

Memorandum to Mr. Moore
RE: SITOL

(2) The Government shall not disseminate documents seized which did not originate from a Government agency to attorneys or employees of the Civil Division of the U. S. Attorney's Office or of the Department of Justice or any Governmental agency involved in civil litigation against the moving party or any of its affiliated groups. Dissemination of such material shall be permitted only upon a showing of particularized need. The restrictions on dissemination imposed shall not prohibit dissemination necessary to the conduct of the pending criminal investigation.

This order shall remain in effect until a hearing presently set for 8/8/77.

(3) Pending the hearing on the motion to return seized property on 8/8/77, the U. S. Attorney and the FBI will keep accurate records of all copies made of the aforesaid documents and when and to whom said copies are disseminated.

b7c
On 7/22/77, Deputy Assistant Attorney General John C. Keeney, Criminal Division, informed SA [REDACTED] General Government Crimes Unit, Criminal Investigative Division, that prosecution of this case is under the supervision and direction of U. S. Attorney Earl J. Silbert, Washington, D. C. Should there be any need for FBI Headquarters to contact the Department for consultation, advice or legal opinion, the matter should be referred directly to him.

RECOMMENDATION: For information.

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APPROVED: _____
Director _____
Asso. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. *JWT*

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Memorandum to Mr. Moore
RE: SITOL

DETAILS: See (1) Washington Field teletype dated 7/21/77, (2) U. S. District Court Order, Los Angeles, California, issued 7/20/77, (3) motion filed by the Founding Church of Scientology in U. S. District Court, Washington, D. C., for suppression of the seized evidence and supporting affidavits (served 7/15/77) and (4) U. S. Government's motion in opposition to the motion of the defendants for return of property filed in U. S. District Court, Washington, D. C. (served 7/21/77) (one copy each document attached).

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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FEDERAL BUREAU OF INVESTIGATION
FREEDOM OF INFORMATION/PRIVACY ACTS SECTION

SUBJECT:

CHURCH OF SCIENTOLOGY/ L. RON HUBBARD

FILE NUMBER: 47-56689: SECTION 2

WF0015 2082221Z

ROUTE IN ENVELOPE

OO HQ LA

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FM WASHINGTON FIELD (47-10713)(P)

TO DIRECTOR (47-56689) IMMEDIATE

LOS ANGELES (47-12230)(INFO) IMMEDIATE

BT

E F T O

SITOL

RE WASHINGTON FIELD TELETYPE TO BUREAU, JULY 23, 1977,
REGARDING MOTION HEARINGS IN WASHINGTON, D.C.(WDC).

CHIEF JUDGE BRYANT, UNITED STATES DISTRICT COURT, WDC,
RULED SEARCH WARRANT FOR SEARCH EXECUTED IN WDC, ON JULY 8,
1977, TOO BROAD FOR CONSPIRACY FOR CRIMES UNKNOWN. ORIGINAL
EVIDENCE AND ALL XEROX COPIES IMPOUNDED BY UNITED STATES
DISTRICT COURT, WDC. UNITED STATES ATTORNEY'S OFFICE, WDC,
INTENDS TO APPEAL DECISION AS SOON AS POSSIBLE.

ON JULY 27, 1977, [REDACTED] GENERAL
GOVERNMENT CRIMES UNIT, CRIMINAL INVESTIGATIVE DIVISION,
FBI HEADQUARTERS, TELEPHONICALLY CONTACTED THE DEPUTY
ASSISTANT ATTORNEY GENERAL JOHN KEENEY CONCERNING UNITED STATES

REC-136 47-56689-70

AUG 2 1977

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PAGE TWO WF 47-10713 E F T O

DISTRICT JUDGE BRYANT'S RULING CONCERNING THE DISTRICT OF
COLUMBIA SEARCH WARRANT RELATIVE TO THE CHURCH OF SCIENTOLOGY.

MR. KEENEY ADVISED HE HAD CONFERRED WITH UNITED STATES ATTORNEY
(USA) EARL SILBERT CONCERNING BRYANT'S DECISION ON JULY 27,
1977, AND IT WAS DECIDED THE GOVERNMENT WOULD APPEAL THIS
MATTER IF AT ALL POSSIBLE. KEENEY FURTHER ADVISED THE APPEAL
WILL BE HANDLED BY THE APPELLATE SECTION OF THE CRIMINAL
DIVISION ON AN EXPEDITIOUS BASIS.

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ASSOCIATE DIRECTOR

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FM LOS ANGELES (47-12230 (10) (P))

TO DIRECTOR ROUTINE

WASHINGTON FIELD ROUTINE

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XEROX COPIES OF DOCUMENTS SEIZED DURING EXECUTION OF SEARCH WARRANT ON CAPTIONED MATTER ON JULY 8 - 9, 1977, IN HOLLYWOOD, CALIFORNIA, RETURNED TO LAWYER FOR CHURCH OF SCIENTOLOGY ON JULY 26, 1977. APPROXIMATELY 22,000 COPIES OF DOCUMENTS RETURNED WHILE 1,300 COPIES RETAINED. THOSE RETAINED FELL WITHIN THE RESTRICTIONS AS OUTLINED IN THE COURT ORDER DESCRIBING THE TURNOVER.

NO INCIDENTS ACCOMPANIED TRANSFER OF DOCUMENTS, HOWEVER, A SCIENTOLOGY PRESS CONFERENCE WAS HELD PRIOR TO TRANSFER AND LOCAL PRESS REPRESENTATIVES WERE PRESENT DURING A DOCUMENT RELEASE.

ROUTE IN ENVELOPE

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On 7/27/77 [redacted] LA advised he will check with USA LA regarding who will pay for copying of the documents turned back to the Church by Scientology & advise FBI HQ

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 CE-T(5018)

CRIMINAL INVESTIGATIVE DIVISION
July 28, 1977

Attached teletype pertains to the Federal criminal investigation of members and former members of the Church of Scientology (COS). Attorneys for the COS filed a motion in U. S. District Court, Washington, D. C., for the return of property seized from the COS in Washington, D. C., during the execution of a search warrant on 7/8/77. The defendants claim under the Federal Rules of Criminal Procedure, that (1) the warrant was unconstitutionally general, (2) the search and seizure were unreasonable in scope, amounting to a general exploratory search, (3) the Agents executing the warrant violated Title 18, U.S.C., Section 3109, by using excessive force in the execution of the warrant. The U. S. Attorney's Office filed a motion in opposition to supra motion.

On 7/27/77, in U. S. District Court, a hearing was held before Chief Judge William B. Bryant concerning the validity of the search warrant. Judge Bryant ruled the search warrant to be too broad to support conspiracy charges and ordered the documents seized to be turned over to the court.

U. S. Attorney Earl J. Silbert conferred with Deputy Assistant Attorney General John C. Keeney, Criminal Division, and it was decided the Government would appeal if at all possible. Mr. Keeney advised FBIHQ the appeal would be handled by the Appellate Section of the Criminal Division on an expeditious basis.

- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Boynton
- 1 - [REDACTED]

APPROVED: _____	Adm. Serv. _____	Legal Coun. _____
Director _____	Crim. Inv. _____	Plan. & Insp. _____
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TO DIRECTOR (47-56689) PRIORITY

WASHINGTON FIELD (47-10713) PRIORITY

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SCIENTOLOGY LAWYERS FILED MOTION ON JULY 27, 1977, BEFORE JUDGE LUCAS, USDC, LOS ANGELES, SEEKING IMMEDIATE RETURN OF ALL CONFISCATED DOCUMENTS ARGUEING SEARCH WARRANT WAS TOO BROAD IN SCOPE. JUDGE LUCAS DENIED MOTION.

NEXT COURT APPEARANCE IN THIS MATTER SCHEDULED FOR BY AUGUST 8, 1977.

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COMMUNICATIONS SECTION

