

by Gerald Hannon reprinted with permission from The Body Politic

On March 3, 1975 the Ottawa police department called a news conference. Superintendent Thomas Flanagan and Chief Morality Inspector George Zhukow were there to answer questions about "the most sordid investigation we've run into in some time." That was the beginning of the "Ottawa Homosexual Vice Ring" scandal.

Fourteen months later. Not one of the 16 accused customers of the service has been jailed or fined. But one of them, at the age of 34, returned to his apartment after his first appearance in court on a charge of gross indecency, wrote a short note: "Forgive me, I have no other choice", climbed to the 13th floor of his apartment building and jumped to his death. Eight of the accused required psychiatric care — not only because of the legal ordeal but because of the deluge of hate letters and phone calls they had to endure. Nine of the accused were either fired, suspended or moved to another job. At least one of the accused claims he was called "scum" and "pervert" and physically assaulted by the police.

Not one of the accused customers has been jailed or fined. One man, Michael Gravel - the almost ridiculously inept owner of the modelling agency, has been sentenced to two years less a day. Out of the "most sordid investigation" in recent Ottawa history, out of a front page scandal that ran almost non-stop over a month of daily newspapers, out of the untold thousands of taxpayers' dollars that financed this "investigation", out of the 18 arrests, we finally work our way down to one 2 year jail sentence.

the fantasies these are intended to whip up: apple-cheeked youngsters falling by the score into the merciless hands of déviates. The facts: no one was charged with acts involving persons under 14. The charges laid involved young men between the ages of 16 and 21. The prosecution's star witness was no bright-eyed kid hoofing it down Sparks St. with his bag of **Ottawa Citizens** - he was 17, tough, and a daily drug user. Who was told by police he wouldn't be charged if he cooperated. Who was coached by the police on names and dates he admits he can't really remember. Who has been declared suicidal by two psychiatrists and detained in psychiatric hospital in Ottawa.

The media hooked on to the "vice ring" headline and didn't let go. Some samples: "Boys in Slavery Ring", "Male Prostitution Ring Broken", "Another Charged in Slavery Ring". But they got the phrase from Police Superintendent Thomas Flanagan - he has since categorically denied using it but that it was his choice of phrase at that initial press conference is a matter of public record. That was only the beginning of the very peculiar and reprehensible role played by the Ottawa police force.

In an apparent attempt to milk the case for maximum publicity, they released in clusters the names and complete addresses of all those charged - a few today, a few some days later over a period of three weeks. As well, the police used out-and-out deception to get the evidence they needed. They told many of the accused they were interested only in prosecuting the operator of the agency,

headline like "War Graves Commission Chief Charged in Ottawa Vice Ring" suggests a vast network headed by scandalously highly placed civil servants. This represented extremely irresponsible journalism, particularly considering the fact that the names and addresses of the accused were printed in full in all of the stories.

There's been a lot of public agonizing over that particular issue - especially since Warren Zufelt's suicide. It has been set up as a difficult choice between "the public's right to know" and "the presumption of innocence until guilt is proven". the editors of both the **Citizen** and the **Journal** writhed editorially about that one, and both admitted that the case could perhaps have been handled better. Neither, of course, seems to have taken any steps towards setting up a code of ethics or set of guidelines applicable to any future cases of this nature. the dichotomy, in any case, is a fatuous one. The presumption of innocence is one of our most basic rights, safeguarded in the Criminal Code and sanctioned by centuries of tradition. The public has a "right" to know that a crime has occurred, its nature and its locale - but to suggest that we have a "right" to know full names, addresses and occupations when it is clear that the publication of that information will result in the punishment of the accused long before a trial has begun is purest nonsense. To put those two claims on the same footing reveals a rather flimsy conception of the relative importance of citizen's rights.

Most disturbing perhaps is the evidence of police/press cooperation. In at least one case it would have been impossible for a certain reporter to have known of the appearance in court of one of the accused had he not been tipped off by the police. Both the prosecution and the defence had taken some pains to prevent a leak since they had been assured by the accused's psychiatrist that he was suicidal, and that any publicity might be fatal. A reporter was at the hearing. Besides the prosecuting attorney, the defence and the judge himself, only the police knew when the event was to occur. The reporter has refused to divulge his source of information, and even though he was made aware of the precarious mental state of the accused, he published the story. Happily no suicide followed. But if anything illustrates the mindless pursuit of sensationalism by a city press aided by its police force, this does.

What happened? There can be no doubt that a badly organized and almost absurdly obvious prostitution service existed for a short time in Ottawa. Equally certain is that it employed knowledgeable young hustlers and not "innocent" children. And that a fairly wide cross section of Ottawa men were willing to avail themselves of its services. Now if the law had followed a reasonable course of justice, the service would have been shut down and one more agency exploiting young people would have passed away. All very tidy-happens in heterosexual circles all the time.

That this was not the scenario is one of the pressing reasons why an investigation into the whole affair is so necessary (see box for details of attempts to date). Some of the factors at work, of course, are clear. In any heterosexual case involving prostitution, the customers are never charged. But when the charges of "gross indecency", "indecent act" and "buggery" do not apply simply because the age of consent for heterosexual acts can be as low as 14. But there's more to it than that. Homosexual scandals involving big names have generated very marketable newspaper copy for a very long time. As well, there was the moral climate in Ottawa at the time - a civic government obviously looking for a crusader image. But some very important questions remain unanswered: why a two-month investigation was necessary when a police cadet could have blown the case open in an afternoon (was that much time necessary in order to collect an impressive list of customers' names?), why the officers accused of assaulting Duthie have not been suspended even after an internal investigation has occurred and they have been charged, why the police seem to use the "witness statement" technique as a matter of course, what sort of pressures were brought to bear on the 17-year old witness, why relations between the police and certain members of the press seem so cozy, why police saw fit to send their witness on a "walking tour" of the court room to see if he could identify a man against whom charges had been dropped so that new charges could be laid. The gay community must not rest until answers to these questions have been provided by an independent investigative body that includes at least one open gay individual.

The Ottawa "homosexual vice ring scandal" shows what tragedy can follow upon the combination of gay closetry, press irresponsibility, questionable police practices and discriminatory legislation. We have potential control over at least one of those factors - closetry. We should not falter in our efforts to persuade gay people how easily scandals of this nature collapse when gays are open and unafraid. Prostitution services, in fact, depend for their very existence upon a relatively large body of men who have no other access to sexual satisfaction. Men who can not be "seen" in bars or baths or - heaven forbid - a gay organization. Men who frequently troubled about their sexuality and have swallowed all the crap that straight society hands out. A society that puts them in the position of having no other outlet for their sex drives than a seedy prostitution service, and then arrests and punishes them when they finally resort to it. If there is any lesson for gay people in the Ottawa mess, it is that "out of the closets" is more than just a cant phrase to shout at demonstrations. It still represents the difference between a life of openness that gives you access to a variety of sexual partners, and the possibility of one day facing an ugly death 13 stories down. Think about it.

Mountie, newsman, four others facing homosexual ring charges

Boys hired for sex acts, police say

Gross indecency

Guilty in sex case, man freed by judge

Four more Ottawa men charged in teen-aged homosexual ring

Graves official facing charge in sex ring

Sex scandal man jumps to his death

Man charged in vice case plunges 13 floors to death

The others? Three await trial. One acquittal. Three charges were withdrawn for lack of evidence. Eight were found guilty. All the convicted men received suspended sentences or absolute discharges. Getting off easy? Ask the nine men who lost their jobs. Ask the eight men who are still under psychiatric care. Ask the man who kept finding copies of the newspaper stories posted up in his apartment lobby. Ask George Duthie, after he'd been slapped up against the wall and punched in the head by the police. Ask the family and friends of Warren Zufelt, the man who took his own life.

There can be little doubt that the "accused" suffered far more grievous punishment than the one jailed man. Whatever the merits of his case, he at least received his sentence after due process of law. The others suffered severe social censure and in many cases lost their jobs long before it was established that they were "guilty". Something had gone terribly wrong with one of the most fundamental bases of Canadian law. The presumption of innocence until guilt is proven.

What happened? It was moral spring cleaning time in Ottawa in March of 1975. That city's moral custodians led by Mayor Lorry Greenberg, were waging a vigorous campaign against body-rub parlours, but the Unique Male Modelling Agency must have seemed a much bigger plum. Nothing can establish a government's reputation as a moral defender like evidence that it is protecting our "children". We at **The Body Politic** have learned quite dramatically how reason goes out the window when people imagine that homosexuals are "preying on" children. All of the early newspaper stories emphasized this aspect of the case: "boys as young as 11", "as many as 100 boys", "a poor little kid out on the street", "a newspaper carrier was accosted on his route" - all are quotations from the first stories to appear in the Ottawa papers. You can see

and asked for their cooperation in providing "witness statements". Many of them were frightened enough to comply. These men were subsequently arrested, charged, and the "witness statements" were used to obtain "confessions". Interestingly enough, two men who refused to give witness statements and took the precaution of informing their lawyers were never approached again by the police.

As well, their "press conference" tactic insured that hearsay evidence against the accused would be published even though it could not have been made public once a preliminary hearing had begun. Section 467 of the Criminal Code provides that "prior to the commencement of the taking of evidence at a preliminary inquiry, the justice holding the inquiry shall, if application is made thereof by the accused or, where there is more than one accused, by any one of them, make an order directing that evidence taken at the inquiry shall not be published in any newspaper or broadcast before such time as (a) the accused who made the application is discharged, or (b), if the accused who made the application is committed for trial or ordered to stand trial, the trial is ended." The accused, on the advice of their lawyers, would certainly have availed themselves of this provision in the code, considering the nature of the charges. If they'd had the chance. But by holding a press conference, the police made sure they didn't.

There were two forces at work destroying those 18 men in Ottawa. One was the police. The other was the press. Both the **Ottawa Citizen** and the **Ottawa Journal** consistently employed the phrase "vice ring". Now that phrase suggests that those men charged were in some way connected with the organization of a prostitution service. They were not, of course, they were merely clients and largely unaware of the actual organization. To use a