

JULY, 1977

Judge rules in FBI favor in dispute with church

LOS ANGELES (AP) — The federal government won a major victory in its battle with the Church of Scientology when a judge ruled the FBI's seizure of thousands of church documents was legal.

U.S. District Judge Malcolm M. Lucas rejected claims by church attorneys that the FBI exceeded the scope of a search warrant during the seizures last July 8.

Federal attorneys said Wednesday's ruling, unless appealed, cleared the way for the documents to be presented to a federal grand jury in Washington, D.C., that is considering government charges against the church of conspiracy, theft and obstruction of justice.

But attorneys for the church said they would file an appeal today seeking a stay of the ruling.

The FBI raids were carried out during a federal investigation into government allegations of a church conspiracy to infiltrate government agencies, burglarize government offices and "bug" federal property.

Church officials, however, contended the FBI raids of church offices in Los Angeles and Washington were only an extension of an alleged 20-year program of harassment by the government because the church was attempting to uncover alleged government misconduct.

The Rev. Heber Jentsch, the church's chief public relations officer in Los Angeles, condemned Lucas' ruling and predicted it would "complete the rape of the First Amendment that started with the Supreme Court's decision that allowed police to raid newspaper offices."

In a formal statement, the church asserted Lucas' order "kicked the First and the Fourth Amendments in the teeth."

The ruling, said church spokesman Gregory Layton in Washington, "means the police or FBI can now smash their way into any group formerly protected by the First Amendment, wander about at will and search through every piece of paper in a massive but authorized fishing expedition."

However, Lucas found the church had "completely failed to demonstrate that the searches and seizures in question were improper in any way."

He ruled: "The court finds that the searches and seizures ... even though directed at a church, were reasonable and properly limited under the circumstances."

The church claims 4 million followers and lists active organizations in 17 U.S. cities and a dozen other countries. It calls scientology "the spiritual heir of Buddhism in the Western world."