

PISCES HEALTH SPA

Location 10508 109 Street NW

www.EdmontonQueerHistoryProject.ca



The bathhouse has long served as a safe gathering place for gay and bisexual men. Although variations in design and layout exist, most bathhouses have a combination of public and private areas, with video lounges for both television and adult films and a 'wet area' featuring amenities such as hot tubs, steam rooms, and showers. In these confines, men find companionship that is both social and sexual, with the baths being a safe space to meet, relative to public places like parks, tea rooms, or other cruising grounds like "The Hill" in Edmonton.¹

As far back as 1492, public baths existed in places like Florence and Granada and were subject to government intervention.² Police raided the Bains de Gymnase in Paris in 1876; six men were prosecuted for an "offence against public decency," while the manager and employees were arrested for "facilitating pederasty."³ New York City's Ariston Hotel Baths were raided in 1903, with seven of the twenty-six men arrested and receiving prison sentences for sodomy of up to twenty years.⁴

Gay and bisexual men in Edmonton have been frequenting baths since at least the 1940s. Although not a dedicated gay space, the Georgia Baths were known to turn a blind eye to the activities of its patrons. In the 1970s, as the LGBTQ2 community began to grow in size and visibility, new bathhouses opened, including many that didn't shy away from catering explicitly to the gay and bisexual community. The Gymini baths opened downtown before relocating to the space vacated by the legendary gay nightclub Flashback.⁵ The most (in) famous of Edmonton bathhouses, though, was the Pisces.

The Pisces Health Spa, described as the nicest bathhouse on the Prairies, had been open for two years before the police raid that would launch it into infamy.⁶ Even before Pisces opened its doors, there was tension between the police and bathhouse operators and patrons across Canada. Montreal

underwent "Operation Cleanup" to prepare for the 1976 Olympics, which included raiding city bathhouses four times over an eighteen-month period.⁷ Bathhouses in Montreal, Ottawa, and Toronto were raided by police semi-regularly in the late 1970s, culminating with the Toronto Police Service's "Operation Soap" in 1981, which saw four bathhouses simultaneously raided in one night, followed by a flurry of intense public backlash and community outrage.⁸



Two facts made Edmonton's bathhouse raid unique in Canada. The first was how the so-called immoral activities at Pisces had been brought to the attention of the Edmonton Police Service by an individual complainant. Fred

1 This article is adapted with permission from: Darrin Hagen, "The Pisces Bathhouse Raid: Igniting Four Decades of Activism," Edmonton City as Museum Project, 2021, <https://citymuseumedmonton.ca/2021/05/18/the-pisces-bathhouse-raid-igniting-four-decades-of-activism/>.

2 Michael Locke, *Forbidden Friendships: Homosexuality and Male Culture in Renaissance Florence* (Oxford: Oxford University Press, 1998), 203.

3 David Higgs, *Queer Sites, Gay Urban Histories Since 1600* (London: Routledge, 2009).

4 George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890–1940* (New York: Basic Books, 1994), 214.

5 Gymini health & sauna was originally located in the basement of 10166-100 St and was in operation from the mid 1970s until 1981. For more, see: Hagen, "The Pisces Bathhouse Raid."

6 Pisces was owned by Dr. Henri Toupin and his partner Eric Stein. Dr. Toupin is reported to have invested \$130,000 to renovate and open the spa, which is equivalent to almost \$400,000 in 2021. As a private member's club, Pisces was reported to have a membership list of over 2000 patrons and revenue of \$20,000 a month. Dr. Toupin was a prominent neurologist and his medical practice was located in the front of the same building.

7 Tom Hooper, "Bathhouse Raids in Canada, 1968-2004," 2018, https://anti-69.ca/wp-content/uploads/2019/01/Chart_Bathhouse_raids_in_Canada_1968-200-3.pdf.

8 Hooper, "Bathhouse Raids."

Griffis, aged 24, is reported to have brought concerns to the EPS about the activities happening in the Spa.⁹ Jim Dardis, a detective with the EPS Morality Unit, acknowledged that they were familiar with Pisces but had received no prior complaints or concerns. In fact, lawyers for the Pisces owners had sent a letter to the EPS notifying them of the Spa's opening. To this day, the motivations for the EPS' interest in and surveillance of Pisces remain unclear. What is clear, however, is that the police enlisted Griffis to work for them as what the newspapers later referred to as a "gay spy."¹⁰ Griffis is reported to have visited Pisces three times, providing EPS with enough information for them to launch an intensive months-long investigation of their own.

The second fact was the ability of the EPS to learn from and build upon the tactics and experiences learned from "Operation Soap" in Toronto.¹¹ Starting in early February 1981, EPS members began to go undercover in an effort to infiltrate the Spa, making note of not just the sexual activities they witnessed but even the private conversations they overheard. While pairs of detectives¹² recorded the activities inside the Spa in almost pornographic detail, their colleagues lurked in a nearby business, where they noted licence plates and recorded the people coming and going from Pisces.¹³

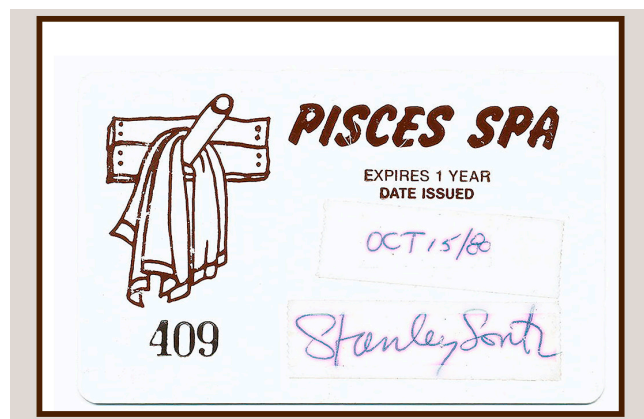
The investigation culminated in the early morning hours of Saturday, May 30, 1981, when dozens of police officers, including members of the RCMP, gathered to raid the Spa. A pair of detectives, who were undercover inside the Spa, let in their colleagues from the outside, even going so far as to turn up the music to cover the sound of splintering doors as the police swarmed through the building, arresting everyone they could find, some still naked in the showers. The raid had been methodically planned, right down to which rooms each pair of officers was assigned to secure, arresting whomever they found inside. The entire raid was recorded with both photographic and video cameras. Patrons were photographed exactly as they were found, even if naked. They were then told to get dressed, photographed again holding name cards, and marched out of the Spa into waiting police vans. The men arrested were not sure what would happen next. Several asked if they were being sent to jail. Others worried the police would be calling their employers and family members. The anxiety and fear were palpable.

The police raid had been so methodically organized that not only were two Crown Prosecutors present at the Spa (which was highly unusual), but courthouse staff were also alerted and on-site ready to process the 'found-ins' at a special 5 a.m. court hearing. Michael Phair, one of the found-ins arrested, recalled the fear and uncertainty they all felt that night, as one by one they were taken in for questioning, no defence lawyers present, until finally, at sunrise, they were given their court dates and released into a fog of shame and uncertainty for their lives and futures. Another found-in reported the

deep sense of stigma and shame he felt as the police treated the found-ins like criminals. However, whispers started to spread amongst the group, who immediately began to organize. When they were released from the courthouse into the early morning sunshine, the men of Pisces somberly marched procession-like back to their parked cars. A meeting was already being planned for later that night at The Roost. It was time to fight back.

Fifty-six men were initially charged in the raid with the offence of being a found-in of a common bawdy house, contrary to Section 193(2)(b) of the Criminal Code of Canada. Simultaneous to the raid, Pisces owners Dr. Henri Toupin and his partner Eric Stein and spa manager John Kerr were awakened and detained at their personal residences and charged with being keepers of a common bawdy house.¹⁴ With more than 60 people originally charged and arrested, the Pisces raid is believed to be the largest mass arrest in the history of Alberta.

Word about the raid spread quickly throughout the local LGBTQ2 community, and the response was immediate. The Gay Alliance Towards Equality (GATE), a precursor to today's Pride Centre, became the central body to help organize and direct community energy. Flashback, Theatre 3, and The Roost all stepped up to provide a space for the men to meet with lawyers, plan their defence, and fundraise.¹⁵ Sadly, the response from Edmonton's media was also immediate.



Suddenly, names of found-ins began appearing in the local newspaper and on television, along with reports that the police had also seized the Pisces membership list, which contained over two thousand names.¹⁶ Would those names also be released? Would other spa members be charged? The actions of the media fanned the flames of homophobia and hatred. Who would be targeted next? Was it even safe to walk the streets?

9 Griffis' identity was revealed via subpoena from a defence lawyer during a trial for one of the found-ins. There are different theories concerning Griffis' motivations. One report alleges Griffis' boyfriend was a regular member of Pisces, which made Griffis jealous and want to seek revenge. Other reports suggest Griffis went to Pisces several times at the request of the police to collect information, thereby making him an agent of the state. Griffis stated that places like Pisces gave the gay community a bad name and suggested he was just being a "good citizen" by making the complaint to the police. See: G. Hannon, "More guilty in Pisces Trials but Court Lowers Owners' Fines," The Body Politic, October 1981, 14.

10 Rae Hull, Darcy Henton, and Robin Barstow, "Gay Spy Led Police to Raid Spa," Edmonton Journal, June 4, 1981, B1.

11 Gerald Hannon, "Edmonton: Bath Raids Move West," The Body Politic, July 1981, 7.

12 EPS members were assigned to work in pairs, reportedly for their own safety. They would often pose as a couple when attending the spa and made detailed notes and maps of the facility. At least 10 officers are documented to have gone undercover, each with their own elaborate cover story. During one evening at the Spa, an undercover officer reported seeing a local corrections officer he recognized. They are reported to have had a conversation to ensure the officer's cover was not revealed.


13 Hagen, "The Pisces Bathhouse Raid."

14 Interestingly, no charges of prostitution were ever laid in the Pisces Spa raid, which many argue is another example of how common bawdy house laws were used to unfairly target non-normative forms of sexuality, and in particular gay and bisexual men. In 2013, the Supreme Court of Canada struck down the common bawdy house provisions in the Criminal Code, and in 2014 Bill C-36 the "Protection of Communities and Exploited Persons Act" was passed in the House of Commons and Senate and received Royal Assent into law.

15 Darrin Hagen, "The Pisces Bathhouse Raid: Igniting Four Decades of Activism," 2021, Edmonton City as Museum Project, <https://citymuseumedmonton.ca/2021/05/18/the-pisces-bathhouse-raid-igniting-four-decades-of-activism/>.

16 Hagen, "Pisces."

Often in past raids, the shame and fear had been enough to keep public outcry at a minimum; the men arrested by police just wanted the matter to quietly go away so they could resume their lives. Increasingly, this was no longer the case, and Edmonton wasn't going to be an exception. The community



The Pisces is closed. The case isn't.

When the Pisces Spa in Edmonton was raided last May 30, 63 gay men suddenly became accused criminals. They're fighting the charges against them — but they need help.

We're asking you to help us help them. We're the Privacy Defence Committee, and we're trying to raise \$20,000 to cover legal costs.

Here's how you can contribute:

- You can send money. Make your cheque or money order payable to the Privacy Defence Committee (or simply to PDC) and send it to us at Box 1852, Edmonton, Alberta T5J 2P2.
- You can pass along the materials we can use in mounting a mail-and-telephone fundraising campaign, such as envelopes and stamps.
- You can lend a hand. If you live in Edmonton, we can use your help to work on mailings and to get on the phone to potential donors.

With your help, they can do it.

PRIVACY DEFENCE COMMITTEE, BOX 1852, EDMONTON, ALTA T5J 2P2
TELEPHONE: (403) 424-8361, 7-10 PM WEEKDAYS

THE BODY POLITIC/41

galvanized and organized. The Privacy Defense Committee (PDC) was formed to help fight the charges against the found-ins, which included fundraising events to help pay for legal representation for those arrested.¹⁷ There also was considerable public backlash to the police raid, and not just from the LGBTQ2 community. A large protest outside of City Hall drew attention to the injustice with calls to better direct police resources on issues that mattered rather than targeting the behaviours of consenting adults and violating their individual privacy rights.¹⁸ Civil Rights Director for GATE, Doug Whitfield, stated that this was a war that gays would not lose.¹⁹ Michael Phair, now Chair of the PDC, emphasized how the raid "broke the myth that if gays were quiet and didn't flaunt it, we'd be left alone."²⁰

In the end, over 30 found-ins pleaded not guilty, which meant 30+ trials before a series of judges would be held.²¹ Not guilty pleas were entered on June 30 and, with unprecedented speed, the trials were set for August, with one scheduled every two days. This left lawyers with very little time to prepare. The men of Pisces would not go down without a fight. Little did they know, the next fight would be against the homophobia of the court.

The proposal to fight the charges laid against the Pisces patrons was quickly derailed. That plan relied heavily on proving Pisces was not the common bawdy house it was alleged to be. Surprisingly, within days of the raid, the spa owners and manager pled guilty to the criminal charges against them, making the legal case against the found-ins much more challenging to fight in court. GATE's Whitfield, and national activist George Hislop, condemned the owners' actions, suggesting they were "abandoning" the spa members by pleading guilty.²² Hislop knew what he was talking about; he'd been previously charged with keeping a common bawdy house as part of Toronto's bathhouse raids in 1978, in which almost 300 men were arrested.

While the police undertook the raid and gathered evidence, the Crown Prosecutor's office not only authorized but vigorously pursued the criminal charges. Leading the prosecution's attack was William (Morrie) Ferries, who was known for his flamboyance and gained even more notoriety for his homophobia. At the trial of the first found-in, Ferries described the Spa as a place for "depraved" and "pathetic individuals" to "rut like animals."²³ He pursued the prosecution of the found-ins with a seemingly gleeful obsession. There can be no doubt how the Crown was a willing participant in the persecution of the men of Pisces and the devastation that followed in its wake.

Of the fifty-six found-ins arrested, almost all were found guilty. The average fine was \$250, with an accompanying criminal record, although some appealed and went to trial. Michael Phair was one of the few who fought back, and in the end, he won his appeal and received an unconditional discharge. Most others were not so fortunate. The majority of the men arrested have never spoken on the record about their experience.²⁴ Many simply disappeared, and a few short years later, as the AIDS pandemic arrived in Edmonton, several died.

Pisces co-owner Dr. Henri Toupin was suspended for six months by the Alberta College of Physicians and Surgeons for conduct unbecoming of a member of the profession and ordered to pay all legal costs of the hearing. He was treated shamefully by the local media, including accusations that he had HIV, later retracted by the Edmonton Sun upon threat of legal action. Toupin, Stein, and Kerr were all charged and found guilty as keepers of a common bawdy house. In addition to now having a criminal record, they were issued fines that ranged in severity: Pisces Health Spa Ltd (\$20,000), Toupin (\$10,000), Kerr (\$10,000), Stein (\$5,000). In total, \$45,000 in fines were levied against the owners, which was more than ten times the amount issued in any

17 Initial members of the Privacy Defense Committee included George Davison, Andy Hopykins and Michael Phair.

18 Lois Sweet, "Gay Spa Raid a Step Toward Erosion of Individual Privacy," Edmonton Journal, June 8, 1981, A6.

19 Rae Hull, "Gays Say Raids Strengthens Cause," Edmonton Journal, June 27, 1981, A11.

20 Gilbert Bouchard, "Effects of '81 Spa Raid Still Concern Local Gays," Edmonton Journal, May 30, 1986, G12.

21 Michael Phair, "Pisces Revisited: The Conclusion," Fine Print, April 1983, 8.

22 Rae Hull, "Guilty Pleas Betray Gays," Edmonton Journal, June 9, 1981, B2.

23 "Crown Calls Pisces Place for 'Depraved,'" Edmonton Journal, July 31, 1981, B6.

24 Hagen, "Pisces Bathhouse."

other previous bawdy house case.²⁵ Upon appeal, these fines were reduced, but the record of convictions remained.²⁶ Toupin never re-opened the Spa and would pass away a few short years later. Although there are reports of Pisces II opening under new management, and in the same location, it didn't appear to last long.

Looking back on the Pisces raid, PDC member Philip Knight reflected on the fear, depression, and suicidal contemplation many of those charged endured in the weeks and months following the raid.²⁷ Many of the men arrested were from small towns; some had children and families; others worked as clergy, teachers, and in government. As a result of the raid, Knight stated, "Most have just disappeared from the gay community.... Some have left town."²⁸ Knight publicly asked, "The raid clogged up the courts for months, cost a lot of money,²⁹ and for what? It wrecked some people's lives... What did the raid accomplish other than to cause fear and anger?"³⁰

One positive element did emerge from the raid. The outrage over the injustice of the raid galvanized many members of Edmonton's LGBTQ2 community who became more visible, vocal, and organized. This new consciousness would



be a significant contributing factor that led to Edmonton's first organized Pride events the year after the raid. Soon thereafter, a new organization called Gay and Lesbian Awareness (GALA) was formed to continue building on this legacy. GALA would not only organize Pride festivities for the next decade, but also actively fight for the human and civil rights of LGBTQ2 Edmontonians well into the late 1990s.

In 2019, Edmonton police chief Dale McFee issued a historic apology to the city's LGBTQ2 community, acknowledging the history of harm, persecution, and devastation caused by police actions like the raid.³¹ Notably, Pisces was never mentioned by name in the apology. Chief McFee stated, "Our actions caused pain. They eroded trust. They created fear. They caused members of the public and our service alike to feel unsafe on their own streets, in their workplaces and even their homes."³²

Michael Phair, the most vocal and well-known found-in, would later state that there was no going back after Pisces. He would go on to become an influential community leader involved in helping to support countless LGBTQ2 community organizations and causes. He would later be elected to 5 terms on Edmonton's city council. Shelley Miller, a lawyer who defended many of the men arrested at the Pisces raid, was also on hand to hear the Chief's historic apology. She can still recall the homophobia from the police and court of the day and its impact on everyone involved.

In homage to John Lennon's song Imagine, Michael Phair shared this variation with the community at the time of the Pisces raid:

*Imagine a world where men love men and women love women
Where all human beings are respected and loved
Some people think that it can't be done and that I'm foolish to try
but imagine if it were true.³³*

Forty years later, the men of Pisces have not and will not be forgotten.

25 Phair, "Pisces Revisited," 8.

26 Upon appeal, fines were reduced by more than half to: Pisces Health Spa Ltd (\$6,000), Toupin (\$4,000), Kerr (\$4,000), Stein (\$1,500).

27 The last legal appeal of a found-in is documented to have concluded in 1985, four years after the initial police raid and arrest occurred.

28 Robin Barstow, "Raid Drove Gays Back into Closet," Edmonton Journal, May 30, 1982, B1.

29 The average cost of a court trial in 1981 was reported to be \$12,000. With inflation, that amounts to about \$35,000 in 2021. Now multiply that by 60 (not including appeal trials) and the total cost would have been approximately \$720,000 in 1981 or over \$2 million dollars in 2021. See: "Court Costs Soar," Edmonton Sun, September 10, 1981, 4.

30 Bouchard, "Effects," G12.

31 "Police Chief Apologizes to City's LGBTQ2S+ Community," CTV News, May 3, 2019, <https://edmonton.ctvnews.ca/police-chief-apologizes-to-city-s-lgbtq2s-community-1.4407102>.

32 Dylan Short, "Our Actions Caused Pain": Edmonton Police Chief Apologizes to LGBTQ Community," Edmonton Journal, May 3, 2019, <https://edmontonjournal.com/news/local-news/edmontons-new-police-chief-to-apologize-to-lgbtq-community-today>.

33 Michael Phair, "Pisces Revisited: Part II," Fine Print, March 1983, 5.

FURTHER RESOURCES

Read more about the Pisces Health Spa raid with this series published by Edmonton City as Museum: <https://citymuseumedmonton.ca/2021/05/18/the-pisces-bathhouse-raid-igniting-four-decades-of-activism/>.

Watch Darrin Hagen recount details of the Pisces Raid in this Queer History in Edmonton video series by Edmonton Public Library: <https://www.youtube.com/watch?v=Jgl-YwYJ5kA>.

Watch this works-in-progress entitled "Pisces", which engages an intergenerational conversation about the police raid in commemoration of the 40th anniversary: <https://theatrenetwork.ca/shows/season/season-46/pisces/>.

Edmonton Police Service Apology to the LGBTQ2S+ Community <https://www.youtube.com/watch?v=BV3ZyVHXlvQ>.