

s.19(1)

IN CONFIDENCE

INDEX TO CASE NO. UN/INV/10/80(SIS)

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Special Investigation Section  
Military Police Company

UN/INV/10/80(SIS)

FPM

10 March 1980

SEXUAL DEVIATION - HOMOSEXUALITY

1. This investigation involves the following personnel:

Subject:

Witness:

Others:

Military  
Policeman: [redacted] MWO Bens Ronald Joseph, MP 811,  
CSM, MP Coy, [redacted]  
DOB: [redacted]

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1. On 15 Feb 80, information was received from Maj Boileau, LdSH(RC), [redacted] to the effect that two members of his unit had been found in circumstances that suggested that they were involved in a homosexual act.

2. On 16 Feb 80, about 1100 hrs, [redacted] was contacted and interviewed. During this interview he provided a written statement, and the following information concerning this alleged homosexual act. A copy of his statement is attached (Annex "A") and contains the following relevant points:

- a. that one of his troop members [redacted] had reported to him of having witnessed a homosexual act, which took place at about 2250 hrs, 14 Feb 80, in a room in [redacted]
- b. [redacted] stated that he had seen [redacted] drinking excessively earlier in the evening, and he had seen [redacted] passed out on [redacted] bed (another member of his troop) about 1930 hrs that evening (14 Feb 80);
- c. [redacted] had entered [redacted]'s room earlier during the evening about 2100 hrs, to pick up a radio, and he saw [redacted] passed out on his own bed, and he was still fully clothed, no one else was in the room at that time;
- d. [redacted] entered [redacted]'s room later during the evening about 2250 hrs, 14 Feb 80, to pick up a thermos, and when he opened the door to enter the room, he saw two naked male members of his troop on a bed in this room;
- e. the two members were [redacted], and that [redacted] was on his bed on his hands and knees, and that [redacted] was on his knees behind him, in what [redacted] referred to as "Doggie Style";
- f. when [redacted] entered the room, [redacted] jumped off the bed, and [redacted] slumped forward onto his bed;
- g. when [redacted] had picked up the thermos and was about to leave the room, [redacted] had said to him "don't tell anyone, about this" to which [redacted] replied "yes";
- h. [redacted] had stated that in his opinion [redacted] must have been helped to his own bed, because he ([redacted]) would not have been able to get there by himself owing to his intoxicated state; and

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j. [redacted] stated that in his opinion [redacted] had been intoxicated when he had seen him earlier in the evening, and again when he had seen him in [redacted]'s room during the time that he had witnessed what he considered to be a homosexual act.

3. At about 1345 hrs, 16 Feb, [redacted] was contacted and interviewed. He provided a written statement which is attached as Annex "B". The following relevant information was obtained from this statement:

- a. that at about 2250 hrs, 14 Feb 80, he walked through the door, which joins his room and [redacted]'s room. At this time he noticed [redacted] on his bed on all fours, and [redacted] was on his knees behind him; both were naked;
- b. [redacted] immediately jumped off the bed when he came into the room;
- c. [redacted] did not say anything, but he just slumped forward face first onto his bed;
- d. in his opinion [redacted] was totally drunk and unaware of his actions because he had seen [redacted] earlier in the evening drinking excessively. [redacted] was in such an intoxicated state that his legs were buckling as he tried to walk;
- e. as he was about to leave [redacted]'s room, [redacted] asked him not to tell anyone what he had seen; and
- f. he had confided in two other members of his troop [redacted] because he wanted their advice on what to do. They all decided that it would be best to contact the Chaplain. However, as he couldn't contact the Chaplain, he later informed his troop officer [redacted].

4. On 16 Feb 80 at about 1100 hrs, a check of [redacted]'s personal file was carried out. Two letters on his file indicated that he was involved in a previous homosexual act - SIU Calgary report SWC 110-1-79 dated 30 Jan 79 refers. These letters show that [redacted] was involved with [redacted], and that this occurrence took place at A-19 Sarcee Barracks. However, the medical officer stated at that time that this was an "isolated" incident which is unlikely to be repeated. Copies of the two letters are attached as Annexes "C" and "D".

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5. On 18 Feb 80, at about 1425 hrs, [redacted] was interviewed regarding his part in this report homosexual act. He provided a statement which is attached as Annex "E", and the following information was obtained from him:

- a. that he finds it hard to believe that anyone would say such a thing about him; and
- b. that he has never been involved in any sort of homosexual act, and finds it disgusting that anyone would say or even imply such a thing.

It was noted during this interview, [redacted] completely denied any knowledge that this homosexual act had taken place. He emphatically stated that it couldn't have taken place.

6. On 18 Feb 80, at about 1610 hrs, [redacted] was interviewed. His written statement is attached as Annex "F", and the following information was obtained:

- a. he had been drinking in the Junior Men's Club in [redacted] during the evening of 14 Feb 80, and that he had met Martineau there. Sometime later he left the club with [redacted] and several other friends and proceeded to [redacted] room, where [redacted] passed out on [redacted] bed;
- b. a short time later two members of his troop carried [redacted] to his own room. He ([redacted]) accompanied them because he had the key to this room. He then returned to Collins room;
- c. still later in the evening he left [redacted] room and headed for his own room. However, as he came to [redacted] s room, he entered the room to place the key on the table;
- d. while in the room he undressed [redacted] and then he got undressed himself. He turned off the room light and then performed a homosexual act on [redacted]. He described this act as the insertion of his penis into [redacted]'s rectum (" [redacted]'s own words");
- e. [redacted] had entered the room, while he was engaged in this act and he then jumped off the bed. He confirmed that [redacted] had entered the room to pick up a thermos and that he had asked [redacted] "not to tell anyone" as he ([redacted]) was leaving the room;

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- f. [redacted] stated that this is the first time that this has happened since Jan 79, when he was involved in a homosexual act with [redacted] in [redacted].
- g. in his opinion [redacted] didn't know what was happening at the time, nor had he talked to [redacted] about this occurrence.
7. On 26 Feb 80, about 0925 hrs, [redacted] was re-interviewed in regards to this investigation, in the presence of MWO Bens. During this interview the following information was obtained:
- a. he had spoken to [redacted] to apologize for his behaviour, however, he stated that [redacted] said "he couldn't believe it or remember it" and that [redacted] was feeling bad about this incident;
  - b. that no conversation had taken place between himself and [redacted] during the evening of 14 Feb 80, while they were in [redacted]'s room at the time that the homosexual act took place;
  - c. that [redacted] did not touch him, and that he had helped [redacted] undress and get into the kneeling position; and
  - d. in his own words, he had penetrated [redacted]'s rectum with his penis, and this was only for about one minute because [redacted] entered the room.
8. [redacted] was questioned at length concerning any previous history of homosexuality. He emphatically denied any previous engagements in homosexual acts other than the two occurrences with [redacted]. As a result of further questioning [redacted] admitted to the following:
- a. about nine years ago when he was [redacted] old, he had carried on a regular homosexual relationship for about two years with a friend called [redacted], who was at that time [redacted] of age. He stated that he and [redacted] would do their homework together, and that they would explore each others body, which in turn led to mutual masturbation and fellatio. However after two years they engaged in their homosexual acts on a less frequent basis, described (by [redacted]) as once every two or three months until [redacted] when he joined the service. Since [redacted] he has only been

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involved twice and that being with [redacted] in [redacted] and this present occurrence with [redacted] denied his previous relationship with [redacted] as similar to a man-woman relationship, i.e., he loved him;

- b. he has been home twice since joining the Canadian Forces and has met [redacted] while on leave, however, no homosexual acts occurred;
- c. he considers [redacted] as being bi-sexual because he goes out with girls;
- d. he has never had a sexual relationship with a woman;
- e. he feels that his relationship with [redacted] stems from the fact that he was required to do housework, when his [redacted] therefore, because he was the [redacted] he was required to do all the chores his mother would normally do;
- f. he has always been shy around girls and it is only after drinking several alcoholic beverages that he can get up the courage to ask a girl to dance;
- g. he stated that no members of his family know of his homosexual relationship with [redacted] or [redacted] and that he could not bear to face his family again, if they found out about these relationships;
- h. he also expressed a fear that investigators may visit [redacted] to discuss this former homosexual relationship, and therefore, in order to get the subject's fullest co-operation, he was advised that this should not be necessary, provided he was being truthful. He stated that this was the first time in his life that he has admitted to, and discussed, his former relationship with [redacted] to a third party;

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- j. he was asked by Doctor Babey, [redacted] if he wanted to see a psychiatrist, and he said that he did, however, due to his being moved around on temporary duty, he was unable to see one. He stated in his own words "I love the army, this has happened to me twice in the last year, I would like to see a Psychiatrist I am going to see one if the forces pay for it or not. I just want to co-operate the best I can. I just want now to see a psychiatrist";
  - k. when he was asked if he preferred males or females, he said "women over men a little more";
  - m. he had performed fellatio on [redacted] in his other homosexual occurrence in Jan 79, and this was with [redacted]'s consent; and
  - n. [redacted] had said to him when he had talked to him about this homosexual act, "[redacted], I can't remember anything", [redacted] stated that he believed [redacted] when he said this to him.
9. On 27 Feb 80, about 1310 hrs, [redacted] was once more interviewed, and MWO Bens was oncemore present during the interview. The following information was obtained from this interview:
- a. that he had been drinking very heavily on the 14 Feb 80, and that he later passed out, and was carried to his room by two of his friends at about 1930 hrs. He stated he doesn't remember going to bed, but his two friends told him the following morning that they had carried him to his bed;
  - b. [redacted] had told him about what had happened, however, he couldn't believe it. He stated if he had known that something like that was going on he would have gone after the person to fight him;
  - c. that he has no "recollection" of what happened in regards to this homosexual act; and
  - d. he was asked if he would take a polygraph test, he stated "Yes, immediately. I hope they do put me on the polygraph so that I can clear up this matter".

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10. In summation may the following points be noted:

- a. a homosexual act between [redacted] was witnessed by [redacted] during the evening of 14 Feb 80;
- b. [redacted] has stated that in his opinion [redacted] was totally drunk and unaware of his actions;
- c. [redacted] has stated that in his opinion [redacted] didn't know what was happening;
- d. [redacted] has denied any knowledge of any homosexual act which took place on the night of 14 Feb 80 in his room, however, he was told by [redacted] that this act took place, but he still finds it hard to believe that it did happen;
- e. [redacted] has admitted to having homosexual relationships with [redacted];
- f. [redacted] has stated that he would like to get psychiatric assistance;
- g. [redacted] has stated that he could never bear to face his family again, if they were to find out about these homosexual relationships; and
- h. that [redacted] has admitted his homosexual relationship with [redacted] however, he would not want investigators to talk to [redacted].

11. As a result of information received during this investigation, it would appear that [redacted] was in such an intoxicated state that he was unaware of the act [redacted] had performed on him.

*[Signature]*  
D. Cameron  
Sergeant  
SIS UN MP Coy

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Case No: UN/INV/10/80 (SIS)

STATEMENT

No: [redacted] Rank: [redacted]  
Surname: [redacted] Given Names: [redacted]  
Unit: [redacted]

Statement begins: 14.15 hrs 16 Feb 80

I, [redacted] hold the rank of [redacted] in the Canadian Armed Forces and I am presently serving with [redacted]

On about 0800 hrs Friday 15 Feb 80 I was approached by [redacted], a soldier in my Troop. [redacted] stated that he had been witness to a homosexual act during the previous night of 14 Feb 80.

I interviewed [redacted] at 1030 hrs 15 Feb 80, at which time the details of the incident were related to me. [redacted] stated that at approx 2250 hrs 14 Feb 80 he went into the room of [redacted], also a member of my Troop, in order to borrow a thermos. At this time he discovered [redacted], also a member of my Troop, both fully undressed on the same bed. After acquiring the thermos, [redacted] left the room.

[redacted] then confided in [redacted] both members of my Troop, as to the best course of action he might follow. On the following morning he reported the details of the incident to me.

As a result of my interview with [redacted] I next called [redacted] to see me. At this time they were only able to relate what [redacted] had told them. Neither [redacted] or [redacted] had actually been witness to the incident. Both assured me that they had repeated no details of the incident to anyone else, and would not do so.

When I had gathered all the information regarding the incident that could be given me by [redacted] I informed my Squadron Commander Major J.B. Boileau.

It is to be noted that [redacted] told me during our interview of 15 Feb 80, that when he entered [redacted]'s room, he saw both [redacted], fully undressed, on the same bed, and in such a position that [redacted] was on his hands and knees with [redacted] positioned behind him. [redacted] term used to describe this position to me was "doggie style."

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Furthermore, when [redacted] noticed that [redacted] had entered the room, he [redacted] jumped up off the bed and stood on the floor facing him. [redacted] slumped forward, face first onto the pillow and lay there.

[redacted] asked [redacted] "Is [redacted] in the room right now", to which [redacted] replied "Yes." [redacted] then asked "Is he awake?" to which [redacted] replied "Yes." [redacted] then added "I just came in to get the thermos. [redacted] then said "Don't tell anyone about this", to which [redacted] said "Yes", and left the room.

Also to be noted that [redacted] had seen both [redacted] and [redacted] drinking in the Junior Ranks Club earlier in the evening of the 14 Feb 80. [redacted] in [redacted]'s opinion, was drinking to excess. [redacted] saw [redacted] following this at 2100 hrs 14 Feb 80, "passed out" on [redacted]'s bed in the 2 Troop Lines. [redacted] was not with [redacted] at this time, and according to [redacted] he had no reason to believe that [redacted] and [redacted] were drinking specifically together earlier in the JRC.

[redacted] next saw [redacted], asleep on his own bed, fully clothed in uniform at approx 2120 hrs 14 Feb 80. [redacted] had entered [redacted]'s room to get a radio. [redacted] was not in the room at that time. [redacted] suspected that [redacted] had been helped to his bed by other Troopers, since in his opinion, [redacted] would have been unable to get there himself owing to his intoxicated state.

It is also noted that in [redacted]'s opinion, [redacted] was intoxicated earlier in the evening of the 14 Feb 80 at the JRC, and was intoxicated when [redacted] found him in the room with [redacted] at 2250 hrs 14 Feb 80. [redacted] stated that, while [redacted] asked him the questions as stated above, "He had a funny look in his eyes." I have read over the above statement and it is true, to the best of my knowledge.

Signed: [redacted]

Signatures witnessed by me at 1510 hrs, SSM Office, [redacted]  
16 Feb 80.

Statement ends: 1510 hrs

Witness: [redacted]

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Case Ref: UH/INV/10/80(SIS)

UNFCYF MILITARY POLICE

STATEMENT FORM  
(CANCON PERSONNEL)

STATEMENT OF:

SIN: [redacted] Rank: [redacted]

Surname: [redacted] Given Names: [redacted]

Unit: [redacted]

STATEMENT BEGINS: 1345 hrs

I am a [redacted] in the Canadian Forces presently serving a six month [redacted]. About 2250 hrs, Thursday 14/2/80 I walked from my room into adjoining [redacted] by going through the door that joins these two Rms; I was going to pick up my thermos from this room. When I walked through this door which joins the RMS; I saw [redacted] on [redacted] bed. I noticed both were unclothed, and I saw [redacted] on all fours and [redacted] directly behind (kneeling). When I saw this [redacted] jumped off the bed. I did not really know what to do, so I carried on to the dresser, closet. I locked and found the thermos. When I went to leave [redacted] began to ask me questions. "Is [redacted] in the Room?" I replied "Yes". Then he asked me if he [redacted] was awake. I answered Yes. I then went to leave the room when he asked me not to tell anyone of what I'd seen. He also said in a questioning manner that he was feeling the affects of liquor. I replied yes again and left. I felt I had to get out. During this whole episode, [redacted] did not say anything or move, except to slump forward. At about 2100 hrs I saw [redacted] "Passed Out" in [redacted]. Before this I had seen him drinking Jagermeister in the JRC. He drank five shots at first and then another two or three. His legs were buckling as he tried to walk. In my opinion [redacted] was totally drunk and unaware of his actions.

When I returned to my Rm (after the incident) I asked [redacted] if he had heard [redacted] s voices. He replied that he had. That night when I went on duty, I asked [redacted] what I should do. Together we decided that it would be wise to see the Chaplain. I also rang up [redacted] at OP Orchard and told him that I would need his advice about a problem.

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UNFCYB MILITARY POLICE  
STATEMENT CONTINUATION FORM  
(CANCON PERSONNEL)

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STATEMENT OF:

Surname: [REDACTED] Given Names: [REDACTED]

After shift and breakfast myself and [REDACTED] went up to my Rm [REDACTED] I told him of the night before. He also said the Chaplain. Before that he also recommended the Tp Officer.

I went to see the Chaplain, but he wasn't in. I tried a phone number (JOC) but received no answer.

I then went down to the Command Post (CP) and asked [REDACTED] if he knew the Chaplain's phone number. He gave me a number then [REDACTED] came out and asked me why I wanted to see the Chaplain, what the problem was. I told him it really wasn't much in around about way. He said that it was his job to take care of his TPR's. We then went into the washroom by the C.P. after making sure there was no one around, I told him the problem. I was then told to see him in his office at 1300 hrs, 15/2/80.

It was also noted that in my opinion [REDACTED] was also under the influence of alcohol. I had seen [REDACTED] earlier in the evening and he appeared to be in a daze or stupor. He had problems once, (that I saw) bringing a beer up to his mouth.

I have told no one except [REDACTED] of this. I felt that they would give me some advice and also keep this incident to themselves, I feel very sure that they will keep this to themselves.

I have read over the above and it is true.

(Sgd) [REDACTED]

Signature witnessed by me at 1430 hrs, [REDACTED] 16 Feb 80

(Sgd) [REDACTED]

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Commander  
1 Canadian Brigade Group  
Montreal

UNDESIRABLE INCIDENTS - 21 JAN 79

- Reference: A. CMAJ 19-20
- B. SBU Sec [redacted] Report EIC 110-1-79 30 Jan 79
- C. SBU Western Det Report SJ 110-1-79(URS.O)
- D. [redacted] (A Eqn) 1-Mar 79

On 21 Jan 79 an incident involving alleged homosexual activity between [redacted] of this unit took place in RUC A-19, Service Barracks. In reference A, I ordered an investigation of this incident.

References B and C, the Calgary SBU Sec and SBU Western Det reports respectively, clearly indicate that homosexual activity took place between these two soldiers on this occasion. However, although [redacted] may have been willing participants in this act, there is no evidence to indicate that either soldier is a homosexual as defined in reference A. Further investigation by the unit MD has confirmed that this is an isolated incident which is unlikely to be repeated. In discussions with the SBU investigators when reference C was completed, I was advised that the final and concluding report still pending will almost certainly provide a similar conclusion as the new evidence is inconclusive.

Therefore, I feel that a final decision in this matter can and should be taken on this issue. I concur entirely with the recommendation of the College (reference D). Disciplinary action has been taken as required, and administrative career action does not appear to be warranted. I recommend that [redacted] be discharged in accordance with the provisions of the [redacted] Act.

W. K. MEGILL  
L. COL  
Lieutenant Colonel  
Commanding Officer

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ANNEX "D"  
UN/INV/10/86(SIS)2  
Dated 10 Mar 80

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MEMORANDUM

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14 Mar 79

CO

RECOMMENDATION FOR RETENTION -

- Ref: A. CFAO 19-20  
B. SIU Sect ( ) MP Report SW 110-1-79-30 Jan 79  
C. SIU Western Det Report SW 110-1-79(Ops O) 6 Feb 79

1. The incident on 21 Jan 79 involving ( ) clearly included an act which can only be described as homosexual. I do not believe, however, that either of these soldiers is a homosexual. This is based on the definition of a homosexual at ref A (one who has a sexual propensity for persons of one's own sex) and interviews and observations of the individuals concerned and with the Regt MO and ( ) course officer.

2. I feel that the incident was the result of a combination of:

- a. ( )'s intoxicated state;
- b. ( )'s aggressive personality vis-à-vis ( )'s passive one; and
- c. the sexually suggestive nature of the situation (sex book, black light, both in underwear and possibly even recent heterosexual activity).

3. These factors could well have produced a "heat of the moment" type of situation which resulted in the incident. Because of this, I do not recommend any further action IAW ref A. Neither of them meets the definition of homosexual, the investigations to date have not produced conclusive evidence that either one of them is a homosexual, and no offence under the Criminal Code of Canada has been committed. Additionally, Young remains totally accepted by his IQ3 peers with no indication of ostracism. I therefore recommend that both ( ) and ( ) be retained in the Canadian Forces for the present.

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ANNEX D  
UH/INW/10/80(SIS)

Dated 10 Mar 80

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4. There remains the question of disciplinary or career action against [redacted]. Because of the violence associated with this incident [redacted] has already been sentenced to 28 days detention and will be put on C and P on return to the unit. There is clearly no disciplinary action which can be brought against [redacted]. I do not feel C and P is warranted either. Should he ever become involved in a similar incident again (which I don't believe will happen), it would be a simple matter to release him under the terms of ref A at that time.

  
J.B. Balleau  
Major  
OC A Sqn  
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Case Ref No. U. 10/80(SIS)

UNFICYP MILITARY POLICE

STATEMENT FORM

(CANCON PERSONNEL)

STATEMENT OF:

SIN: [REDACTED] Rank [REDACTED]

Surname: [REDACTED] Given Names: [REDACTED]

Unit: L.d.S.H. (R.C.) 2 Troop 2sec [REDACTED]

STATEMENT BEGINS: 1425

I am a Trooper presently employed with [REDACTED] I wish to make a statement in regards to an alleged incident whereby I was supposedly engaged in some sort of homosexual act. I would like to say that I find it hard to believe that someone would say any such thing of myself due to the fact that I have never been or never will be involved in any sort of incident mentioned above I find it disgusting that anyone would say or even imply such a thing. This statement is true.

(Sgd) [REDACTED]  
18 Feb 80, 1435 hrs

Statement witnessed by me at 1435 hrs, 18 Feb 80, at [REDACTED]

Statement ends: 1435

Witness: [REDACTED]

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Case Ref No. UN/INV/10/80(SIS)

UNFICYP MILITARY POLICE

STATEMENT FORM

(CANCON PERSONNEL)

STATEMENT OF:

SIN: [REDACTED]

Rank [REDACTED]

Surname: [REDACTED]

Given Names: [REDACTED]

Unit: [REDACTED]

STATEMENT BEGINS: 1610

I am a Trooper employed with Two Troop [REDACTED]. Reference Thursday night I went into the Mess and had a few beers, and this is where I first met [REDACTED]. We left the Mess and went up to [REDACTED] Room and [REDACTED] passed out on one of the beds. Two of the guys took [REDACTED] to his room and I went with them because I had the key to his room. Later on I left [REDACTED] room to go to my room, but on the way there, I went into Tom's room and put the key on the table. The lights were already on at this moment and I told [REDACTED] to undress to go to bed and then I started to undress him. He was just lying on his bed naked and he was half turned on his belly and his back. Then I took off my clothes and turned out the lights and then I went down on him putting my penis up his rectum. I was in this location for a while but don't know how long, when [REDACTED] came into the room. I rolled off [REDACTED] and [REDACTED] said "who is it" Then I said "It is me [REDACTED]". [REDACTED] then said that he was looking for a thermos bottle, so he went over to the closet to get it and he got it, and just before he left I told him not to tell anyone. So he went out into his room, then I put [REDACTED] s under shorts back on and I got dressed and headed for my room where I washed and went to bed. I refer to [REDACTED] as [REDACTED] because it was easier for spelling. This is the only time that this has happened since January 1979 when I was involved with [REDACTED]. In my opinion I feel that [REDACTED] didn't know what was happening and I haven't talked to him about it. This statement is true to the best of my knowledge.

(Sgd) [REDACTED]

Statement and signature witnessed by me at [REDACTED] at 1644 hrs  
18 Feb 80.

(Sgd) [REDACTED]

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