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Re: Personal Suitability - Sexual Orientation

The initial reaction is to assign one of our internal investigators to conduct an investigation to ascertain whether the members have violated the Criminal Code (section 157), and hence the RCMP Act (section 25 (o)). But precisely what would he investigate? What is the offence? And what is the authority? Furthermore, suppose our two members acknowledge their relationship, and it is monogamous, what do we do? If the activities were polygamous, we have a security problem; but we have not yet developed policy to deal with that. Again, if the members ask the investigator about the offence and his authority what does he say? Even worse, if the investigator is making discreet enquiries; how does he explain his investigation to members or others being interviewed? What has been done that is illegal or improper?

I know precisely where I personally stand on these and related issues, and I have firm views as to the position the Force should adopt. However, we do not have a Force policy, and it is for that reason I solicit your guidance. We have a report of a case involving two female members who have not declared their sexual preference. The report may be correct or it may be vexatious. Do we investigate?

I have discussed this matter fully with the Acting C.O., and we will jointly approach the Commanding Officer following his return from annual leave. Meanwhile I feel we must be prepared to address these issues and take a stand. Once the issue is resolved in policy or in court, we will know how we are to deal with this type of case. We will make whatever adjustments or accommodation which may be necessary, in the knowledge that the issue has been properly aired and resolved. Personally, I feel the issue should be resolved in court. If it is decided that homosexuals (of either sex) are to be employed as members of the Force, then we must develop guidelines or policy with regard to suitable duties and postings.

G. H. Powell
G. H. Powell, C/Supt.
OIC A. & P. "E" Div.

OPS. RECORDS
COPIERS OPER.
REV. 31

GHP/tno

cc: .DPSA (for information)
OIC A. & P. "H" Division

To: SI Sgt Chamberlain
Please note & return.

[Signature]
87-02-25

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D. S. M.
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R. C. M. P. / G. R. C.

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TO
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The Commissioner, Ottawa. RCMP
Attention: D.O.F.

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SECURITY - CLASSIFICATION - DE SÉCURITÉ

CONFIDENTIAL

FROM
DE

OIC Admin & Personnel, "E" Division
Vancouver. RCMP

VEDIC RECORDS
DISCLOSURE

OUR FILE - N / RÉFÉRENCE

E 392-2-2

YOUR FILE - V / RÉFÉRENCE

DATE

87-02-20

SUBJECT
OBJET

Personal Suitability - Sexual Orientation

From time to time we are faced with having to deal with a member whose sexual orientation or preference is for a person of the same sex. We have traditionally approached the issue from the point of "Security", in that such a person was a security risk because he or she could be subjected to blackmail. In addition, we have been in the habit of re-grading this type of conduct as being "disgraceful".

Although the issue is raised on a fairly regular basis, policy is silent and we have adopted a number of ad hoc approaches to fit the circumstances or the individual. But this does not address the issue with regard to suitability of the member for police duties, or even duty restrictions e.g. school liaison or guarding prisoners or witnesses of the same sex.

We have recently been presented with two sets of circumstances involving female members who allegedly engaged in sexual activity with a partner of the same sex. In both cases, there was only one partner involved; and in one case the members acknowledged the activity and relationship. The office of the DPSA is aware of the members involved in that relationship and we will be corresponding on the appropriate file.

However, the second case presents a completely different problem. We have an indication and nothing more, that two female Regular Members who shared an apartment for a period of time in the past, had engaged in homosexual activity with each other i.e., they are lesbians. At the time of the activity they were posted at the same detachment, and shared an apartment. They are now at different detachments, one is single and the other is separated and in the process of divorce. Although the two female members are posted some distance apart, there is an indication that they visit each other occasionally and holiday together.

While many in the Force, me included, find this type of conduct to be repulsive, I am at a loss as to how we might proceed. There is nothing illegal in the actions of the members; and we do not know if they have violated our code of conduct. While their actions may be offensive, are they "disgraceful" or "unbecoming?" As far as can be ascertained, their actions were discreet and private. The relationship was that of consenting adults and monogamous. We have no complaint which would cause us to investigate alleged wrongdoing, and there are no other known participants at this time.

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