

APn 07/30 0628 Canada-Scientology
By JEFF BRADLEY Associated Press Writer

TORONTO (AP) -- The Church of Scientology in Canada has offered to donate a million dollars or more to the needy if the government drops criminal theft charges against it.

The move was legally unprecedented. Ontario Attorney General Ian Scott reacted coolly and the nation's leading newspaper termed the offer "offensive."

Scott left the door open for lawyers to discuss Tuesday's proposal. It stems from a case charging church members with the theft of government documents about the church's activities in the 1970s.

But the attorney general dismissed the church's plea for immunity from prosecution because of the separation of church and state.

"There's no immunity that permits a church or anybody else to commit crimes in this country," Scott told reporters.

The church, founded in 1954 by U.S. science fiction writer L. Ron Hubbard, claims protection under the constitutional guarantee of religious freedom.

"There's a long tradition in America of the separation of church and state, which unfortunately doesn't exist so strongly in Canada," church official Cathia Riley told The Associated Press in an interview Friday.

Church lawyer Clayton Ruby told Scott the church would make "substantial contributions" to agencies helping the needy and homeless, and perform 3,000 hours of community service if the prosecution against the church is dropped.

Ruby said the church has already spent \$2.5 million in the legal battle, and the government about \$12.5 million.

"What we're saying is why not put that money to constructive use instead of prosecuting charges which are by now ancient history?" said Mrs. Riley.

She said the donations could total millions of dollars and were an attempt to atone for the actions of individuals, not to buy off the government.

The prosecution of members was not being contested, Mrs. Riley said. "But no other church has been criminally prosecuted, even when it advocates breaking some law such as no blood transfusions for children."

The church and 11 members are charged with taking photocopies of Ontario government documents. They apparently feared the church was about to come under attack.

Charges were filed in 1984, a year after 100 officers seized about 2 million documents in a 20-hour raid on the church's Toronto headquarters.

The church has acknowledged moral but not legal responsibility for the thefts.

Mrs. Riley said the 10 officials who sanctioned them have been expelled. She said they belonged to a secretive internal division called the Guardian's Office, run by Hubbard's wife, Mary Sue, and disbanded in 1982.

Mrs. Hubbard served a U.S. jail term after pleading guilty to directing a conspiracy to steal Internal Revenue Service and Justice Department documents about the church.

In the U.S. case, the church itself was not charged. In Canada, the 10 Guardian's Office members were granted immunity in exchange for information.

In an editorial Friday, The Globe and Mail, Canada's national newspaper, termed the donation offer "offensive" and said: "A decision to drop the charges because the church opened its wallet would smack very much of being 'bought off.'"

The Los Angeles-based church claims 6.5 million members. The Canadian church was incorporated in 1967 and has 50,000 members, Mrs. Riley said. Hubbard died in 1986 at age 74.