone after ten month hunger strike" *Daily Mail* (08 August 2011); Richard Alleyne, "Crossbow Cannibal was a known 'serial killer' in the making" *The Telegraph* (28 December 2010).

causes and stated that she had died of a heart attack. Hardy later confessed to having killed her.

Later that same year, a homeless man found human remains in garbage bins and a trail of blood leading to Hardy's home, where a second woman's torso was found. The two victims were identified as Elizabeth Valad, 29, and Brigitte MacClennan, 34. Hardy was apprehended and confessed that he had lured his victims to his home, sexually assaulted, strangled, photographed their corpses, dismembered and disposed of their bodies in the River Thames or garbage bins.<sup>202</sup>

### **3) The Ipswich Ripper/Strangler – The Suffolk Strangler (Steven Wright) (Ipswich, England)**

Over a 10-day period in 2006, in Ipswich, England, five street prostitutes were murdered. The victims were Tania Nicol, 19; Gemma Adams, 25; Paula Clennell, 24; Annette Nicholls, 29; and Anneli Alderton, 24, who was three months pregnant at the time of her murder. Steven Wright was arrested five days after the last woman was murdered. He had contact with each of the victims previously through their work as street prostitutes. Wright had been employed as a lorry (truck) driver at the time of his arrest.

Wright pled not guilty, but was convicted in 2008 of all five murders and sentenced to life without the possibility of parole. He has dropped his appeal. After his arrest, another prostitute alleged that he had attacked her in the 1980s. Wright is under suspicion in other murders of sex workers going back several years.<sup>203</sup>

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<sup>202</sup> Rachael Bell, "Anthony John Hardy: The Camden Ripper" *True TV*; "British serial killers" *CBC News* (13 December 2006); Newton, *supra* note 1 at 354.

<sup>203</sup> Teela Sanders, "Protecting the health and safety of female sex workers: the responsibility of all" (2007) 114 *British J. of Ob. & Gyn.* at 791; Michael D. E. Goodyear and Linda Cusick, "Protection of sex workers: Decriminalization could restore public health priorities and human rights" *Canadian Harm Reduction*; Amanda Brooks, "Global News Shorts" *\$pread* (2008) Volume 4, Issue 1 at 56; "Ipswich serial murders" *Wikipedia*; "Serial killer drops appeal case" *BBC* (02 February 2009); Lisa Cadle, Sarah Carley and Thomas Collins,

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#### 4) The Midland Ripper (Alun Kyte) (England, Scotland)

Police in the U.K. believe that Alun Kyte may have killed as many as 20 women, mostly prostitutes and hitchhikers, over a 20-year span before his arrest in 1997. Kyte was convicted of the 1993 murder of Samo Paull, 20, and the 1994 murder of Tracy Turner, 33. In 2000, he was sentenced to life imprisonment. The year before, he had been sentenced to seven years for a series of rapes in Bristol.

After the murders of Paull and Turner, a woman who had survived an attack by Kyte reported the incident to police. Police had made considerable efforts to encourage sex trade workers to report violence in light of the unsolved murders in the area. At one point, Kyte posed as a reporter asking questions about the murders and investigation.

A documentary about Paull's murder aired the same night that Turner was killed; police believe the program was the impetus for Kyte to kill only three hours after the program concluded. In December, 1997, Kyte was arrested after a rape victim fled from him; he was convicted and sentenced to eight years in prison. A routine DNA sample taken in prison led to the discovery in 1998 that Kyte was the "Midland Ripper," responsible for Turner's murder. He was charged with both murders shortly after.

Police began to investigate deaths going back to 1984, spanning from Liverpool, England to Glasgow, Scotland. Among the murders investigated are: Yvonne Coley, 28 (1984); Janine Downes, 22 (Wolverhampton, 1991); Sharon Hoare (West London, 1991); Barbara Finn, 32 (Coventry, 1991); Nicola Payne, 19 (Coventry, 1991); Natalie Pearman, 16 (Norwich, 1992); Julie Finlay, 23 (Liverpool, 1994); Carol Clark, 32 (Gloucester, 1993);

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"Stephen Gerald James Wright" *Serial Killer Timelines*, Department of Psychology, Radford University; *Suffolk Strangler*. (14 November 2011), Crimes that Shook the World, Documentary; McClellan, *supra* note 8 at 175.



Dawn Shields, 19 (Sheffield, 1994); Julie Finlay, 23 (1994); Sharon Harper, 21 (Lincs, 1994); Marie Garrity (Coventry, 1995); and Tracy Wylde (Glasgow, 1997). Coley, Downes, Hoare, Finn, Pearman, Clark, Shields, Finlay, Garrity and Wylde were street prostitutes. The bodies of Finn, Payne and Garrity have not been found.<sup>204</sup>

### **5) The Yorkshire Ripper (Peter Sutcliffe) (Yorkshire, England)**

Peter Sutcliffe was convicted in 1981 of murdering 13 women and attacking seven more from 1975 to 1980.<sup>205</sup> When he confessed, he claimed to have been cheated by a prostitute out of £10. Later, he claimed to have been ordered by God to murder prostitutes. However, his victims included women walking alone at night, as well as street prostitutes. It was after the murder of a non-prostitute, Jayne MacDonald, 16, that public perception of the murders changed as all women was now thought to be at risk. Sutcliffe was a lorry driver at the time of his arrest.

Police identified Sutcliffe as a potential suspect by tracing a £5 note found in the handbag of victim Jean Jordan. However, he was only one of approximately 400 possible recipients of the bill. Later, canvasses of red light areas of Bradford for repeatedly spotted cars picked him up again. When the body of Josephine Whitaker, 19, a young socialite, was found, police believed that their patrols and surveillance in the red light districts had prompted the killer to displace and look for victims in other areas. A boot print found near Whitaker's body matched Sutcliffe's, as did a sketch of the suspect generated from women

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<sup>204</sup> Newton, *supra* note 1 at 368; Nick Paton Walsh, "Midlands Ripper unmasked" *The Observer* (19 March 2000); "Alun Kye" *Murderpedia*; "Prostitute murders trial begins" *BBC News* (28 February 2000); "Prostitute killer jailed" *BBC News* (14 March 2000); "From the archives: Deaths spark fear of 'Midland ripper'" *Birmingham Mail* (17 June 2010); Stephen Wright and Richard Price, "Did Midlands ripper kill more women?" *Daily Mail* (15 March 2000).

<sup>205</sup> Sir Lawrence Byford authored a report on the Yorkshire Ripper case for the Secretary of State for the Home Department. See, The Home Office [U.K.] [Byford Report], *The Yorkshire Ripper-Part 1* (December 1981) by Lawrence Byford.

who survived an attack. After an audio tape from a man with a Wearside accent claiming to be the killer was received by investigators, Sutcliffe was dismissed as a suspect, despite surviving victims who claimed that the audio tape was not the voice of their attacker. The tape was eventually dismissed as a hoax.<sup>206</sup>

Six investigators were brought onto the case and were known as the “Ripper Super Squad.” Geographic profiling suggested the killer was most likely from Bradford. Sutcliffe was found with a prostitute in an isolated location by the officers on a routine check of the area. Sutcliffe provided a false name, which concerned the officer. The licence plate of the car did not match the car Sutcliffe was driving; he was placed under arrest. Officers returned to the scene of the arrest and found a hammer and knife. Sutcliffe was again questioned in relation to the murders; this would be the tenth time he had been questioned regarding the murders. Sutcliffe confessed to the investigators, claiming his mission from God was finished.

Sutcliffe claimed diminished responsibility. He was found guilty of the murders of Wilma McCann, 28; Emily Jackson, 42; Irene Richardson, 28; Patricia (Tina) Atkinson, 32; Jayne MacDonald, 16; Jean Jordan, 20/21; Yvonne Pearson, 22; Helen Rytka, 18; Vera Millward, 40/41; Josephine Whitaker, 19; Barbara Leach, 20; Marguerite Walls, 47; and Jacqueline Hill, 20. He was also found guilty of the attempted murders of Maureen Long, 42; Marcella Claxton, 20; Marilyn Moore, 25; Upadnya Bandara, 34; Theresa Sykes, 16; Anna Rogulskyj, 34; Olive Smelt, 46; and Olivia Reivers, 24. He received 20 life sentences.

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<sup>206</sup> The person responsible for the audio tape and letters sent to newspapers was unidentified for 27 years. DNA evidence led investigators to John Humble in 2005. Humble was convicted in 2006; he served four of the eight-year sentence in prison for the hoax. Jeremy Armstong and Lucy Thornton, “Yorkshire Ripper hoaxer Wearside Jack speaks for first time about ‘prank’ that derailed serial killer investigation” *The Mirror* (14 July 2013).

Sutcliffe was deemed insane by psychiatrists and transferred to Broadmoor Hospital. In 1997, he was stabbed in both eyes by another inmate. In 2003, a transfer back to a maximum security prison was requested by authorities, who alleged that Sutcliffe had deceived psychiatrists, but no action was taken.<sup>207</sup>

## **VI. U.K. SERIAL KILLERS TARGETING SEX WORKERS (BY MONIKER - UNSOLVED)**

### **1) Jack the Stripper (London, England)**

The unsolved murders of up to eight street prostitutes in London between 1959 and 1965 have been attributed to the unknown serial killer dubbed “Jack the Stripper.” The murders attributed to this unknown culprit are: Hannah Tailford, 30; Irene Lockwood, 20/26; Helen Barthelemy, 20/22; Mary Flemming, 21/30; Frances Brown, 21; and Bridget O’Hara, 28. Two additional murders, those of Elizabeth Figg, 21, and Gwynneth Rees, 22, are also suspected to have been committed by the same person.

Kenneth Archibald confessed to the murder of Tailford who was four months pregnant when she was killed. He later recanted, and was acquitted at trial. A British boxer, Freddie Mills, was named as the killer in 1991 by biographer Tony Van Den Bergh. Mills committed suicide in July 1965, a few months after the last murder.<sup>208</sup>

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<sup>207</sup> *Ibid.*; “Case file: Peter Sutcliffe” *Peter Sutcliffe*; “The Yorkshire Ripper” *Crimes That Shook the World* (28 October 2011, Documentary, Investigation Discovery Chanel; McClellan, *supra* note 8 at 175; “Yorkshire Ripper British Police Files” *Paperless Archives*.

<sup>208</sup> “Great Britain: Jack the Stripper” *Time Magazine* (08 May 1964); Tony Thomspson, “Boxing hero Freddie Mills ‘murdered eight women’” *The Guardian* (04 November 2001); “Jack the Stripper” *Wikipedia*; “British serial killers” *supra* note 202; Newton, *supra* note 1 at 135; Tony Thomspson, “How boxing champion was driven to suicide by threat from Krays” *The Guardian* (11 July 2004); John Fleming. “The death of a UK boxer linked to the sadistic murders of prostitutes by serial killer ‘Jack the Stripper’” (02 May 2011).

## **VII. U.K. SERIAL KILLERS TARGETING SEX WORKERS (BY LOCATION - UNSOLVED)**

### **1) Humberside, England**

Between 1997 and 1998, three prostitutes were murdered in Humberside, England.<sup>209</sup>

### **2) London, England**

In 2001, two prostitutes, aged 24 and 31, were dismembered and their bodies disposed of in rivers in London.<sup>210</sup>

### **3) Norwich, England**

Three street prostitutes were found strangled between 2000 and 2002, with a fourth woman missing in Norwich.<sup>211</sup>

### **4) Glasgow, Scotland**

Between 1997 and 1998, seven women were murdered in Glasgow, Scotland. All the victims were street prostitutes.<sup>212</sup>

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<sup>209</sup> Newton, *supra* note 1 at 477.

<sup>210</sup> *Ibid.* at 455, 467, 485.

<sup>211</sup> *Ibid.* at 484.

<sup>212</sup> *Ibid.* at 478.

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### **THE MISSING WOMEN COMMISSION OF INQUIRY: EXHIBITS<sup>1</sup>**

- Missing Women Inquiry, *Exhibit 1 – Vancouver Police Department (VPD) Missing Women Investigation Review August 2010*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 2 – Royal Canadian Mounted Police (RCMP) Request for Assistance External Review*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.

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<sup>1</sup> Not all of the exhibits for the Missing Women Commission of Inquiry (MWI) are listed within the bibliography because they are unavailable. The MWI website was shut down sometime in early 2011. Prior to its closure, many were listed as “restricted” and were not publically available. Other exhibits were labelled as “pending” but were not ever released. Regular reviews of the site were conducted until the site closed.



- *Exhibit 2A – Document entitled Williams Appendices*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 2B – Document entitled Williams Witness Brief – Appendix H (97CQ10797)*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
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- *Exhibit 2E – Document entitled Williams Witness Brief – Appendix H – Binder 3 (98CQ33017)*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 3 – Expert Report by Dr. John Lowman*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 4 – Large Display Board – Map of Central Vancouver BC and the Lower East Side*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 5 – Supreme Court of British Columbia – BC (A.G.) v. Couillard Dated 1984-07-04*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 6 – Dr. Kate Shannon Expert Report and Appendices*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 7 – Sex Trade Workers Investigation Questionnaire (VPD-001-000561 to 000565)*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 8 – Sheway Intake Form*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 9 – Dr. Thomas Kerr – Expert Report and Appendices*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 10 – The Challenge of Change – A Study of Canada’s Criminal Prostitution Laws – Report of the Standing Committee on Justice and Human Rights December 2006*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 11 – Photograph of Marnie Lee Frey*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 12 – Letter to The Honourable Ujjal Dosanjh dated April 20, 1999*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 13 – Letter to Mayor Phillip Owen dated April 20, 1999*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 14 – Missing Persons Report, Vancouver City Police, Case # 98-209922 (RCMP-017-003293)*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
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- *Exhibit 16 – Document entitled Bundle of handwritten letters (24 pages) (FAM-001-000001)*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
- *Exhibit 17 – Photocopy of a photograph of Elsie Lousie Sebastian*, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.
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- *Exhibit 27 – Document entitled – Photocopy of a memorial photograph of Brenda Wolfe, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 28 – Document entitled – Photocopy of a photograph of Dianne Rosemary Rock, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 29 – Document entitled – Curriculum Vitae of Susan Davis, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 30 – Document entitled – Curriculum Vitae of Elaine Allan, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 31 – Document entitled – Letter dated November 1, 2011 to the Commissioner from Kate Shannon, PhD, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 33 – Document entitled – Five Phase Timeline Chart, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 34 – DC Evans Reports and Appendices “A” and “B” only, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 34 – Document entitled DC Evans Report, including Appendices “A”, “B”, “C” and “D”, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 35 – Document entitled – Binder of excerpts from Vancouver Newspapers, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 36 – Document entitled – Supreme Court of British Columbia Indictment Against Robert PICKTON (RCMP-002-008007), online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 37 – Document entitled – Police Push the Hunt for Home Invaders – article in The Vancouver Sun dated Tuesday, March 2, 1999, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
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- *Exhibit 50 – Document entitled – Vancouver Police Department – Position Profile – Inspector, Major Crime, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
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- *Exhibit 50B – Document entitled – Vancouver Police Department – Position Profile – Inspector, General Patrol – District Administrator, Manager, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
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- *Exhibit 56 – Document entitled – Department of Justice, Book of Documents for Examination of Mr. Williams, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 57 – Document – Large, Aerial View, Map Board of the City of Vancouver, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 58 – Document entitled Bundle of four documents, including; Murdock identification cards; excerpt from book, On The Farm; Missing Persons Report (RCMP-017-003693); let [sic], online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 60 – Document entitled: Letter to Chief H.M. (Mike) Metcalf dated January 31, 2011 from the Missing Women Commission of Inquiry, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
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- *Exhibit-62-Documents-entitled-Missing-Person-poster-for-Matthew-Huszar, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 63 – Document entitled: Large, Aerial View, Map Board of a region within the City of Port Coquitlam, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
- *Exhibit 67 – Document entitled – Power Point presentation by D. Kim Rossmo, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
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- *Exhibit 89 – Document entitled – Bundle of Photocopies of photographs (63) with floor plan drawing, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
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- *Exhibit 115 – Document entitled – Key Events Chronology – District 2 Police Panel, online: Missing Women Inquiry <[www.missingwomeninquiry.ca](http://www.missingwomeninquiry.ca)>.*
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<sup>2</sup> Aboriginal Affairs and Northern Development Canada was formerly known as Indian and Northern Affairs Canada.

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