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"My friends, tell the American people that freedom is their manifest achievement and its maintenance their manifest destiny. Do not let them fail us in this crisis. This is our witness and our challenge."

Father Noel Ryan, S.J.
Catholic Priest, Dean of the Jesuit
Theologian College in Australia

This is just one of the many statements of support that have poured in to the Church of Scientology® when word of the travesty of justice perpetrated in Portland, Oregon, on May 17, 1985, sent shock waves around the world.

When a United States court can hand down a decision that a particular religion—in this case Scientology—is not protected by the guarantee of religious freedom as stated in the First Amendment of the U.S. Constitution, it is clearly time for men of all faiths to recognize the inherent threat to the freedom of religion that this poses for all churches in every nation of this planet.

A common message in many of the letters that have flooded in from religious scholars and leaders all over the world is outrage and amazement that this case was ever allowed to come to trial in the first place, particularly in this country, where the First Amendment specifically forbids intrusion into religious matters by the government (including the courts)—where the separation of church and state is inviolate.

Declaration of Religious Freedoms

Representatives from churches and religious groups around the world have taken notice and have expressed their concern over the grave injustice that has occurred. After an emergency meeting held by these religious leaders, who met in Portland this week, a Declaration of Religious Freedoms was issued.

Those who signed this declaration have reaffirmed their commitment to uphold and fight for the preservation of the freedom of religion for all. The declaration states in part

"And we hereby confirm language in the Bill of Rights which states

'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.'"

First Amendment
to the U.S. Constitution

On May 24, a motion for mistrial was filed in the Portland court. As stated in this motion,

"... 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."

Christofferson Case

While the world watches to see what will happen next in the Portland, Oregon, lawsuit brought against the Church of Scientology by Julie Christofferson, little has been said of the case except that the \$39 million awarded to this woman by the Portland jury is so outrageously excessive that something must be wrong. Someone must be trying to destroy this church, many have said.

To understand the broader threat which this case and the recent \$39 million decision by the jury poses for the fundamental right of all people to freedom of religion, one must know some of the history of the case and the participants in the current dramatic situation.

Nearly ten years ago, Julie Christofferson Titchbourne walked into the Church of Scientology in Portland, Oregon, intent upon taking the Communications Course and, in her own words, embarking on the road to Clear. She was not solicited to join the church, but rather became interested in Scientology because her boyfriend had given her a copy of L. Ron Hubbard's *Dianetics: The Modern Science of Mental Health*, and she said 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 the 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, "[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."

Depersonalization

Christofferson's mother, however was not happy about her daughter's new-found certainty in herself. Obviously upset that her daughter was becoming more able to handle her own life, Christofferson's mother decided to bring her daughter's progress in Scientology to a violent and permanent end.

Christofferson's mother contacted an organization run by convicted felon Ted Patrick, now infamous for creating the vicious, illegal brainwashing technique known as "deprogramming" or

depersonalization, in which an individual is kidnapped and forced to renounce his or her beliefs—whether Catholic, Buddhist, Scientologist or Greek Orthodox—by means of imprisonment, starvation, screaming and other forms of physical and emotional torture.

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

Under the influence of psychiatric depersonalization 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 deprogramming, Julie filed suit against the church.

Religion on Trial

Hearing of Christofferson's suit, Portland lawyer Gary 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 antireligious 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 against the Church of Scientology. The church appealed the decision, however, and the appeals court 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 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" and, rather than being a trial to

determine the validity of Christofferson's complaint, the Portland courtroom became the stage for a trial of Scientology 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 even met Julie Christofferson Titchbourne prior to their being brought in on her case by her lawyer, McMurray. Their testimony had nothing to do with Julie Christofferson. They testified on the religion of Scientology itself—an action which was absolutely forbidden by the appeals court in this case.

Perjured Witnesses

During the course of the trial, two of the witnesses admitted to having committed perjury under oath. In fact, one of the witnesses admitted, during his testimony in the Christofferson trial, that he had committed perjury in another case, and Judge 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. Armstrong's plot, based on evidence submitted in court, appears to have been conceived with the advice and consent of Flynn and members of the IRS Intelligence Branch. It indicated the planting of 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 current church management.

Heresy Trial

The Portland court was turned into a heresy trial by McMurray and his associates, backed by the government conspirators who were exposed in the Armstrong videotapes as being involved in the plot to destroy the church.

At one point in the case, Judge Londer made the importance of keeping the trial within the narrow bounds set by the appeals courts 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 hand, however, in spite of this. In fact, the judge 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 never even mentioned for weeks during the course of the trial, and the judge was acutely aware of this. When church attorney Earle Colley 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.

Judge Londer told the attorneys in chambers, "We are so far past the gravamen of Julie Christofferson you can't possibly believe it. We are so far past that. You know, we are dealing with all sorts of issues—you know, they are very prejudicial to the church."

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 convinced 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 law in this country—the Constitution and the Bill of Rights.

After the trial was over, McMurray made the mistake of letting Christofferson go on the radio without having him there to tell her what to say. In answer to a question about how she felt about Scientology, Julie said,

"I was—I was a good Scientologist. I was following the policies of L. Ron Hubbard until the time I was deprogrammed."

One of the jurors who made the outrageous decision against the church later admitted that Scientology had indeed been on trial, and that he wanted to "punish" the church by ordering it to pay \$39 million to Christofferson.

The Christofferson case, as it has come to be known, was a test case. If the jury's decision is allowed to stand, it will mean an open door to the destruction of all religions. If the decision is reversed by the judge, it will be a victory for religious freedom throughout the world.

Neither Christofferson nor her attorney, McMurray, ever mentioned that she was "damaged" by Scientology. Yet the jury decided the church should be "punished" because the girl's eyesight and IQ did not improve.

Freedom of Religion

Every religion makes promises to its followers.

If an evangelist preaches that the quality of life can be enhanced through faith in God and a belief in Christian principles, can a new convert then sue that religion for fraud if the quality of life does not sufficiently improve or even takes a turn for the worse?

If a Catholic prays for rain for his crops and God doesn't answer his prayer, is he then in a position to sue the Pope for fraudulent claims? The Pope is God's representative on earth, according to the Catholic religion. Is he therefore liable in a court of law?

This, as farfetched as it may seem, is precisely the issue at stake in this case. One's religious beliefs cannot be judged and regulated by the law; one's religion cannot be put on trial. To open the door to this collapse of the church and state is to open the door to the death of religious freedom in this country.

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

In most cases, the benefits of religion are subjective and are not measurable in physical-universe terms as are the performance or results of commercial products or services. For example, the promised gas mileage of a particular automobile or the results expected of surgery can be easily measured and are expected to fulfill specific requirements as stated by the person selling or delivering the product or service. Such rigorous standards cannot and never have been applied to the results of praying or any other form of religious practice.

Additionally, and possibly more importantly, the spiritual benefits resulting from the adherence to or practice of a religion are directly proportional to the degree of faith, belief and dedication of its adherents—making the quantity and quality of the religious benefits attained the ultimate responsibility of the adherent himself, not his pastor or his priest.

Scientology is no different.

It promises benefits to the faithful in the form of spiritual gains. Spiritual gains and abilities as defined in Scientology cover a wide spectrum, including the ability to communicate, the ability to study and to remember and apply what one has studied, the ability to solve problems, the ability to focus one's attention on the present-time environment, the ability to control one's destiny, and the ability of the spirit to influence the body so that it is healthier.

A very important doctrine in Scientology is that the individual is responsible for his own condition, and

the amount of gain from practicing the religion is directly proportional to the degree of each person's dedication and application of Scientology principles in his life. As with other religions, the gains to be experienced from the use of Scientology principles are subjective and cannot be measured or adjudicated by anyone but the person himself.

That someone like Julie Christofferson can dabble in a religion for a short time and be talked out of her beliefs and practices by a deprogrammer is an indication only of her own degree (or lack thereof) of dedication to her religion. That she would then go on to claim that she was defrauded or damaged on the basis that some alleged "promises" were not kept is a matter that has no place in the courts of this country.

Seeds of Religious Intolerance

Clearly, nowhere in the laws of this country is there any proviso for such claims to be the subject of a lawsuit which could result in the awarding of such outrageous and punitive damages.

It was only a matter of hours before clergy and attorneys around the world began to recognize that the decision handed down by the Portland jury was the final blow that would open the door to the complete destruction of all religions.

If heresy trials are to become the fad of the day, an accepted activity for courts of this land, any religion can be put on trial. Imagine the spiritual benefits of the Catholic high mass being tried by a jury of atheists, or the value of Buddhist meditation being tried by a jury of Baptist parishioners.

The seeds of religious intolerance that have been sown in the courtroom in Portland pose a grave threat to all religions and right-thinking men. The unscrupulous attorneys who would line their pockets from Scientology's coffers will undoubtedly start looking to the greater prizes to be won from those older religions whose accumulated wealth far, far exceeds that of the relatively young religion of Scientology.

It is this very scenario of what will occur if the door is left open to try religious beliefs in a court of law that our forefathers envisioned centuries ago, and that has newly been viewed by men around the world today.

If there is to be any hope at all of restoring religious liberty in this country, the legal community must take a firm stand here and now to uphold the justice system and take any action necessary to effect an immediate reversal of the Portland jury verdict.