



"FIRST" REGISTRY

The Forensic Identification Registry for Sex Trade Workers

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Constable Judy Robertson

Constable Jennifer Fraser

FIRST Project: The Forensic Identification Registry for Sex Trade Workers

SCANNING: In 1999 the Vancouver area media released a story through America's Most Wanted indicating that at least 39 sex trade workers were missing from Vancouver's East side of town. Investigators advised the public and the media that while the women have been reported missing, no bodies have been recovered and unfortunately little can be done to investigate these transient women. However, the Canadian Police Information Center (CPIC) did enter several individuals of "special interest to police" in regards to the missing women. In March of 1999, one of the individuals was identified while prowling the sex trade stroll in the City of New Westminister, British Columbia, Canada. The Vancouver Police advise that the major obstacles in the missing women's investigation are the: lack of background information, no access to photographs or fingerprints, no information of the female's street name or pimp, and no record of areas frequented or a physical description (including tattoos/scars/marks). There was no system to identify the individual if located after an extended period of time.

ANALYSIS: To respond to the problems associated with the missing sex trade workers, two New Westminister police officers consulted with several specialists:

- Homicide investigators suggested what information should be included in a background profile
- The Forensic Identification Section provided specialized equipment for fingerprinting and photographing, for identification purposes only
- Medical experts provided the equipment for obtaining DNA blood samples
- Consultation with sex trade workers highlighted their safety concerns and interests in participating in such a program
- And, crime analysis confirmed the sex trade victimization in the area.

All the information gained pointed to the need for an extensive identification program for sex trade workers.

RESPONSE: Each sex trade worker was approached on the street and advised of the voluntary identification registry developed by the police. Police explained that the purpose of the registry was for the safety of the sex trade workers. Each sex trade worker was advised that the information would only be used for identification if the worker was a victim of crime and would never be used in an incriminating manner. If interested, the sex trade worker provided: a set of fingerprints, a photograph, a DNA blood sample, real name and street name, physical description, listing of tattoos/scars/marks, a family contact, areas frequented, associates and an address and phone number. The information is securely stored and would offer a starting point to an investigation if the sex trade worker goes missing or becomes a victim of crime.

ASSESSMENT: The registry was an immediate success with over fifty sex trade workers voluntarily joining the program. The information on file has been used to rule out victims of crime. Fortunately, the suspect of interest that precipitated the initiation of the program was arrested in February, 2002 and charged with the murder of six missing sex trade workers. The uniqueness of the registry has received publicity on television and in local newspapers. On New Westminister's prostitution stroll, women sell themselves for as little as \$5 to buy drugs. Who would care if they were missing or dead? The New Westminister Police did!

SCANNING

In 1999 the Vancouver Police Service petitioned the public for help in locating and investigating the disappearance of thirty missing sex trade workers from Vancouver. The Vancouver Police Service released a reward poster with the photos of the missing women and offered a \$100,000.00 reward for any information that would lead to the arrest and conviction of any person responsible for the unlawful confinement, kidnapping or murder of any of the missing women (appendix 1).

The Vancouver Police investigators advised the public and other police agencies that some of the major stumbling blocks to the investigation included the following: no bodies had been recovered, there was very little and sometimes no background information on the missing women, there was no way to identify the bodies if they were located after several years, and there was a lack of rapport between the sex trade workers and the police. The Vancouver Police investigators were able to identify certain individuals as being of "Special Interest" in the missing sex trade worker investigation. These individuals were entered onto the Canadian Police Information Center (CPIC) to alert other police agencies of the potential threat these individuals posed to local sex trade workers.

In March of 1999 an individual by the name of Robert William Pickton was located prowling the sex trade worker stroll in the City of New Westminster, British Columbia. Robert Pickton was checked on the stroll by two police officers and questioned as to his presence there. Robert Pickton was interested in why the police cared about the sex trade workers and what the concern was about him checking out the

local sex trade workers. A check of CPIC revealed that Robert Pickton was known to be violent toward sex trade workers, and that he was a person of "Interest" in the missing sex trade worker investigation.

Some of the missing sex trade workers had come from the New Westminster stroll; however, the sex trade workers live a transient life and often move from one area to another. The problem with the local sex trade workers was their lack of contact with anyone other than other sex trade workers in their community. There was little to no dialogue between the sex trade workers and the police. Numerous violent offenses occurred that went unreported because of the sex trade workers' lack of confidence in dealing with the Police. The sex trade workers represented a community within a community that the police and the greater community had little information or understanding about. Locating and investigating these missing women was made more difficult because of this lack of knowledge.

The following problems were identified by the two police officers: no relationship between the police and the sex trade workers, lack of protection and security for the sex trade workers, lack of support from the community to help the sex trade workers and lack of knowledge and education about the sex trade worker community. The project was to focus on providing an identification program for sex trade workers while improving the relationship between police and sex trade workers.

ANALYSIS

Crime analysis was done to confirm that there was an area of interest in the City of New Westminster where sex trade workers frequented. The sex trade worker stroll

was identified as starting at the intersection of 12th Street and Stewardson Way in New Westminister. The stroll continues north along the entire length of 12th Street to 10th Avenue where the boarder of New Westminister meets the city of Burnaby. Most of the sex trade workers are concentrated between the 300 and 900 block of 12th Street (appendix 2 & 3).

The sex trade workers were interviewed to see if they had any concerns about their safety and to see if there was an interest in the project. An initial group of sex trade workers stated that they would be interested in a project that would help to identify them as victims and to help police investigate if they were to go missing. Many of these sex trade workers were friends with some of the missing sex trade workers from Vancouver. The sex trade workers also stated that they felt that it was difficult for them to report incidents of violence towards them to the police. The sex trade workers stated that in order to properly convey how and why they were victimized, they would have to admit to the police officer that they were a sex trade worker. In doing so, the sex trade worker was admitting to the police officer that she was also committing a crime at the time that she became a victim. Most sex trade workers felt that the police would not care about the repeated victimization, as they believed the police attitude was that the sex trade workers got what they deserved. Those sex trade workers that did report incidents of violence to the police often felt let down by the results. Many of the witnesses to the offense were other sex trade workers that were difficult to locate for interviews and statements. The victim sex trade worker was also difficult to locate after the initial incident to show photo line-ups and conduct follow up with. The sex trade area is very transient with individuals working for short periods of time in one location then moving

to another, as a result most of the sex trade workers know each other by their street names only.

Conversations were conducted with individuals that attempted to solicit the sex trade workers for business. The information revealed from the conversations was that local "Johns" would be less likely to pick up sex trade workers in the area if they were being monitored and the sex trade worker was providing bad date information to police. Most of the information to the public was that no one cared about the sex trade workers. That the sex trade worker was usually a runaway or a social outcast that had no family and few friends. Most of the attitude and belief was that if a sex trade worker was to go missing, no one would notice and more importantly no one would care. Creating a project that cared about sex trade worker victimization would help to change those attitudes and humanize the sex trade workers, helping to reduce the violence the sex trade workers experienced on the street.

Surrounding police agencies were consulted to see what measures were being taken to deal with the problem of the missing prostitutes. Most agencies had developed a "picture board" which contained a Polaroid photo of the local sex trade workers. However, the photos often went missing and the board was not regularly up dated. Most of the information was not shared between agencies or available for investigators in other jurisdictions. Most agencies could only provide a name and a face for each of the working girls in their area; some could not even produce that much information. Homicide investigators were consulted regarding the investigation into the missing women. Many of the missing women had been gone for several years. It would be

unlikely that any of these women, if located, would be identified through fingerprints or photographs. Many sex trade workers do not attend the dentist on a regular basis and so finding dental records would also be difficult. Some form of DNA analysis would have to be used to identify the bodies. The difficulty then becomes having a comparison sample in order to identify the victim.

A family member of a missing sex trade worker was also interviewed. This individual advised that there had been very little contact between the family and the missing sex trade worker in the years prior to her disappearance. The family was not aware of whom the sex trade worker associated with, where she was living, or what her street name was. Most of the missing sex trade workers were reported missing by family members such as this one that had very little current information about the missing sex trade worker. The slow process of the investigation into the missing sex trade workers was extremely painful for these family members who wanted to locate, identify, and get some form of closure and justice for their loved one.

The analysis revealed to the two police officers that there was a need for a coordinated project that would identify, track, protect and educate the sex trade workers as well as the community.

RESPONSE

In August of 1999 the Forensic Identification Registry for Sex Trade workers was launched. A police information file was created, New Westminster file 99-18625 (appendix 4). This was done in order to document which sex trade workers were on the program. The New Westminster file is accessible through the Police Information Retrieval System - FIRS. This system is available across the Nation to all police

agencies. As a result of using the PIRS system, an investigator from the other side of the country could check a female's name and receive the information that she had been documented in New Westminster. The file would read that the female was part of a voluntary project where she supplied a photograph, fingerprints, DNA blood sample, background information, and physical description of herself for identification purposes only. None of the information on the file can ever be used to incriminate the female in a criminal investigation; it can only be used if she is the victim of a crime. This would alert the investigator that a DNA sample was available for comparison if needed. A FIRST tip line was also established and was provided to the sex trade workers so that they could communicate with police about issues and problems that were occurring on the street. It also allowed them to provide updated information about where they were living.

Identification Package

The identification package consisted of materials that were required to properly document and identify the sex trade worker. Each package included the following items:

- Identification ONLY fingerprint forms (different from criminal forms)
- Ink pad for obtaining fingerprints
- DNA blood sample collection card (specially treated for long term preservation)
- Lancet for DNA blood sample collection
- Band-Aid and alcohol swab for cleansing prior to and after the DNA sample
- Envelope and custody seal for continuity of the DNA sample, signed and dated by the member who obtains the sample
- Biohazard bag for disposal of used items

- Personal profile form listing physical description (scars/marks/tattoo/deformities), given name, street name, address, phone number, date of birth, place of birth, gender, drivers license number, citizenship, occupation, employer, languages spoken, medical conditions, next of kin information, gang affiliations, associates, vehicles, areas worked and frequented, sex acts that the worker would or would not perform, type of clothing normally worn, and if they worked under a pimp or on their own. (Appendix 5)

- A 3 5mm photo was taken of the worker

All the items in the identification package were placed in a file folder with the sex trade workers name on it.

The Approach

The two police officers wore plain clothes and approached the sex trade workers in an unmarked police vehicle. The police officers initiated conversation with the sex trade workers about the missing women from Vancouver. Most of the sex trade workers knew of the missing women, many of who knew someone on the list of missing women. The police officers then explained that a voluntary identification registry was available to them. It was explained to the sex trade worker that the purpose was to provide information so that in the event that they were victimized or went missing, police could properly and efficiently investigate their whereabouts. This would also help in notifying and contacting the sex trade workers' family and next of kin. The registry would also provide the sex trade worker with a means of communicating with police through the tip line that was established along with the registry. This allowed the sex trade worker to provide information to police without always having to identify who she was. Other tip

lines were in use; however, none were specific to sex trade workers and the common problems that they experienced.

Interested sex trade workers provided approximately ten minutes of their time in order to join the registry. The information was all gathered right on the street. The fingerprints were taken on the back of the police car and all the information was handwritten on the profile form that had already been printed out. After the first twenty women joined the registry, sex trade workers began to hear about it from those that had already joined. The sex trade workers then began to come directly to the police station and ask to be placed on the registry. The same information was obtained and the same process was used at the Police Station.

Processing of Information Package

Each sex trade worker file was processed in the same manner. The sex trade worker's name and particulars (description, address etc) was entered onto the Master file for the National database PIRS. The original fingerprints, DNA bloods sample and photonegative were locked in the Property Services Section as an exhibit on the Master file. Copies of the fingerprints and photo were kept in the Intelligence Officer's safe that is accessible to the Intelligence Officer only. This was done so that the fingerprints could be referred to if necessary for identification without having to pull the originals out all the time, yet keeping the continuity and integrity of the information guarded.

Three copies of the background profile with the sex trade workers photos were made. The officers running the project retained one copy in a binder, one was sent to the Vice Unit, and one copy was sent to the police patrol member's board. The patrol

members' copy was later downloaded onto the mobile workstations located in the marked police vehicles for their access while on the street.

The background profile was then loaded into the Computer Automated Booking System - (CABS). This system allowed the police members to easily update the information on the sex trade worker's file, if she moved or if her appearance changed. The information on the profile could be changed in the computer and a new copy printed out.

DNA profiles:

In December 1999 all the DNA samples were sent to a Forensic Lab for DNA Profiling. Only a small fraction of the DNA blood sample was used in the process. The remainder of the DNA was returned to the New Westminster Police along with the DNA Profile from each sample. This allowed the profiles to be compared to found remains without having to test the samples each time. The Profiling was conducted at no charge to the New Westminster Police. In the future, if remains were found they could begin the initial testing to rule out individuals or refer to certain samples on file. Thus reducing the number of tests having to be performed.

ASSESSMENT

The project has been running for over three years. In assessing the project over the years certain problems were noted and addressed.

Community Concern:

The local businesses and residents that live along the 12th Street Stroll were

concerned that the police were "being soft on crime". The residents' felt that the police should be arresting the sex trade workers rather than trying to make a registry for them. Most of the residents were concerned that the project was going to make the New Westminster stroll a "Safe Haven" for sex trade workers, bringing more to the area and bringing the associated problems with it. Many residents were frequent callers to the police when a sex trade worker was standing on the street in front of their apartment building. Police addressed the concern by explaining to the residents and business owners that one of the goals was to educate the sex trade worker about the danger of being on the street and encouraging them to get off the street and stop getting into vehicles with people they do not know. It was also explained that the Police have an obligation to protect all citizens, which includes the sex trade workers. Police ensured the residents and business owners that the sex trade workers would still be arrested if they were found to be committing a criminal offense, but that this project was about protecting them and educating the rest of the community about their life style.

Criticism from Police members:

Initially other police members were negative about the project. Many stating that the project was another "make work project" or simply a way for the police who created the idea to get recognition. This issue was addressed with many of the skeptical members through presentations done to the various police watches. The project was explained and it was shown how the information could assist each member in potential investigations into missing persons reports, incidents of violence on the street involving the sex trade workers, tracking the sex trade workers to obtain witness and victim statements and in improving the relationship that the police had with the sex trade workers in the area.

After a few months most members of the New Westminster Police Service saw the benefits to the project and became supportive of the project. The project provided the members with a topic to talk to the sex trade workers about and often led police members into working relationships with the sex trade workers where important information was provided to police regarding police investigations.

Improper Use of the Information:

After the project had been running for approximately two years an incident occurred in New Westminster where an elderly woman had her purse snatched and was kicked in the head during the snatching. The suspect dropped a ball cap at the scene when she was fleeing. The witnesses described a female that matched the description of two or three of the sex trade workers that were registered on the project. The Detective investigating the incident was aware that the project held DNA samples from these three sex trade workers. The Detective initially asked the Police members who created the project if he could check the DNA samples against the profile that was recovered off the ball cap. The integrity of the project was at risk and the Detective was told that the information was provided on a voluntary basis and could not be used in the criminal investigation where the sex trade worker was a suspect. The Detective then thought of going to get a Court issued warrant for the samples, but changed his mind when he was advised that legally the use of the sample would not stand up in any court proceeding. This issue was explored further with the law offices that represent the New Westminster Police. All the legal experts that were consulted stated that the information was obtained on a voluntary basis, where the individuals were providing the information on the understanding that it could not be used against them, and so had no evidentiary value in

court. The legal experts also advised that there is no record of any such project where DNA samples were taken from sex trade workers for identification. Recently in Canada violent criminal and sexual offenders are obligated and legally required to provide a DNA sample upon their conviction to be entered into a National Data bank for investigative purposes. However, the legal experts advise that this is different from the FIRST Project, as the entire DNA on this project is voluntary in nature. While no form was ever signed that stated that information was voluntary in nature, the project itself relies on the integrity of the information being used only to identify the sex trade workers as victims and not suspects. This issue only arose on the single occasion and has not been an issue since.

Updating files:

The transient nature of the sex trade workers made it more difficult than initially believed to continually update their file. Many of the sex trade workers that were in the area in 1999 had moved away and were no longer in the area. This made it difficult to confirm if the sex trade worker was missing, left the area, or out of the trade altogether. Initially it was believed that the project would result in earlier intervention when the sex trade worker went missing. However, after several years of the project running it became obvious that the sex trade worker would still need to be reported as missing by a close friend or family member before a police investigation would commence.

Benefits:

The project was successful in providing the following benefits to the community, sex trade workers, and police.

Positive Media Coverage:

The project caught the eye of the local newspaper and the provincial television news media (appendix 6). A reporter accompanied the police on an evening in New Westminster to witness and broadcast the process of approaching a sex trade worker and having her sign up on the project. The sex trade workers were interviewed on camera and told the viewers that their life on the street is very dangerous and they are often raped, assaulted, robbed, and threatened. The sex trade workers told viewers that it was a positive step to have a project that would help to identify them and keep track of them while they are on the street. The media coverage also let all offenders and "Johns" watching know that the New Westminster Police were keeping track of the sex trade workers and the people that were frequenting the area to solicit them. This acted as a deterrent to those in the area.

Improved Relations:

The relationship between the Police and the sex trade workers increased dramatically. Many members that would have ignored the sex trade workers previously, were now talking to the sex trade workers and developing a relationship with them. Police members developed relationships that resulted in important information being provided to the Police by the sex trade workers. Sex trade workers started to come forward and report incidents of violence against them and report to police who they knew as suspects in assaults that occurred in the area that they worked. Several high profile arrests were made including the arrest of an American Fugitive that was in the area assaulting and trying to Pimp out the local sex trade workers. The crime analysis done for the year after the project started showed an increase in the prostitution related

incidents, this is due to the increase in reporting by the sex trade workers themselves and their willingness to inform the police about incidents involving them

The Sex Trade Workers:

Over fifty sex trade workers signed onto the project. Many of the sex trade workers came directly to the Police Station to see the Constables, requesting that they be signed up on the identification registry. All the sex trade workers said the same thing to the police, that at least if something happened to them maybe the police would be able to have the information to investigate the crime and obtain a conviction.

Information Utilized:

The fingerprints taken have been used on numerous occasions to rule out some of the sex trade workers as potential victims of crime. To date none of the sex trade workers that are registered have gone missing.

National Data Bank:

The FIRST Project is being used as the template for a Nation wide project where DNA would be collected on a voluntary basis from sex trade workers from across the Nation. This data could be used to identify many of the female bodies that are sent to the coroners office each year and are not identified or help in any other investigation relating to sex trade workers (appendix 7).

Robert William PICKTON:

In February 2002 the person of interest that sparked the creation of the FIRST Project was arrested and charged with two counts of first-degree murder in the deaths of the missing sex trade workers from Vancouver (appendix 8). Since the arrest, Pickton has

been charged with another four counts of first-degree murder, for a total of six counts in the death of the missing sex trade workers. The Police investigators on the file required that family members of the missing women attend the Police lab and provide samples of their DNA so that the remains of the missing women could be identified (appendix 9). If these missing women had been on the FIRST Project, the samples of their own DNA would have been available to police immediately. This murder investigation is not the first where sex trade workers have been the targets, and is not likely to be the last. The FIRST registry represents the new trend towards cooperation in policing where prevention includes the involvement of the police, community, victims, science and technology.

Agency and Officer Information

Two officers in the patrol division of the police department adopted the forensic identification registry problem-solving initiative. The officers both had less than two years experience and were working together as partners. The officers received no training in problem-oriented policing or problem solving prior to the commencement of the program. No additional incentives or training were provided during the execution of the registry, however the officers attended the 2000 San Diego Problem Oriented Policing Conference. The New Westminster Police did not have any resources or guidelines for the officers to follow. No past problem solving examples were available to assist in managing the problem solving initiative. To assist in developing the registry the officers used their spare time to launch the program. There were no problems with applying the problem-oriented policing model. All of the resources necessary for the registry were acquired free of charge by liaising with the different sections of the police department and various community organizations.

Project Contact Person

Cst. Judy Robertson, #156
555 Columbia Street
New Westminster, BC
V3L 1B2
(604) 525-5411
(604) 529-2401
E-mail: jobertson@nwpolice.org