

Echoes of Neglect: Uncovering Systemic and Intersectional Bias in Police Responses to Missing and
Murdered Women of BC

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Introduction

While Canada is seen as a beautiful welcoming country to most foreigners it does not come without a past. Unfortunately, Canada's past seems to be ridden with systemic racism, discrimination and failures of the state toward its most vulnerable people. Previous injustices, such as the imposition of the Chinese head tax and exclusion acts, as well as the forced internment of Japanese Canadians during World War II, have inflicted suffering on thousands due to government policies (Lecture 4 Millar (2023), Perry and Zong (2022)). Recent focus has been the attention of missing and murdered women which has emerged as a critical concern within Canadian society. It is evident throughout history that women often face hardship and difficulties that result from the impacts of intersectionality. Intersectionality, as articulated by Kimberlé Crenshaw, underscores the interconnected nature of diverse social identities, including race, gender, and socioeconomic status. These intersections significantly influence how individuals are treated in society, particularly in the form of discrimination and exclusion (Perry, 2022), (Lecture 2, Millar, 2023). Law enforcement in society is supposed to play a crucial role in ensuring the safety and security of individuals, preventing and investigating criminal activities and ultimately promoting the well-being of communities through fair and impartial application. Unfortunately, history presents a different scenario particularly those of the missing and murdered women of BC who are disproportionately Indigenous (Oppal, 2012). It seems that intersectional bias was evident in the police system in BC in the investigation prioritization of cases and handling of missing women. This paper will explain the factors that highlight how police investigations were systemically biased against missing women particularly those of the Downtown Eastside and comparatively seeks to address the police standpoint of what happened to the missing and murdered women. Furthermore, we will discuss potential reforms that could be implemented to foster a more equitable and unbiased approach in police investigations and social justice moving forward.

Evidence for Systemic and intersectional Bias in Police investigations

The Oppal Inquiry of 2012, officially known as the Missing Women Commission of Inquiry, primarily focused on the investigation of Robert Pickton who was largely responsible for the disappearance and murder of women, particularly from the Downtown Eastside of Vancouver BC. One of the major conclusions and evidence found was around police failure to investigate promptly and thoroughly (Ferguson, 2022). While explicit evidence was not included on racial or social status it was noted that a disproportionate amount of the missing women were of Indigenous background, sex trade workers and often suffering from substance abuse (Oppal, 2012). This is corroborated by (Perry, Dickson & Balfour 2022) that certain peoples of our population, particularly Indigenous and marginalized women, face a disproportionate risk of falling victim to violence (Millar, Lecture 1, 2023). In BC there is no provincial police so missing persons reports are dealt with individually by jurisdictions assigned by the RCMP detachments in cities or municipal cities like the Vancouver Police Department. It was noted in the Oppal Inquiry (2012) that RCMP detachments did not have missing person units which ultimately led to differences between RCMP detachment policies and influenced the extent information was documented and the criteria for conducting file reviews. These variations contributed to procedural gaps resulting in a systemic issue where some missing persons cases were not given the proper consideration or follow-up leading to biased observations. Oppal (2012) discovered that the absence of established procedures resulted in a disproportionate lack of response or urgency, particularly concerning vulnerable populations. This deficiency can be identified as a systemic bias within police reporting and responses, which had detrimental effects on marginalized populations, particularly women involved in the sex trade and those dealing with substance abuse issues. The presence of intersectional bias further becomes evident in the under-reporting and misclassifications of cases. Oppal (2012), in volume 2B, highlighted that the Vancouver Police Department (VPD) exhibited differential treatment in 911 intake reporting concerning women who were drug users or engaged in sex work. Oppal (2012) discovered that due to the challenging lives they led, many women were not in

regular contact with their families. As a result, friends often became the primary individuals concerned about their whereabouts. The conflicting and improper implementation of the missing person policy at the Vancouver Police Department (VPD) is indication of bias treatment based on the livelihood and socioeconomic status of the women missing. This resulted in the detriment of missing women, as reports were only accepted if the reporter was a family member. Further evidence of systemic bias within law enforcement was the utilization of insensitive language and communication. Collard's (2015) article, 'Into the Archive,' brought attention to both the police and Oppal's (2012) inquiry, revealing exclusionary and discriminatory practices. Throughout the inquiry, there was redaction of documents from Vancouver Police Department (VPD) files and the renaming of codes, such as STW for Sex Trade Worker. This process can be viewed as reducing missing women to discriminatory characteristics, thereby demonizing and stigmatizing them. Perry (2022) states that this social construction of difference places 'Others' who don't fit the mythical norm or standardized boundaries, at a disadvantage of unequal allocation of resources and power. This imbalance is evident in the exclusion of input from Indigenous groups during the inquiry and the reduction of women to the label of sex trade workers.

A significant indication of intersectional bias is the lack of meaningful engagement from law enforcement that Oppal (2012) found with women involved in the survival sex trade (Kellar, 2012). The police failed to establish trustful relationships and communication channels with groups disproportionately affected by these crimes, particularly women living in the Downtown Eastside (DTES). This suggests a systemic bias hindering the exchange of crucial information and cooperation. While a substantial portion of Oppal's report highlights police failings, another report produced in 2012 by Doug LePard focused on perspectives within the police force that were not inherently systemic but based on different ramifications.

Police Perspectives

A central issue contributing to the failure of police investigations was the assertion that jurisdictional complexities played a significant role in impeding missing persons cases ((LePard, 2010) (Oppal, 2012)). This complexity was evident in the confusion surrounding how reports were handled. With no direct policy or guidance on missing person reporting, personnel faced uncertainties regarding who could report individuals missing, the time-frame for reporting, last seen information, and the impact of residence. These uncertainties adversely affected the intake and follow-up processes in the departments ((Oppal, (2012), LePard (2012)). Furthermore, LePard (2010) highlighted a lack of cooperation between the Vancouver Police Department (VPD) and the Royal Canadian Mounted Police (RCMP), stating poor communication lines and inconsistency in the RCMP's approach to investigating missing persons. Resource constraints emerged as another contentious implication of missing persons from the VPD's perspective, as noted by LePard (2010). This inadequacy was reflected in the poor continuity of staff, the absence of a full-time sergeant assigned to missing persons, a limited number of investigators, and insufficient support and oversight from management. This resource shortage was also evident in the Oppal (2012) Inquiry into police failures, where a lack of continuity in leadership and line officers within the RCMP was noted (Kellar, 2011). LePard's (2012) inquiry explained that the disproportionate lack of effort and results in finding women was attributed to their lifestyle. It was suggested that the unconventional nature of their lives made them more challenging to locate and follow up with compared to individuals leading more conventional lifestyles.

Conclusion

While not explicitly stated in the findings of both the LePard (2010) and Oppal (2012) Inquiries, it is implicit that there was a profound lack of regard and neglect evident in the RCMP and VPD police investigations and agencies. The investigations into disappearances and murders consistently reflected systemic biases that deprioritized certain communities, resulting in delayed or

inadequate responses from law enforcement. Oppal's (2012) findings exposed systemic bias, by way of certain categories, such as young children and the elderly that were deemed at higher risk. This contributed to the displacement and deprioritization of other vulnerable populations, notably marginalized women and survival sex trade workers. The VPD displayed an overall dismissive attitude toward the possibility of a serial killer being responsible for the surge in missing women from 1997-1999. This lack of interest in the serial killer theory, coupled with preconceived notions about sex trade workers, demonstrated discriminatory and stereotyped ideologies, supporting the claim of intersectional bias from the VPD. A critical finding was that the Oppal (2012) and LePard (2010) inquiries did not adequately address the social effects of violence, poverty, and other socioeconomic factors contributing to the vulnerability of marginalized communities. Additionally, there was a notable absence of input from Indigenous perspectives, failing to fully address the experiences and viewpoints of Indigenous women (Collard (2015), Beniuk (2012)). One of the primary issues contributing to failed police investigations was reporting restrictions due to different jurisdictions and blame-shifting between agencies (Kellar, 2011). Looking ahead, Oppal (2012) and LePard (2010) proposed solutions for change, emphasizing the need for improved procedures in multi-jurisdictional investigations, outlining how such major cases should be handled, and advocating for a regional police force. Both inquiries underscored the importance of change through strengthening relationships with the Downtown Eastside (DTES) and vulnerable communities. This involves creating stronger alliances between non-indigenous and indigenous communities (Beniuk, 2012). Building strong alliances requires a recognition of our own privilege and the deconstruction of our differences (Perry, 2022). This acknowledgement is crucial for fostering positive social change and addressing the systemic biases that have hindered our country.

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