

FREEDOM

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IRS SUBVERTING INDIVIDUAL FREEDOMS, AGENTS CHARGE

IRS Brings America To Orwell's Nightmare

by Thomas G. Whittle
and Andy Lenarcic

Behind the smoke screen of a "simplified tax system," the IRS is implementing a tax system which would have been suitable to the police state society in George Orwell's 1984.

Lawrence V. Hansen
Former IRS Collection Officer

According to the latest supplements to the *Internal Revenue Manual*, and according to current and former IRS employees interviewed by FREEDOM, the IRS is engaged in a massive effort to computerize personal, non-tax return information on private American citizens, and has already undertaken the following alarming measures:

- Records are being freely shared by the IRS with Interpol, the private,

international police agency whose members include a number of communist or totalitarian countries;

- Records of department stores,



Former IRS officer James McPike

banks, insurance companies, savings and loan associations, credit card companies, telephone companies, drug stores, hospitals, stock brokerage firms, car rental agencies, and real estate companies — in addition to many other businesses — are now readily accessible to the IRS and are being entered into IRS computers, despite the fact that these institutions, in many instances, have agreed with the clients to keep such records private and confidential; and

- Records of virtually all federal and state agencies are being entered into or are accessible for entry into IRS computers.

In addition, these *Internal Revenue Manual* supplements show the IRS is engaged in an intensive effort to gain more power and control, at the price

of individual rights, in accordance with the tax agency's secret five-year strategic plan. This plan, first released publicly in the May issue of FREEDOM, has been put into effect by the IRS, according to IRS veterans who cite a number of startling changes in IRS procedures, including the following:

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Geronimo Pratt Prisoner of COINTELPRO

by Stacy Young

Elmer "Geronimo" Pratt was a paratrooper in the elite Green Berets in Vietnam. He was decorated a number of times for his service to his country. He received two Bronze Stars, which are awarded for heroism or meritorious action in ground combat, a Silver Star, which is awarded for gallantry in action, and two Purple Hearts, which are awarded to servicemen who are wounded in action.

He received one of his Purple Hearts after he rescued five of his fellow servicemen from a burning helicopter minutes before it exploded.

When he returned from Vietnam, Pratt entered the University of Cali-

fornia in Los Angeles (UCLA), intent upon completing his education.

By 1968, Pratt had become one of the strongest of the black student leaders on campus and a member of the politically active Black Panther Party.

The Murder

On December 18, 1968, Ken and Caroline Olsen were gunned down by two black men as they were preparing to play tennis at a public tennis court in Santa Monica, California. The men robbed the couple of \$35. Caroline Olsen died later of the gunshot wounds.

The two assailants were not apprehended at the time of the murder, and subsequent investigation was unsuccessful. The case was finally closed,

unsolved.

COINTELPRO

In early 1969, after Panther leader "Bunchy" Carter was gunned down by FBI informants during a rally at UCLA, Pratt became the leader of the Black Panther Party in Los Angeles.

It was the beginning of a nightmare for Geronimo Pratt.

Neither Pratt nor any of his friends had any knowledge, at that time, of the FBI's now-infamous counterintelligence program, know by its acronym, COINTELPRO.

Documents later obtained by attorneys for Pratt, however, which were recently made available to FREEDOM, revealed that the FBI had every intention of destroying the

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Actor John Travolta arrives in Portland, Oregon, to join the Religious Freedom Crusade. See page 11.

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A New Land of Freedom

Two men walked slowly through the darkness to a clearing in the forest.

Ahead of them, in the clearing, a campfire cast eerie shadows.

"It has been a long war," one of the two men said.

"It will soon be over," the taller man said.

"It can't be too soon," said the first man, indicating the wounded leg that caused him to limp. "This leg doesn't want to see another battle."

As they entered the clearing, three sentries jumped to their feet, one so startled that he dropped his musket.

"Good evening, general, sir," the sergeant in charge of the sentries said, nodding his head in the direction of the taller man. "And good evening to you, too, General Arnold," he said to the other man.

"Good evening, gentlemen," the tall general said.

There was a brief, awkward silence.

"It has been very quiet here, sir," the sergeant said.

"Good," the tall general said. "The enemy will not be quiet for long, though," he added.

"General Washington," one of the sentries said, "there is a rumor that the British will be going away soon. Do you know anything about this?"

"They'll go, or they'll be driven to go," the tall general said. "I hope it will be soon, too, son," he added gently.

"General, if I can ask," the sentry who had dropped his musket said, "why is it that we have to stay in the field when we haven't fought for months, and haven't seen any group of Britishers worth firing at for weeks? It seems like at least some of us could go home."

"I, too, would like to go home, lad," the general said. "It has been a long time for all of us." His voice dropped. "Many good men have paid with their blood so that, one day, we can all go home. We can then raise our families and enjoy our freedom."

"The British themselves should know about freedom," General Arnold said. "Freedom as we know it started with the Magna Carta in England in June of 1215."

"They should know. That is correct, general," Washington said.

There was another silence as Washington's mild reproof of Benedict Arnold passed.

"Freedom comes only when men are willing to stand up for their rights," Washington said. "And unless men are willing to do that, their freedoms will vanish. That is what makes an American an Ameri-

can; he stands up for his rights."

General Arnold shifted his feet nervously. "Shall we go, general?" he asked.

"One moment," General Washington said. "You men should realize what you are creating here. A nation is forming, one where a man's rights are recognized and protected. A nation where there will be no kings,

be that much harder. Every one of you is important.

"Years from now," he continued, "by the grace of God, you will look back on this period with honest pride for the role that you played. And years further hence, your children and their children will enjoy the fruits of your work — a new land of freedom."



"America will be the greatest and freest nation on earth, looked to as the model of liberty by all other countries in the world."

no tyrants, no abuses by government.

"America will be the greatest and freest nation on earth, looked to as the model of liberty by all other countries in the world. You are making this come about."

General Arnold shifted uneasily on his bad leg.

"But if you men took your muskets and bayonets now and went home," General Washington said, "our future would rest on that many fewer shoulders. Our battles would

"Sometimes," he said, "a man who could unbind himself from his chains chooses not to do so. A man determines the level of his freedom, and the level of his integrity. My prayer is that America will always be the land of men who will go to any lengths to correct injustices and to unbind chains."

General Arnold coughed. A silence followed.

"We are with you, sir," the sergeant in charge of the sentries said.

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White Paper Presented to Congress

Whistle Blown on IRS Crimes, Unconstitutional Acts

Since its founding in January of this year, the National Coalition of IRS Whistleblowers has made tremendous progress toward achieving the goal for which it was created — full reform of the tax agency of this country.

Composed of current and former employees of the revenue service, as well as concerned American citizens, the Coalition has embarked upon a broad-based campaign to educate the American people on current problems within the agency.

While it is vital that the people be educated, it is just as important — if not more so — that members of Congress be fully apprised of situations which are affecting their constituents adversely.

With this in mind, the Coalition, in cooperation with FREEDOM News Journal, recently completed its first formal white paper for presentation to the Congress of the United States. It details the results of intensive investigations into specific illegal and unconstitutional activities perpetrated by the tax agency, with particular emphasis on the responsibility of IRS management for the agency's current abominable state of affairs.

A copy of the white paper, which is entitled "The Internal Revenue Service: An Agency Out of Control," is being provided by the Coalition to every member of Congress, urging them to study the report and then act to bring about legislation which will bring this agency back under control.

Seven-term U.S. Congressman George Hansen, one of the founding members of the Coalition and a longtime advocate of IRS reform, wrote the introduction to the white paper, in which he details the disastrous effects of the IRS attitude that it is above the laws of the United States and beyond the bounds of the Constitution.

Mr. Hansen's introduction is reproduced here in full.

Although only a few months old, the National Coalition of IRS Whistleblowers has already shown itself to be one of the most effective organizations in the fight to expose illegal and unconstitutional actions by managers and executives of the Internal Revenue Service.

The Coalition came into being as a result of demonstrated public concern for the plight of the lonely citizen who finds himself at a terrible disadvantage due to the highhanded, unfair and often illegal tactics of the IRS. In unity there is strength, and therefore it is readily apparent that the individual IRS employee is in a stronger and safer position to expose

government agency abuses through the whistleblowers' organization than he would be having to act on his own.

The fact that an IRS employee's honest concern for the welfare of the taxpayer must be protected by a whistleblowers' organization is in itself a sad commentary on the IRS's attitude toward individual rights and freedoms.

I have often referred to the IRS as an agency drunk with power, ruthlessly smashing dissent among its own personnel and brazenly roughing up taxpayers at will. Members of the National Coalition of IRS Whistleblowers, through their own direct



George Hansen

experience, have corroborated and confirmed an attitude and pattern of behavior toward taxpayers on the part of IRS management that is absolutely chilling.

These current and former IRS employees — representing virtually all levels of IRS experience in all sections of the country — have confirmed that the IRS is truly an agency out of control.

Like the internal police of Hitler's Germany, the IRS uses intimidation, terror, lies and brute force in order to consolidate its power and to expand its control of the public. If we are to reverse this tragic trend, and bring about a restoration of the basic free-

doms and the protection of privacy which have always been the hallmarks of America, the IRS must be brought back under the control of the Congress and held accountable to the American people.

From personal experience, I can testify that this important white paper on Internal Revenue Service abuse of taxpayers was produced only after months of intensive study of critical problem areas within the tax collection system by members of the National Coalition of IRS Whistleblowers and the staff of FREEDOM News Journal. It draws on the broadest of sources, blending for the

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A History of Investigative Reporting

Second in a Series
by William C. McGaw

One of the most difficult stories to develop for any newspaper is one involving the positive identification of a key individual the federal government wants to hide.

Vincent Teresa, a self-confessed Mafia member who blew the whistle on people like Bebe Rebozo, confidant of ex-president Richard Nixon, Meyer Lansky, reputed head of the International Crime Syndicate*, and a couple of dozen members of the Honored Society**, was literally too big to hide — in his prime he weighed nearly 400 pounds.

He did manage to worry and sweat off about 20 per cent of that when the Mafioso leaders put out a half-million dollar contract on him. This occurred while he was in the protective custody of the Justice Department, after testifying that he had helped Joseph Valachi inform on Vito Genovese and prominent members of his New England family. Teresa's direct boss had been Raymond Salvatore Loreda Patriarca, who went to the Atlanta federal prison for conspiracy to commit murder.

"No matter what Patriarca was involved in," Teresa was quoted as saying, "he never lost a dime. Others might lose their shirts, but if Patriarca had an investment, his money was as safe as if it were in Fort Knox. Anyone who dared not to protect the padrone's money faced swift and often violent retribution — even old Mafia dons."

This knowledge made Teresa more than a little nervous, as it did government officials who wanted to keep one of their prime talkers alive as long as he knew anything of value. Crime reporters for *The Boston Globe* were insisting all along that Patriarca, even while in the federal pen, still made decisions like who should live and who should die.

Sam (Momo) Giancana, head of the Chicago outfit, was so aware of fast retribution for testifying against any Mafioso that he hid out in Mexico for many years to avoid giving any information to various investigative committees and grand juries looking into organized crime activities.

Giancana is remembered best as a friend of Frank Sinatra and the husband of one of the singing MacGuire Sisters. He made the mistake a couple

of years ago of trying to slip back into Chicago for a brief visit and was cut down by Mob guns almost immediately upon arrival. He wasn't given a chance to talk at all, not even to say "hello" to some of his old buddies.

While I was editor of *The El Paso Journal* in late 1974, I received a tip from one who should know that a recently arrived character going by the name of Vincent Conti was actually Vincent Teresa operating under an assumed identity provided by the Justice Department.

The man thought to be Teresa was slimmed down to about 300 pounds and was wearing a beard when he arrived to take over the operation of a large new motel opening on Interstate Highway 10, just east of the central part of El Paso. The story was that Teresa didn't own the building, but only the operating company. Sources close to the operation said the building was owned by a mysterious Mr. Redman of Mexico City.

"One of the most difficult stories to develop for any newspaper is one involving the positive identification of a key individual the federal government wants to hide."

If the Mafia dons seeking revenge didn't know that Conti was Teresa while hiding out in El Paso, they had to be badly informed. Vinny, as his friends called him, threw an opening bash for 1500 guests on the Villa Motor Hotel's opening night, including a fair number of Hollywood celebrities. Teresa was at the door to greet arrivals personally.

The motor hotel was almost immediately enjoying from 65 to 75 per cent occupancy, which was considered good under the circumstances. It did about \$600,000 in business each of the first two months and many individuals and firms in El Paso were doing a lot of business with the new undertaking.

One advertising agency in the city told the *Journal* they were running about \$25,000 a month in advertising for the motel and the latter was allowing some of the accounts to run rather large.

The *Journal* learned from two different sources that Teresa had, a few years earlier, planned a similar motel operation in London, England, called

Chez Joey's. Teresa ran it in partnership with Joseph "Little Beans" Palladino Jr., son of a Boston bookmaker.

As one phase of the London operation, they ran an establishment called the Villa Casino, and Teresa flew in high rollers from the United States on chartered flights. Teresa also flew in people like actor George Raft to the London Colony Club, owned by Meyer Lansky, and Raft became operator of that club until he was kicked out by the British government.

The *Journal's* sources were predicting a similar type of gambling operation was planned for the El Paso motel, but we couldn't run the story until we knew for sure if Conti was, indeed, Teresa. How do you find out for sure? The government has to tell you.

The special agent in charge of the FBI office in El Paso at that time was a socially active man with almost enough time in the service to retire,

tract was out on Teresa and if we divulged the fact that Conti was Teresa we might get him killed. "No story," I told the FBI agent, "was worth getting a guy killed over. I need help, fast, because we are right on our deadline."

"I can't tell you," said the FBI officer, "but I know this: the city police have a man inside the motel to keep them informed on what is going on. He might tell you if it would get him killed."

The head of detectives in the police department confirmed this fact to me when I explained that I had been referred to his department by the FBI. He said they had a plant in the operation to keep tabs on Teresa, but he hadn't heard anything about the Mob seeking his death.

So, we went with the story, but it wasn't in time to save some El Paso creditors, including the advertising agency, which eventually lost a considerable amount of money.

The headline read: "El Paso Motel Operator Has Mob Connections," and we divulged his true identity.

Nothing happened to Teresa, but the manager of the motel barely missed getting himself killed. Two men opened fire on his garage the next day, shooting up his Thunderbird. The manager, fortunately for him, wasn't in it. Neither was he in town too long, leaving before a second try was made. Apparently he was suspected as being the source for our story, which he was not. ▲



William C. McGaw

In a journalistic career that has spanned more than 40 years, Mr. McGaw wrote for *The Tampa Times*, *The Philadelphia Record*, *The New York Post*, *The New Orleans Item*, and *Collier's*, among others, before settling in Texas as a newspaper editor and publisher.

His more recent career has included work as editor of *The Investigator*, a magazine published by syndicated columnist Jack Anderson, and the writing of several books.

* International Crime Syndicate — often referred to as the Mob. The writer is distinguishing this large organized crime entity from the Mafia, which is Sicilian in origin.

** Honored Society — a euphemism for the Mafia.

NIGHTMARE

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- Personnel in the Collection Division of the IRS no longer need to obtain a summons from the Office of the IRS Chief Counsel in order to obtain credit information on a taxpayer. As recently as a year ago, collection personnel were required to obtain such a summons prior to obtaining such credit information;

- Collection personnel were recently freed of long-established criteria regarding seizures and levies, allowing them to now seize or levy virtually at will, with the average taxpayer almost totally defenseless against highhanded, arbitrary and even illegal actions;

- According to a January 25, 1985, *Internal Revenue Manual* supplement, an IRS agent can now seize a taxpayer's personal property, e.g., an automobile, without a writ* of entry and without the owner's consent. Before the issuance of this recent supplement, either a writ or the owner's consent was required;

manual supplement, armed escorts were sent only when revenue officers had to perform seizures on "potentially dangerous" taxpayers; and

- An IRS agent may now enter the personal property of an individual without a court order if that agent decides — on his own — that the circumstances warrant it.

According to the latest *Internal Revenue Manual* supplements, the IRS has drastically streamlined its collection procedures, eliminating such steps as courtesy telephone calls prior to seizures or levies. Such streamlining steps are being taken at the expense of taxpayer rights and constitutionally guaranteed freedoms, according to James McPike of Salem, Oregon, a former IRS collection representative.

Furthermore, according to McPike, more power and authority is being given to the lower echelon employees of the IRS than ever before. McPike told FREEDOM, "You used to have to get an OK from the district director before you could do a seizure on a personal residence. Now the manual states that this is no longer needed. All you need is the OK of the head of a branch or a division within the district office."

Millions of Americans Targeted

As one example of IRS intrusion into private lives, the tax agency has purchased mailing lists containing the names of millions of Americans in certain targeted cities. According to McPike, the IRS is comparing IRS computer data with data on these commercial mailing lists.

In a hypothetical example given by McPike, the IRS would obtain the list of subscribers to a prominent business magazine for a certain area and input all of the names into the IRS computer. Then, based on the assumption that the average subscriber to that magazine makes X amount of dollars per year, owns a car worth a certain amount of money, and has a house of some approximate

information on private American citizens is responsible for the IRS's many computer problems, as well as for the widely publicized backlogs within the tax agency. These backlogs have caused IRS workers to shred, throw away, or otherwise dispose of thousands of tax returns and unanswered taxpayer letters in IRS service centers in Philadelphia, Pennsylvania; Austin, Texas; and Fresno, California.

Massive Compilation Effort by CID

The IRS Criminal Investigation Division (CID) is the driving force behind the massive effort to compile dossiers on all American citizens,

DesFosses, a 20-year senior IRS agent, said.

The IRS's backlogs in such matters as the processing of refund checks are due to the enormous amount of computer space, the tremendous number of employee hours, and various other resources required by CID in its unconstitutional efforts to enter a massive volume of personal, private information on individual Americans into the IRS's new \$103 million computer system, according to DesFosses.

The scope of this computerization is such as to reach into all phases of continued on page 20



Paul J. DesFosses

"An IRS agent may now enter the personal property of an individual without a court order if that agent decides — on his own — that the circumstances warrant it."

- According to an *Internal Revenue Manual* supplement dated April 2, 1985, armed escorts now accompany revenue officers on all routine seizures. Prior to the issuance of this

* writ — a formal order, issued by a judge, magistrate, or other authority, commanding the person to whom it is addressed to perform or cease performing some specified act.

value, the IRS would do a search of its computers to see whether the taxpayer was actually paying what the IRS estimated as the "correct" amount of taxes.

Paul J. DesFosses, president of the National Coalition of IRS Whistleblowers, charged that the IRS's massive inputting of personal, non-tax

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COINTELPRO

The FBI Takes The Law Into Its Own Hands

by L. Fletcher Prouty

Mr. Prouty, author of The Secret Team, a controversial book about the CIA, is a leading authority on U.S. intelligence activities.

There are many countries in this world where it is necessary to protect the security and lives of those in control of the state from political opponents — foreign and domestic.

In such cases, the intelligence organization, with the power to arrest, is the first line of defense. In these countries, there is an "elite" or "palace" guard staffed and trained for such purposes. This awareness carries over into all governments, to a degree, and the intelligence organizations of all countries tend to drift in this direction whether they are authorized by law to perform such functions or not.

In this country, the CIA is specifically precluded by law from having police, subpoena or law enforcement powers. There is, in fact, no law that authorizes the existence of its sister agency, the National Security Agency, but the NSA is a part of the Department of Defense and is presumed to have the same restrictions in this area as the military, even though it operates under deep secrecy.

The FBI, on the other hand, does have certain specific police powers. The FBI is authorized from time to time to investigate the actions of citizens, primarily to keep a wary eye on enemies of the State — foreign and domestic.

There have been times when the bureau has overstepped these bounds. One of these cases was its program called COINTELPRO.

On March 8, 1971, the FBI resident agency in Media, Pennsylvania, was broken into, and FBI documents were acquired during this break-in which carried the caption COINTELPRO, an acronym unknown to the public at that time.



L. Fletcher Prouty

"The Bureau took the law into its own hands, conducting a sophisticated vigilante operation against domestic enemies."

As a result of a Freedom of Information Act lawsuit brought by an NBC reporter, other documents were obtained, and COINTELPRO was exposed.

Less than two months later, on April 27, 1971, the FBI reported it had terminated this program.

This action proved many things.

One thing it proved was that "terminated" does not mean the same thing to the FBI as it does to you and me.

COINTELPRO had begun in 1956. During the next 15 years, the FBI conducted an elaborate vigilante operation directed at the prevention of First Amendment rights of free speech and free association — and much more. The FBI had taken it upon itself to do whatever it believed was necessary in order to combat perceived threats to the existing social and political order.

In actual practice, the law enforcers became the law breakers.

The FBI utilized extralegal methods to counter what they themselves perceived to be threats to national security and public order, because they had persuaded themselves to believe that ordinary legal processes, which apply equally to all citizens, were insufficient to do the job.

"In essence," as the Senate Select Committee to Study Governmental Operations said in 1976, "The Bureau took the law into its own hands, conducting a sophisticated vigilante operation against domestic enemies."

Fifty years earlier, Justice Louis D. Brandeis of the U.S. Supreme Court had written:

"Our government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people, by its example. Crime is contagious. If the government becomes a law-breaker, it breeds contempt for

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PRATT

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Black Panther Party and specific individuals within the organization — including Geronimo Pratt.

The FBI had initiated its plan for the total destruction of the Black Panther Party at least as early as November 1968, when then FBI Director J. Edgar Hoover sent a directive to the Los Angeles and other FBI offices ordering that agents in those offices submit "imaginative and hard-hitting counterintelligence measures aimed at crippling the Black Panther Party. . . ."

Hoover had made it clear that the agents had free rein to do whatever was necessary to accomplish this aim. In a September 16, 1970, directive to the FBI's Los Angeles field office, Hoover said that "The purpose of counterintelligence action is to disrupt the Black Panther Party, and it is immaterial whether facts exist to substantiate the charge[s]."

By the summer of 1970, Elmer "Geronimo" Pratt was on the FBI's list of Black Panther Party leaders who were specifically targeted in the COINTELPRO operations.

"Constant consideration," reported the Los Angeles field office to J. Edgar Hoover on June 26, 1970, "is given to the possibility of utilization of counterintelligence measures with efforts being directed toward neutralizing Pratt as an effective Black Panther Party functionary."

The Frame

Several months after the June 26 report was written, Geronimo Pratt was arrested and held without bail for the murder of Caroline Olsen, a crime which had occurred two years earlier.

The case was reopened, and Pratt was accused of the murder on the basis of information provided to the FBI by a man known as Julius Butler.

Butler had written a letter in which he claimed that Pratt had confessed to the "tennis court murder." He had written the letter, Butler testified in the murder trial, because he was in fear of his life from Pratt and other Panthers, and he considered it "life insurance," to protect himself from harm.

Pratt denied ever having spoken to Butler about the death of Caroline Olsen.

Butler never admitted to being an FBI informant during the trial, but FBI documents which were released later under the Freedom of Information Act revealed that, indeed, Butler had been reporting regularly to the FBI on Pratt and the Black Panther Party during the period in question.

According to one of Pratt's attor-

neys, Butler was also under pressure by the FBI, facing a prison sentence for another crime if he refused to testify against Pratt.

FBI counterintelligence actions specifically intended to create antagonism between Pratt and Black Panther leader Huey Newton led to Pratt's expulsion from the group by Newton on January 23, 1971, while Pratt was in the Los Angeles County Jail awaiting trial.

Pratt steadfastly asserted that he had been in Oakland, California, attending a meeting of Black Panther leaders when the tennis court murder occurred, but after the FBI was successful in getting him expelled from the group, many fellow Panthers who could have substantiated his alibi refused to testify for him in the trial.

The FBI's campaign was so successful, in fact, that a 1971 editorial in the

Black Panther newspaper included the following statement:

"Any Party member or community worker who attempts to aid them (including Elmer Pratt) or communicate with them in any form or manner shall be considered part of the conspiracy to undermine and destroy the Black Panther Party."

Despite this warning, Kathleen Cleaver, the wife of Panther leader continued on page 8

Urge Congress to Investigate COINTELPRO Abuses

COINTELPRO is an acronym formed from the words COunter-INTElligence PROgram.

Although this FBI program was outlawed by Congress in the 1970s, vicious COINTELPRO-style attacks on American citizens and groups have nevertheless continued.

A thorough congressional investigation of present-day COINTELPRO activities is needed. Urge Congress to probe COINTELPRO abuses — the greatest threat to American rights and freedoms.

Read this important letter, then fill it out, and send to:

Congressman Don Edwards
Chairman of the House Subcommittee
on Civil and Constitutional Rights
U.S. Capitol, Washington, D.C. 20515

Dear Congressman Edwards,

It is vital to the survival of freedom and justice in this country that a full-fledged, public congressional investigation be launched into the facts and perpetrators of the far-reaching, flagrantly illegal, and unconstitutional counter-intelligence program, known as COINTELPRO.

COINTELPRO, originally exposed by Congress and supposedly terminated in the 1970s, nevertheless continues to be ruthlessly and indiscriminately carried out against American citizens by agencies and officials of the U.S. government, including the FBI and the IRS's Criminal Investigation Division (CID).

I believe that this lawless COINTELPRO campaign poses the greatest threat in our nation's history to the rights and freedoms guaranteed to every American.

I urge you to once again use the watchdog powers of Congress to expose the truth and thereby preserve our system of constitutional government of, by and for the people, by holding a thorough and searching congressional investigation — before the eyes of the American public — into COINTELPRO.

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

PRATT

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Eldridge Cleaver, flew in from Algeria to testify on Pratt's behalf that he was with her in Oakland on the night of the murder. Two other women, both Oakland Panthers, also confirmed Pratt's alibi.

In 1980, the FBI released documents which showed that the agency had received illegally obtained wiretap information from the police in San Francisco which showed that Pratt was in the San Francisco area the day after the murder in Santa Monica, California, 400 miles away. The FBI did not investigate this illegal wiretap, however, and did not mention this information during the trial.

The circumstantial evidence presented against Pratt was convincing, and neither the FBI nor the Los Angeles Police Department mentioned the illegal, covert COINTELPRO actions that had been taken to destroy both the Black Panther Party and Geronimo Pratt.

Pratt's defense was crippled as a result of the withholding of this information, according to Pratt's attorneys, and in 1972, Geronimo Pratt was convicted of first-degree murder and sentenced to life imprisonment.

He has been in prison for the last 14 years — eight of those years in solitary confinement.

After Senate hearings led by Senator Frank Church in 1975 exposed the horrors of the FBI's COINTELPRO actions against a variety of organizations in the U.S., including the Black Panthers, it became clear to many that Pratt was a victim of COINTELPRO.

When the FBI's COINTELPRO operation against Pratt was exposed, a tremendous outcry arose from blacks and whites, Americans and people of other countries — charging that Pratt's trial was unfair and that he should be freed.

The demands, however, fell on deaf ears.

Suit Filed

But Geronimo Pratt is an unusually strong-willed man. His intention is to clear his name, and he has refused to accept any compromises.

In 1976, Pratt filed suit against the prison system, charging damages as a result of the years of solitary confinement to which he had been subjected.

During the course of this trial, it was clearly revealed that Pratt had been the subject of unusual treatment at the hands of prison officials.

When questioned as to why Pratt had been "thrown in the hole," officials testified that they didn't know.

The judge on the case, however,

continued on page 9

COINTELPRO

continued from page 6

law; it invites every man to become a law unto himself. To declare that in administration of criminal law the end justifies the means — to declare that the government may commit crimes in order to secure the conviction of the private criminal — would bring terrible retribution. Against the pernicious doctrine this Court should resolutely set its face." *Olmstead v. U.S.* 277 U.S. 439, 485 (1927)

trained emissaries to the Arab lands and to Eastern Europe. Their goal was the acquisition of and exchange of knowledge. They went bearing gifts and lived in their host country for many years. They returned to China with priceless knowledge, customs and artifacts.

Centuries later, the Portuguese began to explore the east coast of Africa. From there, they sailed on to India and, eventually, to China and Japan. They came with guns. They looted and pillaged the land. Their visits were unfriendly, and it became necessary for the people of the Far East to defend themselves against

It is not surprising, then, that when the FBI decided to move out and take the law into its own hands, it chose to perform extralegal activities under the cloak of "counterintelligence."

What the bureau did during those 15 years, however, was not traditional, actual counterintelligence. This was, to put it mildly, a misnomer and a bureaucratic fraud. They were doing quite a bit more than traditional counterintelligence.

Up to this period of time, counterintelligence had been defined as those actions by an intelligence agency that were intended to protect its own security and to undermine hostile intelligence operations.

The CIA, with no domestic police powers, had a strong and active counterintelligence division under the able, old professional, James Angleton. It was the task of that division to guard the agency against penetration from the outside and defectors from the inside.

During the 1960s, carried away with the "anti-war" fever that was sweeping the country, the CIA did use informants to secretly penetrate domestic groups, but not to the extent that the FBI was active with informants.

The FBI cultivated informants from two sectors:

- It recruited and hired people and inserted them into the target group, and
- It "turned" or recruited members of the group to be FBI informants.

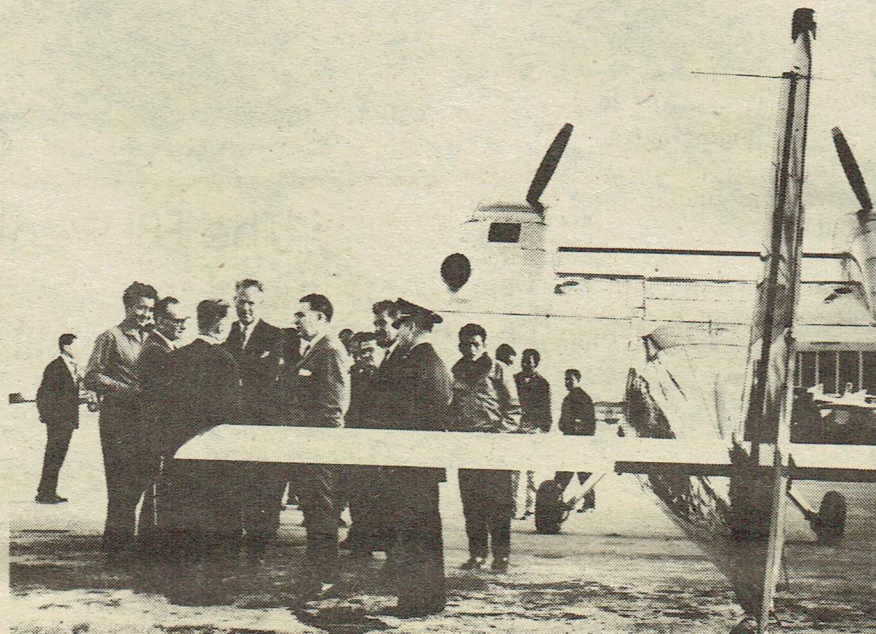
In this second capacity, the FBI was always on the alert for defectors — or for people it could recruit and label "defectors." This tactic — using someone who had actually been a part of the targeted organization at one time — tended to give the informant more credibility with a true dissident within the group.

In addition to such classes of informants, the FBI used "confidential sources." These are people who furnish the FBI with information that is available to them because of the position they hold in some organization.

Such confidential sources are frequently bankers, secretaries, computer personnel, telephone company employees, and landlords, to name a few examples. This is a particularly insidious "informant," because there is no way to safeguard the narrow distinction between the work of a professional counterintelligence expert and some busybody who reports on associates for personal, perhaps malicious, reasons.

This is a particularly dangerous activity. I have had such FBI files made available to me during work being performed while I was assigned to the Office of the Secretary of Defense.

The thing about these files that is continued on page 24



L. Fletcher Prouty, fourth from left, shows top Peruvian officials a special aircraft developed and used by the CIA. This photograph was taken at a military airfield in Peru in 1964.

"During the 1960s, carried away with the 'anti-war' fever that was sweeping the country, the CIA did use informants to secretly penetrate domestic groups, but not to the extent that the FBI was active with informants."

COINTELPRO was a "rough, tough, dirty business," in the words of a top-echelon FBI spokesman. It was an acronym for "counterintelligence program."

Counterintelligence is what it was supposed to be on the surface.

Counterintelligence is as old as intelligence, and nations have practiced intelligence operations for thousands of years.

As far back as we can trace in recorded history, the Chinese sent

these marauders.

With this, the age of counterintelligence was born.

Although the United States did not have a central, coordinating intelligence organization before or during World War II, it did have active counterintelligence units in the Army and Navy, and in the FBI. All of these organizations were active against infiltration by the Germans, Italians and Japanese. During World War II, this was an effective and respected profession.

PRATT

continued from page 8

issued a court order directing the prison officials to turn over the files they had on Pratt.

According to Pratt's wife, Ashaki, the files revealed that the prison officials had acted on a number of bizarre, unverified reports in taking the harsh action against "G," as Pratt is called by his friends.

"One of the reasons he was thrown in the hole," Ashaki Pratt told *FREEDOM*, "was an article that appeared which reported that G was planning to kidnap a busload of children. The attorneys asked if they [the prison officials] had made any attempts to confirm this report, but apparently they hadn't. They just said they saw it in *Reader's Digest* and threw him in the hole."

Another report, Mrs. Pratt said, claimed that Pratt had taken off his own handcuffs and the handcuffs of the other prisoners on a busride during his incarceration at the Los Angeles County Jail. How he supposedly managed this was not explained in the report, and no investigation was done to verify it. Pratt was simply thrown in the hole.

When questioned on the source of these reports, none of the prison officials who were questioned seemed to

know where they had come from.

The situation reached even more bizarre proportions when the judge ordered a "confidential" file which had been kept on Pratt released to Pratt's attorneys.

The file was incinerated, however, before it could be turned over to the attorneys.

According to newspaper accounts at the time, California Attorney General Charles Kirk met with the judge in chambers and attempted to convince him to lie about the confidential file. Kirk asked the judge to say he had reviewed the file and had found nothing of relevance to the case, rather than revealing that the file no longer existed.

The judge was outraged at this attempt to convince him to lie and found the attorney general in contempt of court.

Guiding Force

According to Mrs. Pratt, her husband was the guiding force behind the suit.

"He wrote the case; he found the law," she told *FREEDOM*. "He gave it to Stuart [one of Pratt's attorneys, Stuart Hanlon] and asked him to file the suit for him. Many times, various attorneys wanted to settle out of court, but G insisted that we keep pushing on it and keep working on it. We were all very tired of it — it went on for five years! G was the one who



Elmer "Geronimo" Pratt with Stuart Hanlon, one of Pratt's attorneys.

"The FBI went after Pratt for political reasons, and the courts are not prepared to deal with illegalities committed by an entire agency of government like the FBI."

"When you meet him," Mrs. Pratt explained, "it is clear that this man has not been broken."



Pratt and his wife, Ashaki, with their children, Shona, 5, and Hiroji, 2, posed for a portrait during a family visit in San Quentin.

saw it through," she said. "He saw it through to the end."

Geronimo Pratt's perseverance paid off. He won his suit, and the jury awarded him \$114,000 in attorney fees. He received no damages, however, because the jury did not feel he had been damaged by the eight years he was forced to spend in solitary confinement.

"When you meet him," Mrs. Pratt explained, "it is clear that this man has not been broken. He testified and represented himself very well. Since he wasn't broken and completely destroyed by the experience, the jury didn't feel he should receive damages."

The money was unimportant, however, according to Mrs. Pratt.

"It was the best time we've ever had," she said. "We worked very hard, and we felt the trial was very successful. The money part was not the most important thing."

The Pratt Case

The motion for retrial on the original murder conviction, however, is still wrapped up in the court system.

In 1978, Hanlon and other attorneys for Pratt filed a writ of habeas corpus* in Los Angeles Superior Court, basing their motion for retrial on the fact that the FBI and the Los Angeles Police Department had with-

held crucial evidence during the original trial. The motion was denied without a hearing.

In 1980, the California Court of Appeals denied the motion by a vote of two to one.

In 1981, the California Supreme Court threw the case out without a hearing.

Pratt's attorneys took the case to the U.S. District Court in Los Angeles in 1982.

As Hanlon said, "The law is not made to deal with cases that are overtly political. The FBI went after Pratt for political reasons, and the courts are not prepared to deal with illegalities committed by an entire agency of government like the FBI. What are the courts supposed to do if the FBI refuses to disclose relevant documents?"

"The problems we have had with this case have nothing to do with the legal points," he pointed out. "The legal points are very straightforward. It is the politics of the case that have created the problems."

Hanlon is hopeful of a victory in federal court. "The magistrate granted an evidentiary hearing in January of this year," Hanlon told *FREEDOM*. "It was the first time we had even been granted a hearing, so it is hopeful."

A decision from the federal court is expected any day.

* writ of habeas corpus — filed to obtain the prompt release of someone in custody.

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VICTORY FOR RELIGIOUS FREEDOM

Psychiatric Testimony Repudiated In First "Clergy Malpractice" Suit

by John Chambers

"Religious freedom is the result of a long and intensive struggle that is measured, not only in countless centuries, but in personal persecutions . . . For James Madison [and] Thomas Jefferson, religious freedom was the crux of the struggle for freedom itself."

With these words, Judge Joseph R. Kalin dismissed all charges in the first "clergy malpractice" case in American history.

Judge Kalin summed up the position of the law by saying, "It is not for this court, or any court in the United States, to pass judgment on the beliefs of Grace Community Church, or any church."

The charges had been brought against Grace Community Church of the Valley, an evangelical Christian church located in Sun Valley, a suburb of Los Angeles, charging that the church's pastoral counseling did not meet "psychiatric standards."

The church became embroiled in the controversial \$1 million suit after the 1979 suicide of one of its parishioners, Kenneth Nally, who was 24 at the time of his death.

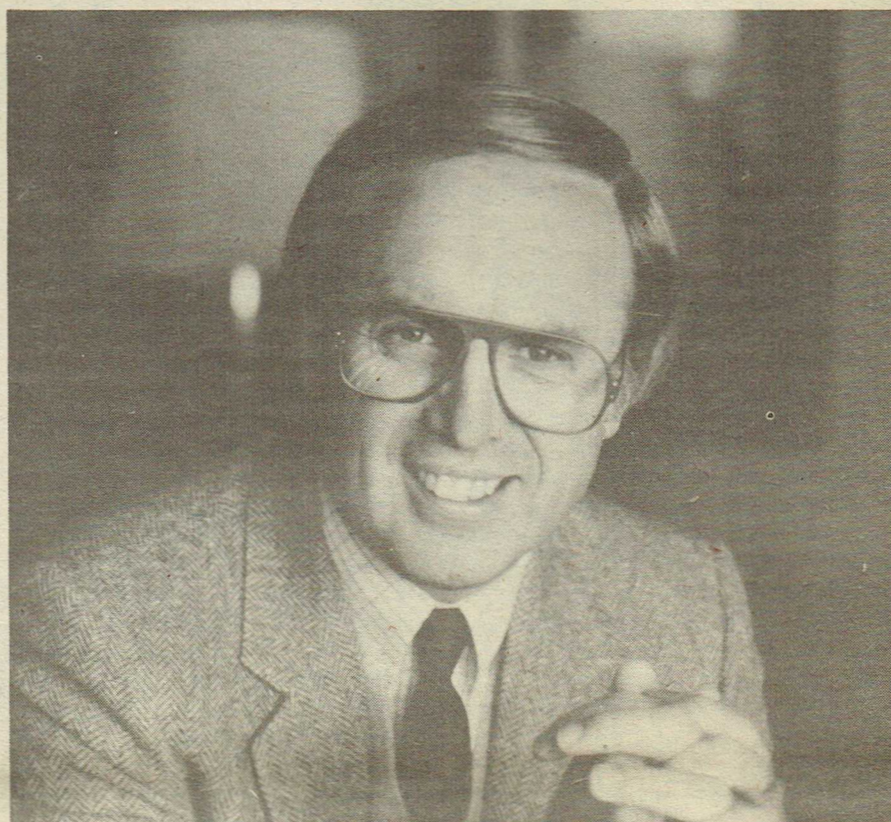
Psychiatric Testimony

Two particular psychiatrists, during their testimony in the Nally trial, attempted to blame the pastoral counseling practices of the church for the suicide. Cross-examination, however, all but destroyed the ability of psychiatry to testify against a church.

Dr. David Hall was the psychiatrist who saw Ken Nally in 1979 before Ken's suicide. Prior to the withering fire of cross-examination, the psychiatrist suggested to the jury that psychiatry might have saved young Nally's life.

The other psychiatrist to testify, Dr. James Long, who is both a psychiatrist and an ordained minister, was called to the witness stand as an expert on psychiatry and religious counseling.

Dr. Long submitted to the jury his opinion that the counseling of one of the church pastors, Rev. L. Duane Rea, was less than adequate by psychiatric standards. On cross-examination, however, it was discovered that Dr. Long had only a passing familiarity with the case and in fact was not qualified to pass judgment on the adequacy of Rev. Rea's counseling.



Pastor John MacArthur

Suicide

From 1974 to 1979, Kenneth Nally was a parishioner of Grace Community Church. Despondent over familial tensions, particularly with his father, Walter Nally, and problems with his girlfriend, Ken sought help from the pastoral counseling program at the church.

From January to April 1978, Pastor Rea had formal sessions with Ken. Pastor Rea reluctantly revealed in court that Ken was distraught over his father's extramarital affairs and the effect it was having on his mother, Maria Nally.

Pastor Rea advised Ken to "make a friend" of his father, but Ken seemed unable to do so.

Having done all he could for Ken, Pastor Rea ended formal counseling in April 1978, although he still felt Ken was "like a son" to him and they continued to see each other and talk as friends.

Affected by sporadic periods of despondency, in February 1979 Ken saw a medical doctor. The doctor gave Ken a psychiatric drug, Elavil, commonly prescribed for depression. On March 11, 1979, Ken took an overdose in an apparent suicide attempt and was rushed to a local hospital.

Before being allowed to leave, Ken was required to see a psychiatrist. The psychiatrist he saw was Dr. Hall, who allowed him to be released from the hospital. A few weeks later, on the night of April 1, 1979, Ken Nally killed himself with a shotgun.

First "Clergy Malpractice" Suit

In 1980, Ken's parents, Walter and Maria Nally, sued Grace Community Church and four of its pastors, including Rev. Rea, for negligence and "malpractice."

Edward Barker, attorney for the Nallys, assured the jury in his opening statement that psychiatry and psychology could have saved Ken Nally. He added that the pastoral counseling program at the church was deficient by psychiatric standards and therefore the church and the named pastors were guilty of "malpractice."

Samuel Ericsson, director of the Christian Legal Society's Center for Law and Religious Freedom, represented Rev. John MacArthur, the head pastor of the church. In his opening statement, Mr. Ericsson related to the jury that Ken Nally had seen psychiatrists prior to 1979 and that they apparently had not helped.

Mr. Ericsson said that he was at Grace Community Church in 1979, continued on page 19



Pastor Duane Rea

FREEDOM

SPECIAL

SUPPLEMENT

Religious Freedom Crusade

Portland, Oregon

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article I
The Bill of Rights

From all over the world they came.

By airplane and bus, recreational vehicles, cars and rent-a-cars and trains, they came to Portland.

With backpacks or Gucci luggage, wearing running shoes or furs, they came from California and Texas, New York and London; from Germany, France, South Africa and Australia, they came.

Artists, attorneys, musicians, doctors, students, entire families, ministers of every faith made the pilgrimage in such numbers that it quickly became very difficult to find an empty seat on any airplane flight headed to Portland.

They came because their freedom of religion was at risk.

All told, more than 10,000 supporters of religious liberty came to Portland for the Religious Freedom Crusade. This special supplement presents some of the highlights of the event — an unprecedented celebration of the importance of religious freedom.

Religious Leaders

One of the many religious leaders who came, Jesuit Father Noel Ryan, principal of the Jesuit Theologian College in Australia and one of the top theologians in the world, flew in from Australia. He pointed out to the thousands of assembled listeners that "Religious leaders all over the world look to the United States for its freedom of religion as a traditional standard."

"My friends," he said, "tell the

American people that freedom is their manifest achievement and its maintenance their manifest destiny This is our witness and our challenge."

Another speaker, Pastor Milton Reed of Calvary Baptist Temple in Norfolk, Virginia, told the group, "I tell you that freedom of religion is not government-granted. It is God-given."

Dr. Franklin Littell, a minister of the United Methodist Church, professor at both Temple University and Hebrew University of Jerusalem, and director and founder of the National Institute on the Holocaust, said "From the 16th century to the pres-

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PHOTO BY STEVE YOUNG

Crusaders of all ages came to Portland.



PHOTO BY JOE CANEEN

Nearly 2,000 of the more than 10,000 crusaders traveled by car and bus to Salem, the capital of Oregon, to take a stand for their First Amendment rights.

CRUSADE

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ent, if there is any lesson to be learned whatever in the rise of the nation state in the 20th century, it is that our founding fathers knew supremely well in advance of the 20th century where we must stand if liberty of conscience is to be preserved. Government is to stay out of meddling in religion."

Rev. Duane Rea, pastor of Twin Harbor Baptist Church in Westport, Washington, who was recently the central figure in a landmark victory for religious freedom in Los Angeles*, was also among the many clergymen who addressed the group. "If in fact the court can legitimately interpret what is a religion," Pastor Rea said, "which hasn't been done yet, then I think we are all in danger of losing not only our present positions, but our First Amendment."

Dr. Everett Sileven, pastor of Faith Baptist Church in Louisville, Nebraska, noted that "The key to this entire matter is who is going to determine what is religious and what is not religious. In Nebraska, I was jailed for operating a Christian school without a license because the state refused to acknowledge that education was in fact religious."

Pastor Sileven continued, "If we're going to allow courts or bureaucrats to define religion, then we're already to the point of being like Russia. They define religion every day. So, we must maintain the right to define for ourselves religion and its practice."

Hundreds of concerned individuals, as well as religious leaders, sent messages of support to the massive gathering.

Bruce Taylor, minister of the Reorganized Church of Jesus Christ of Latter Day Saints in Toronto, was one of these. He stated that "All new religions face religious prejudice. Our own founder, Joseph Smith, was shot

while under the protection of the state. We lost life and property as a result of religious prejudice.

"However," he continued, "as an organization we now co-exist... confident that our rights and freedoms will be protected by the courts of the land. We desire strong courts, great courts, judges who can sense injustice and make the system work for the freedoms it was designed to protect."

Statements in support of religious freedom were read from the Protestant Conference of Churches and Clergy, the New York Committee for Religious Freedom, and other organizations.

As an affirmation of their strong religious convictions, the religious leaders in attendance drafted a Declaration of Religious Freedoms. Joined by thousands of supporters, the religious leaders marched to the Multnomah County Courthouse, taped the declaration to the wall, and each leader present signed it.

Hotline

During the crusade, a hotline with a battery of telephone lines received a continual flood of messages of support from individuals and organizations all around the world.

Calls came in over the hotline from:

Rio de Janeiro, Brazil
Tokyo, Japan
Djakarta, Indonesia
Auckland, New Zealand
New Delhi, India
Tel Aviv, Israel
Bulawayo, Rhodesia
Athens, Greece
Paris, Lyons, and Bordeaux in France
Barcelona, Spain
Rome, Milan, Brescia, and Torino in Italy
Vienna, Austria
Brussels, Belgium
Amsterdam, The Netherlands
London, Plymouth, and East Grinstead in England
Edinburgh, Scotland
Oslo, Norway
Stockholm and Goteborg in Sweden
Copenhagen and Aarhus in Denmark

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PHOTO BY STEVE YOUNG



Dr. Everett Sileven, pastor of Faith Baptist Church in Louisville, Nebraska, spoke to a crowd of thousands on the subject of religious freedom in America.

PHOTO BY STEVE YOUNG



Father Petro Bilaniuk, a Ukrainian Catholic priest who is also a professor of religious studies at the University of Toronto, flew to Portland for the crusade.

PHOTO BY JOE CANEEN



After the May 29 court hearing, Dr. Leo Champion, pastor of Fellowship Missionary Baptist Freedom Church in Milwaukee, Wisconsin, commended all who were in Portland to fight for religious freedom.

"The key to this entire matter is who is going to determine what is religious and what is not religious."

* See the feature article in this issue, "Psychiatric Testimony Repudiated in First 'Clergy Malpractice' Suit," page 10.

The Portland Case

An Attack on Religion

To understand the broader threat which the so-called Christofferson case and the recent \$39 million decision by a Multnomah County, Oregon, jury poses to the fundamental right of all people to freedom of religion, one must know some of the history of the case and its participants.

Nearly 10 years ago, Julie Christofferson Titchbourne walked into the Church of Scientology in Portland, Oregon, intent upon taking the Church's communications course. She was not solicited to join the Church, but had become interested in Scientology because her boyfriend had given her a copy of L. Ron Hubbard's best selling *Dianetics: The Modern Science of Mental Health*, and, in her own words, she found the book "extremely interesting."

As part of the process of becoming a member of the Church, Christofferson read and signed a number of documents required of all new members of the Church of Scientology. These forms are signed so that the Church can ensure the new member is acting on his or her own free will in becoming a member, and that no one is forcing him or her to do so.

She specifically attested to the fact that she was "willing to subscribe to the Creed of the Church of Scientology, and to the mission and purpose of the Church of Scientology, which is to assist the individual to become more aware of himself as an immortal Being and to help him achieve the basic truths with regard to himself, his relationship to others and all life, his relationship to the physical universe and the Supreme Being, and to create, here on Earth, a civilization of which all can be proud."

Because Christofferson was one month shy of her eighteenth birthday, she needed to obtain parental consent to join the Church. She told her mother, a Lutheran by faith, that she needed her permission to join this new religion, and her mother gave her written consent for Christofferson to become a member of the Church.

Her mother signed an attestation stating: "I... attest that I give my full consent for my child Julie Christofferson to receive services from



Hundreds of crusaders crowded the halls of the Multnomah County Courthouse as Church attorney Earle Cooley and Church of Scientology International President Heber Jentzsch arrived for the May 29 hearing on the motion for mistrial.

person to receive services from Church of Scientology, Mission of Davis, such service consisting of training and processing the purpose of which is to enable individuals to become more aware of themselves as spiritual beings. I further understand that Scientology is a spiritual guide only and is not intended nor effective for the diagnosis or treatment of human ailments or disease of the body or mind whatsoever."

Christofferson read several books, completed a course in the technology of communication, and began a new course designed to improve her ability to study.

According to Christofferson's own written statements, in the form of "success stories," which she originated during the time she was a member of the Church, she made many, many spiritual gains and her outlook on life — a life completely

free from drugs, dishonesty and crime as a result of the influence of Scientology — became very bright and hopeful.

After receiving Scientology counseling, for example, Christofferson said that it "gave me the ability to increase my power over my life. One thing I became aware of is even at times when I didn't feel great I never have felt bad. Now I know what barriers to freedom there are and how they can be overcome."

Christofferson's mother, however, was apparently not happy about her daughter's newfound certainty in herself. Upset that her daughter was becoming more able to handle her own life, she decided to bring Julie's progress in Scientology to a violent and permanent end.

Christofferson's mother contacted an organization run by thrice-

convicted felon Ted Patrick, now infamous for creating the vicious, illegal brainwashing technique known as "deprogramming," or "depersonalizing," in which an individual is kidnapped and forced to renounce his or her beliefs — whether Catholic, Episcopalian, Buddhist, Scientologist or Greek Orthodox — by means of imprisonment, starvation, verbal abuse, and other forms of physical and emotional torture.

Members of Patrick's organization captured and imprisoned Julie Christofferson for three days and kept her under guard continuously, while she was subjected to a steady stream of attack against the Church of Scientology.

Under the influence of these destructive depersonalizing techniques, she agreed to renounce the things she believed in, and she agreed to begin an attack against her new religion — the very faith that had given her a new life and new hope. After her depersonalizing, Julie filed suit against the Church.

Hearing of Christofferson's suit, Portland lawyer Garry McMurray, an avowed enemy of new, growing religions, seized the opportunity to cash in on Christofferson's recent membership in the Church of Scientology. Supported by his associates in the growing anti-religious movement in Oregon, McMurray set about to destroy freedom of religion in his home state.

McMurray convinced Christofferson to hire him to represent her in a lawsuit against the Church, and, in 1979, a jury awarded McMurray and his client a \$2 million judgment. The Church appealed the decision, however, and the appeals court unanimously overturned the decision against the Church.

The appeals court decision clearly stated that "Statements made by religious bodies must be viewed in the light of the doctrines of that religion. Courts may not sift through the teachings of a religion and pick out individual statements for scrutiny, deciding whether each standing alone is religious."

The appeals court returned the case for a retrial, directing the lower court to... continued on page 17

Celebrities for Religious Freedom



Chick Corea brought thousands of jazz fans to their feet as he arrived on stage with his portable Yamaha.

Alongside the Willamette River, a crew of carpenters hammered a stage together. The sound crew strung the multitude of wires; a stage manager met with roadies, musicians and vendors.

Some hours later, a major production would occur, featuring award-winning jazz musician Chick Corea, singer Gayle Moran, songwriter Frank Stallone, and many others.

At the other end of the half-mile long segment of the park in Portland, Oregon, cases of fruit, hot dogs, potato chips and buns were unloaded from cars and vans to feed the thousands of Religious Freedom Crusade participants.

Eating while they worked, the construction crews continued to build the sets, raising a 30-foot by 60-foot, plywood and two-by-four platform, with a Scientology cross superimposed on an enormous American flag as the stage backdrop.

It began as a protest by Scientologists over an outrageous \$39 million decision against their church but quickly became a broad-based, multi-denominational opportunity for people of all religions to stand up for their First Amendment rights.

John Travolta flew to Portland in the middle of a promotional tour for his new film, "Perfect," to support the fight for religious freedom.

At a press conference following his

midnight arrival in Portland in his private plane, Travolta told a crowd of reporters, "I have been a Scientologist for 10 years now. I receive counseling and I give counseling, and I just feel that it is time to stand up for what one believes in. And I certainly believe in Scientology and its practices."

Asked why he had interrupted his tour to fly to Portland, Travolta responded, "I am here to stand up for what I believe in. It is just as simple as that," he said. "It has worked for me for 10 years and it got me out of a lot of trouble."

Jazz musician Chick Corea, in the middle of his concert schedule in Japan, abruptly cancelled his tour — something he had never done in 20 years as a professional musician. He explained to his Japanese audience, before returning to the United States, that he felt it was a matter of honor that he return to fight for his religious freedom.

The response in Japan to his message was an overwhelming standing ovation from his Japanese fans.

At the free concert for the city of Portland in Thom McCall Waterfront Park, Chick Corea told the crowd,



Melanie sang her hit songs "Roller Skates" and "Candles in the Rain" for the crowds in Portland.

"It's time for us to stand up together and be seen and heard. We can't take our rights for granted."

Jeff Pomerantz, famous for his role as the prosecuting attorney who put Alexis Carrington (Joan Collins) behind bars on "Dynasty," became the informal master of ceremonies for the parade of celebrities who poured into Portland to show their support.

Frank Stallone, the singer and songwriter whose credits include the theme song for the hit movie, "Rambo," arrived in Portland early on to play for the crowds and take a stand for freedom of religion.

"I'm a Christian," he told the crowd. "A Catholic. And I've never seen anything like this trial. How can you try a religion? It smacks of McCarthyism. This is an American religion!"

Stallone compared the jury's verdict with the idea of a priest taking a parishioner's confessional, and then being sued because the parishioner did not feel relieved.

"It's sacrilege," Stallone said. "And you could be next. . . . I came up here for freedom of religion. It's something I believe in."

Michael Roberts, star of TV's "Double Trouble" and "Baretta" and founder of the Right Track anti-drug program, was another celebrity who flew to Portland to stand up for the

First Amendment. When asked how long he planned to stay, Roberts replied, "For the duration, babe. As long as it takes."

Melanie, perhaps best known for her hit song, "Roller Skates," arrived on a moment's notice from upstate New York and began performing regularly in the park where concerts went on almost continually. She sang "Candles in the Rain" during several of the concerts held in Lowndale Park in downtown Portland, particularly appropriate and reminiscent of the 1960s movement for civil rights, peace and tolerance of the beliefs of others. One rendition, sung in the park across from the courthouse, occurred the night of the candlelight vigil.

Celebrities continued to arrive throughout the week, including actress Karen Black, legendary rock pianist Nicky Hopkins, dancer Christina Kumi-Kimball, actor Geoffrey Lewis, and musicians David Campbell and Geoff Levin.

On Friday, May 24, top rock musician Edgar Winter gave an electrifying performance to a jam-packed park.

The next night, superstar singer Al Jarreau and famed bassist Stanley Clarke, as well as other musicians who had been in Portland from the beginning, performed at Portland Meadows Racetrack. The free concert was attended by thousands of Oregonian jazz fans.

Other celebrities around the world stayed in touch with their friends in Portland by telephone hookups which broadcast to the crowds in the park.

Just before midnight on Saturday night, singer Stephen Ambrose put in a call to Stevie Wonder in Los Angeles. Stevie was on the telephone hookup for half an hour as the audience joined in singing his hit, "I Just Called to Say I Love You." Stevie recited, over the loudspeaker to the crowds in Portland, the lyrics of a song about worldwide religious freedom that he had written.

Stevie was so moved by the crusaders in Portland that he promised to write another song just for them. The crowd responded with endless shouts of "We love you, Stevie," to which he replied, "I wish I could be there with you all."

"In recognition of one who has always stood up for the basic goodness in all men," Al Jarreau announced to the Portland crowd, "we here today acknowledge Stevie Wonder as an artist of the highest caliber, who through countless



World-renowned jazz and rock singer Al Jarreau performed in a concert for crusade participants at Portland Meadows Racetrack.



Famed rock musician Edgar Winter as he sang during one of the daily concerts.

recordings, performances and speeches has raised the spiritual awareness of millions around the world."

Speaking to Wonder over the phone, Jarreau told him, "Your aesthetic contribution and unending love have always appealed to the hearts of people everywhere and led them to rise up against the insanity of war, the absurdity of prejudice and the tyranny of religious persecution. Your unwavering faith in the basic goodness of man and your steadfast persistence are bringing forth a new civilization on the planet where peace will prevail."

Amidst cheers from the people listening, Jarreau spoke for everyone when he told Stevie, "We here, pilgrims in Portland, Oregon, thank you for all you have done to further the progress of mankind and wish you a future filled with victories unending. The eighth day of the religious freedom campaign, Portland, Oregon, United States of America, May 25, 1985. God bless you, Stevie."

On Sunday, the celebrities and musicians visited a local Veterans Administration hospital in Portland and delighted the patients with their music.

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Actor Michael Roberts ("Double Trouble") and actress Mabel King ("What's Happenin'") entered into the spirit of the Religious Freedom Crusade.



Stevie Wonder spoke to the Portland crowds via telephone hookup. On stage during the call, from left, were Al Jarreau, Stanley Clarke, Frank Stallone, Stephen Ambrose, Jeff Pomerantz, Michael Roberts and Gayle Moran.

CELEBRITIES

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Entertainers of all kinds continued to come to Portland throughout the next week, joining the religious freedom crusaders in their candlelight vigils and letting them know they were behind them 100 per cent.

Mabel King, star of TV's "What's Happenin'," was another celebrity who came to Portland. She was there, she said, to show her support for freedom of religion for all people everywhere.

In another concert in the park, bassist Jamie Faunt and guitarist Lenny Macaluso sang with Amanda Ambrose in grand spiritual style. With singer Linda Griffin and a chorus of more than 2,000 people singing along, Amanda played and sang till the wee hours of the morning.

As Jeff Pomerantz observed, "The spirit of religious freedom may have been threatened in America with what happened in Portland this week. But it will be reborn, and that is why we are singing and playing from the heart. We care, and as a nation we will win." ▲

PHOTO BY STEVE YOUNG



A rehearsal break for some of the musicians who came to Portland. From left are Edgar Winter, Greg Errico (Weather Report), Michael Caribello (Santana), Nicky Hopkins, Al Jarreau, Frank Stallone and bassist Jamie Faunt.

What Does It Take To Run a Crusade?



PHOTO BY ALAIN SINCLAIR

Thousands attended the massive cookouts in Portland.

PORTLAND, OREGON — Just in terms of numbers, the Church of Scientology's Religious Freedom Crusade is no small operation.

About 280 Scientologists have organized themselves into the staff of the Portland segment of the crusade, with efficient teams for concert set-ups and take-downs, communication, food services, housing coordination, entertainment, two choirs, media liaison, security and transport. There are an estimated 2,000 Scientologists participating in the protests right now — the Church estimates 10,000 have been here for periods ranging from a few days to more than a week.

Although most of the Scientologists are staying in hotels or with friends, Church members eating together at Church-organized meals alone consumed —

- 1,000 eggs a day and 100 gallons of milk at breakfast alone;
- Two tons of meat, 800 lbs. of granola, and 25,000 pieces of fruit (enough to fill a 24-foot truck) a week; and

- 333 dozen bagels with cream cheese, 4,000 hamburgers, or 6,000 hot dogs at a meal.

All told, \$50,000 worth of food, much of it donated to the Church, is consumed every week.

Transportation statistics are

equally impressive —

- 42 buses have been used by the Church for transport. All 42 were in use for the trip Scientologists made to Salem, the capital of Oregon;

- At any one time, there are 25 to 30 cars on the road, taking care of everything from food purchasing to interreligious visits; and

- An average of 1,200 people are transported daily around the city.

To ensure swift communication lines, the Church has set up quite a system —

- There are 68 separate phone lines in the Church of Scientology of Portland on S.E. 9th Street, the Church of Scientology Mission downtown, and the Benson and Hilton hotels, where many participants in the crusade are staying; and

- 147 walkie-talkies provide coordination lines for transport, security, public affairs, and other aspects of the crusade.

Construction crews, able to erect a stage or set for a concert in true "house-raising" style, used 4,800 feet of lumber and 500 yards of canvas to create the stages in Lownsdale Park where 110 hours of entertainment, speeches and religious services were held during the first two and a half weeks. ▲

ATTACK ON RELIGION

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court to determine one very narrow issue: were the Church's representations concerning the services offered to her for a wholly secular purpose? In other words, was Julie promised spiritual gains or was she promised a business return for her money?

This was the only issue that was to be addressed, the appeals court ordered.

The retrial, however, went far beyond the narrow issue of whether the Church's claims were "wholly secular." Rather than being a trial to determine the validity of Christofferson's complaint, the Portland court proceedings became the stage for a trial of the Scientology religion itself.

Six witnesses were provided by anti-Scientology lawyer Michael Flynn, who in 1979 formed a corporation specifically for the purpose of destroying the Church of Scientology by means of massive litigation, the end result of which would be the appropriation of the assets and property of the Church.

None of Flynn's six witnesses had ever met Julie Christofferson Titchbourne prior to their being brought in on her case by her lawyer, McMurray. Their testimony, not surprisingly, had nothing to do with Julie Christofferson. They testified on the religion of Scientology itself — an action which is absolutely forbidden in the courts.

During the course of the trial, two of the witnesses admitted to having committed perjury. In fact, one of the witnesses admitted, during his testimony in the Christofferson trial, that he had committed perjury in another case, and Judge Donald Londer released this information so that it could be sent to the judge who had presided over the case in which the perjury occurred.

Another one of Christofferson's key witnesses, Gerry Armstrong, a government informant, was indisputably shown to have engaged in an operation to infiltrate the Church of Scientology. Based on evidence submitted in court, Armstrong's plot, which appears to have been conceived with the advice and consent of Flynn and members of the IRS intelligence branch, was to plant forged documents in the Church which could then be "discovered" by government agents in planned raids on Church premises. The forged documents would incriminate the Church in nonexistent illegal activities and would serve as a basis for the indictment of members of current Church management.

The Portland court was turned into a heresy trial by McMurray and his associates, backed by the government

conspirators who were exposed in videotapes of Armstrong as being involved in the plot to destroy the Church.

At one point in the case, Judge Donald Londer made the importance of keeping the trial within the narrow bounds set by the appeals court very clear when he said, "We are going to try to get the parameters of this thing so it doesn't get completely out of hand when we try the case."

The trial did get completely out of

course of the trial, and the judge was acutely aware of this. When Church attorney Earle Cooley complained to the judge that the witnesses against the Church had not mentioned Christofferson in three weeks, Judge Londer corrected him: it had been five weeks, the judge said.

Although the judge made a firm statement in his briefing to the jury that Scientology was a religion, McMurray told the jury that Scientology was *not* a religion, and con-

decision handed down by the Portland jury was a blow that would open the door to the complete destruction of all religions.

Attorneys for the Church immediately filed a motion for mistrial, which, if signed by the judge, would cancel the jury's verdict and require a new trial.

The motion stated, "... this verdict left standing is, by example, a clear and present danger to religious freedom throughout the country. . . . [The] verdict resulted from the jury's being allowed to judge for itself whether defendants' beliefs and practices, as embodied in the courses and services which plaintiff received, have a religious basis."

Church and State

The founders of our country forbade interference into religious matters by the state — including the courts — for very good reason.

As expressed by the U.S. Supreme Court in 1963, "The place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind. We have come to recognize through bitter experience that it is not within the power of government to invade that citadel, whether its purpose be to aid or oppose, to advance or retard. In the relation between man and religion, the State is firmly committed to a position of neutrality." ▲

"The place of religion in our society is an exalted one, achieved through a long tradition of reliance on the home, the church and the inviolable citadel of the individual heart and mind."

hand, however, in spite of this. In fact, Judge Londer pointed out that the trial was going beyond the bounds of the appeals court's direction: "One thing is becoming obvious to me," he said. "There are more things coming into this trial than the Court of Appeals had."

Julie Christofferson's name was not mentioned for weeks during the

vinced the jury to make a decision about the Church which should never have been allowed to occur and which completely violated the most fundamental and important basis of our legal system — the Constitution and the Bill of Rights.

It was only a matter of hours before clergy and attorneys around the world began to recognize that the



PHOTO BY JOE CANEEN

Amanda Ambrose sang during an all-night candlelight vigil.

CRUSADE

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Zurich, Switzerland
Helsinki, Finland
Berlin, Munich, and Frankfurt in West Germany
Johannesburg, Durban, and Cape-town in South Africa
Sydney, Perth, and Melbourne in Australia
Montreal, Toronto, and Vancouver in Canada
Mexico City and Torreon in Mexico
Guatemala — and many other locations throughout the world.

Celebrities such as Stevie Wonder spoke to the crowd over the telephone hotline, while other celebrities, including John Travolta, Frank Stallone, Edgar Winter, Al Jarreau, Stanley Clarke, Chick Corea, Melanie, Peter Schless, Jeff Pomerantz, Michael Roberts, David Campbell, Geoffrey Lewis, Nicky Hopkins, Karen Black and Stephen Ambrose — among many, many others — voiced their support and entertained the thousands of people who came to Portland. [See the special report on pages 14 and 15.]

The crowds were alive with the spirit of a very worthy cause. Candlelight vigils were held each night in Lownsdale Park, across the street from the Multnomah County Courthouse.

According to an ABC newsman who had spoken to the police commissioner, the crusade had a demonstrably beneficial effect on the city — the downtown Portland crime rate dropped to virtually zero.

A plainclothes policeman, asked about the effect of the Religious Freedom Crusade on the Portland community, said "More power to them. I think it's great."

Those attending the crusade kept the sidewalks swept and the entire area clean; a sense of order pervaded the scene, according to local authorities.

On May 29, the day Judge Donald Londer was to decide whether or not to authorize the jury's verdict against the First Amendment, a 50-foot banner, suspended from helium-filled balloons, greeted him as he arrived at the courthouse. The balloon-lofted banner, the largest ever made, carried the full text of the First Amendment of the Bill of Rights.

Following the court proceedings, in which the judge declined to sign the order which would have authorized the jury's verdict and announced that he would decide within the next two weeks, thousands gathered to sing spirituals like "Oh Precious Lord,

Lead Me On," songs joined by many religious leaders of different faiths.

As they sang, a statement that matched the purpose of the crusade could be seen etched in marble on the front wall of the nearby Portland Justice Center.

It read: "Injustice anywhere, is a threat to justice everywhere."

Martin Luther King

"My friends, tell the American people that freedom is their manifest achievement and its maintenance their manifest destiny. . . ."

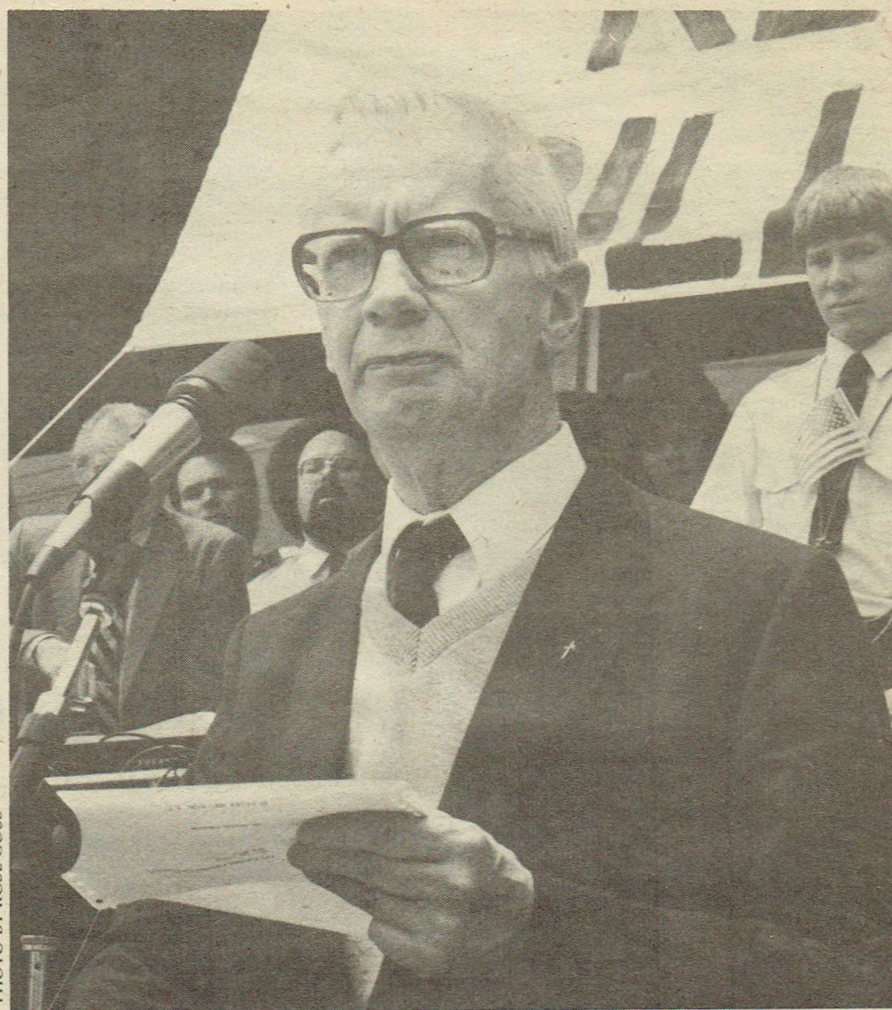


PHOTO BY ROSE GOSS

Father Noel Ryan, principal of the Jesuit Theologian College in Australia, crossed the Pacific to support the Religious Freedom Crusade.

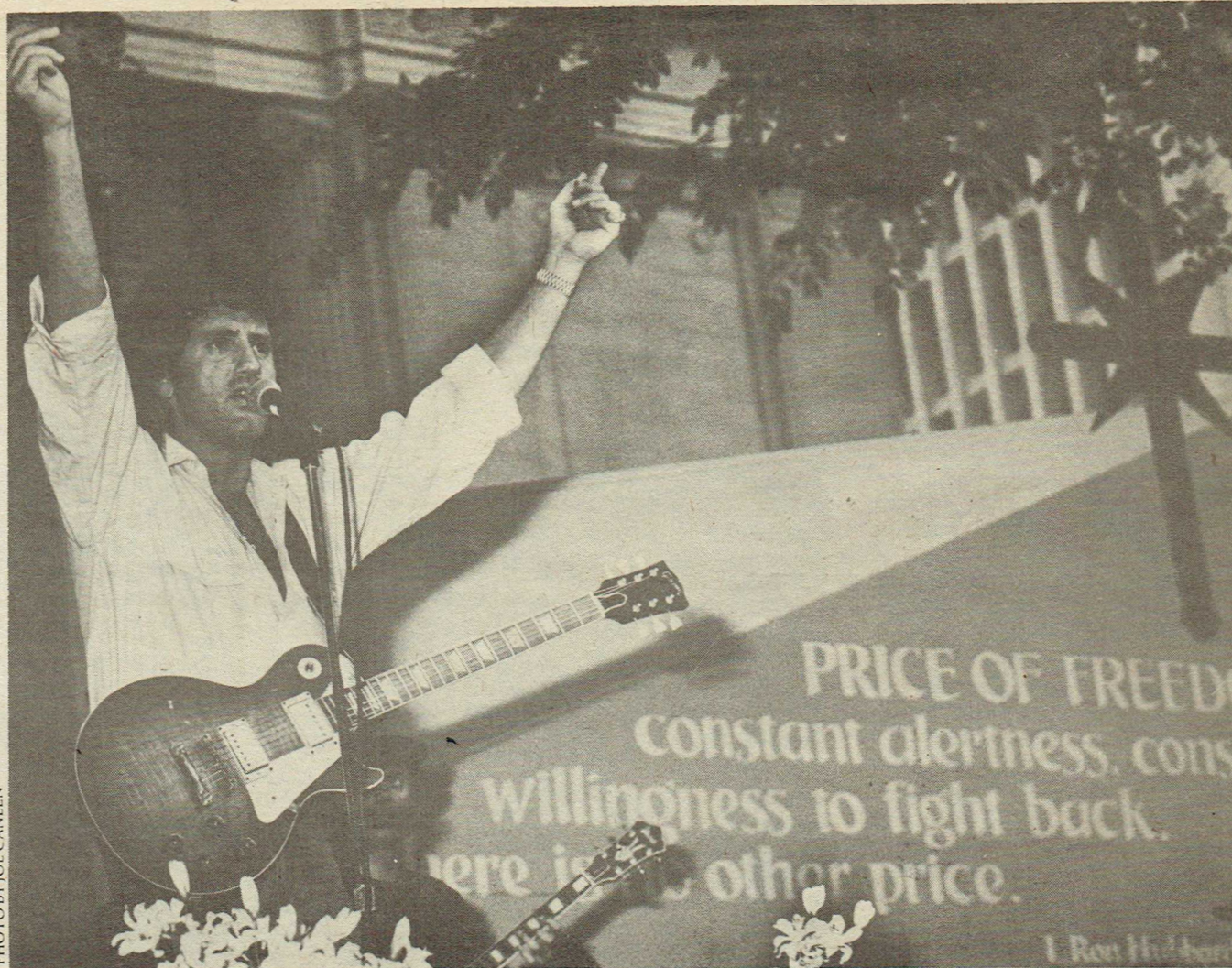


PHOTO BY JOE CANEEN

Frank Stallone entertained the crowds at many of the Portland concerts.

VICTORY

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on leave from his law practice in Washington, D.C., and that he knew Ken Nally at that time. Ken, according to Mr. Ericsson, did not want help from "shrinks," as Ken called psychiatrists.

Mr. Ericsson told FREEDOM that the issue in this case was "who sets the standards" for pastoral counselors.

"Common Cold of Psychiatry"

One of Mr. Barker's first witnesses was Dr. Hall. Under Mr. Barker's questioning, Dr. Hall told the jury that severe depression was Ken Nally's illness, and that such depression is "the common cold of psychiatry."

Suicidal depression, Dr. Hall said, could be handled by commitment to a psychiatric facility, through the use of drugs (of the same type as the Elavil that Ken Nally used for his March 1979 suicide attempt) or with other therapies. The results of these therapies have been shown to be "effective," he claimed, although he did not elaborate on how their effectiveness had been demonstrated.

Dr. Hall suggested that the treatment Ken needed would have been regular doses of psychiatric drugs, and possibly an involuntary commitment in a psychiatric facility.

He based his opinions on his one short visit with Ken and on discussions with Ken's father, Walter. Because "rapport" was essential in a therapist's relationship with a client and neither Ken nor his father wanted Ken to be hospitalized, Dr. Hall said, he decided not to have Ken committed.

Under cross-examination, David Cooksey, attorney for the church and three of its pastors, peppered Dr. Hall:

Mr. Cooksey: Does psychiatry know how to prevent suicide?

Dr. Hall: Not absolutely.

Mr. Cooksey: Can psychiatry predict suicide?

Dr. Hall: There are guideposts, but no.

Mr. Cooksey: Is it difficult to assess suicidal intentions?

Dr. Hall: Yes.

Mr. Cooksey: Is rapport important?

Dr. Hall: Yes.

Mr. Cooksey: Did Ken Nally have rapport with the pastors at the church?

Dr. Hall: Yes.

Mr. Cooksey: Did you ever contact them about Ken?

Dr. Hall: No.

Mr. Cooksey: Why not?

Dr. Hall: I had discussions with his father, Walter Nally.

Mr. Cooksey: Did you know that

Ken and his father did not get along?

Dr. Hall: No.

Shortly after that exchange, the psychiatrist admitted to Mr. Cooksey and the jury that "two or three" other patients, while under his care, had committed suicide.

Psychiatric Suicide

The next psychiatrist, Dr. James Long, was called by Mr. Barker to testify on the merits of Rev. Rea's counseling. Dr. Long, a minister and a psychiatrist, was put before the jury as an expert on religious counseling.

understanding of the case, he might have to change his assessment of Rev. Rea's handling of Ken Nally.

In response to Mr. Cooksey's direct question: "Was Rev. Rea's counseling incorrect?" Dr. Long had to concede that it was not.

On the subject of suicide, Dr. Long confirmed that psychiatry does not know what causes it, how to predict it, or how to prevent it.

Dr. Long also admitted that among medical doctors, psychiatrists have the highest rate of suicide.

Mr. Cooksey entered into evidence

corner on the market" in helping in spiritual matters. Pastoral or Biblical or religious counseling should be allowed, Dr. Long said.

Mr. Cooksey then asked if it was all right if someone did not "believe in psychiatry."

"Yes," was Dr. Long's immediate answer, but he, apparently realizing that he had admitted that psychiatry has a religious nature, attempted to cover his answer by adding that psychiatry was not something that one believed in or not.

"Well, then," Mr. Cooksey asked, "what is psychiatry?"

For two tense minutes the psychiatrist was silent, apparently looking for an answer. Finally, he asked the attorney for "an easier question."

Later, Dr. Long admitted that in dealing with issues such as guilt and hate it was difficult to separate the "spiritual" from the "psychiatric," and that in any counseling it is important for the counselor and counselee to have similar belief systems and for the counselee to "believe in" the counselor.

Religious Freedom

Rev. Rea told FREEDOM that the real issue of this case was religious freedom — the right of a religion not to have to submit to government-enforced edicts.

"This case," said Rev. Rea, "is undermining 200 years of American justice."

He added that in those 200 years, this area of religious freedom had never been scratched, but now "we're digging at it with a pick."

As the Nally trial was starting, FREEDOM contacted Dr. Everett Sileven, who received national prominence when he stood up for his religious liberty as the state of Nebraska attempted to shut down his church by padlocking the doors.

Dr. Sileven said that the case was "totally outside the jurisdiction of the court," adding that psychiatrists want "to make us think like them or they won't let us counsel."

"Of course, we'll continue anyway," Dr. Sileven told FREEDOM.

Case Dismissed

After Mr. Barker had presented all his witnesses and evidence against the church and its pastors, Judge Kalin dismissed the case on the grounds that to proceed would be a violation of the separation of church and state.

"The search of history will bring forth innumerable examples of the folly of combining religion and government," Judge Kalin said.

Refusing to "climb the wall of separation of church and state and plunge into the pit on the other side which certainly has no bottom," Judge Kalin would not allow the religious tenets of Grace Community Church to be put on trial. ▲

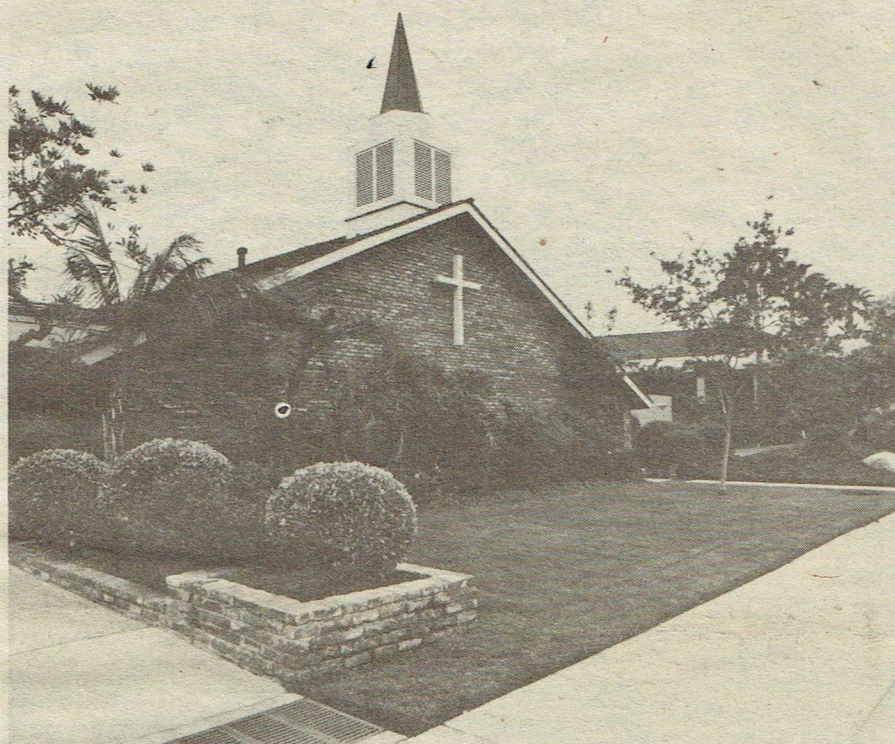


PHOTO BY STEPHEN BROWN

Grace Community Church of the Valley

"Refusing to 'climb the wall of separation of church and state and plunge into the pit on the other side which certainly has no bottom,' Judge Kalin would not allow the tenets of Grace Community Church to be put on trial."

Dr. Long testified that in his opinion, Rev. Rea's performance was substandard because Rev. Rea had not ascertained if Ken Nally was serious about a possible suicide, even though suicide had never been mentioned in the Rea-Nally counseling sessions.

Dr. Long also testified that in his opinion, Ken Nally should have been referred to a psychiatrist.

Under Mr. Cooksey's cross-examination, however, Dr. Long revealed that he had only a minimal awareness of the facts of the case. He admitted that with a more thorough

a study from a psychiatric textbook to the effect that people who had once attempted suicide are twice as likely to actually commit the act if they are admitted to psychiatric "evaluation centers" than if they are released to family, clergy or friends. Dr. Long reluctantly confirmed the veracity of the study.

Dr. Long also admitted that two of his own patients have committed suicide.

Psychiatry as Religion

Dr. Long admitted to Mr. Cooksey that psychiatry does not "have a

TO IRS

CURRENT AND FORMER EMPLOYEES AND AMERICAN CITIZENS WHO KNOW OF ILLEGAL ACTIONS ON THE PART OF THE IRS

FREEDOM News Journal's continuing investigation of the IRS has uncovered what appears to be a nationwide pattern of unconstitutional activities on the part of this agency, as reported to FREEDOM by current and former employees of the IRS across the country. In recent months, hundreds of responses to FREEDOM's request for information have been received, not only from IRS employees but also from American taxpayers who have been harassed and had their constitutional rights violated by this agency.

Information which has been reported by FREEDOM has included:

- IRS employees are often compelled to make a certain number of seizures of taxpayer property within a specified period of time or face adverse consequences from IRS management;

- A day care center in Detroit was raided by seven IRS agents, and 30 children were held as hostages in guarded rooms while the agents pressured parents to pay money to the IRS which should have gone to the day care center;

- Millions of law-abiding American taxpayers are on discriminatory and harassing IRS "hit lists," according to former agents. Examples given to FREEDOM have included lists of members of certain religions and lists of people employed by direct sales companies such as Avon, Shaklee and Amway;

- Records are being freely shared by the IRS with Interpol, the private, international police agency whose members include a number of communist or totalitarian countries;

- In 1969, the IRS created a "national office task force" to act as "an intelligence gathering operation" for the purpose of investigating and establishing files on "Ideological Organizations." The chairman of this task force was to work in liaison with the Assistant Attorney General, Internal Security Division, Department of Justice, to "coordinate matters" with

regard to the targeted organizations. Documents received by FREEDOM indicate that similar task forces may be in operation today;

- Some IRS management personnel are generally more concerned with their bonuses, received by forcing their employees to meet unrealistically high quotas, than they are with honest treatment of taxpayers;

- The IRS directed its agents to go on what one former agent described as "fishing expeditions," auditing the books of such businesses as furriers, jewelers, antique shops, travel agencies and interior decorators to locate names of customers to be targeted for investigation.

FREEDOM, the independent journal published by the Church of Scientology®, is interested in interviewing anyone with information on illegal and discriminatory IRS policies and practices, transmission of private taxpayer information to Interpol or other agencies, or evidence of harassing and threatening measures taken by the IRS against taxpayers. FREEDOM is particularly interested in interviewing current or former IRS employees who have worked in the Criminal Investigation Division or who have knowledge of so-called "Special Task Forces" concerning specifically targeted groups.

The constitutional rights and basic freedoms of the citizens of the United States are being threatened and, in some cases, destroyed by this government agency. Reform is clearly needed, and FREEDOM can play a major part in bringing this about by reporting specific abuses to the public. By making this information broadly known, action can be taken to make the IRS an agency that truly services the people of this country.

If you have knowledge of unconstitutional acts or violations of the law committed by the IRS against taxpayers, groups or even IRS employees, and you feel it is time for these acts to be exposed, and our tax system overhauled and turned into an equitable one, contact:

FREEDOM

1413 N. Berendo Street, Los Angeles, CA 90027 (213) 663-2058

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NIGHTMARE

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every American citizen's life, according to other veteran IRS employees contacted by FREEDOM, who expressed alarm at the massive invasion of privacy and severe constitutional violations inherent in the IRS computerization effort.

With the implementation of the IRS's 1984 strategic plan, these former employees have told FREEDOM that any IRS agent will be able to access any and all information on any citizen in the United States.

DesFosses said that "Any IRS agent will have at his or her fingertips your entire life history. They will be able to see when you were born, when you were married, when you were divorced. They will be able to see if you have taken out a business license, whom you bank with, whether you've made any financial transactions of more than \$10,000, and when you went on vacation to the Bahamas or any foreign country."

He commented, "What George Orwell wrote about in 1984 is here, and it has been brought to us courtesy of the IRS."

"The IRS has been slowly but surely eliminating the rights of individual Americans," said James McPike, and he predicted that the agency's intention was to continue doing this "until it reaches the point that we won't have any rights."

Commissioner Changes Role of IRS

In May 1984, IRS Commissioner Roscoe Egger approved a 204-page plan to totally revamp the structure and operating procedures of the IRS. This "strategic plan," described in detail in last month's issue of FREEDOM, is designed to carry the IRS into the year 1990.

In this plan, the IRS actually changed the wording of its stated "mission." It formerly was to "encourage and achieve the highest possible degree of voluntary compliance." It is now to "collect the proper amount of tax revenues. . . ."

"This change in wording reflects how the IRS has become a monstrous bill collector, and is no longer the 'service' it was intended to be for the average citizen," stated Paul J. DesFosses.

As evidence that the IRS is becoming a collection agency rather than continuing as a service for taxpayers, James McPike cites the fact that the IRS has been empowered to collect child support payments in divorce cases.

Sidestepping Congress

As part of the implementation of the strategic plan, the IRS, according to its own manual updates and sup-

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PART II

Truth in Taxation

by William A. Kilpatrick

Americans are paying far more in taxes than is commonly realized, and in *FREE-DOM's* May issue, William A. Kilpatrick proposed the idea of "truth in taxation" — that Americans should know exactly how much taxes they are paying on any product they buy.

In this issue, Mr. Kilpatrick expands on his premise, and explains why all taxes are essentially taxes on consumption.

He further details how a simplified tax system could be implemented.

A native of Texas, Mr. Kilpatrick served as a U.S. Army officer before launching a career as one of America's most successful entrepreneurs.

He drew national attention last year after he beat the IRS and the Justice Department in federal court. His battle with these agencies, featured in the April 1985 issue of *FREE-DOM*, convinced him that fundamental reforms in our nation's tax structure must be made.

The following is an excerpt from his forthcoming book, *Truth in Taxation*, copyright © 1985 by William A. Kilpatrick. It is reprinted with the author's permission.

The admission that all taxes are consumption taxes will not come easily.

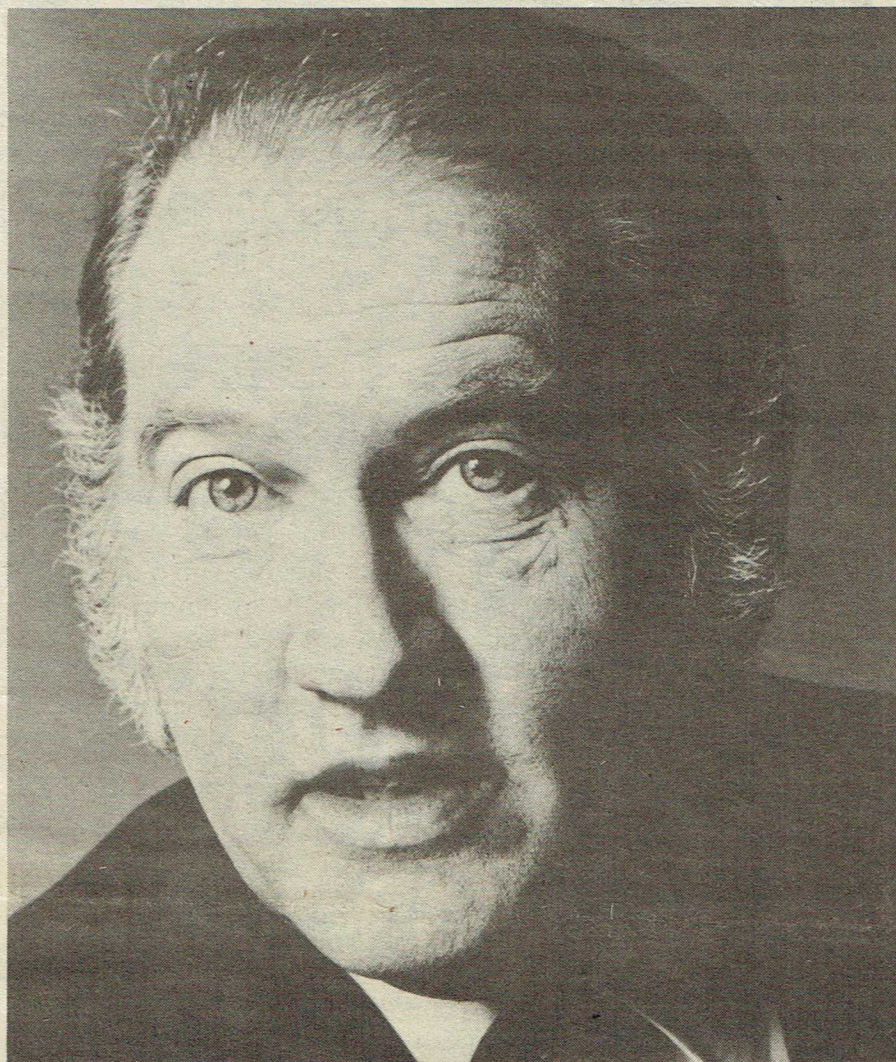
Two hundred years of denial cannot be dispelled immediately. Forty years of the myth that somehow, somebody else is paying the taxes also dies hard.

Politicians will never stop using the usual excuses as scapegoats in place of their own failed system of taxation.

Any suggestion of replacing the other taxes with consumption taxes will be instantly attacked as a "scurrilous ploy" of the rich or of corporations to tax the poor. It will be labeled as a trick to impose even more taxes on the middle class. There will be political tears galore, all wept supposedly for the very people who would benefit the most from such a reform.

It is true that those with less income will spend a greater percentage on taxes for simple survival. Someone who spends all he makes for survival would pay a levy equal to the exact rate of the consumption tax. Those in higher brackets will not spend their total income and will escape taxes on that which is earned.

What's new about that? That's exactly what is happening now. The tax bears down on the wage earner whether it is acknowledged like the sales tax on a receipt, honestly labeled as a value added tax (VAT), or hidden under fictitious names. The cosmetic deception is important only to the unscrupulous politician who is dependent upon the lie to hold office.



William A. Kilpatrick

"We simply can no longer ignore the gobbledygook that passes as our current system of taxation."

The truly compassionate liberal will vote for a VAT and make provisions for refunds for those below the poverty level. It is easy, and a gigantic bureaucracy is not needed to run it. Sales receipts showing the VAT could be compared with earnings to satisfy the refund requirements.

Numerous other spurious objections to VAT will also be raised.

Procrastinators will cry that charities would fail without income tax deductions. Why? Americans supported all the needed charities prior to 1913, before there was an income tax. In fact, the majority of the charities of today did not exist, because there was no need for them until the imposition of a 60 per cent hidden tax

on necessities.

Moreover, when 100 per cent refunds go to the poor, lesser refunds can go to the first dollars earned by those with higher incomes. Such refunds can be designated for favorite charities, the way they are now.

Some might say that corporations would sidestep all taxation to the detriment of the poor. What's new about that? The same is true now. The only taxes they have ever paid, or can pay, is what they collect from consumers of their products. No business has ever paid a tax and no business ever will.

A business has no money other than that which is added to the price of its products, collected from cus-

tomers and handed over to the government. That is an immutable economic fact.

We can certainly anticipate the complaint that VAT will be impossible to track. But note: in Europe, Asia, and Africa, VATs are tracked with less than one-tenth of the personnel required by our IRS. That is with work forces admittedly less educated and less efficient than ours.

The procedure is so simple that the entire VAT procedures for most countries require less than 20 pages — a far cry from our own millions of pages of revenue documentation and IRS procedures.

The simplicity of the tax is more than sufficient reason to make the change, but it is not the most compelling. For our entire history, every tax has been designed, supposedly, to relieve those less able to pay. This has been particularly true for food, shelter, clothing and medicine. Each attempt has failed completely.

It is impossible to relieve them as long as income, real estate and all other taxes are hidden in their purchases. Obviously, elimination of taxes on those items of necessity would cut taxes on users who are not eligible for relief. The solution is, again, simple and, for the first time, effective.

Since the hidden taxes on purchases are passed on to the poor, only a clearly delineated, separately recorded tax with refunds on those necessities can reach the desired goals. Let them pay it and then apply for refunds.

Ultimately, if all other reasons and logic itself fail to convince the nation, the economy requires it. We simply can no longer ignore the gobbledygook that passes as our current system of taxation. The economy simply cannot support it, as a trillion-dollar debt, \$200 billion-plus annual budget deficit and multi-billion dollar trade deficit all demonstrate.

Of all the suggested solutions, only the VAT offers a solution. None of the proposed spending cuts, system reforms, import levies or domestic content laws are anything but more patchwork on a system built on a foundation of lies. All of the solutions address only symptoms, and they are rife with special interest amendments.

Patchwork does not work.

Job training for nonexistent positions in defunct or atrophying industries does nothing. Increased taxation aggravates the problem and reduces exports.

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Examining IRS Illegal Acts

A Review of The Great Income Tax Hoax

The federal government has, according to information at hand, ordered *The Great Income Tax Hoax* off the shelves of at least one major American bookstore chain. The ostensible reason is "inaccurate information." Whether or not the information in the book is inaccurate, suppression of the book is itself an interesting commentary on its contents.

The Great Income Tax Hoax is written by tax expert Irwin Schiff, a vocal, persistent opponent of the current American tax system. His research is in-depth and thorough, and far more than a recitation of landmark tax decisions and laws.

Schiff's writing is clear and articulate, if a bit strident at times, and he succeeds in breathing considerable life into tax laws, into court decisions, and into the U.S. Constitution itself.

The book deals extensively with the foundations of American tax law, especially within the context of the foundations of American liberty. The author spends a great deal of time inspecting those foundations, an expense which many Americans would do well to make.

Schiff argues logically and convincingly that the means by which current American taxes, particularly income taxes, are levied and enforced are clearly illegal and unconstitutional.

The U.S. Constitution, for example, makes a very clear distinction between direct and indirect taxation. Each of these classes of taxes was established with clear-cut guidelines within the Constitution.

The Constitution further goes on to require that direct taxation must be apportioned among the states just as congressional representatives are apportioned. Income tax, according to the Constitution and according to early court decisions, is a direct tax and must, therefore, be apportioned.


This bit of information alone, along with the fact that this rule is flagrantly ignored, would be startling news to most Americans.

Income tax is clearly a direct tax

IRWIN SCHIFF
Author of "How Anyone Can Stop Paying Income Taxes"

THE GREAT INCOME TAX HOAX

**Why You Can
Immediately Stop
Paying This
Illegally Enforced Tax
with Peter Schiff**



subject to specific constitutional restrictions, Schiff says. Yet, the federal judiciary has classified income tax as an indirect tax like the various excise and state taxes, which are subject to an entirely different set of constitutional restrictions.

It is interesting to note, as Schiff

does, that the constitutionally stated purpose of general taxation is to pay the debts of the United States, provide for defense and for the general welfare. It is even more interesting to see how the government has stretched the meaning of these very specific powers.

The authors of the U.S. Constitution were well aware that the power to tax is also the power to destroy. As a result, they made the specific provisions which still exist as the law of the land. Yet, 200 years of alteration and flagrant violation of the intent of that law have opened the door to effective nullification of basic rights guaranteed to all Americans.

Schiff points out that: "Under the Constitution, citizens cannot be compelled to provide information that can be used against them and they are further presumed to have a right to privacy. Yet all information on a tax return can be used against taxpayers — and can even be given to other federal agencies as well as to state and foreign governments to be used against them. . . . The Fourth Amendment guaranteed that the right of the people to be 'secure in their persons, houses, papers, and effects . . . shall not be violated,' and that any searches and seizures must be . . . court ordered only upon 'probable cause.'"

Schiff goes on to say: "Exactly how much privacy does a citizen have after giving all the information required on a 1040? Requiring Americans to file income tax returns violates the First and Ninth Amendments. . . ."

While such conclusions might well stand alone, Schiff spends the first 12 chapters of *The Great Income Tax Hoax* detailing the evolution of our current tax structure, pointing out how it has veered away from the Constitution, and he quotes chapter and verse from court decisions and laws in doing so.

The information the author presents and the arguments he raises are real eye openers for American citizens.

The picture that develops through much of the book is one of an incredible semantic smoke screen enveloping the last 200 years. This smoke screen is most dense around the Sixteenth Amendment, which brought us the income tax, and around the IRS code itself.

continued on page 25

WHITE PAPER

continued from page 3

first time the almost unbelievable experiences of victims of IRS treachery from both the employee and the taxpayer point of view.

An important aspect of this white paper is its analysis of the scope of new IRS activities to undermine our basic freedoms. In doing so, the white paper clearly exposes the IRS's 1984 Orwellian plan, now being implemented, to obtain total control over the financial lives of all American citizens.

This incredible plan calls for total violation of a person's right to privacy with the compilation of massive dossiers on all Americans, containing the most intimate and detailed information about their personal and private lives.

The illegal accumulation of private information is so massive that the IRS's brand new \$103 million computer system is hopelessly bogged down and millions of taxpayers have been scandalously delayed in receiving this year's tax refunds, while tens of thousands of returns have been shredded and otherwise destroyed by frustrated IRS employees unable to meet their work quotas. This mammoth loading of non-tax return information into the new computer system is so outrageous, in fact, that it is already publicly admitted by the IRS that there will be emergency needs for additional computer capacity within another year.

As the Internal Revenue Service has grown and taken on more responsibility, it has increasingly demonstrated that it cannot be trusted with its enormous powers. IRS abuse of law-abiding taxpayers, as individuals or groups, are truly too numerous to enumerate. In my seven terms as a U.S. congressman, I saw these abuses occurring with increasing frequency among my constituents and among people everywhere across the country.

This white paper authoritatively describes the causes of taxpayer difficulties with the IRS, and shows that there is a remedy for the lawlessness within our government: thoroughly investigate any responsible report of criminal or unconstitutional activities, and carry out proper corrective action where warranted.

The individual citizen should realize that his particular problems or difficulties with the IRS are almost undoubtedly not unique, but it has been of great advantage to the IRS for him to think that they are, because the bureaucrats have thus been able to force him to stand alone against the might of the government.

Actually, in most cases, a taxpayer's problems are shared with many thousands or even millions of Americans, and it is this knowledge which can help citizens to unite to better protect themselves against abuse of their legal and civil rights.

The abuses by the Internal Revenue Service have mounted to the point that meaningful reform of the tax system must occur, and the time is now. Public opinion polls indicate that the people are demanding tax reform as one of our top national priorities. Indeed, aside from the period of the American Revolution itself, there has probably been no stronger mandate for tax reform than there is right now.

It will not be done without a fight. The IRS has always resisted outside supervision or critical review, and its managers and executives have repeatedly demonstrated that they will defend their powers and positions with any means necessary.

Therefore, the challenge this white paper presents is for effective and immediate action to stop the abuses, crimes, and unconstitutional activities of the Internal Revenue Service. It is now up to us, the people of the United States, to demand that the Congress and the courts act with dispatch on a program of tax reform which will guarantee our civil and constitutional rights and end the tyranny of the IRS. ▲

PRATT

continued from page 9

Pete McCloskey, of the law firm of Brobeck, Phleger and Harrison in San Francisco, told FREEDOM that he became involved in the case when Stuart Hanlon and two other young attorneys came to see him. "The



Pete McCloskey

credit goes to them," McCloskey, a former U.S. congressman, said. "These young attorneys have done an incredible job on this case. What they are doing amounts to taking on the entire federal government."

McCloskey, who argued before the magistrate in January's evidentiary hearing, is also hopeful about the

outcome in federal court. "We certainly got a fair hearing from Magistrate Kronenburg," McCloskey said, "and I am sure he is weighing the evidence very carefully before rendering his decision."

When asked how Pratt herself is doing, Hanlon said without hesitation: "Waiting. He is a very strong individual and has eternal optimism," Hanlon added. "His spirits are very strong."

Mrs. Pratt explained why her husband has refused to participate in the parole system, opting instead to continue to pursue the motion for retrial.

"He'll be able to present to the new jury the case the other jury never heard," she told FREEDOM. "Even the defense attorney didn't have this information on the FBI's COINTELPRO operation against him at the time of the original trial, and by law, the man should be granted a new trial. We want to go back into court. We want to prove his innocence, and he very much wants to see this thing through to the end. That's why he isn't participating in the parole system," she concluded. "If they gave him parole he'd never be able to prove his innocence."

John Hoos, public affairs director for the FBI office in Los Angeles, refused to comment on the FBI's involvement in the Pratt case. ▲

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NIGHTMARE

continued from page 20

plements, is quietly circumventing the Fair Debt Collection Practices Act — an act of Congress which the IRS agreed to abide by in 1981, after a number of congressional hearings had exposed that the IRS was using harassing and abusive tactics in the collection of taxes.

The IRS is violating this agreement with Congress by eliminating its guidelines for seizures and levies. The IRS further violates this agreement with Congress by such actions as flouting the provision in the Fair Debt Collection Practices Act which states that "after the debt collector knows the consumer is represented by an attorney with regard to the subject debt . . . [the debt collector shall] not communicate with any person other than that attorney. . . ."

McPike says the number of manual changes has greatly accelerated since the IRS's strategic plan was issued 13 months ago. To him and to other current and former IRS employees interviewed by FREEDOM, the changes reflect the tax agency's intention of achieving the authoritarian objectives set forth in its strategic plan as rapidly as possible. ▲

COINTELPRO

—continued from page 8

dangerous is that they are written up precisely as reported by the agent. There is no editing. There is no evaluation. There is nothing to tell under what circumstances the report was made. There is nothing to guarantee that the information has been checked or otherwise validated.

Usually the material in an individual's file would consist of one or more five- or six-inch thick stacks of papers just bound together. Anything can be in that file, from a shopping list found in the trash to a record of a bugged telephone conversation. When one considers the millions of such files and the billions of such records, this becomes a most sinister body of material, and a potentially dangerous record on most any one of us for use by anyone else at any time. This is one of the great dangers of such programs as COINTELPRO.

As the Senate committee learned, the FBI had originally planned its covert action programs against five targets that it perceived as threats to national security and domestic tranquility.

These were:

- The Communist Party, USA;
- The Socialist Workers Party;
- The "White Hate" group;
- The "Black Nationalist Hate" group; and
- The "New Left."

There was no certainty that any of these groups could be identified as hostile — or even that they could be identified as actually existing. These were simply general concepts, to be used as nebulous targets for the program.

When this program first began, it was said that all activity would be cleared with FBI headquarters in Washington before it was set in motion. In actual practice, it was discovered that the field offices operated on their own, and before COINTELPRO had been terminated, 2,370 separate counterintelligence actions had been approved. There is no telling how many thousands more took place without specific approval from anyone.

Whenever such a program gets under way, there are new bosses who want to make a name for themselves, and new recruits who want to prove how good they are. Many of the COINTELPRO recruits were little more than common criminals. They knew how to get action. When they could not find trouble, they would incite trouble. They became effective agents provocateurs.

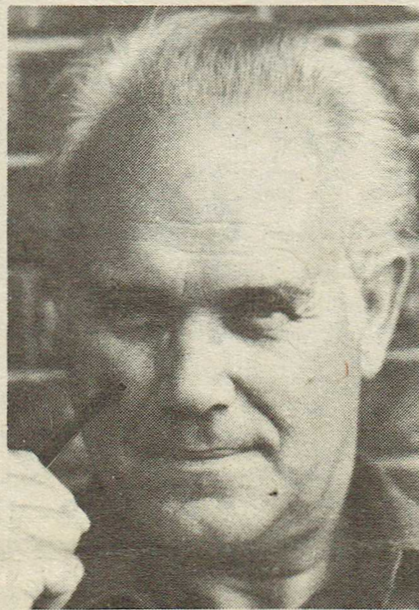
There is an exquisite distinction between a criminal and an agent provocateur.

The criminal infiltrates an unsuspecting group — e.g., a group planning to rob a bank, and incites that criminal action. He gets caught with the others and is punished as they are.

The agent provocateur infiltrates a similar, unsuspecting organization and incites an even bigger criminal action. He gets caught as the rest are, but he does not get punished.

He is innocent, because he works for the government.

These informants like their role. It gives them all kinds of special advantages, pursuing the business of being an informant and pursuing other criminal matters on their own behalf. Then they either go scot-free because they were working in their informer



Intelligence expert L. Fletcher Prouty

role, or they go scot-free because they threaten to reveal their FBI relationship and "blow the deal."

So they go scot-free either way.

Another great weakness of the agent provocateur or informer program is that there just are not that many organizations or individuals who really represent a threat to the national security of this 230 million-person nation. There are not even that many organizations that represent a credible threat to domestic tranquility on a major scale.

Are 200 — or even 2,000 — aroused activists on the steps of the Pentagon a real threat to national security? Not really. Yet, the FBI's COINTELPRO actions were predicated on the validity of that kind of "threat."

Since there are not very many bona fide organizations that are a real threat, the informant — to make points — must invent or create the atmosphere of these threatening organizations and people. This is done in many ways.

What follows are examples by type and method that may not necessarily represent actual cases. No one, without subpoena authority, can discover

exactly what goes on behind the cloak of the government process, but by experience and diligent research one can discover methods.

Have you ever noticed, in downtown areas, the posters that appear on bare walls, on mailboxes and city trash bins, or in any other public place?

Have you ever noticed that these posters, ostensibly by obscure and unknown groups, all seem to have been drawn and printed by the same people? Well, they are.

The invention, creation, printing and circulation of such posters is a big inside deal. It makes the public believe there are such weird, oddly named outfits, and at the same time, these

say the government was wrong.

The real wrong was that most of the really violent activists in the group were, in reality, underground informers and agents provocateurs who were there specifically to incite the violence.

The far greater threat to domestic tranquility is the action of the thousands upon thousands of undisciplined agents who incite illegal and terrorist acts themselves in order to embroil and involve others who, if left on their own, without provocation, would not have done such things.

These agents have money; they can get weapons and explosives; they can be supported with such things as posters and handbills; they can hire halls,

"The real wrong was that most of the really violent activists in the group were, in reality, underground informers and agents provocateurs who were there specifically to incite the violence."

posters and handbills do attract some people who are taken in by them.

They are part of a program of psychologically clever work. They do have some appeal to certain people in special situations. When these few people show up for the "big event" — to "liberate Lithuania," for example — our agent provocateur, all sweetness and light, throws a little money around and announces the visit of a major underground dignitary and a most important meeting. He signs up several unwitting souls, and all of a sudden there is a new wing of the "Socialist Workers Party" or some such facade.

A democratic society has no place for extralegal organizations and activities sponsored by the government and directed against its own citizens, no matter what their intention. And the fact is that this country has never had any real threats that would have justified the setting up of such a machine.

Even the anti-war movement of the 1960s, at its peak, was no genuine threat to the government of the United States. These people were simply trying to say to the government that it was wrong. They had the right to assemble, and they had the right to

rent public address systems and do anything designed to stir up trouble where trouble may not have existed.

They are the danger — not the people they say they are after.

Our concern today, in 1985, is that, although we know that William Sullivan, deputy director of the FBI in 1971, did prepare and sign the memo that terminated COINTELPRO, we also know that the FBI left the door open to start the program again if the bureau ever perceived the need again.

We also know that COINTELPRO-like programs are under way in several branches of the government. They must be exposed and terminated as they were in 1971.

Men have fought long and hard to preserve their freedoms. We may wish to recall the words of Sir Thomas May, from his "Constitutional History of England" from the 19th century:

"Men may be without restraints upon their liberty; they may pass to and fro at pleasure; but if their steps are tracked by spies and informers, their words noted down for criminality, their associates watched as conspirators — who shall say that they are free?" ▲

TRUTH

continued from page 21

Greater national debt reduces the investment dollars available for recovery.

More welfare relief increases both government and debt.

Encouraging new industries that are saddled with the same hidden tax costs dooms them to failure.

There is no suggestion that a VAT could be imposed instantly. We would surely require many of those old patches on an interim basis. However, they must be applied after, or in conjunction with, drastic surgery — not in place of it.

It is a fact that even with the gigantic hidden tax burden, our industries are still within 10 or 20 per cent of being competitive in the world market.

What if we obeyed Article I, Section 9, of the U.S. Constitution and identified and eliminated the tax on any goods being exported?

Imagine the market for U.S. computers, heavy equipment, technology, food and fiber, machinery (tooling) and medical supplies at a 60 per cent discount!

What nation could compete? Our products would flood the earth. We would still pay the 60 per cent VAT here, but we would not burden foreign consumers with it. Imports would still face the same VAT as our products, just as ours do overseas.

Ten million unemployed could return to work and even pay the same taxes equal to the current 60 per cent hidden burden. It would, in the interim, generate a new \$120 billion in new revenues. Welfare costs would simultaneously decline \$100 billion. That one event would eliminate the current annual deficit and the nega-

tive balance of payments.

The trillion-dollar national debt could be zeroed out in due course. All other direct or indirect problems incurred by taxing the untaxable would go away.

We currently face a momentous opportunity: we have recently elected a House, Senate and president chosen because of their promises to resolve the current chaos. We are in the position to demand sanity in financial policies and truth in tax-

of their dilemma, they will presume — perhaps justly so — the program to be another plot to exploit them.

There is a solution, however. It is a solution so undeniable and so clear that it cannot be resisted. It is truth in taxation. We need a new law that requires merchants to print on every bill and receipt a printout of the hidden taxes on our purchases. With that absolute proof of the facts, everyone would be forced to acknowledge the truth. The taxes are on

**"It is our government, our money, our economy.
Why shouldn't we know
what's going on?"**

tion. The challenge is ours.

Implementing the Solution

Neither dropping the old tax system, nor starting a clear, fair consumption tax will come easily. Sincere liberals will fear for their impoverished constituents. An even more difficult challenge is contending with professed liberals who know better but are dependent upon exploiting the present system. The two groups will be a formidable coalition, and VAT proponents can expect bitter opposition, especially from the liberal press. Just the initials "VAT" are already fighting words.

Historical patterns suggest that the unemployed will rally to the expected diversionary clichés. Since they are unaware of the basic causes

consumption.

Additionally, we could see the exact tax we are paying and its implication for us.

For 50 years, the size of the federal budget has been unfathomable, even to the most sophisticated student — much less to anyone on the street.

The tax laws are worse. Even executives in the highest echelons of the IRS refuse to sign a statement familiar to any taxpayer: "I certify under the penalties of perjury that. . ."

Even after their own audits, they will not commit themselves as much as taxpayers do on their annual returns. Their excuse is that the tax laws are too complex. My God! The enforcers of the law do not even know what they are doing, much less how much they are collecting, or

where it goes. How in blazes are the rest of us to know or understand?

Well, we can. We can demand truth in taxation. Why not? It is our government, our money, our economy. Why shouldn't we know what's going on?

Interestingly, we have truth in taxation — for taxpayers, not tax collectors. Taxpaying hazardously carries the strongest punishment for untruth — perjury convictions with prison sentences to back them up.

Why can't we have truth in taxation like truth in lending? Give us the figures in the same language we speak, in numbers we can compute, right there on the grocery bill, in the clothing store, at the auto dealership, from the plumber and the electrician.

Why not? My grocer passes my cigarettes over a funny-shaped slit in the counter and the cash register springs to life. It prints everything but the sex life of the butterfly that pollinated the tobacco plant.

Why can't it tell me the amount of hidden taxes on my nice 99-cent pack of smokes? It already tells me "Benson and Hedges, Menthol, 100's, Deluxe, Ultra Lite, home office, Park Avenue, N.Y., 99."

The technology exists to print two columns of figures along with other information. One column could be for actual costs, the other for costs of hidden taxes.

They don't have to be broken down. They could just be a total for taxes on fuel for the farmers, truckers, manufacturers, distributors, and grocers. It could be the same for all income, social security, and real estate taxes on all people and entities whose payrolls were included in the costs. And that goes for the road tax, tobacco tax, excise taxes and any special taxes. We're paying all of those and more. Tell us about it.

We have the right to truth in taxation. I want my cigarette tally to state
continued on page 27

ILLEGAL ACTS

continued from page 22

The Sixteenth Amendment did not actually amend the U.S. Constitution, Schiff maintains, and the IRS code does not actually empower the IRS to do what it does in assessing, levying, and enforcing the federal income tax.

Schiff further quotes chapter and verse in arguing, rather effectively, that the violations of the Constitution have been knowing and purposeful on the part of Congress and especially on the part of the federal judiciary.

The author concludes that because the current tax structure is in violation of the Constitution, it is illegal and may be ignored. He does not simply issue this as a broad, sweeping statement, but he again proves with

detailed research and reasoning that the current income tax is not legally mandatory or enforceable. It is the vagueness of the law which makes it seem so.

Indeed, Schiff cites the IRS code itself in pointing out that the code, with respect to income taxes, does not require any person or any corporation to file tax returns, pay such taxes or have them withheld from wages, commissions, dividends or interest, submit to IRS audits, turn over books or records to the IRS, surrender property solely on the strength of IRS liens or levy notices, or to report information with respect to wages, dividends or commissions.

The author's conclusion is that the income tax law is actually voluntary. Schiff contends: "The reason the income tax law is 'voluntary' is simple — if it were not it would be unconstitutional. . . . We maintain (and the

government admits) that the tax is voluntary and anything inherently voluntary cannot be unconstitutional. The [income] tax, however, is enforced unconstitutionally. The IRS claims that the income tax was upheld as being constitutional. This is true, but neither the IRS nor the 'courts' enforce the tax in the manner that it was upheld or in the manner the 'law' is written — and this is the crux of the problem."

Schiff's solution to the problem of tax laws which violate fundamental constitutional rights is as clever and to-the-point as Schiff's book itself. He provides methods and means of dealing with the courts, with IRS agents, with banks and companies which comply with IRS demands, levies and liens, and with the IRS itself.

If *The Great Income Tax Hoax* fails on any point, however, it is on this one.

Fundamentally, Schiff appears to advocate simple non-payment, non-filing and non-compliance with the demands of the IRS. While his reasons seem to be sound and while his methods seem to be in accord with workable legal procedures, it is doubtful that such non-compliance is well advised given the realities of the current taxation machinery.

Still, as a capable, detailed examination of American taxation, specifically of the income tax, *The Great Income Tax Hoax* succeeds brilliantly. Perhaps from the springboard of Schiff's excellent analysis, we can find lasting solutions to the problems faced by both the American taxpayer and the American government in dealing with the IRS.

The Great Income Tax Hoax (1985) is available in hardback for \$17.95 from Freedom Books, 60 Connolly Parkway, Hamden, Connecticut 06514. ▲

WHISTLEBLOWING

Dear Editor,

I recently saw your ad inviting whistleblowers to speak out. I congratulate you for your work in this area. I am convinced that our entire society would be better off if whistleblowing were encouraged both in government agencies and in private business.

Thomas A. Frederick Jr.
Tallahassee, Florida

FREE PRESS

Dear Editor,

Your article on "A Free Press in a Free Society" [April 1985] erred twice.

1. The age of the universe and mankind are only a theory and a bad one at that. No scientific proof is available.

2. Our "free press" has not been free since 1913 or thereabouts. It is tightly controlled.

Sincerely,

L. Anderson
Denver, Pennsylvania

PROBLEMS WITH IRS

Dear Editor,

I received a copy of your publication, *FREEDOM*, and was very impressed with its contents. On the back page (Volume 17, Number 10), is an announcement regarding IRS actions against citizens. This letter is a response to that announcement.

Although I've not actually been mistreated or harassed by the IRS, I have had my problems with them, resulting in my taking action which will no doubt bring problems in the future.

From 1976 through 1980, I filed my income tax like most "honest citizens," with returns due in amounts ranging from \$300 to \$600. I never received those returns or any correspondence from the IRS stating why I didn't. I then sought assistance from a tax consultant who prepared an "estimated tax form" for those years and submitted it. I still received no response from the IRS.

It was then that I began attempts to contact the IRS via telephone. The person on the other end always told me the same thing: "We will run your name through our computer and get a complete update on your current status, and we'll contact you either by phone or by mail as to our findings."

I have yet to get a response.

I then sent letters to local offices, and to the regional headquarters in Fresno. No response!

I am only one person, alone, with no power to battle an agency with legal resources that the IRS undoubtedly has. I know that there are groups

LETTERS

that exist which are determined to do something about this unfair system of taxation, but I don't know who they are or how to contact them.

Your publication is the first open voice that I've seen, and I appreciate your boldness to stand for American rights as they were intended. The issue that I read did a very good job of informing me of the covert things going on in our government.

I don't anticipate a letter like this being printed in your newspaper, but if by chance you do, please don't print my name. If the IRS wants to contact me, I don't want it to be easy for them. I want them to have to work for it. I know I worked hard to contact them, and they evaded me. Now it's my turn.

One last thing: as a citizen of this country, with rights given to me through our Constitution, can you at least give me a direction to pursue in obtaining the right to exercise these constitutional rights?

You know, that sounds like a ridiculous question. I really wish it were.

Name Withheld on Request

You can contact the National Coalition of IRS Whistleblowers at Post Office Box 7750, New York, New York 10116.

— Editor

REPEAL THE INCOME TAX

A copy of the following letter to U.S. Senator Orrin G. Hatch was recently sent to FREEDOM by J. Bracken Lee, a man who for 12 years was mayor of Salt Lake City and, for eight years, governor of Utah.

Dear Senator Hatch:

The speediest economic recovery in the history of the world could come about the day that Congress puts on the ballot the outright repeal of the present income tax, replacing it with a limited sales tax. If Congress gives the American people the chance to vote on this, it will be approved!

I am using the information I obtained from you in my hope that there will be sufficient support in Congress to take the action I am explaining in this letter.

There are many things in government that disturb and trouble our people at this time. I honestly believe that my suggestion would do more to correct our problems than anything that Congress could do at this time.

I discovered long ago that if an indi-

vidual feels certain that something conflicts with the health of his body and only surgery will correct it, then surgery should be done as soon as possible.

This applies to government and businesses as well as it does to the body, and the sooner the surgery is performed, the better for all concerned.

The IRS is a cancer of the body politic and must be abolished. It is a destroyer of our Constitution.

Under President Abraham Lincoln the income tax was passed, but it was held unconstitutional by the then Supreme Court. At that time the judges were picked for their sincere belief in our form of government. Too often since then, too many judges have been picked who could be influenced by their political bosses who put party above country.

My suggestion is that Congress pass legislation that will permit the people to vote on this matter. At the time the Sixteenth Amendment was approved, only the legislators of the 48 states voted. In too many cases legislators are inclined to follow the party line and forget their oath when they go into office.

The country at this time needs action by Congress if we are to continue a free people.

In order for the federal government to have money to operate at the time of the repeal of the income tax, a federal sales tax could be set up.

To support the sales tax, as against the income tax, let me point out — it would not make cowards, slaves and cheaters out of our taxpayers, nor would the sales tax make the tax collectors "Gestapo agents."

Very little effort and expense would be needed to collect the sales tax and it would not begin to cost what it now takes to withhold the income tax.

I also feel that it is important to point out that the income tax for corporations and those who render a service — such as doctors, lawyers, and other professional people — is not paid by them, but is added to the cost of their operations and the taxes are paid entirely by the consumer. The consumer pays every single cent and even the poor pay a portion of the taxes for the corporations and businesses when they buy food, medi-

cines and other necessities.

The income tax for 1984 produced a total of \$649 billion dollars. It cost \$30.5 billion to collect these taxes. (Some people in Washington, D.C., estimate this cost to be actually \$35 billion.)

Consider the additional purchasing power of the American people under the sales tax plan.

I confidently state that federal sales tax would bring in much more than income tax if only the Utah rate of 4½ cents on the dollar was applied. In my opinion, the rate should not exceed 5 per cent sales tax; in fact, I think even 2 per cent would bring in enough for the operation of the federal government, plus paying off the deficit and the national debt.

Once the income tax is eliminated, freedom will again return to the American people. Never again need they fear the knock at the door, that letter on Mondays, the unreasonable fines and penalties for a mistake, let alone the jail sentences and the confiscation of property.

While it is true that a small minority of citizens working for the IRS will be out of work, consider the millions of Americans who lost jobs in private industry caused by past mistakes of our government due to the income tax.

The elimination of the income tax and the institution of the sales tax will open up more jobs than have been available for longer than we can remember.

The federal sales tax would be the fairest tax now known to man. It would also be the cheapest and easiest to collect.

The rich would buy more and, therefore, pay more; the middle-income would pay a fair share instead of carrying the greatest share of the tax burden. If Congress so provided, the poor could be exempt from paying this sales tax.

I will wager that if the people are given the opportunity to vote on this, they will approve it overwhelmingly.

If Congress does not give the people the chance to vote on this now, then consider the course of history. You will find that unreasonable taxation has led to revolts and ends in some kind of dictatorship.

You, Senator Hatch, have the power to get the greatest boom in the history of this country on the road.

Sincerely,

J. Bracken Lee
Salt Lake City, Utah

Letters should be accompanied by your name, address and telephone number. Letters may have to be edited for reasons of clarity and space. Write to FREEDOM News Journal, 1413 N. Berendo Street, Los Angeles, California 90027.

TRUTH

continued from page 25

"6 cents for tobacco, 93 cents for taxes." For bread: "flour 44 cents, taxes 66 cents."

Every businessman, farmer and service operator in the world already knows and computes, daily, all those figures and costs. How else can the price of a product be figured? Anyone who doesn't won't stay in business 90 days.

The IRS will close down that business for failing to collect the right amount of taxes.

All that is required is for suppliers to furnish buyers with their cost breakdowns, and the suppliers already know, too. Their predecessors have managed to compute costs for centuries with far less sophisticated equipment than we have now.

Of all the complaints predicted for the burden of tracking costs, none will come from the business operators. After being blamed for inflating prices for years, they'll be glad to hand out a substantiated bill that puts the blame on the right shoulders.

I can see their faces now, as they receive the smiles and friendship they have been denied for 40 years.

Of course, those professional politicians who work the present system for all it's worth can be expected to feel differently.

Nevertheless, the truly honest ones will not only join, but perhaps they will lead the crusade. The rest will become known for what they are.

OK. So who are we kidding? What if we were to concede that all the

good. I believe we can forget about the other problems. I believe no American will tolerate 60 per cent taxation after his or her nose has been rubbed in it enough. Once our elected leaders are forced to reveal the real state of affairs, we'll be surprised how fast some of our spending problems are resolved.

I believe we can forget about the

But suppose I am wrong. Suppose every bureaucratic program, grant, and expenditure is an absolute necessity. Suppose every cent spent by government is already twisted, wrung out and stretched to its maximum efficiency. Great.

We will know it and we will know it's the truth.

Perhaps we the people will decide to spend even more. Great. With truth in taxation we will be able to identify the facts and make those decisions.

Even with the same tax system retained, the costs of products would be separated: produce \$X, taxes \$Y. For export, the government could at least obey the Constitution and refund the Y portion. Our industries could be competitive in the world markets. Ten million unemployed could return to work. That exchange alone from net payout to net income would balance our current budget.

No more panaceas. No more patchwork. No more interim measures. Leave them all alone for now. Just give us truth in taxation. We the citizens will make those decisions after we possess the truthful facts. We will make those decisions based on those truthful facts.

For 50 years all efforts based on the lies of our current system have failed. It is time to give truth a try.▲

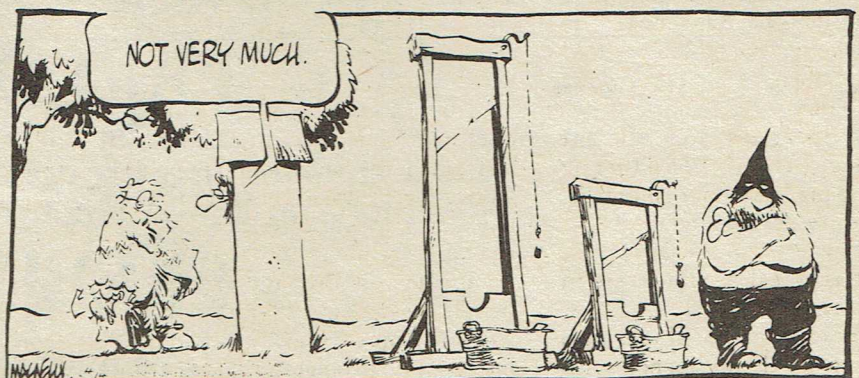
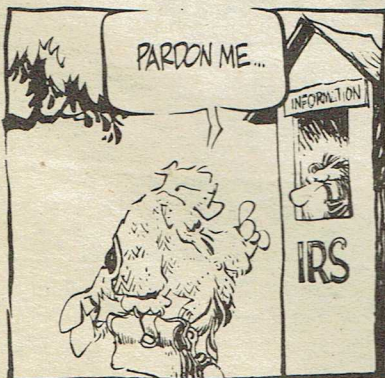
"No more panaceas. No more patchwork. No more interim measures. Leave them all alone for now. Just give us truth in taxation."

arguments against VAT were true and the present system could not be dropped. So what? Give one reason why we should be denied the truth about our taxes.

Once we have it, we will know. It will prove or disprove itself. It costs nothing. The truth can't possibly hurt if it has a history of doing great

current 60 per cent hidden tax. I believe we will be astounded by how fast it drops to 30 per cent, 25 per cent, and even 20 per cent. I believe once our bureaucracy is made accountable on a day-to-day, purchase-by-purchase, dollar-for-dollar basis, it will be amazing how fast change will occur.

Sto
By JEFF MCKELLY



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Whistleblower Confirms IRS Waste, Massive Computer Problems

Exclusive to FREEDOM

The IRS's new \$103 million computer system is down as frequently as it is up, according to a current IRS computer operator who works in the Denver, Colorado, IRS district office. The whistleblower, Marion Gatewood, sent in documents regarding IRS problems in response to FREEDOM's widely publicized request for persons with information regarding IRS abuses and criminal activities.

The computer in the Denver district office interfaces with a larger IRS computer system at the IRS service center in Ogden, Utah, which in turn interfaces with the mammoth IRS national computer in Martinsburg, West Virginia.

According to Miss Gatewood, who holds a master's degree in vocational rehabilitation from the University of Northern Colorado, the computer system in the Denver district office goes down whenever the computer is down at the Ogden service center. She said that the big computer in Ogden, over the last three months, has been inoperational an average of three to four hours a day.

Furthermore, according to the whistleblower, whenever the Ogden service center computer goes down, the computers at all of the interfacing IRS offices in 14 states go down as well.

The Ogden service center handles IRS information and computerization needs in the following states: Alaska, Arizona, Colorado, Idaho, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

FREEDOM called IRS spokesman Rob Giannangeli in Los Angeles, who confirmed that IRS computers in dis-

trict offices and local IRS offices in the various states go down whenever the larger system at a service center is down.

No Better than Old System

According to the Denver whistleblower, the new IRS computer system, while it cost \$103 million, is "no better than the old system."

The new system, Miss Gatewood said, was "supposed to speed service to the taxpayer and work better," but

jobs — for the purpose of making the employees "look busy." IRS employees view this busy work as a waste of time and a waste of taxpayer money, according to Miss Gatewood.

IRS Problems Worse than Reported

IRS computer problems have been the focus of national media attention recently, but according to the Denver whistleblower and other current and former IRS employees in contact with FREEDOM, the problems are

IRS sent out dunning notices to many of these companies. Shortly before Christmas in 1984, many businesses were threatened with seizure of their property and freezing of their bank accounts — for taxes which they had already paid.

The Philadelphia service center gained further notoriety with reports that employees there shredded 20,000 taxpayer returns and, as reported in *The Philadelphia Inquirer*, that returns had been abandoned in the women's restroom, stuffed into drawers, hidden in the ceiling, and trundled out the door.

Shortly thereafter, it came to light that thousands of taxpayer letters had been destroyed at the Austin, Texas, service center, and, more recently, that 63,000 more taxpayer letters were shredded unanswered at the Fresno, California, service center.

Through this spate of alarming reports from IRS service centers around the country, the Ogden service center was held up as a model of tax collection efficiency.

An April 14, 1985 article in *The Seattle Times*, for example, juxtaposed the efficiency of the Ogden service center with the "sloppy" Philadelphia service center, citing statistics from IRS spokesman Doug Green. Green was quoted as saying that the Ogden center, in fact, ranked as one of the top two or three of the nation's 10 regional IRS service centers "in terms of how many we process in relation to how many we've received."

The reports of gross inefficiency and waste within the Denver district office and the Ogden service center computer network bring an alarming perspective of how bad things really are at other IRS service centers. ▲

"IRS managers force employees to read manuals which are out-of-date or which no longer apply to their jobs — for the purpose of making the employees 'look busy.'"

it does not. "When the computer goes down," she said, "nothing can be done."

On one recent day, for example, the computer was up for two hours, then down for one hour, then back up for one hour, and then down for the rest of the day, she said.

During such periods of downtime, she said, "the supervisors go around and find 'busy work' " for the employees. Among other things, she said, IRS managers force employees to read manuals which are out-of-date or which no longer apply to their

worse and even more widespread than have been reported.

IRS computerization problems drew the spotlight when the Philadelphia service center, which handles the computerization and information needs for IRS offices in Delaware, the District of Columbia, Maryland, Pennsylvania, American Samoa, Puerto Rico, and the Virgin Islands, fouled up its records pertaining to more than \$300 million in quarterly withholding payments made by some 10,000 businesses in its area. As a result of this computer "error," the

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