

Robert William "Willie" Pickton (born October 26, 1949) of Port Coquitlam, British Columbia, Canada is a former pig farmer and serial killer convicted of the second-degree murders of six women. He is also charged in the deaths of an additional twenty women, many of them prostitutes and drug users from Vancouver's Downtown Eastside. In December 2007 he was sentenced to life in prison, with no possibility of parole for 25 years – the longest sentence available under Canadian law for murder. Pickton is suspected in the disappearance of victims who disappeared in 1991, but Pickton did not face arrest and trial until 16 years later, in 2007.

Vancouver Police Apologized for Bungling the Case

At a press conference, Deputy Chief Constable Doug LePard of the VPD apologized to the victims' families, saying "I wish from the bottom of my heart that we would have caught him sooner. I wish that, the several agencies involved, that we could have done better in so many ways. I wish that all the mistakes that were made, we could undo. And I wish that more lives would have been saved. So on my behalf and behalf of the Vancouver Police Department and all the men and women that worked on this investigation, I would say to the families how sorry we all are for your losses and because we did not catch this monster sooner."

Killer Confessed to 49 murders

During the trial's first day of jury evidence, January 22, 2007, the Crown stated he confessed to forty-nine murders to an undercover police officer posing as a cellmate. The Crown reported that Pickton told the officer that he wanted to kill another woman to make it an even 50, and that he was caught because he was "sloppy".

Background

On February 5, 2002, police executed a search warrant for illegal firearms at the property owned by Pickton and his three siblings. He was taken into custody and police then obtained a second court order to search the farm as part of the BC Missing Women Investigation, when personal items (including a prescription asthma inhaler) belonging to one of the missing women were found. The farm was sealed off by members of the joint RCMP–Vancouver Police Department task force. The following day Pickton was charged with storing a firearm contrary to regulations, possession of a firearm while not being holder of a licence and possession of a loaded restricted firearm without a licence. He was later released and was kept under police surveillance.

On Friday, February 22, 2002, Pickton was arrested and charged with two counts of first-degree murder in the deaths of Sereena Abotsway and Mona Wilson. On April 2, 2002 three more charges were added for the murders of Jacqueline McDonnell, Diane Rock and Heather Bottomley. A sixth charge for the murder of Andrea Joesbury was laid on April 9, 2002 followed shortly by a seventh for Brenda Wolfe.

On September 20, 2002 four more charges were added for the slayings of Georgina Papin, Patricia Johnson, Helen Hallmark and Jennifer Furminger. Four more charges for the murders of Heather Chinnock, Tanya Holyk, Sherry Irving and Inga Hall were laid on October 3, 2002, bringing the total to fifteen, making the investigation the largest of any serial killer in Canadian history.

On May 26, 2005, twelve more charges were laid against him for the killings of Cara Ellis, Andrea Borhaven, Debra Lynne Jones, Marnie Frey, Tiffany Drew, Kerry Koski, Sarah Devries, Cynthia Feliks, Angela Jardine, Wendy Crawford, Diana Melnick, and Jane Doe (unidentified woman) bringing the total number of first-degree murder charges to 27.

Excavations continued through November 2003; the cost of the investigation is estimated to have been \$70 million by the end of 2003, according to the provincial government. Currently the property is fenced off, under lien by the Crown in Right of British Columbia.

In the meantime, all the buildings have been demolished. Forensic analysis was very difficult because the bodies of the victims may have been left to decompose or allowed to be eaten by insects and pigs on the farm. During the early days of the excavations, forensic anthropologists brought in heavy equipment, including two 50-foot (15 m) flat conveyor belts and soil sifters to find traces of remains.

On March 10, 2004, it was revealed that human flesh may have been ground up and mixed with pork from the farm. This pork was never distributed commercially, but was handed out to friends and visitors of the farm. Another claim made is that he fed the bodies directly to his pigs,

Preliminary Inquiry

A preliminary inquiry was held in 2003, the testimony from which was covered by a publication ban until 2010. At the preliminary inquiry it was revealed that in 1997 Pickton had been charged with attempted murder in connection with the stabbing of a sex worker. The woman survived and testified at the 2003 preliminary inquiry that after driving her to the Port Coquitlam farm and having sex with her, Pickton slapped a handcuff on her left hand, and stabbed her in the abdomen. She also had stabbed Pickton. Later both she and Pickton were treated at the same hospital, where staff used a key they found in Pickton's pocket to remove the handcuffs from the woman's wrist.

The attempted-murder charge against Pickton was stayed on January 27, 1998, because the woman had drug addiction issues and prosecutors believed her too unstable to testify. The clothes and rubber boots Pickton had been wearing that evening were seized by police and left in an RCMP storage locker for more than seven years. Not until 2004 did lab testing show that the DNA of two missing women were on the items seized from Pickton in 1997.

Trial

Pickton's trial began on January 30, 2006 in New Westminster. He pleaded not guilty to 27 charges of first-degree murder in the Supreme Court of British Columbia. The voir dire phase of the trial took most of the year to determine what evidence might be admitted before the jury. Reporters were not allowed to disclose any of the material presented in the arguments.

On March 2, 2006, one of the 27 counts was rejected by Justice James Williams for lack of evidence.

On August 9, 2006, Justice Williams severed the charges, splitting them into one group of six counts and another group of twenty counts. The trial proceeded on the group of six counts. The remaining 20 counts could have been heard in a separate trial, but ultimately were stayed on August 4, 2010. Because of the publication ban, full details of the decision are not publicly available; but the judge has explained that trying all 26 charges at once would put an unreasonable burden on the jury, as the trial could last up to two years, and have an increased chance for a mistrial. The judge also added that the six counts he chose had "materially different" evidence from the other 20.

Much of the evidence heard during the voir dire phase of the trial in 2006 was never heard by the jury because of rulings by the trial judge. This evidence was covered by a publication ban up until August 4, 2010.

Jury selection was completed on December 12, 2006, taking just two days. Twelve jurors and two alternates were chosen.

The date for the jury trial of the first six counts was initially set to start January 8, 2007, but later delayed to January 22, 2007.

January 22, 2007 was the first day of the jury trial at which Pickton faced first-degree murder charges in the deaths of Marnie Frey, Sereena Abotsway, Georgina Papin, Andrea Joesbury, Brenda Wolfe and Mona Wilson. The media ban was finally lifted and for the first time Canadians

heard the details of what was found during the long investigation. In his opening statement, Crown Counsel Derrill Prevett told the jury of evidence that was found on Pickton's property, including skulls cut in half with hands and feet stuffed inside. The remains of another victim were stuffed in a garbage bag in the bottom of a trash can and her blood-stained clothing was found in the trailer in which Pickton lived. Part of one victim's jawbone and teeth were found in the ground beside the slaughterhouse, and a .22 calibre revolver with an attached dildo containing both his and a victim's DNA was in his laundry room. In a videotaped recording played for the jury, Pickton claimed to have attached the dildo to his weapon as a makeshift silencer.

As of February 20, 2007, the following information has been presented to the court:

The items police found inside Pickton's trailer - A loaded .22 revolver with a big, spiky black, hindu made dildo over the barrel and one round fired, boxes of .357 Magnum handgun ammunition, night-vision goggles, two pairs of faux fur-lined handcuffs, a syringe with three millilitres of blue liquid inside, and "Spanish fly" aphrodisiac.

A videotape of Pickton's friend Scott Chubb saying Pickton had told him a good way to kill a female heroin addict was to inject her with windshield-washer fluid. A second tape was played for Pickton, in which an associate named Andrew Bellwood said Pickton mentioned killing prostitutes by handcuffing and strangling them, then bleeding and gutting them before feeding them to pigs.

Photos of the contents of a garbage can found in Pickton's slaughterhouse, which held some remains of Mona Wilson.

In October 2007, a juror was accused of having made up her mind already that Pickton was innocent. The trial judge questioned the juror, saying "It's reported to me you said from what you had seen you were certain Mr. Pickton was innocent, there was no way he could have done this. That the court system had arrested the wrong guy." The juror denied this completely. Justice Williams ruled that she could remain on the jury since it had not been proven she made the statements.

Justice James Williams suspended jury deliberations on December 6, 2007 after he discovered an error in his charge to the jury. Earlier in the day, the jury had submitted a written question to Justice James requesting clarification of his charge, asking "Are we able to say 'yes' [i.e., find Pickton guilty] if we infer the accused acted indirectly?"

On December 9, 2007, the jury returned a verdict that Pickton is not guilty on 6 counts of first-degree murder, but is guilty on 6 counts of second-degree murder. A second-degree murder conviction carries a punishment of a life sentence, with no possibility of parole for a period between 10 to 25 years, to be set by the trial judge.

On December 11, 2007, after reading 18 victim impact statements, British Columbia Supreme Court Judge Justice James Williams sentenced Pickton to life with no possibility of parole for 25 years - the maximum punishment for second-degree murder, and equal to the sentence which would have been imposed for a first-degree murder conviction. "Mr. Pickton's conduct was murderous and repeatedly so. I cannot know the details but I know this: What happened to them was senseless and despicable," said Justice Williams in passing the sentence.

British Columbia Court of Appeal

The B.C. Court of Appeal rendered judgment in June 2009 on two appeals, one brought by the Crown (prosecution) and the other brought by the defence.

Crown appeal

On January 7, 2008, the Attorney General filed an appeal in the British Columbia Court of Appeal, against Pickton's acquittals on the first-degree murder charges. The grounds of appeal relate to a number of evidentiary rulings made by the trial judge, certain aspects of the trial judge's jury

instructions, and the ruling to sever the six charges Pickton was tried on from the remaining twenty.

Some relatives of the victims in the case were taken back by the announcement of a Crown appeal, especially because Attorney-General Wally Oppal had said a few days earlier that the prosecution would likely not appeal. Although Pickton had been acquitted on the first-degree murder charges, he was convicted of second-degree murder and received the same sentence as he would have on first-degree murder convictions. The relatives of the victims expressed concern that the convictions would be jeopardized if the Crown argued that the trial judge had made errors. Opposition critic Leonard Krog criticized the Attorney-General for not having briefed the victims' families in advance.

Oppal apologized to the victims' families for not informing them of the appeal before it was announced to the general public. Oppal also said that the appeal was filed largely for "strategic" reasons, in anticipation of an appeal by the defence. The prosecution's rationale was that if Pickton appeals his convictions, and if that appeal is allowed, resulting in a new trial, the prosecution will want to hold that new trial on the original 26 charges of first-degree murder. But the Crown would be precluded from doing so unless it had successfully appealed the original acquittals on the first-degree murder charges, and the severance of the 26 counts into one group of six and one group of twenty.

Under the applicable rules of court, the time period for the Crown to appeal expired 30 days after December 9, when the verdicts were rendered, while the time period for the defence to appeal expired 30 days after December 11, when Pickton was sentenced. That is why the Crown announced its appeal first, even though the Crown appeal is intended to be conditional on an appeal by the defence. If the defence had not filed an appeal, then the Crown could have withdrawn its appeal

Defence appeal

On January 9, 2008, lawyers for Pickton filed a notice of appeal in the British Columbia Court of Appeal, seeking a new trial on six counts of second-degree murder. The lawyer representing Pickton on the appeal is Gil McKinnon, who had been a Crown prosecutor in the 1970s.

The notice of appeal enumerates various areas in which the defence alleges that the trial judge erred: the main charge to the jury, the response to the jurors' question, amending the jury charge, similar fact evidence, and Pickton's statements to the police.

Decisions of the Court of Appeal

The British Columbia Court of Appeal issued its decisions on June 25, 2009, but some parts of the decisions were not publicly released because of publication bans still in place.

The Court of Appeal dismissed the defence appeal by a 2:1 majority. Because there was a dissent on a point of law, Pickton was entitled to appeal to the Supreme Court of Canada, without first seeking leave to appeal. His notice of appeal was filed in the Supreme Court of Canada on August 24, 2009.

The Court of Appeal allowed the crown appeal, finding that the trial judge erred in excluding some evidence and in severing the 26 counts into one group of 20 counts and one group of 6. The order resulting from this finding was stayed, so that the conviction on the six counts of second degree murder would not be set aside.

Supreme Court of Canada

On June 26, 2009, Pickton's lawyers confirmed that they would exercise his right to appeal to the Supreme Court of Canada. The appeal was based on the dissent in the British Columbia Court of Appeal.

While Pickton had an automatic right to appeal to the Supreme Court of Canada based on the legal issues on which Justice Donald had dissented, Pickton's lawyers applied to the Supreme Court of Canada for leave to appeal on other issues as well. On November 26, 2009, the Supreme Court of Canada granted this application for leave to appeal. The effect of this was to broaden the scope of Pickton's appeal, allowing him to raise arguments that had been rejected unanimously in the B.C. Court of Appeal (not just arguments that had been rejected by the 2-1 majority).

On July 30, 2010, the Supreme Court of Canada rendered its decision dismissing Pickton's appeal and affirming his convictions. The argument that Pickton should be granted a new trial was unanimously rejected by the Justices of the Supreme Court of Canada.

Although unanimous in its result, the Supreme Court split six to three in its legal analysis of the case. The issue was whether the trial judge made a legal error in his instructions to the jury, and in particular in his "re-instruction" responding to the jury's question about Pickton's liability if he was not the only person involved. Writing for the majority, Madam Justice Charron found that "the trial judge's response to the question posed by the jury did not adversely impact on the fairness of the trial". She further found that the trial judge's overall instructions with respect to other suspects "compendiously captured the alternative routes to liability that were realistically in issue in this trial. The jury was also correctly instructed that it could convict Mr. Pickton if the Crown proved this level of participation coupled with the requisite intent."

Mr. Justice LeBel, writing for the minority, found that the jury was not properly informed "of the legal principles which would have allowed them as triers of fact to consider evidence of Mr. Pickton's aid and encouragement to an unknown shooter, as an alternative means of imposing liability for the murders." However, LeBel J. would have applied the so-called curative provision so as not to overturn Pickton's convictions.

Reaction and aftermath to the court proceedings

Discontinuance of prosecution of other counts against Pickton

B.C. Crown spokesman Neil MacKenzie announced that the prosecution of Pickton on the 20 other murder charges would likely be discontinued. "In reaching this position," he said, "the branch has taken into account the fact that any additional convictions could not result in any increase to the sentence that Mr. Pickton has already received."

Families of the victims had varied reactions to this announcement. Some were disappointed that Pickton would never be convicted of the 20 other murders, while others were relieved that the gruesome details of the murders would not be aired in court.

VPD management review of investigation

The Vancouver Police Department issued a statement that an "exhaustive management review of the Missing Women Investigation" has been conducted, and the VPD intends to make the Review available to the public once the criminal matters are concluded and the publication bans are removed. In addition, the VPD disclosed that for several years it has "communicated privately to the Provincial Government that it believes a Public Inquiry is necessary for an impartial examination of why it took so long for Robert Pickton to be arrested."

VPD apology

At a press conference, Deputy Chief Constable Doug LePard of the VPD apologized to the victims' families, saying "I wish from the bottom of my heart that we would have caught him sooner. I wish that, the several agencies involved, that we could have done better in so many ways. I wish that all the mistakes that were made, we could undo. And I wish that more lives would have been saved. So on my behalf and behalf of the Vancouver Police Department and all

the men and women that worked on this investigation, I would say to the families how sorry we all are for your losses and because we did not catch this monster sooner."

Calls for public inquiry

British Columbia Attorney General Michael de Jong announced that a decision on whether to hold an inquiry would be made soon.

Certain of the families of Pickton's victims have called for a public inquiry into the handling of the case. Last week, [date needed] Vancouver Police Deputy Chief Doug LePard apologized for the department's failure to catch Pickton sooner, admitting mistakes were made. Police also revealed they believe there are at least 16 other missing women for whose deaths Pickton is responsible.

B.C. Premier Gordon Campbell said Thursday a decision on whether to call a public inquiry into the Pickton investigation would be made by the provincial cabinet in the coming weeks.

Both the VPD and the RCMP support a public inquiry, as does Vancouver mayor Gregor Robertson.

The RCMP said that it continues to investigate the deaths of missing women, with a task force including 51 staff.

As well as families of the victims, several newspapers called for a public inquiry. A Toronto Star editorial noted, "Now that the legal wrangling is over, there is a bigger question to confront: how did the Port Coquitlam pig farmer manage to lure vulnerable women — many of them prostitutes from Vancouver's Downtown Eastside — to their deaths for 14 years before police arrested him?" The Winnipeg Free Press argued, "the families of all victims deserve fuller answers". Others argued that a public inquiry would be a wasted expense: "Better they take the millions of extra public dollars it would all cost and put it into actual stepped up services to help the street workers and addicts, who still ply their trade on the downtown eastside, get the real medical and psychological help they need."

Transfer to penitentiary

During a court hearing on August 4, 2010, Judge Williams stated that Pickton should be committed to a federal penitentiary; up to that point he had been held at a provincial pretrial institution.

Stay of Final 20 Murder Charges

Pickton had faced a further 20 first degree murder charges involving other female victims from Vancouver's Downtown Eastside. On February 26, 2008, a family member of one of the 20 women named as alleged victims told the media that the Crown had told her a trial on the further 20 counts might not proceed.

On August 4, 2010, Crown prosecutors stayed the balance of the pending murder charges against Pickton, ending the prospect of any further trials.

The 20 charges were formally stayed by crown counsel Melissa Gillespie shortly after 4 p.m. during a British Columbia Supreme Court hearing at New Westminster.

Most (but not all) of the publication bans in the case were lifted by the trial judge, James Williams of the British Columbia Supreme Court, after lawyers spent hours in court going through the various complicated bans.

On August 6, 2010, various media outlets released a transcript of conversations between an RCMP undercover operator and Pickton in his holding cell. While the RCMP censored the undercover officer's name throughout most of the document, his name was left uncensored in

several portions of the document that the RCMP released to the public. This uncensored version was available to the public, through Global News, CTV, and the Vancouver Sun, for about an hour before being pulled and re-edited. It is not known the extent of the damage this mistake caused the undercover officer.

Victims

On December 17, 2007, Pickton was convicted of second-degree murder in the deaths of six women:

Count 1, Sereena Abotsway (born August 20, 1971), 29 when she disappeared in August 2001.

Count 2, Mona Lee Wilson (born January 13, 1975), 26 when she was last seen on November 23, 2001. Reported Missing November 30, 2001.

Count 6, Andrea Joesbury, 22 when last seen in June 2001.

Count 7, Brenda Ann Wolfe, 32 when last seen in February 1999 and was reported missing in April 2000.

Count 16, Marnie Lee Frey, last seen August 1997.

Count 11, Georgina Faith Papin, last seen in 1999

Alleged victims

Pickton also stood accused of first-degree murder in the deaths of twenty other women until these charges were stayed on August 4, 2010.

Count 3, Jacqueline Michelle McDonell, 23 when she was last seen in January 1999.

Count 4, Dianne Rosemary Rock (born September 2, 1967), 34 when last seen on October 19, 2001. Reported missing December 13, 2001.

Count 5, Heather Kathleen Bottomley (born August 17, 1976), 25 when she was last seen (and reported missing) on April 17, 2001.

Count 8, Jennifer Lynn Furminger, last seen in 1999.

Count 9, Helen Mae Hallmark, last seen August 1997.

Count 10, Patricia Rose Johnson, last seen in March 2001.

Count 12, Heather Chinnock, 30 when last seen in April 2001.

Count 13, Tanya Holyk, 23 when last seen in October 1996.

Count 14, Sherry Irving, 24 when last seen in 1997.

Count 15, Inga Monique Hall, 46 when last seen in February 1998.

Count 17, Tiffany Drew, last seen December 1999.

Count 18, Sarah de Vries, last seen April 1998.

Count 19, Cynthia Feliks, last seen in December 1997.

Count 20, Angela Rebecca Jardine, last seen November 20, 1998 between 3:30- 4p.m. at

Oppenheimer Park at a rally in the downtown Eastside of Vancouver, British Columbia, Canada.

Count 21, Diana Melnick, last seen in December 1995.

Count 22, Jane Doe —charge lifted; see below.

Count 23, Debra Lynne Jones, last seen in December 2000.

Count 24, Wendy Crawford, last seen in December 1999.

Count 25, Kerry Koski, last seen in January 1998.

Count 26, Andrea Fay Borhaven, last seen in March 1997.

Count 27, Cara Louise Ellis aka Nicky Trimble (born April 13, 1971), 25 when last seen in 1996. Reported missing October 2002.

As of March 2, 2006, the murder charge involving the unidentified victim has been lifted. Pickton refused to enter a plea on the charge involving this victim, known in the proceedings as Jane Doe, so the court registered a not-guilty plea on his behalf. "The count as drawn fails to meet the minimal requirement set out in Section 581 of the Criminal Code. Accordingly, it must be quashed," wrote Justice James Williams. The detailed reasons for the judge's ruling cannot be reported in Canada because of the publication ban covering this stage of the trial.

Pickton is implicated in the murders of the following women, but charges have not yet been laid (incomplete list):

Mary Ann Clark aka Nancy Greek, 25, disappeared in August 1991 from downtown Victoria.

Yvonne Marie Boen (sometimes used the surname England) (born November 30, 1967), 34 when last seen on March 16, 2001 and reported missing on March 21, 2001.

Dawn Teresa Crey, reported missing in December 2000. Crey is the main subject of a 2006 documentary film about murdered and missing Aboriginal women in Canada, entitled Finding Dawn.

Two unidentified women.

After Pickton was arrested many people started coming forward and talking to police about what was going on at the farm. One of these witnesses that came forward was Lynn Ellingsen. Ellingsen claimed to have seen Pickton skinning a woman hanging from a meat hook years earlier; she did not tell anyone about this out of fear for her life. This fear would seem justified, especially after Wendy Eistetter's incident in which she was stabbed by Pickton, managed to get away and even tell police, yet right before trial all charges were dropped and nothing happened to Pickton.

...