

MISSING WOMEN COMMISSION OF INQUIRY

REVISITING THE REGIONALIZATION DEBATE: A DIALOGUE ON THE STRUCTURE AND ORGANIZATION OF POLICING IN BRITISH COLUMBIA

A CONSULTATION REPORT PREPARED FOR THE
MISSING WOMEN COMMISSION OF INQUIRY

June 2012

Statement of Purpose

This report was prepared by Missing Women Commission of Inquiry and represents the views expressed by participants in the Expert Roundtable on the Structure and Organization of Policing in British Columbia. This event was co-sponsored by the Ting Forum on Justice Policy. The Commission has not verified any of the facts contained in this report. The Commission gratefully acknowledges the assistance provided by all of those who participated in and supported these events.

The content of the report does not necessarily reflect the views of the Commissioner and Commission staff and, in particular, no conclusions have been reached on the issues raised in this report.

1. Introduction

The Missing Women Commission of Inquiry is mandated to “recommend changes considered necessary respecting homicide investigations in British Columbia by more than one investigating organization, including the co-ordination of those investigations”.¹ Greater coordination of homicide investigations can be achieved in a number of ways: by strengthening inter-jurisdictional structures and protocols; by establishing cross-jurisdictional systems; by transforming cultural practices within police agencies in order to facilitate cross-agency cooperation; and by regionalizing policing. These four options are canvassed in the Commission’s policy discussion report entitled, *Issues Related to the Structure and Organization of Policing Arising From the Missing Women Investigations*.²

British Columbia currently has 11 municipal police departments, the South Coast BC Transportation Authority Police Service, and the Stl’atl’imx Tribal Police Service based in Lillooet. The Royal Canadian Mounted Police (RCMP) has 90 detachments throughout the province. Some of those detachments service more than one community. Calculating the number of police agencies per region depends on how the boundaries are drawn. The RCMP’s Lower Mainland District boundary encompasses 22 police agencies,³ whereas the Vancouver Census Metropolitan Area (formerly Greater Vancouver Regional District) encompasses fewer agencies. The structure of policing agencies in the Lower Mainland and the Capital Region has been described as a “patchwork”.⁴ The Vancouver metropolitan region is the only large metropolis in Canada without a regional police force. Other large metropolitan areas, those with populations over 500,000, have regional forces.

The debate and discussion regarding a regional police service in the Greater Vancouver region and Capital Region has been ongoing for over two decades. The

¹ Missing Women Commission of Inquiry, Terms of Reference, paragraph 4(d).

² Available on the Commission’s website:

<http://www.missingwomeninquiry.ca/reports-and-publications/>.

³ Abbotsford, Delta, New Westminster, Port Moody, Vancouver, West Vancouver each have municipal departments, and there are 15 RCMP detachments, plus the transportation authority.

⁴ Lindsay Kines, four-part series: “Patchwork Policing” in *Times Colonist* (September 2010).

1994 Oppal Report on policing in BC asked: “Can the regionalization debate be resolved?”⁵ The Report noted that while there was a relatively high level of informal cooperation among police agencies, there was considerable room for improvement.⁶ Formal arrangements have tended to evolve in piecemeal fashion. The question for the Commission is whether the problems experienced in the missing women investigations provide a renewed impetus for regionalization.

Given its clear mandate, the Commission prioritized the need to revisit the regionalization debate in light of the cross-jurisdictional issues that arose during the missing women investigations, as part of its study commission process. The Commission co-sponsored, with the Ting Forum on Justice Policy at Simon Fraser University, an expert roundtable on regionalization of the police for this purpose on April 14, 2012. Dr. Robert Gordon, Professor and Director of the School of Criminology, co-chaired the event with Commissioner Oppal. Invitations were sent to mayors and police chiefs in the Greater Vancouver area, to the RCMP, to participants who were granted standing at the Inquiry and to a number of additional experts on this topic. Twenty-three individuals participated in the day-long event,⁷ which was facilitated by Patrick Kelly, who serves as Advisor to the Commission. The Commission is grateful to the Ting Forum on Justice Policy for its support of this event and to all of the participants in the roundtable dialogue.

2. Overview of Presentations

a. Commissioner’s Opening Remarks

Commissioner Oppal opened the session by thanking participants for attending the roundtable on a sunny Saturday. He provided a brief overview of the Commission’s mandate and set out the four specific terms of reference. He acknowledged that everyone at the table has important experience and expertise on these issues and

⁵ Commissioner, The Honourable Mr. Justice Wallace T. Oppal, *Closing the Gap - Policing and the Community: The Report*. Volume 1, Commission of Inquiry on Policing in British Columbia (1994), at p. D-33.

⁶ *Ibid*, at p. D-17.

⁷ See Appendix A for the list of participants.

expressed his appreciation for participants' willingness to share it with the Commission.

Commissioner Oppal invited participants to engage fully in a dialogue centered on recommendations for enhancing coordination among investigating organizations, and in particular with respect to three issues:

1. Whether or not regionalization of the police force is a necessary change that would assist in the effective conduct of homicide investigations in this province;
2. Whether further integration is required, and if so, what that might look like and what additional steps should be taken in this regard; and
3. What further information may be required to formulate recommendations on these issues.

Commissioner Oppal recognized that the issue of regionalization of the police force is not a new one. He had canvassed this issue thoroughly when he was Commissioner of a public inquiry into policing in British Columbia in the early 1990s. As noted above, he asked in his 1994 report whether the regionalization debate could be resolved. At that time he made recommendations for the integration of certain police communication and information systems. His report also recommended the creation and funding of task forces on rationalization of policing services in the Greater Vancouver Regional District and the Capital Region.

Commissioner Oppal noted that he was not expecting that the participants would resolve the regionalization debate during this session. It is a complex issue that has been mooted for about two decades now. However, his expectation was that all participants should be prepared to take a fresh look at the issue of regionalization of policing services in light of what we are learning about the missing women investigations.

The Commissioner recounted that he had heard quite a bit during the course of the hearings to date about inter-jurisdictional collaboration and coordination during the course of the missing women and Pickton investigations – both positive and negative. He highlighted the fact that the hearings were ongoing and that he had not yet made any findings of fact about these issues. The purpose of the dialogue was not to discuss the specific facts of what happened during the missing women and Pickton investigations. However, the general issues of how police forces can work together more effectively and whether the fragmentation of policing hinders effective investigations, raised during the course of the Inquiry, served as the important backdrop to the day's dialogue.

Commissioner Oppal concluded his remarks by bringing attention to the fact that the roundtable was the first of a series of Commission events which focus on getting public input on proposals for change, designed to assist him in carrying out his policy and advisory mandate. The dialogue initiated today would be continued in the policy forums to be held from May 1 to 10, 2012. He shared his hope that the Commission's work will help to bring about positive change: that it will help to make BC a safer place for vulnerable women. By sharing their views and experience, all participants were making a positive contribution to the Commission process.

b. Inter-Jurisdictional Issues Raised in Reports on the Missing Women Investigations

In order to situate the dialogue on regionalization in the context of the Inquiry, the co-sponsors of the roundtable decided that it was important to proceed on the basis of shared information concerning the inter-jurisdictional issues that had arisen in the missing women investigations. This goal was a challenging one given that the Inquiry was still ongoing and no findings of fact or conclusions had yet been made. Two reports that canvassed the issues arising from the inter-jurisdictional nature of the investigations had been tabled as exhibits to the Inquiry. These are the report of Deputy Chief Jennifer Evans, *Missing Women Commission of Inquiry* (Peel Regional Police, 2011)⁸ and Deputy Chief Constable Doug LePard, *Missing Women Investigation Review* (Vancouver Police Department, August 2010).⁹ The Commission had considered asking participants to review those documents, but abandoned this approach because the two documents comprised over 1000 pages of text. In the alternative, the Commission had prepared a 10-page briefing note with excerpts from the two reports and circulated it to participants in advance of the roundtable.¹⁰

Dr. Melina Buckley, Commission Policy Counsel, made a short presentation on the briefing note. She emphasized that *no findings of fact or conclusions have been made*

⁸Available on the Missing Women Commission of Inquiry website:
<http://www.missingwomeninquiry.ca/wp-content/uploads/2011/10/EXHIBIT-34-Deputy-Chief-EVANS-REPORTS-AND-APPENDICES-A-AND-B-ONLY.pdf>

⁹Available on the Missing Women Commission of Inquiry website:
<http://www.missingwomeninquiry.ca/wp-content/uploads/2011/10/EXHIBIT-1-Vancouver-Police-Department-VPD-Missing-Women-Investigation-Review-August-2010-VPD-001-012879.pdf>

¹⁰ The briefing note is attached to this report as Appendix B.

by the Commissioner to date. Neither the briefing note nor her presentation purported to evaluate or analyze the two reports; both simply presented a short summary of the issues raised by Deputy Chief Evans and Deputy Chief Constable LePard designed to provide background information to facilitate informed discussion at the expert roundtable.

The issues identified by Deputy Chief Constable LePard and Deputy Chief Evans in their reviews can be summarized under three main themes: coordination issues in the missing women investigation; coordination issues in the Pickton investigation; and coordination with the beginning of the Joint Forces Operation (JFO). Both reports point out numerous ways in which there was good communication between the Vancouver Police Department (VPD) and the RCMP. Dr. Buckley stressed that while there were examples of positive cooperation, she was going to emphasize the negative analysis in the reports since this would more usefully contribute to the dialogue.

Both reports identify issues with coordination during the five-year investigation. While consultation occurred frequently, it was somewhat ad hoc and relied in large part on the individual investigators involved. The LePard Report found “linkage blindness” and noted that the collection of evidence was not systematic. It was difficult to keep up ongoing communication, and information was sometimes not shared effectively. The Evans Report focused on breakdowns in communication when priorities diverged. Both reports found a delay in establishing a JFO and difficulties in getting it to operate effectively.

In terms of the Pickton investigation, Deputy Chief Evans concluded that the VPD and Coquitlam RCMP failed to coordinate after interviews of critical witnesses, and that after the transfer of Corporal Connor, there was a significant drawback of communication and coordination. She concluded that this lack of communication negatively impacted on effectiveness of investigation, enabling Pickton to remain free. Deputy Chief Evans also pointed out that there were separate meetings going on at the VPD and RCMP but no coordination and/or communication between those meetings.

Deputy Chief Evans and Deputy Chief Constable LePard both found police did not prioritize the investigation and that there was a difference of opinion as to which police force “owned” the investigation. The two reports disagree about who had jurisdiction. There has been much testimony about this issue at the Inquiry.

Issues also arose with respect to coordination between the JFO and other units. Deputy Chief Evans found poor communication between the VPD's Missing Persons Unit and Project Evenhanded.

Dr. Buckley summarized the main issues identified in the two reports:

- Inconsistent or erratic communication
- Lack of evidence sharing
- Lack of clarity over whose case it was
- Lack of sufficient coordination
- Delays in establishing the JFO
- Lack of communication between the JFO and VPD and RCMP
- Lack of prioritization that can be attributable, in part, to inter-jurisdictional issues; and
- Lack of resources, due in part to inter-jurisdictional issues.

c. **Some Policing Models for British Columbia**

Professor Robert Gordon introduced his previous work, which makes a strong case for a single police force for each of Metro Vancouver and Victoria. He noted that there had never been a printed response to his earlier paper.¹¹ This is an extraordinarily important debate. Professor Gordon's history is as a police constable in several different police services abroad; when he first came to British Columbia, he was astounded by the fact that Vancouver was the last metropolitan area in Canada not to be serviced by one police force. Then he learned the situation in Victoria was the same. He is fascinated by the politics that are, in his view, obstructing a rational and planned approach to the delivery of policing services. He appealed to the participants to consider that what we have in BC is not the best form of policing. If you started out tomorrow to design a police service, you would not begin with the current model. It has evolved by circumstance rather than design over a long period of time: in his view, it doesn't make a whole lot of sense, and it has led to tragedies such as the one addressed by the Missing Women Commission of Inquiry. He does not see this as a RCMP issue or a VPD issue; his focus is on taxpayers getting the best value for money.

¹¹ R.M. Gordon and B. Stewart, *The Case for the Creation of a Metro Vancouver Police Service* (April 11, 2009) [unpublished].

Professor Gordon presented three options for a more rational model of police service delivery in Greater Vancouver.¹²

The first option is a Single Police Service Model, which involves creating a single provincial police service, governed by a semi-independent police authority overseen by a provincial government ministry. This model is, and has always been, used in Australia and New Zealand. In Australia, which is a federal polity similar to Canada in its constitutional structure, provincial police services are complemented by an overarching federal police service. Professor Gordon refuted the concern that a provincial service would be detached from the community: this is simply not so, as long as the service is properly set up. A large police service, properly constructed and administered with community advisory boards will ensure proper community priority setting and oversight. The main advantages are massive economies of scale; a single set of standards; a single government authority calling the shots without interference with operations; single recruitment, training, and complaint systems; and so on.

The second option is a Multi-Region Policing Model, which would have some of the benefits of shared provincial standards and training but would be organized along regional lines. Professor Gordon did not believe that this model was appropriate for British Columbia at present.

The third option is a model that combines Provincial and Regional Policing. Professor Gordon expressed the view that this model is the most viable option for the province and a very effective model. The regional policing bodies would be similar to regional health authorities. Professor Gordon was of the view that it was important not to extrapolate too much from Ontario, which has city, regional and provincial police services: that model is not readily adaptable to our province.

Regardless of the model selected, the transition process requires skillful planning. Professor Gordon identified a number of issues and challenges:

- Organizing and managing the transition
- Timing of transition — it must be gradual
- Funding start-up/transition
- Negotiating collective agreements
- Changing the physical infrastructure, equipment, etc.
- Training, retraining, transfer and recruitment

¹² R.M. Gordon, *Some Policing Models for British Columbia* (Power Point Presentation, April 2012) attached to this consultation report as Appendix C.

- Deciding who will continue to do the policing – negotiating collective agreements
- Recruitment – Professor Gordon doesn't think this would be a problem
- Integrity of continuing investigations and other files
- Changing occupational cultures

Professor Gordon concluded his presentation by pointing out that he has been struck with the consistency in policing issues across jurisdictions all around the world. These commonalities in policing strategies and ideas provide a strong foundation for regionalization of policing in this province.

d. Costs of New Policing Models

Dr. Stephen Easton, Professor of Criminology at Simon Fraser University, and Kash Heed, MLA for Vancouver-Fraserview, made a presentation on the costs of new policing models.¹³ Mr. Heed highlighted the difficulties in analyzing economic data on policing. He quoted the Ministry of Public Safety in his opening: "Caution should be used in comparing police jurisdiction crime data, policing costs, authorized strengths, or caseloads." Different methods of data collection mean that comparisons are akin to comparing apples to oranges in some cases. An entire forensic team would be required to develop full complete costing analyses of the different models and transition costs. The purpose of the presentation was to present a general picture to inform the roundtable dialogue.

Current costs of policing in British Columbia were summarized (percentages of budget allocations are indicated in brackets, with "f" indicating federal contributions, "p" indicating provincial contributions and "mun" indicating municipal contributions):

- RCMP Federal Force – 1,029 authorized positions - \$264m (100f)
 - Mr. Heed noted that the number of positions is accurate
 - He was unsure if the dollar amount was accurate, but noted it is paid by the federal government
- RCMP Provincial force – 2,306 authorized positions - \$443m (70p/30f)

¹³ Dr. Stephen Easton and Kash Heed, MLA, *Costs of Policing Models* (Power Point Presentation, April 2012), attached to this consultation report as Appendix D.

- Recent increases include:
 - An increase from the province for anti-gang programs, and
 - A 22-million dollar increase to cover “port” money
- RCMP Municipal force – 3,352 authorized positions - \$570m
 - 30 forces – Communities with populations under 5,000 (70p/30f)
 - 31 forces – Communities with populations over 15,000 (90p/10f)
- Independent municipal forces – 2,399 - \$44m (100mun)
 - 11 forces serving 12 communities (Esquimalt serving Victoria)
- First Nations Policing – 118 - \$20m (50p/50f)
 - Combination of corporate and other
 - Funding varies – but general
 - 50/50 changes based on contractual agreements

In total, there are 8,175 authorized personnel in the province, with a total budget of \$926 million from municipal sources, and \$200 million from federal sources, excluding the federal RCMP. The transit and airport authority police are also excluded from this data.

Mr. Heed also discussed the possible cost implications of regional policing for the province and municipalities, with two assumptions:

- that the federal share of the budget would remain in place; and
- that federal specialized units, Special I (electronic surveillance) and Special O (regular surveillance), would continue to be available.

The costs identified with transitioning to a regional police force would include:

- Acquiring capital assets (with a 30% share of cost of depreciated assets: cars, equipment, etc.)
- Acquiring a headquarters building
 - Unified police service for the whole province would need a larger building.
- Expanding training facilities
 - The Justice Institute would not have capacity to train a regional force. The administration would have to look at taking over the RCMP Chilliwack facility, or something similar.
- Providing initial administration costs during the transitional period

He noted that building and support staff for contracted RCMP are 100% paid for by the municipalities.

Professor Easton expanded upon the economic data and framework that had been introduced. He emphasized that there is insufficient data to develop a cost-benefit analysis of a move to regional policing. He said systems are not in place to collect the data needed to make an informed decision (or if they are, that data is not available to him). He noted that data is difficult to get and hard to interpret, and “the devil is in the details.” An important step in decision-making concerning the issue of regionalization is the need to develop a better database.

Professor Easton identified a number of important questions that need to be answered but for which there is incomplete data at present:

- The structure and organization of policing should reflect patterns of crime. If crime is contained within a region, it should be policed by that region. If crime extends across regions, then should be policed in that way.
- Information should be available concerning what fraction of spending on policing is devoted to crime that is local in nature and what to crime that is national in nature.
- There are inefficiencies associated with current structures because crime does not operate in isolated jurisdictions. We must ask if this is the most sensible way to organize things.
- Costs of policing in BC should reflect actual policing on the ground and resources used across departments. There is a wide disparity in philosophies, response times, numbers of officers responding to calls, and so on. How will we square that?
- Each community should bear resource costs based on policing. If policing were purely local, decisions would be easy, but that is not the case here. Should financing reflect the pattern of crime? If crime is primarily a provincial matter, you would want the province to pay for that. Since there is only one tax payer, how you structure payments can be flexible.
- Cost savings could be realized through integration since inefficiencies in communications and mounting operations are a consequence of the current structure.
- Inefficiencies also arise from “free riding,” inappropriate levels of specialization, failing to take advantage of economies of scale, and mismatches between taxation and service provision.
- Cost savings could also be realized through centralization of training and personnel systems.
- One of the factors that remains unmeasured is the value of service provided. This cannot be captured by pure financial measures. How we measure

service delivery and value is not well developed. This is an important direction for analysis: what constitutes success? If the crime rate is rising, should agencies get more money? If the crime rate is falling, do they get less money?

- Vancouver is a complicated crime environment. Most difficult cases may be transferred to the City of Vancouver, where there is more specialized service. As a result, quantification of the type of police service is important. The mantra for economists is the value of service relative to cost.

Professor Easton concluded by emphasizing the important opportunity to develop measures that speak to what counts as success. We should begin by talking about what would constitute a useful measure of service, and then how we go about allocating costs. It is not simply a question of offering numbers. It is crucial to properly characterize policing activity and value it as a first step in rational approach to developing the best policing model for British Columbia.

3. Overview of Dialogue

Roundtable participants had many opportunities to contribute to the dialogue: at the outset, after each presentation and in a final round of comments. The contributions to the dialogue on revisiting the regionalization debate are presented under the major themes canvassed, in order to provide a clear overview of the major points made throughout the day and to minimize repetition.

a. Greater Integration of Policing

The Commissioner was urged to recognize the enormous changes in policing in the Vancouver area since Robert Pickton was arrested in 2002. Representatives of the RCMP and several mayors emphasized that a retrospective view alone would be insufficient to resolve the regionalization debate. The Commissioner's recommendations should be informed by up-to-date information.

In particular, many participants highlighted the trend toward greater integration over the past decade through integrated police units and shared services. Mayor Stewart of Coquitlam spoke about an ongoing process of "hybridization," a situation that was somewhere between 20 different police forces and a regional force.

Other participants, while acknowledging that much had changed, expressed concerns that integration was insufficient and was in some ways problematic because of lack of accountability and oversight for integrated units. RCMP representatives disputed this point and outlined the accountability structure in place for these units within that agency. Phyllis Carlyle of Richmond informed the group that issues of accountability for the Integrated Homicide Investigation Team and other integrated units are currently under review.

In terms of fundamentals, Dr. Mike Webster, a former police psychologist, spoke about limitations on integration across police forces due to cultural differences between forces, and the tendency of each force to believe that it is superior to another agency, both of which contribute to inter-agency rivalry. These comments elicited strong reactions from some participants. In particular, Wayne Rideout, RCMP Assistant Commissioner and Peter German, former senior level RCMP officer, emphasized the strong and healthy relationships among police officers across different policing agencies. Former VPD Chief Constable Bob Stewart stated that the problems did not involve cooperation between individual officers, of whom he spoke favourably, but rather institutional and structural barriers to communication and cooperation.

b. What Is Still Missing: Regional Policing Plan and Leadership

The major divide during the day's discussion was over whether integration across policing agencies is a sufficient response to inter-jurisdictional issues. Lindsay Kines, a journalist who has studied these issues and interviewed police and members of the public, queried: if integration is the way to go, "why don't we integrate the whole thing?"

Adam Palmer, a Deputy Chief Constable with VPD, advanced the starting point that we have to acknowledge that we do have a metropolitan region and that the policing structures should reflect this reality. While he agreed with comments about the growth in cooperation and integration, he said the organization of policing in Greater Vancouver remained deficient because there is no regional policing plan or leadership. Without a unified command structure, there are many people in charge, and when there are many people in charge, no one is in charge. This point was echoed by many participants. In the words of Bob Stewart, if we have a half a dozen leaders, "the buck stops nowhere" — no one is accountable.

This position elicited also elicited a strong response to the effect that “one model doesn’t fit all” and “each community has its own unique needs.” Chief Jim Cessford of the Delta Police Force and many of the mayors made this point. Norm Lipinsky and Wayne Rideout of the RCMP noted that there is a provincial strategic plan within which each community is able to identify its specific needs. Deputy Chief Constable Palmer pointed out that the RCMP plan does not include Vancouver, because it does not include the VPD or the Delta Police Department.

Deputy Chief Constable Palmer also raised the issue of duplication of both operational and administrative services in the region. He cited numerous examples, including emergency response teams, canine units, gang units, and patrol deployment patterns.

Peter German pointed out that no matter how large the regional police force, there would always be a boundary, and therefore regionalization was not a cure to issues that arise in inter-jurisdictional investigations. He stated that “regional” is not a panacea for everything: “I frankly think we are further ahead today than many jurisdictions in this country, than places that have embraced collective models.” Chief Cessford took the view that diversity in policing models was a positive rather than a negative characteristic of policing in British Columbia.

Many were taken aback by the defense of the current fragmented structure of policing. Lindsay Kines responded, “To say this is cutting edge policing defies logic. I understand that mayors and police chiefs want to protect their boundaries. Criminals don’t; citizens don’t either. We need provincial leadership to take a hard look at the current system, which isn’t working.”

Deputy Chief Constable Palmer stated the VPD position that if a full regional policing model could not be agreed upon, then other strong regional institutional structures had to be put into place. Recommendations along these lines included: (1) a Real Time Crime Centre (an intelligence centre for information sharing and crime analysis with the capacity to look at regional issues and come up with regional solutions); and (2) regular, obligatory meetings of regional communications staff.

c. Political Divisions and Positioning

The dialogue was marked by clear political divisions and positioning, which for the most part did not appear to have shifted much over the past decade. Mayor Peter Fassbender referred to this as a “bias toward a particular perspective.” This

positioning appeared to place substantial obstacles in the road of a full and frank discussion. As Mayor Richard Stewart of Coquitlam said early on, “Hope you’ve given up hope of consensus.” For the most part, organizational positioning was based on pride in institutions. For example, Delta Mayor Lois Jackson said, “I am a municipal police booster. I can’t see how that would change. We have one of the best policed areas anyway, and I am very proud of the people on my police force.”

At the same time, several participants spoke of the need to move away from politics and to focus on practicalities in the process of revisiting the regionalization debate. Retired Chief Constable Stewart stated that politics and policing are like oil and water. Many speakers called for open minds and the willingness to participate in a more engaged discussion.

d. Wariness Over Simplistic Approaches and Lack of Information and Analysis

Mayor Fassbender expressed his concern about an overly simplistic approach that too quickly concludes, “If we did this, we’d fix the problem.” Participants appeared to be unanimous in their call for “balanced facts.” More information and analysis is required to determine the efficiency and effectiveness of the delivery of police services. The suggestion that regionalization would fix all the problems was considered to be a superficial conclusion by many participants. The question was how to get below the surface of the various positions. As Ann Livingston, a representative of the Vancouver Area Drug Users Network and DTES community activist pointed out, “All structures of policing can be great and awful.”

e. Finding Common Ground: Accountability is Key

Ms. Livingston went on to say that the success or failure of policing structures is determined by accountability. This fundamental point was the common ground among participants and assisted a move away from organizational positioning to a more open dialogue about the quality of policing. In the words of Mayor Fassbender, “We all desire to have safe communities, protect citizens, to see marginalized people helped in whatever way we can.” The question then became how to we determine if we have the best police force.

Many participants spoke of the issue of accountability in terms of the importance of retaining “local flavour” and control. However, others pointed out that the changes under discussion would not mean jurisdictions without police: “effective policing would not remove the police in Oak Bay.” Given the complex environment and the reality of cross-jurisdictional crime, the structure and organization of policing must have the capacity to seamlessly address local and regional issues. Stephen Owen spoke of the need for structures that allow for the greatest flexibility in police responses to evolution in crime.

Even participants who were generally supportive of the existing policing framework, including Chief Cessford, noted that confidence and trust in the police seem to be eroding and need to be addressed. The connection to local community and action at the local level may not be as effective as it used to be. Mayor Jackson emphasized that the divergence in accountability, complaints and oversight processes in the province is of great public concern. As Professor Gordon pointed out, if you have trust in the local police service, its leadership and accountability, whether it is regional or not, then difficulties dissipate. Communities of interest do not always (or even often) align with jurisdictional borders and therefore police accountability requires broadening participation from under-served segments of the population.

Greg Moore, Mayor of Port Coquitlam, argued for a more holistic approach. He stated that lawyers, politicians and police were looking at these issues “in a silo, not from a community perspective.” From his perspective, what is needed is to integrate policing into the broader system of social services and community planning. The Director of Police Services, Clayton Pecknold, suggested that the ongoing public engagement strategy to develop the new “BC Policing Plan” is an important opportunity for this broader dialogue. From an institutional perspective, Chief Constable Jim Cessford suggested that what may be required is a change in the overall government model for policing toward a police commission or commissioner independent of politicians.

4. An Emerging Consensus

Patrick Kelly, facilitator of the roundtable dialogue, provided a summary of key points made with respect to strategies for and barriers to change, as well as a list of values to guide further dialogue on the regionalization issue. He noted that the

conversation was a complex one and that he was not attempting to be exhaustive in his summary.

Strategies for change that he identified during the dialogue included:

- The need to design a process that is feasible and achievable.
- A structure that builds a sense of accountability that includes a regional say, with links to the community and aspects of national and civilian oversight as critical principles.
- The need to design a feasible and affordable structure to meet identified needs. Part of that comes up in the context in early comments. It has come up from time to time, over the past 50 years. We are where we are as a result of that and are we where we need to be to go forward.
- Resources must be devoted to the change process. As a private business consultant, I have worked in the change management field. If you don't devote resources to change processes, it won't happen. The Commission is not in position to do that, but it is a theme that has been spoken about.
- There needs to be a good design and integration of stakeholders in the process, from the community perspective, the municipal leadership perspective, and institutions. All sorts of stakeholders need to be integrated.
- There is a need to identify what outcomes are desired, in order to measure performance. If you don't know where you are trying to go, it is impossible to gauge whether you are there or not.
- There is a need to identify areas that need integration and coordination. Despite comments that some things are fine, there are some areas where integration and coordination is needed across systems and silos.
- There is a need to balance community and institutional interests. If you can't figure out different interests and reconcile them, you will make no improvement.
- One of the things needed is to look at the policy structure and authorities in place. Do they rely upon the strengths and weaknesses in policies and authorities? A lot of what we have was built from other times. Going forward, is that what we need for the future?
- We need to search for existing policies about opportunities for change and barriers.
- The concept of leadership was identified. In change management, if you don't have leaders to champion key issues and developments, changes won't happen. Leaders form different groups.

- There must be system-wide engagement when a whole complex system needs to be addressed, in order to achieve improvement.
- There is a need to identify systems that enable sharing across the different jurisdictions and authority structures, sharing of information, strategies and perhaps policies between groups that need or want to work together.
- There is a need to identify community-based reference points. How do you know the public is getting what they need and want out of services you are providing?
- Policing operates in a community context replete with social and political aspects. As Commissioner Oppal made clear, the Missing Women Commission of Inquiry is focused on police, not on those many broader context issues. The question remains, despite the Commission's focus, how do you take into account that overall system? What mechanism is needed? One of the ideas that Jim Cessford had mentioned is to establish an overall governance mechanism.

Among the barriers Patrick Kelly noted that he heard during dialogue were:

- The dearth of valuable and reliable information upon which to base good policy, operations, etc. He suggested that without such information, there was no solid base upon which to build a strategy going forward.
- Diverse demographics and community contexts, which need not be barriers, because there are ways to build them into an overall system. However, this diversity must be addressed because it can be a "show stopper," something that has been evidenced over the last 20 to 30 years.
- Cultures of organizations and institutions and communities that have been built up over 30 to 50 years. What are the incentives to change, the benefits, and the gains to be made with change?
- The absence of clear benchmarks and standards. There is a need to locate commonalities in different systems.
- The fact that not everything needs to change. We need to identify what's working well so as not to inadvertently throw the good things out for the sake of change. We need to identify what needs to be improved.
- Power structures. A lot of the fiscal decisions of governments involve real jobs put at risk with the prospect of change and real power and authority relations at stake. We must be honest about dealing with power.
- Interagency rivalries, some of which were mentioned to a small degree.
- Leadership can be a strategy strength and weakness. Without commitment to change, leadership can be a barrier to change.

- Fragmentation. The current system is fragmented, an issue that must be addressed to move ahead in a constructive way.
- Repeating the past. We must learn from past experience and the lessons of changes that have been attempted before.
- Lack of knowledge about what the community needs and wants. Context is critical.
- Costs. It is not clear that we really know the fully loaded costs of investigating and dealing with crime. A proper cost/benefit analysis requires true costs.

Mr. Kelly also highlighted principles identified during dialogue:

- Communication (identified by most participants)
- Critical commitment, in order to make changes and collaborate
- Faith in the system, in the citizens and communities
- Trust
- Respect, including for different jurisdictions and their situations
- Leadership
- Integration
- A holistic perspective
- Fairness

In conclusion, at the roundtable there was a consensus that additional information and analysis is necessary in order to ensure an informed public discussion on regionalization. This information gathering process could include:

- A current analysis of what is working well now and what is not
- A review of both successes and failures
- An economic analysis of the costs of the current system, including the costs to public safety, and any proposed models
- Data gathered within an analytical framework to ensure the right questions are asked, the right data is gathered and the data is understood properly
- An apolitical process through which to hear community views
- Independent performance and financial audits

Much support was expressed for a thorough, independent third party review of the status quo and feasible options for change. Clearly, all stakeholders should be involved in this discussion and all affected communities should have a voice in any new structure that is proposed.

At the end of the day, the Commissioner thanked participants for contributing to the dialogue, which he called “a learning experience for all of us.” He invited participants to remain involved in the process and to provide further commentary and submissions to the Commission.

Appendix A – Agenda and List of Participants

MISSING
WOMEN
COMMISSION OF
INQUIRY



EXPERT ROUNDTABLE ON THE STRUCTURE AND ORGANIZATION OF POLICING IN BC

Saturday April 14 – 9:30 am – 4:00 pm
Wosk Centre for Dialogue, Strategy Room 320

AGENDA

- 9.30: Registration – Refreshments available.
- 10.00: Introductions; goals and objectives of the roundtable
- *Commissioner Wally Oppal, Q.C., Professor Robert Gordon, and Patrick Kelly, Workshop Facilitator*
- 10.15: Brief Overview of Inter-Jurisdictional Issues Raised in Reports on the Missing Women Investigations
- *Dr. Melina Buckley*
- 11.15: Refreshment Break
- 11.30: Overview of some Structural and Organizational Options for B.C.
- *Professor Robert Gordon*
- 12.30: Lunch
- 1.30: Initial, and Continuing, Costs of New Policing Models.
- *Kash Heed, MLA, and Professor Stephen Easton*
- 2.30: Refreshment Break
- 2.45: Strategies for and Barriers to Change
- *Patrick Kelly*
- 3.45: Concluding Remarks and Next Steps
- 4.00: Close

LIST OF PARTIPANTS

- Co-Chairs: Commissioner Wally Oppal, Q.C. and Dr. Robert Gordon
- Facilitator: Patrick Kelly
- Participants:
- Kash Heed, MLA
 - Bob Stewart, Former Chief Constable, Vancouver Police Department
 - Dr. Stephen Easton, Simon Fraser University
 - Adam Palmer, Deputy Chief Constable, Vancouver Police Department
 - Wayne Rideout, Acting Commissioner, RCMP
 - Peter German, Regional Deputy Commissioner Pacific Region Correctional Services Canada, former RCMP
 - Jim Cessford, Chief Constable, Delta Police Department
 - Stephen Owen, Vice-President of External, Legal and Community Relations, University of British Columbia
 - Mayor Greg Moore, Port Coquitlam and Chair Metro Vancouver Regional District
 - Mayor Peter Fassbender, Langley
 - Phyllis Carlyle, General Manager of Law and Community Safety, participating on behalf of Mayor Malcolm Brodie, Richmond
 - Mayor Richard Stewart, Coquitlam
 - Ann Livingston, Representative of VANDU, participant in the Inquiry
 - Vanessa Christie, Counsel to Terry Blythe and John Unger at the Inquiry
 - Clayton Pecknold, Assistant Deputy Minister, Police Services and Community Safety
 - Lindsay Kines, Journalist
 - Mayor Lois Jackson, Delta
 - Norm Lipinski, Assistant Commissioner, RCMP
 - Dr. Mike Webster, R. Psych, Centurion Consulting Services Ltd.
 - Sean Hern, Counsel to VPD at the Inquiry
 - Various RCMP representatives, including Inspector Andrew Koczerzuk, Amber Elliott, Counsel for the RCMP, and Kyle Johnson, Missing Women Commission Liaison Team at the RCMP
- Commission Staff:
- Art Vertlieb, Q.C.
 - Karey Brooks
 - Dr. Melina Buckley
 - Elizabeth Welch
 - Katelyn Crabtree

Appendix B – Briefing Note on Inter-Jurisdictional Issues in the Missing Women Investigations raised by Deputy Chief Evans and Deputy Chief Constable LePard April, 2012

Introduction and purpose of briefing note

This briefing note has been prepared by Commission staff to serve as a background document for the Expert Roundtable on the Structure and Organization of Policing co-sponsored by the Missing Women Commission of Inquiry and the Ting Forum on Justice Policy in the School of Criminology at Simon Fraser University.

The briefing note provides an overview of the issues arising from the inter-jurisdictional nature of the missing women investigations based on two reports that have been tabled as exhibits to the Inquiry. These are the report of Deputy Chief Jennifer Evans, Missing Women Commission of Inquiry (Peel Regional Police, 2011)¹⁴ and Deputy Chief Constable Doug LePard, Missing Women Investigation Review (VPD, August 2010).¹⁵

No findings of fact or conclusions have been made by the Commissioner to date. This briefing note does not purport to evaluate or analyze the two reports; it simply presents a short summary of the issues raised by Deputy Chief Evans and Deputy Chief Constable LePard.

The sole purpose of this briefing note is to provide background information to facilitate informed discussion at the expert roundtable.

The brief note summarizes the issues raised in the two reports under three headings: coordination of the missing women investigation; coordination in the Pickton investigation; and coordination between Project Evenhanded and other units.

Issues

Coordination in the Missing Women investigation

Coordination

In their reports, both Deputy Chief Evans and Deputy Chief Constable LePard identified instances of coordination and communication between the VPD and RCMP regarding the missing women

¹⁴Available on the Missing Women Commission of Inquiry website:
<http://www.missingwomeninquiry.ca/wp-content/uploads/2011/10/EXHIBIT-34-Deputy-Chief-EVANS-REPORTS-AND-APPENDICES-A-AND-B-ONLY.pdf>

¹⁵Available on the Missing Women Commission of Inquiry website:
<http://www.missingwomeninquiry.ca/wp-content/uploads/2011/10/EXHIBIT-1-Vancouver-Police-Department-VPD-Missing-Women-Investigation-Review-August-2010-VPD-001-012879.pdf>

investigations;¹⁶ however, both also identified breakdowns in communication and coordination, indicating that a multi-jurisdictional approach was required for the investigation to be successful.

Deputy Chief Constable LePard wrote that the VPD “consulted frequently” with the RCMP, and during these consultations, the necessity of the RCMP’s assistance, both in terms of resources and sharing information, was constantly brought up.¹⁷ Deputy Chief Constable LePard emphasized that the VPD made attempts at various levels to formally include the RCMP, and specifically the Provincial Unsolved Homicide Unit, into the investigation.¹⁸

In addition, Deputy Chief Constable LePard noted a number of examples of the VPD working with other police agencies with experience on relevant investigations to seek investigative tips and strategies for the missing women investigation.¹⁹ For example, the VPD spoke with members of the Poughkeepsie Police in May of 1999, investigators from the Spokane homicide team in June 1999, and members of the FBI, also in June 1999.²⁰

However, Deputy Chief Constable LePard also found that there were inter-jurisdictional issues in the missing women investigations that contributed to linkage blindness. He found that:

*the collection of evidence was not sufficiently systematic, there were ongoing difficulties in establishing and maintaining open lines of communication with the RCMP, and evidence gathered by officers in the VPD and the RCMP was sometimes not shared effectively, even within their respective organizations.*²¹

Deputy Chief Evans discovered problems in the investigation linking missing women cases together. She noted that, although most missing women cases were reported to the VPD, it was difficult to link reports made to RCMP detachments unless the RCMP officer contacted the VPD’s Missing Persons Unit. Each officer had to make the connection to the DTES and make inquiries with the VPD or request the VPD to investigate.²²

Deputy Chief Evans found that the breakdown in communication and coordination arose when the priorities of the two agencies diverged:²³

¹⁶ Deputy Chief Jennifer Evans, Missing Women Commission of Inquiry (Peel Regional Police) at 9-2 ; and Deputy Chief Constable Doug LePard, Missing Women Investigation Review (VPD, August 2010) at 239 & 327 to 328.

¹⁷ LePard at 239.

¹⁸ LePard at 235.

¹⁹ LePard at 327 to 328.

²⁰ LePard at 235 to 237.

²¹ LePard at 328.

²² Evans at 8-42.

²³ Evans at 9-2.

*VPD were looking for their Missing Women. Coquitlam RCMP and PUHU were working on other priority files. Project Evenhanded was conducting a Historic Review of violent crime files. No one was looking for a Serial Killer. No one was focused on Pickton.*²⁴

Delay in establishing the Joint Forces Operation

Both Deputy Chief Evans and Deputy Chief Constable LePard agreed that a multi-jurisdictional approach, namely a Joint Forces Operation (JFO), should have been established much sooner in the missing women investigation. Deputy Chief Constable LePard stated that a JFO should have been created “once it was recognized (or should have been recognized) that the Missing Women were likely victims of a serial killer.”²⁵

Deputy Chief Constable LePard emphasized the VPD’s efforts to involve the RCMP in the investigation, mainly with Sergeant Field making efforts to consult with the RCMP widely, but found that the RCMP resisted involvement. He stated that the VPD were not unwilling to collaborate with the RCMP, and through Sergeant Field, recognized early that the case should have involved the RCMP because it had little chance of being solved without the RCMP:

*due to the volume of potential evidence located in RCMP jurisdictions, and the likelihood that a serial killer would dispose of victims’ bodies in a rural location. (There were at the time 52 unsolved sex trade worker homicides in BC, and 31 unsolved female “hitchhiker” murders; the greatest potential to solve the case of the Missing Women was through examination of these cases.) In addition, the RCMP had (and has) a much greater capacity to marshal extraordinary resources, as it demonstrated with Evenhanded. As Inspector Don Adam would later say, “The RCMP could have gotten involved much earlier and didn’t...I had 100 million dollars and 180 staff, so imagine [the VPD’s] frustration with eight people.”*²⁶

Deputy Chief Constable LePard elaborated on the reasons why it was necessary for the RCMP to be involved in the missing women case. There were three main reasons.

1. It was highly likely that the investigation of the murder of more than 26 trade workers was going to involve multiple jurisdictions. Historically, bodies of murdered sex trade workers in the Lower Mainland were found in RCMP jurisdictions, a fact noted by RCMP Staff Sergeant Davidson, according to Deputy Chief Constable LePard.
2. A JFO was essential to enable information regarding the cases and evidence from different police agencies to flow unrestrictedly. This was particularly important given the absence of forensic evidence, so identifying missing person reports of women fitting the profile of the missing women was the primary concern.

²⁴ Evans at 9-2.

²⁵ LePard at 246.

²⁶ LePard at 246.

3. The magnitude and urgency of the crimes placed a strain on a single police agency to provide the resources necessary for a full investigation. The scale of the JFO, once it was undertaken, was an example of the kind of investigation that was necessary.²⁷

Deputy Chief Evans also determined that a JFO was needed due to the size and type of investigation, saying, “Investigations of this nature and magnitude require a coordinated multi-jurisdictional approach.”²⁸

Deputy Chief Constable LePard argued that a JFO was not established when it should have because there was no triggering mechanism or framework in place for the establishment of a JFO; therefore, a JFO required the consent of both the VPD and RCMP, and the RCMP resisted involvement.²⁹

Deputy Chief Constable LePard determined that despite “extensive efforts” by the VPD to get the RCMP involved, the RCMP was reluctant. He stated that while it was outside of the scope of his review to understand the RCMP’s reluctance, he noted that the RCMP’s expert, Staff Sergeant Davidson, believed the RCMP needed to become involved because it was likely that victims’ bodies would be found in rural RCMP jurisdictions.³⁰

Deputy Chief Evans credited Sergeant Field for recognizing that the missing women investigations should be conducted using a multi-jurisdictional approach and pursuing a multi-jurisdictional approach with the RCMP until the RCMP agreed in late 2000. However, Deputy Chief Evans found that Sgt. Field should have pursued it earlier through the VPD’s chain of command.³¹

Although some members of both forces believed a multi-jurisdictional approach was necessary, management was not engaged: Deputy Chief Evans cited the lack of involvement or direction from senior management in both agencies contributing to the lack of coordination. She stated that she “saw no decisive action at an Executive level that demonstrated that they accepted and addressed the ‘elephant that was in the room.’”³² She specifically noted that:

*the Missing Women issue was first identified to Senior Management of the RCMP and the VPD in 1998, it is concerning that it took so long to coordinate a multi-jurisdictional approach to this issue.*³³

²⁷ LePard at 233 to 234.

²⁸ Evans at 9-2.

²⁹ LePard at 327.

³⁰ LePard at 238.

³¹ Evans at 8-5.

³² Evans at 9-2.

³³ Evans at 7-20.

An example of the failure of senior management of both the VPD and the RCMP being involved was noted by Deputy Chief Evans. Deputy Chief Evans stated that Chief Superintendent Bass did not receive a request from a member of the VPD Executive to form a JFO; however, on March 1, 2000, he did receive a proposal from Staff Sergeant Davidson, Corporal Filer and Sergeant Paulson about a coordinated approach to the missing women and unsolved homicides of women involved in the sex trade. Deputy Chief Evans found that this proposal “should have prompted Chief Superintendent Bass to have Acting Inspector Henderson in PUHU make contact with VPD regarding a coordinated effort”,³⁴ and in more detail stated:

*In my opinion, Chief Superintendent Bass as OIC of E Division should have made further inquiries and acted upon this information. He was being told that there were at least three serial killers operating in the province. At the very least I would have expected to see something result from that meeting. Staff Sergeant Davidson stated that he didn't recall the conversation, but that he remembered he was unsuccessful in his attempt to get the RCMP involved.*³⁵

In spite of this meeting, Deputy Chief Evans found that no proposal or business case was put forward for a JFO with the VPD.³⁶

Deputy Chief Constable LePard found that the lack of managerial involvement contributed to the RCMP's delay in becoming involved. He stated that the “VPD must take its share of the blame” for the slow establishment of the JFO because it did not “more forcefully” pursue a JFO with the RCMP. Specifically, he noted that Sgt. Field had little support from her management team, specifically her Inspector and Deputy Chief, until late 2000. Deputy Chief Constable LePard connected this lack of support to the VPD executive's reluctance to accept the serial killer theory.³⁷

Once both the VPD and RCMP agreed to a JFO investigation of the missing women, the JFO was delayed in becoming operational. Part of the delay was attributed by Deputy Chief Evans to file management; specifically, it took several months after the agreement by Staff Sergeant Henderson of PUHU in May 2000 to conduct a review of the files before they were in a condition to be transferred.³⁸ In addition, Deputy Chief Evans found that it took time, understandably, for the memoranda of understanding to be drafted, including negotiations for resources and funding.³⁹

³⁴ Evans at 8-128.

³⁵ Evans at 8-128.

³⁶ Evans at 8-128.

³⁷ LePard at 239 to 240.

³⁸ Evans at 7-19

³⁹ Evans at 7-21.

Coordination in the Pickton investigation

Coordination

Both Deputy Chief Evans and Deputy Chief Constable LePard recited instances of coordination between the VPD and RCMP on the Pickton investigation. However, both also seemed to agree that there was a breakdown in communication during the investigation.

Deputy Chief Evans found that the VPD and Coquitlam RCMP failed to communicate with each other after the interviews of critical witnesses in August of 1999 and the transfer of Corporal Connor out of the Pickton investigation. This failure

negatively impacted on the effectiveness of the investigation. This resulted in Pickton remaining free to continue to prey upon the women of the DTES. All communication between VPD and Coquitlam RCMP came to an abrupt half after Corporal Connor was transferred from the SCU. While VPD continued to document in various memorandums over the following months and into the next year that Coquitlam were investigating Pickton, but he was not a priority.⁴⁰

Deputy Chief Evans further discussed the breakdown in communication, resulting from jurisdictional issues, after Corporal Connor was transferred:

In my opinion, jurisdiction became a bigger hindrance following the transfer of Corporal Connor in August of 1999. Prior to that time, VPD officers traveled on several occasions to Coquitlam, but always with the belief that Coquitlam RCMP had authority over the investigation into Pickton. They VPD still considered Pickton a priority suspect [sic] their Missing Women investigation. They were waiting for the RCMP to pursue the investigation into the alleged homicide that occurred in Pickton's barn. Constable Yurkiw appeared to have only spoken to VPD officers one time following August of 1999.⁴¹

Deputy Chief Evans noted that in February 2000 it appeared that the VPD and Coquitlam RCMP were having internal meetings about Pickton, separate and apart from each other, but “[b]oth agencies would have benefited from communicating and working together.”⁴²

Deputy Chief Constable LePard also found that communication failures occurred during the investigations. He specifically noted that the RCMP did not consult or advise the VPD of the January 2000 Pickton interview and found that “inexplicable.”⁴³

⁴⁰ Evans at 8-147.

⁴¹ Evans at 8-44.

⁴² Evans at 8-116.

⁴³ LePard at 332.

Deputy Chief LePard argued that a multi-jurisdictional approach was needed, not just for the missing women investigation, but for the Pickton investigation. Specifically, he determined that a coordinated investigative team could have been used:

There was sufficient information in late summer of 1999 to justify implementing a “coordinated investigative team” to manage the Pickton investigation as a multi-jurisdictional case pursuant to major case management principles. A properly managed coordinated investigation team – run by an experienced major case manager – would have helped ensure that all appropriate investigative strategies were pursued in Coquitlam. Further, there was much that could have been done in Vancouver to advance the investigation. The entire MWRT could have been re-focused onto seeking information about Pickton (with Detective Lepine and Detective Constable Chernoff continuing to handle Caldwell as well). Detective Constables Fell and Wolthers demonstrated in April 2000 that information about Pickton could be obtained to link him to the Downtown Eastside.⁴⁴

Priority

Both Deputy Chief Evans and Deputy Chief Constable LePard found that the police did not prioritize the Pickton investigation. They found that jurisdiction affected the priority the Coquitlam RCMP gave the investigation, and the failure of the VPD to put pressure on the Coquitlam RCMP to prioritize the investigation or pursue the Pickton investigation itself.

Deputy Chief Evans discussed that neither the Coquitlam RCMP nor the VPD prioritized the Pickton investigation:

For Coquitlam RCMP it was easy to put Pickton aside due to the other incoming violent crimes which they felt had to be investigated as a priority. In my opinion, they did not feel the pressure from the Missing Women investigations. The VPD continued to pursue other POIs and investigative leads, but they did not specifically pursue Pickton because they deferred to the RCMP.

Coquitlam RCMP officers were inundated with violent crime investigations that ultimately became ‘the priorities of the day’ and consequently, Pickton was left unattended for several months until his interview in late January of 2000. Coquitlam RCMP did not inform the VPD of the results of that interview and Pickton’s file remained dormant until February of 2002.⁴⁵

⁴⁴ LePard at 333.

⁴⁵ Evans at 8-45 to 46.

Deputy Chief Evans provided a number of examples that demonstrated that the RCMP did not always give the Pickton investigation a high priority.⁴⁶

Deputy Chief Evans further found jurisdiction acted as a barrier because it inhibited VPD officers from pursuing Pickton when they realized it was not a priority for the RCMP. The VPD knew that the RCMP was not prioritizing Pickton but did not follow up with Coquitlam on this issue.⁴⁷ Deputy Chief Evans used the example of a memo dated December 9, 1999, from Sergeant Field to Acting Inspector Dureau that stated that the Coquitlam RCMP was still investigating Pickton but the investigation was not a priority for them. In Deputy Chief Evan's opinion, this was a lost opportunity:

*In my opinion, this was an opportunity for Acting Inspector Dureau to become engaged with the investigation and follow up with Coquitlam RCMP. Sergeant Field stated in her interview that she did not contact Coquitlam RCMP and in my opinion, she should have.*⁴⁸

Deputy Chief Evans concluded that the VPD did not pursue the investigation of the missing women, in relation to Pickton, to the degree it should have. Sergeant Field informed her chain of command that the Coquitlam RCMP had carriage of the file; she had a responsibility to follow up with Coquitlam if they told her the Pickton investigation was not a priority: "she should have made it her priority, either personally or through her chain of command."⁴⁹ Deputy Chief Evans found that Sergeant Field should have recognized that she needed to further the VPD's interest in the investigation with officers and supervisors in Coquitlam, which she did not do, or escalate the issue within the VPD.⁵⁰

Deputy Chief Constable LePard found that members of the VPD at the operational level did attempt to put pressure, on several occasions, on the RCMP to "revisit the stalled Pickton investigation."⁵¹ Specifically, he found that after the investigation of Pickton was derailed in 1999, Sergeant Field made many efforts to have the RCMP look at Pickton.⁵²

Deputy Chief Constable LePard also determined that VPD management should have made efforts to reinvigorate the Coquitlam RCMP's investigation of Pickton, providing support to Sgt. Field's efforts.⁵³ Deputy Chief Constable LePard said:

⁴⁶ Evans at 8-43.

⁴⁷ Evans at 8-43.

⁴⁸ Evans at 8-119.

⁴⁹ Evans at 8-45.

⁵⁰ Evans at 8-5.

⁵¹ LePard at 239.

⁵² LePard at 333 to 334.

⁵³ LePard at 239 & 333 to 334.

Although the legal responsibility for the investigation rested with the Coquitlam RCMP, management level pressure could have, and should have, been applied from the VPD to the RCMP to re-invigorate the investigation, rather than acquiescing to the RCMP's position that they were continuing the investigation, but it 'wasn't a high priority.' Although resources were tight, it was never disputed that given compelling information of a murder, the VPD could have, and would have, applied more resources to the Missing Women investigation. However, at the operational level, the VPD made every reasonable effort to advance the Pickton investigation...⁵⁴

Jurisdiction

Deputy Chief Evans found that jurisdiction played a significant factor in the Pickton investigation:

Jurisdiction played one of the most significant factors in how this entire case was managed. While there was ample evidence of cooperation and communication between various police agencies, breakdowns began when the case became formidable.⁵⁵

Deputy Chief Constable LePard and Deputy Chief Evans disagreed about which police agency had jurisdiction over the Pickton investigation. Deputy Chief Constable LePard determined that the Coquitlam RCMP had jurisdiction over the investigation; Deputy Chief Evans found that the VPD believed they lacked jurisdiction, but she disagreed that was the case.

Deputy Chief Constable LePard essentially argued that Pickton committed the crimes against the missing women on his property in Port Coquitlam; therefore, the Coquitlam RCMP had jurisdiction over the investigation. Where the crime occurred was determinative; that the missing women lived or worked, or both, in the DTES had no bearing on the jurisdiction of the investigation.⁵⁶

Deputy Chief Constable LePard cited the *Police Act* as supporting the determination that the Coquitlam RCMP was responsible for the investigation, specifically section 26(2), which sets out the duties and functions of municipal police to:

(a) enforce, in the municipality (emphasis added), municipal bylaws, the criminal law and the laws of British Columbia.

(b) generally maintain law and order in the municipality;

Deputy Chief Constable LePard argued that, by law and convention, the police agency of jurisdiction is responsible for crimes committed in its jurisdiction. In investigating crimes, if

⁵⁴ LePard at 333 to 334.

⁵⁵ Evans at 8-42.

⁵⁶ LePard at 300 to 301.

follow-up is required in another jurisdiction, the original police agency can request assistance from that jurisdiction, or pursue the investigation itself; both are common scenarios. However, it “would be extremely unusual” for a police agency to travel into another police department’s jurisdiction to investigate a crime that occurred in that jurisdiction:

The normal process is to pass information about a crime in another jurisdiction to the agency with jurisdictional responsibility. Any other practice would be unworkable and would create chaos. ...⁵⁷

That the RCMP had jurisdiction was supported, in Deputy Chief Constable LePard’s estimation, by the information police had at the time of the investigation and information currently known. Tips received by Crime Stoppers in the summer of 1998 indicated that Pickton had murdered Sarah de Vries and possibly other women on his property in Port Coquitlam. William Hiscox similarly indicated that Pickton picked up women from Burnaby, New Westminster and Vancouver, but committed crimes on his farm in Port Coquitlam.⁵⁸ Deputy Chief Constable LePard stated there was never any evidence to suggest the missing women were victims of any crimes in Vancouver relating to their disappearance, and it is now known that Pickton’s victims allegedly visited his farm willingly, and were only victimized once they were there.⁵⁹

That the Coquitlam RCMP had jurisdiction was, according to Deputy Chief Constable LePard, the VPD’s and RCMP’s common understanding⁶⁰ and never in dispute.⁶¹ Deputy Chief Constable LePard noted this was the case at the investigative member level, stating:

Throughout the investigation of Pickton in 1998 and 1999, it was always clear to all the investigators involved that the Coquitlam RCMP was leading the investigation, with the VPD offering any assistance requested.⁶²

Although Deputy Chief Constable LePard found there was no question that the Coquitlam RCMP had jurisdictional responsibility for the case, he also found that the VPD could have done more to urge the RCMP to conduct an adequate investigation.⁶³

Deputy Chief Evans agreed there “was no doubt” that VPD investigators and senior management were of the opinion that the VPD could not pursue Pickton for a criminal offence

⁵⁷ LePard at 300 to 301.

⁵⁸ LePard at 299.

⁵⁹ LePard at 238 to 239.

⁶⁰ LePard at 300.

⁶¹ LePard at 331.

⁶² LePard at 299

⁶³ LePard at 301.

committed outside their geographic boundaries. However, Deputy Chief Evans thought that the offence began in Vancouver.⁶⁴

Deputy Chief Evans cited statements of members and former members of both the VPD and RCMP that demonstrated that VPD members believed the RCMP had jurisdiction, but RCMP members did not. Instead, RCMP members appeared to believe that the investigation of the missing women was the responsibility of the VPD until there were grounds to believe they were being killed in Coquitlam, or that the RCMP never had an issue with the VPD coming into Port Coquitlam to investigate.⁶⁵

Deputy Chief Evans interviewed former Detective Inspector Rossmo about the jurisdictional issue and cited his statement to indicate that there were jurisdictional debates. He had said:

... Vancouver were saying "Well, you know, Pickton is the killer, the crimes are in your jurisdiction and your responsibility," and the RCMP is saying to Vancouver, "You're the one with the missing women problem..."

Former Detective Inspector Rossmo explained that it became more difficult for the VPD to say "it's your problem" to the Coquitlam RCMP when the impacts were all on the VPD. Deputy Chief Evans agreed with this assessment.⁶⁶

Coordination between Project Evenhanded and other units

Regarding the missing women investigations, Deputy Chief Evans found that there was poor communication between Project Evenhanded and the VPD, once Project Evenhanded was established. Specifically, she found poor communication between VPD members of Evenhanded and members of the VPD's Missing Persons Unit. The poor communication contributed to the mistaken belief that the serial killer was no longer active and thus enabled the JFO to focus on a historical review. She noted that it was not until mid-November, in 2001, before Project Evenhanded focused on following up on women recently reported missing.⁶⁷

Both Deputy Chief Evans and Deputy Chief Constable LePard determined that poor communication between the JFO and other units affected the Pickton investigation. Deputy Chief Constable LePard found that information management challenges caused the knowledge of members of Project Evenhanded to be incomplete, and therefore contributed to a low priority regarding Pickton:

If the JFO had had possession of all the relevant information on Pickton when it began its work in early 2001, and if a proper analysis had been conducted, or, in the alternative, had Detective Constables Chernoff and Shenher, Constable Yurkiw, and

⁶⁴ Evans at 8-45.

⁶⁵ Evans at 8-44 to 8-45.

⁶⁶ Evans at 8-45.

⁶⁷ Evans at 8-143.

Sergeant Connor been brought into a room together to provide a review of the Pickton information, the chances that Pickton would have received a higher priority in 2001 seem likely.

Unfortunately, based on the information the JFO had knowledge of, the JFO investigators concluded there was no more reason to bring the investigators in from the Pickton file than the investigators familiar with any of the hundreds of other suspects. The volume of information and the number of suspects made this prospect overwhelming.⁶⁸

Deputy Chief Evans noted one particular incident of communication failure, specifically that there was no indication to suggest that information regarding Pickton was forwarded to Sergeant Adam, after the Serious Crimes Unit at the Coquitlam RCMP had determined to do so in April of 2001:

Notes from this meeting indicated that both the possible Hell's Angel murder investigation and the Pickton investigation were going to be referred to RCMP Project Evenhanded Sergeant Adam. No one in Project Evenhanded recalled receiving a file from Coquitlam RCMP in relation to Pickton as a suspect in the Missing Women investigation⁶⁹.

⁶⁸ LePard at 315 to 316.

⁶⁹ Evans at 8-135.

**Appendix C - Some Policing Models for BC – Power Point Presentation of
Professor Robert Gordon**

Some Policing Models for British Columbia

Dr. Robert M. Gordon,
Professor and Director: School of Criminology,
Simon Fraser University.
rgordon@sfu.ca

Single Police Service Model

- All provincial and municipal policing in the jurisdiction.
- Partners with other police services in the region (e.g., Alberta, Yukon, Alaska, Washington).
- Single jurisdiction examples: Australia (e.g., Queensland (4.6 mill.), New Zealand (4.43 mill., Republic of Ireland (4.59 mill.), Norway (4.89 mill.) (B.C. = 4.59 mill.).
- Mix of remote, rural and urban policing.
- Administration/governance: Provincial Government Ministry or Department, or a semi-independent Police Authority, with local community advisory bodies.
- Single provincial standards, recruitment, training/education, complaints, etc., systems.

Multi-Region Policing Model

- Province is divided into Regions (e.g., large metro areas, conurbations, existing districts).
- Each region has own police service but partnering with surrounding police services.
- Remote/rural and urban policing styles according to region.
- Multi-region examples: United Kingdom.
- Administration/governance: overarching Provincial Government Ministry or Department, with regional police authorities and/or local community advisory bodies.
- Single provincial standards, recruitment, training/education, complaints, etc., systems.

Combination of Provincial and Regional Policing

- Regional police services (e.g., in large metropolitan areas and large conurbations), combined with single provincial police service for the remaining areas (mostly remote/rural areas and towns not otherwise serviced).
- Regional and provincial police services partner with each other and with police services in surrounding jurisdictions.
- Remote/rural and urban policing styles according to geographical location.
- Combination examples: Ontario; Quebec.
- Administration/governance: overarching Provincial Government Ministry or Department, with regional police authorities and/or local community advisory bodies.
- Single provincial standards, recruitment, training/education, complaints, etc., systems.

Issues and Challenges

- Organizing and managing the transition.
- Timing of transition (gradual vs. abrupt).
- Funding the start up/transition.
- Negotiating collective agreements.
- Changing the physical infrastructure, equipment, etc.
- Training, retraining, transfer and recruitment.
- Integrity of continuing investigations and other files.
- Changing occupational cultures.

**Appendix D – Costs of New Policing Models – Power Point Presentation of
Professor Steve Easton and Kash Heed, MLA**

Costs

Dr. Stephen Easton
Kash Heed



“Caution should be used in comparing police jurisdiction crime data, policing costs, authorized strengths, or case loads.”

Ministry of Public Safety and Solicitor General Police Services Division

BC 2010 4.5m pop

- RCMP Federal Force 1,029 \$264m (10of)
 - Federal Statutes, Border Integrity, National Security, Drugs and Organized Crime, Financial Crime, and International policing.
- RCMP Provincial Force 2,306 \$443m (70p-30f)
 - Detachment Policing serving 90 municipalities, unincorporated areas below 5,000
 - Provincial Police Infrastructure, specialized police units
- RCMP Municipal Force 3,352 \$570m
 - 30 5,000 – 15,000 (70m-30f)
 - 31 over 15,000 (90m-10f)
- Independent Municipal 2,399 \$414m(100m)
 - 11 serving 12 municipalities
- First Nations Policing 118 \$20m (50p-50f)

8,175 (authorized); \$926m (mun); \$320m (prov); \$200m (fed)
\$1,447b (total)

Note: Federal Force; SCBCTAPS 167 auth, \$28M paid by Translink; RCMP 29 auth, \$3.7m paid by Vancouver and Victoria Airport Authority excluded



Possible Cost Implications

- Assuming Federal share
- Assuming Federal Specialized Units
- Capital assets (30% share of cost of depreciated assets: cars, equipment etc)
- HQ building
- Expanded Training Facility
- Initial Administration

Note: buildings and support staff for contracted RCMP are 100% paid by municipality