

Los Angeles Times

SUNDAY

MONDAY, AUGUST 28, 1978

'FAIR GAME' POLICY

Scientology Critics Assail Belligerence

If anyone is getting industrious trying to enturbulate (sic) or stop Scientology or its activities, I can make Captain Bligh look like a Sunday-school teacher. There is probably no limit on what I would do to safeguard Man's only road to freedom against persons who . . . seek to stop Scientology or hurt Scientologists.

—L. Ron Hubbard, Aug. 15, 1967

BY ROBERT RAWITCH and ROBERT GILLETTE

Times Staff Writers

It was not the first time that private investigator Eual R. Harrow had interviewed jurors following a verdict, but in a 1974 Los Angeles case involving the Church of Scientology, Harrow said the jurors proved to be "the most difficult group I have ever encountered."

The case was a civil suit, and the church had hired Harrow to find out why it had lost. The jury had awarded \$300,000 in damages to former Scientologist L. Gene Allard in his suit in Los Angeles Superior Court against the church for malicious prosecution.

"Many of the jury, especially the women members, were concerned for their safety, and felt that the church may try to do something to the members of the jury," Harrow said in a sworn affidavit. One juror said several of the others contemplated asking for protection, Harrow said.

This is another in a series of articles on the Church of Scientology.

"It appeared that all the jurors were somewhat intimidated by the doctrine of the Church of Scientology," the investigator wrote. "Everyone I interviewed felt they were now 'fair game.'"

Fair game is the name the church applied to a policy dictum first expressed by Scientology founder L. Ron Hubbard in 1965, and which he reaffirmed in a written policy communique to the worldwide church in 1967.

The fair-game policy has been a central focus of Scientology's critics—among them former Scientologists—who contend that the church pursues individuals who offend it with the same combativeness it directs toward government agencies and private groups the church counts among its enemies.

In a policy order dated Oct. 18, 1967, concerning a "suppressive person" (SP) or "enemy" of the church, Hubbard wrote:

"SP Order. Fair Game. May be deprived of property or injured by any means by any Scientologist without discipline of the Scientologist. May be tricked, sued or lied to or destroyed."

Spokesmen for the church insist that the intent of the fair-game policy has been widely misunderstood by outsiders, and that it signified only that a "suppressive person" could be deprived of the special protections the church seeks to provide from a hostile society.

Equally misunderstood, the church contends, is a controversial Hubbard dictum labeled "R2-45," which the church's enigmatic founder never has chosen to elaborate. The dictum comes from Hubbard's book "The Creation of Human Ability" and reads: "R2-45: An enormously effective process for exteriorization but its use is frowned upon by this society at this time."

Exteriorization, in Scientology terminology, is the ability of the mind, or "thetan" to physically leave the body.

A number of former Scientologists who are now critics of the church assert that R2-45 is meant to authorize killing its antagonists with a .45-caliber pistol.

Church spokesman Jeffrey Dubron, of the principal American Church of Scientology in Los Angeles, says "it was only a joke."

There is no evidence that R2-45 has ever been carried out, nor is there any indication Scientologists have ever, as a matter of policy, physically harmed anyone.

There is, however, abundant evidence that the church has sought—and to a significant extent succeeded—to suppress criticism of Scientology, in part by simply promulgating policies such as fair game and R2-45 and also by the church's quickness to file civil and even criminal charges against its critics.

In a 1955 publication by Hubbard still sold in the church's bookstores, he said the purpose of a lawsuit against those who make unauthorized use of Scientology materials "is to harass and discourage rather than to win."

As with its war on government agencies that the church perceives as hostile to it, Scientology's conflict with individual critics are the business of the church's Guardian Office, a legal, public relations and intelligence staff represented in each Scientology church in the United States and other countries.

Directed from the organization's headquarters in Sussex, Eng., the Guardian Office is a world apart from the thousands of predominantly young people devoted to the church, and who feel that its form of counseling, called "auditing," has benefited them.

Los Angeles Times

Los Angeles Times

Mon., Aug. 28, 1978—Part 3



AUTHOR—Paulette Cooper wrote "The Scandal of Scientology," then faced charges.

According to various sources:

—A New York federal grand jury is currently trying to determine whether Scientologists framed Paulette Cooper, the author of a book critical of the church, by mailing two bomb threats to a Church of Scientology in New York containing clues pointing to Miss Cooper. A grand jury in 1973 initially charged Miss Cooper with mailing the threatening letters, but the charges were dismissed by the prosecutor two years later.

—The FBI in its July, 1977, search of Church of Scientology offices in Los Angeles and Washington, D.C., seized documents indicating that two Scientologists staged a phony hit-and-run automobile accident involving a pedestrian in an effort to discredit Gabriel Cazares, a former mayor of Clearwater, Fla., and a vigorous critic of Scientology.

—The FBI also seized documents indicating unspecified "operations" planned by the church against Florida journalists critical of Scientology in 1976. The church was at that time establishing a \$2.3 million center for its elite "Sea Organization" in the Clearwater area.

The FBI also has alleged in an affidavit that one of the 11 Scientologists indicted by a federal grand jury Aug. 15 on charges of burglarizing federal offices intended to use fictitious Internal Revenue Service identification cards in an "operation" against one of the journalists, but decided instead to use the cards to gain entry to a U.S. Justice Department office.

In litigating to curb its critics, the Church of Scientology has brought more than 100 civil lawsuits in the past decade in the United States and Canada alone—most of them for libel—against journalists, publishing companies, radio and television stations, libraries and outspoken individuals who criticize the church.

Moreover, on at least four occasions the Church of Scientology or its members have lodged criminal charges against vocal critics. In each of the four known instances the charges were dismissed by a local

prosecutor or a judge before the case was presented to a jury.

The doctrinal writings and policy statements produced over the last 14 years by the church's 67-year-old founder, L. Ron Hubbard, have set Scientology's basic strategy in meeting attacks by government agencies, private groups and individuals.

Among the earliest such statements is a formal "policy letter" issued on August 15, 1960, directing his followers to conduct themselves more forcefully.

"If attacked on some vulnerable point," Hubbard wrote, "always find or manufacture enough threat against them to cause them to sue for peace."

A subsequent May 30, 1974, confidential Scientology board policy letter entitled "handling hostile contacts/dead agenting," incorporates part of the church's earlier policies regarding attacks and specifically attributes to Hubbard.

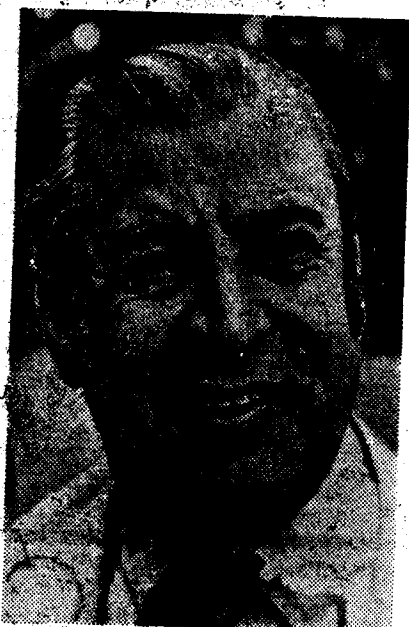
"It is my specific intention that by the use of professional PR tactics any opposition be not only dulled but permanently eradicated. This takes data and planning before positive action can occur."

At another point in the policy, to counter what Hubbard labeled the "black propaganda" of others against Scientology, the founder wrote:

"If there will be a long-term threat, you are to immediately evaluate and originate a black PR campaign to destroy the person's repute and to discredit them so thoroughly that they will be ostracized."

Scientology spokesman Kenneth Whitman said the 1974 policy had been rescinded, but church officials declined to produce any written documentation to that effect.

According to court documents, L. Gene Allard believed that the Church of Scientology instigated criminal charges against him in 1969 in an effort to discredit him after he left the church with financial records which he later turned over to the Internal Revenue Service.



SKEPTIC—Gabriel Cazares pressed for information about church ownership in Florida.

Allard, an artist from Ft. Lauderdale, Fla., who was then 28 years old, had joined the church in 1969 in Texas. The same year he moved to Los Angeles, where he signed a symbolic "billion-year" contract of loyalty to the church and joined Scientology's elite management corps, the Sea Organization.

Allard held the position of banking officer for the United States "Mother Church" in Los Angeles until June 8, 1969, when, he said in court testimony, he fled the church after a superior urged him to alter \$1.25 million in receipts so as to make it appear that the money had been received by a tax-exempt portion of the church rather than a nonexempt entity.

Soon after Allard fled, church officials called the police and accused him of stealing the equivalent of \$27,713 in Swiss francs, along with unspecified records, from the church safe. Allard was subsequently arrested in Florida and jailed for 21 days before the Los Angeles district attorney's office dismissed grand theft charges against him "in the interest of justice."

Expanding on the reasons for the dismissal, the prosecutor, in his recommendation filed in Superior Court, said church officials had been "evasive" in discussing the allegedly stolen Swiss francs.

Allard did admit taking financial records from the safe that reflected income and disbursements by the church, but he said he turned those over to the IRS in Kansas City, which the prosecutor confirmed.

The 1974 trial of Allard's malicious prosecution suit against the church focused on whether he had been subjected to Scientology's fair-game policy and the church's contention the policy had been canceled.

Attorneys for the church vigorously argued that the policy was irrelevant to Allard's suit and, failing that,

Please Turn to Page 18, Col. 1

Church Aggressiveness Assailed

Continued from Third Page

tried to show that it had not been applied to Allard.

Introduced into evidence was a policy order signed by Hubbard in 1968 which called a halt to declaring individuals fair game "because it is bad public relations."

But the same policy stated it "does not cancel any policy on treatment or handling of any SP (suppressive person)," referring to being "tricked, sued, or lied to or destroyed."

The jury May 31, 1974, found in favor of Allard and awarded him \$50,000 general damages and \$250,000 punitive damages.

An appellate court—which upheld the Superior Court verdict but reduced the amount of punitive damages assessed against the church to \$50,000—observed that Superior Judge Parks Stillwell had given the church "almost

The church failed to prove that the 'fair-game' policy had been repealed.

the entire trial within which to produce evidence that the fair-game policy had been repealed." The appellate court said the church had "failed to do so."

The California Supreme Court refused on July 15, 1976, to review the case. Allard was last reported by his attorney, W. Marshall Morgan, to be working as a woodcarver in San Diego County. Efforts by The Times to reach him for comment were unsuccessful.

In a similar finding, the December, 1971, report of an official British inquiry into Scientology rejected the church's contention that the fair-game policy was "just a theoretical sanction."

Sir John Foster, a member of Parliament who presided over the inquiry, wrote:

"In at least one case which has come to my notice, a defector from Scientology who had risen through the ranks to a high position in the organization was declared fair-game over Mr. Hubbard's signature when he decided to dissociate himself.

"Thereafter, members of the Scientology leadership were found writing to third parties to say that the defector had been 'excommunicated for theft and perversion.'

"Another Scientologist, who had sued for the return of his auditing (counseling) fees, found himself the subject of a private prosecution for theft by the Scientology leadership. Fortunately for him, he was acquitted."

The Church of Scientology has since circulated an affidavit bearing Hubbard's signature that disavows any

harmful intent to the fair-game policy. The March 22, 1976, affidavit, which is not notarized, reads in part:

"There was never any attempt or intent on my part by the writing of these policies (or any others for that fact), to authorize illegal or harassment-type acts against anyone."

However, the inventory the FBI prepared of items it seized from the Church of Scientology in July, 1977, cites a nine-page document dated Jan. 26, 1976, which, according to the FBI's description, concerns "operations against enemies 'Sableman, Orsini, and Bob Snyder.'"

Mark Sableman and Bette Orsini are reporters for the St. Petersburg (Fla.) Times and Clearwater Sun who, in 1976, wrote a series of investigative stories on Scientology. Bob Snyder was at the time a talk show host on radio station WDCL in Dunedin, Fla., near Clearwater, where the Church of Scientology established a major new "advanced training" facility in late 1975.

On his radio show, and on the lecture circuit in the metropolitan Tampa area, Snyder had been severely critical of the church, depicting Scientology as an "anti-God" influence that had moved surreptitiously into the community, misleading businessmen, news media, and local clergy as to its identity.

The Church of Scientology had established the advanced training center for its Sea Organization in the locally historic, 272-room Fort Harrison Hotel in Clearwater—but did not initially disclose its ownership.

The previous owner, Jack Tar Hotels, Inc., said only that it had sold the Fort Harrison building for \$2.3 million to a company called Southern Land Development and Leasing Corp., which in turn was to lease the hotel to a newly formed organization called United Churches of Florida.

Only after the mayor of Clearwater at the time, Gabriel Cazares, pressed publicly for more information about United Churches—and asked in particular why a religious organization would restrict public access to the old hotel and post Mace-equipped security guards around the clock—did Scientology church officials in Florida acknowledge that they were "95% owners" of both Southern Land and United Churches of Florida.

Still later, the officials said the two groups were "wholly-owned subsidiaries" of the Church of Scientology.

Asked in 1976 to explain why the church had not disclosed its role in the purchase of the hotel, national spokesman Arthur J. Maren said that, "Since the idea was to unite religions for community and social betterment, and not an idea to propagate Scientology, the less mention of any dominant religion the better."

(The hotel complex and nearby bank building the church purchased for \$500,000 now operate openly under the banner of Scientology.)

In an affidavit the FBI prepared last year in support of a search warrant prior to seizing papers from the Church of Scientology, the bureau alleged that two church agents broke into an Internal Revenue Service office in Washington, in March, 1976, and made IRS credentials in fictitious names.

"These credentials were initially made," the FBI alleged, "for use in a covert operation involving one Robert Snyder, a newscaster critical of the church."

Instead of carrying out that operation, the FBI affidavit alleged, the credentials were used by two Scientologists to gain entry to the U.S. Courthouse in Washington, where the Justice Department kept files of government documents withheld from the Church of Scientology under exemptions in the Freedom of Information Act.

The FBI identified the Scientologists as Michael J. Meisner, the Washington church's covert operations chief who became a key government informant in the case, and Gerald Wolfe of Los Angeles, one of the 11 indicted by a federal grand jury. The FBI said it intercepted Wolfe and

Please Turn to Page 19, Col. 1

Church Zeroes In on Its Critics

Continued from 18th Page

Meisner at the U.S. Courthouse on June 11, 1976.

In February, 1976, after the church threatened to sue the radio station for Snyder's caustic remarks about Scientology, the small station fired Snyder, then rehired him a month later to host a noncontroversial music show.

The same month, church officials obtained a criminal complaint for trespassing against Snyder, alleging that he had driven at a high rate of speed into the courtyard of a church facility shouting obscenities.

Snyder confirmed that he and his wife had driven onto the premises to gather information about Scientology, but denied the other accusations. A city judge dismissed the charges ruling that no "willful trespass" had been proven.

Mark Sableman, a reporter with the Clearwater Sun who had written stories critical of Scientology, was the target of an apparent attempt in May, 1976, to discredit him professionally in the eyes of the Florida Legislature, which Sableman was then covering.

A rough draft of a fictitious news story under his name was circulated anonymously among legislators alleging that 19 of them were linked to the Mafia and gambling interests and were involved in bribery, blackmail and illegal financial transactions.

The Clearwater Sun denied at the time that Sableman was working on any such story and added in a published disclaimer that two documents circulated with the fake draft, which the newspaper did not describe, were apparently obtained by burglarizing the reporter's Tallahassee hotel room.

According to one account, documents seized from the Church of Scientology in July, 1977, show Scientologists circulated the fictitious news story.

In February, 1976, shortly after the church had bought

the Clearwater Hotel and the city's mayor, among others, had stirred a local furor over Scientology's role, the church sued Cazares for \$1 million—alleging libel, slander and infringement of its members' constitutional right to freedom of religion.

Cazares and his wife then countersued the church, alleging that a "fact sheet" on his background that Scientologists had circulated had libeled him.

(The Cazareses later dropped their suit, they said, in order to concentrate their resources on defending against the church suit, which a federal judge in Tampa dismissed last month.

A hearing is yet to be held to determine whether the Church of Scientology should be compelled to pay the Cazares' legal fees, which his attorney estimates at between \$40,000 and \$70,000.)

On March 14 and 15, 1976, Cazares attended a national mayors' conference in Washington, D.C.

Shortly thereafter, while Cazares was running unsuccessfully for Congress, an anonymous letter signed only "Sharon T." circulated in Clearwater alleging that the mayor had been riding in a car in Washington that struck a pedestrian and that Cazares had failed to report the accident.

Last April, the Washington Post reported that documents the FBI seized from the church showed that two Scientologists had staged a fake hit-and-run accident involving Cazares in Washington's Rock Creek Park. A woman Scientology agent, said to have been driving a car in which Cazares was riding, reportedly "struck" a second Scientologist posing as a pedestrian, sped away and urged the mayor not to report the "accident."

The Church of Scientology subsequently subpoenaed the Post reporter and entered the story into court records as

part of a contention that the government had leaked documents prejudicial to the church.

Cazares, who is now a stockbroker in the Clearwater area, has acknowledged renting a car and driving it in Washington on March 14, 1976, but has said he drove alone. Inquiries to the Washington police by Florida news media at the time the anonymous letter from "Sharon T." circulated, disclosed 19 hit-and-run accidents in the metropolitan area on March 14, none involving a pedestrian. Although he turned the letter over to the FBI, Cazares declined to discuss the incident further with The Times.

Spokesmen for the Church of Scientology have denied involvement in any such episode or in circulating the letter from "Sharon T." One church spokesman said, "It sounds like the plot of a movie."

In pleadings filed in the Los Angeles federal court, Asst.

Federal grand juries are investigating Scientology, a U.S. official said.

U.S. Att. Raymond Banoun, the prosecutor in the case of 11 church officials indicted Aug. 15, said earlier this year that federal grand juries in Tampa and New York are investigating Scientology, but he would comment no further.

The New York grand jury, according to a reliable source, is attempting to determine whether the church or its officials were involved in framing freelance author Paulette Cooper on criminal charges lodged against her on May 17, 1973.

Miss Cooper, who wrote a 1971 book entitled, "The Scandal of Scientology," was charged two years later with two counts of mailing bomb threats to a prominent official of the church in New York and one count of perjury for denying to a grand jury that she sent the notes.

J. A. Meisler, then a public-relations official in the New York Church of Scientology, has said in a signed statement that after he received the two typewritten bomb threats

he gave the FBI a list of persons "who might bear me a grudge or be critical or opposed to" Scientology. Los Angeles church spokesman confirmed that her name was one of those given to the FBI.

One of the notes bore a single fingerprint of Miss Cooper, and the wording of both contains clues pointing to her. One note, for example, refers to "books closing in on me"—Miss Cooper has written several other books and numerous magazine articles—and also contains the words, "My tongue is swollen—I hurt—my operation."

Miss Cooper had a minor tongue anomaly which she says developed as a result of childhood malnutrition when she lived in an orphanage. Shortly before the Church of Scientology reported receiving the notes in late 1972, Miss Cooper also had undergone major surgery for an unrelated problem and mentioned it in a television interview.

In the months after she was charged with federal offenses relating to the mailing of the notes, Miss Cooper has said she spent more than \$20,000 for legal fees and an additional \$6,000 for psychiatric treatment of severe mental depression. On one occasion, she has said, she attempted suicide.

In 1975, two years after her indictment, authorities dismissed the charges against Miss Cooper.

Three weeks ago, Miss Cooper filed a \$20 million damage suit against the church in New York. In the suit, she said that FBI agents advised her in October of 1977 of evidence that the Church of Scientology "had caused her stationery to be stolen, had written the two bomb threat letters on it, had caused them to be sent to it (the church) and had called in the FBI and blamed her."

In her civil suit, Paulette Cooper refers to a manila folder entitled "PC Freakout" that was among truckloads of documents the FBI seized from the Church of Scientology following a search July 8, 1977.

The only available description of the folder is contained

Please Turn to Page 20, Col. 1

Critics Find Church a Bitter Foe

Continued from 19th Page

in the FBI's extensive inventory of materials it seized. The FBI said it contained two documents that concerned "getting PC incarcerated in a mental institution or jail."

The FBI has informed Miss Cooper that the initials "PC" refer to her.

The FBI inventory of seized documents contains more than a dozen references in all to "PC" and "Paulette Cooper," including a three-page document dated May 18, 1972, discussing "intelligence operations against Paulette Cooper" and a manila folder with "handwritten notes from P. Cooper's diary."

In addition to alleging that the church framed her on the criminal charges, Miss Cooper's suit alleges that the Church also stole her diary; sent false and malicious, but anonymous letters to acquaintances; made threatening phone calls to her; stole information about her from the offices of her lawyer and doctor and mailed it to her and spied on her.

Jonathon Lubell, New York attorney for the church, declined to comment on the nature of Miss Cooper's suit other than to state he was confident Scientology would be "vindicated."

Cooper's 1971 book also resulted in a major legal battle with the church, which filed eight libel suits against her in California, New York and Canada as well as in Australia and Great Britain, where Miss Cooper says the book was never distributed.

Tower Publications, Inc., publisher of "The Scandal of Scientology," withdrew the book from the market shortly after the suits were filed against Miss Cooper and the company. Stating that fighting the suits was not worth the

probable cost in legal fees, Tower paid the church \$500 in a 1973 settlement and wrote a brief apology for "any difficulties caused to the Church of Scientology as a result of any half-truths or misstatements of fact in the book . . ."

On Dec. 5, 1976, five of the lawsuits were settled on the eve of a Superior Court trial in Los Angeles pertaining to one of them. The church paid what Miss Cooper's attorney described as a "substantial sum" for her legal expenses.

She in turn signed a statement that said in part that in the five years since publication of the book she had learned that a number of passages in it were "erroneous or at the very least misleading" and agreed not to discuss the book publicly.

In still another suit, which the church filed against Miss

Scientologists held a mock funeral for a dissenting Canadian family.

Cooper this year, it accused her of breaking a clause in the settlement agreement under which she was to refrain from public discussion of Scientology and her book.

The church filed the suit after a newspaper story last April described her conflict with Scientology, although the story said she was traveling in Europe and could not be reached for comment. Her attorney, in responding to this suit, said she signed the 1976 agreement "under duress" from the church and that it was therefore "unlawful and unenforceable."

Jeffrey Dubron, a church spokesman in Los Angeles, characterized Miss Cooper as "someone who is out for

money and found a sensational way to get it."

"All I'm saying," Dubron said, "is look at her book, look at this (the 15-page statement she signed concerning disputed passages in the book) . . . and then ask us why we sued, and why, when you talk about Paulette Cooper's credibility, you find we have fairly deaf ears."

Forty miles north of Toronto, in the small community of Sutton, Ontario, a 55-year-old housewife named Nan McLean has been an equally vocal critic of Scientology, and her conflicts with the church have been intense.

Mrs. McLean joined Scientology in 1969 and for several years worked full time at one of the church's counseling "franchises"—now called missions—in Toronto. Before she left in the fall of 1972 she had brought her husband, two sons and daughter-in-law into the church.

One son, John, now 26, dropped out of high school in his senior year to join Scientology and spent nearly two years aboard the church's flagship, the 3,280-ton yacht Apollo.

But when the McLeans became disenchanted with Scientology and sought refunds for some of the counseling courses they had taken, conflict erupted with the church—and escalated as the McLeans began publicly criticizing the church in news articles and on radio and television.

In a little more than five years, the Church of Scientology has filed nearly a dozen lawsuits—most of them for libel—against various members of the family in the United States and Canada, instigated criminal charges alleging harassing phone calls from the McLeans, and conducted a mock funeral for the family down the main street of Sutton.

A judge dismissed the criminal charges after testimony that three of the calls actually were placed by Scientologists to the McLeans.

On April 25, 1974, a Canadian court ordered the church "not to carry on public demonstrations against" Mrs. McLean, distribute literature describing her as a "lost soul," or otherwise refer to her previous association with Scientology.

Mrs. McLean in turn was ordered to cease impugning Scientology on radio and television until a church suit

against her (to reclaim a \$1,300 refund it paid her) is solved.

Amid these legal battles, two Toronto men were arrested on April 17, 1974, in what police said was an abortive attempt to break into an attorney's office. The office that of Nan McLean's attorney. The following day a hearing was scheduled in one of the suits the Church of Scientology had brought against her.

The two men later pleaded guilty to possession of glary tools and were sentenced to two years probation.

Although a police search of their apartment for material on Scientology, neither man acknowledged an association with the church during interviews with police with probation officials.

Asst. Crown Atty. Brian McIntyre, in a letter to McLean dated Nov. 3, 1975, said a police investigation revealed that both men were members of the Church of Scientology.

There is no evidence the men were acting at the direction of the church.

Next: The church of Scientology contends it has been target of a systematic campaign by the federal government to destroy it.