

# Fire Ravages 250 Homes

The fire emergency awaited are if they come did Tuesday and across the flames. Tonight was tied youth—in his 20s—kite in Sycamore. The kite was be wind and power line. Barbara District the young

man was not an arsonist, as had been earlier supposed by police, who questioned the kite-flyer at length.

The young man made a statement: "I am deeply shocked and saddened by the great loss and suffering which has resulted from the fire. I shall always regret the part, however innocent, I have had in this tragic matter."

Officials said the fire, which crackled out of the drought-dry brush and licked within 13 blocks of the city's main street, began at Coyote Road and Mountain Drive in the Sycamore

more Canyon area — the same location as the 1964 fire that lasted 13 days, killed four persons, covered 90,000 acres and cost about \$23 million.

The current fire, which was spotted about 7:40 p.m. Tuesday night, has so far covered about 700 acres.

It ravaged some of the finest homes in the city, most assessed at six figures, with some in the \$350,000 range. They were on the hilly Riviera section, about 2 miles from the historic Spanish Mission here and about 1

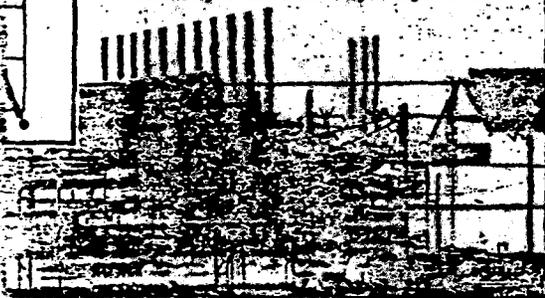
See FIRE, A6, Col. 1

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Discouraging economic news pushed stock prices sharply lower yesterday. Bethlehem Steel halved its quarterly dividend and the June U.S. trade deficit set another record. On a brighter note, General Motors reported a record \$1.1 billion second quarter profit.

Details in the Business Section, D13

The slide of the U.S. dollar brings sharp criticism by West Germany. Page A14.



By Bill Perkins—The Washington Post

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## Workers Get Welfare

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Officials of the D.C. Department of Human Resources, which administers city welfare programs, said they have not been informed of the suspected fraudulent or erroneous payments to HEW workers. They alone have authority to eliminate such benefits, the officials said.

"We have cooperated by supplying HEW our rolls, but we have not been given their payroll," acting DHR deputy director William H. Whitehurst Jr. said. He said DHR asked for the information more than a week ago.

Whitehurst said the District's intensified efforts to reduce its welfare error rates, among the highest in the

See HEW, A2, Col. 1

## Scientology Raid Unconstitutional, U.S. Judge Rules

By J. Y. Smith

Washington Post Staff Writer

A U.S. judge ruled yesterday that the government must return documents seized in an FBI raid on the Foundation Church of Scientology here July 8 because the search warrant used was unconstitutionally broad.

The raid on the church offices at 2125 S St. NW and a similar operation against Scientology offices in Los Angeles were made in connection with an investigation of alleged conspiracies by church officials. The purpose of the alleged conspiracies was to burglarize government offices, steal government property, and obstruct criminal investigations, according to court documents.

Chief Judge William B. Bryant of U.S. District Court ordered that all the materials seized here, and all copies and records of such materials, be impounded by the clerk of the court. He said the material would be returned to church officials unless the government appeals his ruling within 10 days.

The ruling applies only to the Washington raid. The Los Angeles raid is the subject of another court proceeding there.

A spokesman for the U.S. Attorney's Office, which has been directing the investigation against the church here, said the office had recommended to the Justice Department that an appeal be taken.

Officials declined to comment further. Mr. Bryant's ruling is upheld on

See SEARCH, A20, Col. 1

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47-56689-12  
ENCLOSURE

## Bowie Youths Die When Car Hits Trees

Two Bowie teenagers were killed today night when the car in which they were riding hit two trees and either vehicle and flipped over on Mitchellville Road east of Mount Oak Road, Prince George's County police reported.

Police said the dead youths—Bengt Illjerool, 18, of the 4100 block of Woodhaven Lane, and Douglas W. Gibson, 18, of the 1200 block of Millstream Drive—were passengers in a car driven by a 16-year-old who was uninjured in the crash.

The driver apparently lost control of the car as it was traveling east on Mitchellville Road at high speed, police said. The driver was charged with driving while impaired and reckless operation of a vehicle.

A 17-year-old Bowie youth was charged with leaving the scene of an accident yesterday, police said, after he turned himself in and said he had driven his car over one of the youths who had been thrown to the roadway in the fatal crash.

## Raid on Church Unconstitutional, Judge Rules

SEARCH, From A1

appeal. It appears that the investigation's future is uncertain.

"The government really goofed this time," said Philip J. Hirschkop, an attorney for the Scientology church. "It was a grossly illegal search. It really proves how the government has operated with regard to the Church of Scientology."

The search warrants used here and in Los Angeles were granted on the basis of information supplied to federal investigators from a former Scientology official. The official reportedly claimed to have personal knowledge of church members who infiltrated the Justice Department and the Internal Revenue Service and stole some of the agencies' files on the church.

serious doubt as to that."

"Is the court so holding?" asked Weiner.

"Yes sir, I'm so holding. I am so holding," said the judge, apparently settling for the moment the question of whether the governor was subject to his own code of ethics.

The question of whether the code of ethics applied to the governor had come up before. Even before the first trial, which was halted following attempts to tamper with the jury, the then-presiding U.S. District Court Judge Herbert F. Murray had ruled that the question was a technical one, which he chose to sidestep.

What was important, Murray said, was that the jury in the Mandel corruption trial could look to it as a "standard of conduct" and determine for themselves what relevancy, if any, it had on the intent of the governor and his codefendants.

Weiner had argued that even though Mandel devised the code, the code had been mandated by the legislature. The legislature did not have the power to require that Mandel's code apply to the governor, whose office is equal with the legislative branch.

The warrant used in Washington listed 148 specific items that were sought. In addition, it sought other material and its final paragraph authorized agents to seize "any and all fruits, instrumentalities and evidence (at this time unknown) of the crimes of conspiracy, obstruction of justice and theft of government property."

Judge Bryant ruled that this language was so broad that it amounted to a "general warrant"—authority to seize anything and everything at the discretion of the agents—and that it therefore violated the guarantee of the Fourth Amendment of the U.S. Constitution against "unreasonable searches and seizures."

"The Constitution requires that search warrants list the items sought with 'particularity,'" Bryant said. "General warrants" lack this particularity.

## Court Supports Job Rights Of Women Rejecting Boss

By J. Y. Smith

Washington Post Staff Writer

Women denied employment or promotion because they refuse to give sexual favors to superiors can seek redress under federal civil rights legislation, the U.S. Court of Appeals ruled yesterday.

In what appears to be the first federal appeals court ruling on the question, the court said women subjected to requests for sex from their bosses are protected by Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1972.

"We cannot doubt that Title VII intercepts the discriminatory practice charged here," wrote Circuit Judge Spottswood W. Robinson III in an opinion in which Chief Judge David L. Bazelon concurred and in which Circuit Judge George E. Mackinnon concurred in a separate opinion.

The judges noted that various U.S.

District Courts had reached different results in similar cases.

The case the appeals court here decided was a suit brought by Paulette L. Barnes, a black woman. She said she had been hired by the Environmental Protection Agency as a GS-5 administrative assistant. She said that at her hiring interview she was promised promotion to grade GS-7 "within 90 days," according to the court record.

Shortly after she began work, the court said, her boss repeatedly suggested that "if she cooperated with him in a sexual affair, her employment status would be enhanced," according to her complaint.

When she persisted in her refusals, he said, her job was abolished and she was reemployed elsewhere in the agency as a GS-5. Her former job was elevated to grade GS-12 and given to a white woman, the court said.

After numerous administrative hearings in which she asserted that she had been the victim of racial, rather than sexual, discrimination, she filed suit in U.S. District Court here.

The District Court held that her boss's alleged retaliatory action on her refusal to engage in an "after-hour affair" was "not the type of discriminatory act contemplated by" the federal civil rights law.

In reversing that ruling, the appeals court said: "But for her womanhood, from aught that appears, her participation in sexual activity would never have been solicited."

"To say, then, that she was victimized in her employment simply because she declined the invitation is to ignore the asserted fact that she was invited only because she was a woman subordinate to the inviter in the hierarchy of agency personnel."

The court directed that the case be returned to the District Court so that Barnes would have a chance to prove her claim of sexual discrimination.

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CRIMINAL INVESTIGATIVE DIVISION  
July 28, 1977

Attached teletype and article from the 7/28/77, Washington Post pertains to the Federal criminal investigation of members and former members of the Church of Scientology. As you are aware, on 7/27/77, Chief Judge William B. Bryant, U. S. District Court, Washington, D. C., ruled the search warrant issued at Washington, D. C., was too unconstitutionally broad for conspiracy in crimes unknown.

In U. S. District Court, Los Angeles, California, U. S. District Judge Lucas issued an order on 7/20/77 concerning the documents seized in the Los Angeles area restricting dissemination which order will remain in effect until a hearing on a motion by the defendants to suppress the evidence is held on 8/8/77.

Scientologist lawyers filed another motion on 7/27/77, before Judge Lucas in Los Angeles, seeking immediate return of all confiscated documents arguing the search warrant in Los Angeles was too broad in scope. Judge Lucas denied the motion. The next hearing is still scheduled for 8/8/77.

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

APPROVED: <i>[Signature]</i>	Adm. Serv. _____	Legal Coun. _____
Director <i>[Signature]</i>	Crim. Inv. <i>[Signature]</i>	Plan. & Insp. _____
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Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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ATTN: [REDACTED] CRIMINAL INVESTIGAT ICZ

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RE BUTEL JULY 27, 1977, CONCERNING REPORT OF LOSS OR  
COMPROMISE OF CLASSIFIED INFORMATION.

MATTER OF PREPARATION OF A REPORT OF LOSS OR COM-  
PROMISE OF CALSSIFIED INFORMATION DISCUSSES WITH  
ASSISTANT U.S. ATTORNEY RICHARD STILZ WHO ADVISED THAT  
NO ACTION IS REQUIRED IN THIS ~~MATTER~~ AT THIS TIME.

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47-56689-74

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Transmit attached by Facsimile - PLAINTEXT

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Director's Sec'y	

To: **FBI - HQ**  
 From: **ADIC, LA 7-13330**  
 Subject: **OSITOL**

Date: **7-21-77**  
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 Initials:

Fingerprint Photo     Fingerprint Record     Map     Newspaper clipping     Photograph  
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Special handling instructions: **ATTN:**  
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**GENERAL GOVT CRIMES UNIT**  
**CRIMINAL INVESTIGATIVE DIV.**  
 Approved: \_\_\_\_\_

**USDC Los Angeles (Central District Calif.)**  
**USDJ Malcolm M. Lucas Hearing 7/19/77**  
**Order issued 7/20/77**

**47-56689-75**

REC-136

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**ENCLOSURE**

**7 9 466 T01977**

DATE **3/11/84** BY **SP-1 JAG/CS**

It is hereby ordered pursuant to agreement between Government counsel and counsel for moving party as follows:

(1) The Government shall provide moving party, on or before July 26, 1977, with either the originals or copies of all documents seized pursuant to Search Warrants 77-1028M and 77-1029M, except for any Government documents, if any, which are allegedly stolen and of a highly sensitive nature.

(2) The Government shall not disseminate documents which did not originate from a Government agency, or copies thereof, seized pursuant to Search Warrants 77-1028M and 77-1029M, to attorneys or employees of the Civil Division of the United States Attorney's Office or of the Department of Justice or of any governmental agency involved in civil litigation against moving party or any of its affiliated groups. Dissemination of such material shall be permitted only upon a showing of particularized need. Such showing may be made upon ex parte application by the Government. The restrictions on dissemination imposed hereby shall not prohibit dissemination necessary to the conduct of the pending criminal investigation.

This order shall remain in effect until a hearing on the motion to restore property presently set for August 8, 1977.

(3) Pending the hearing on the motion to return seized property on August 8, 1977, the United States 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.

(4) This order does not modify any prior order.

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FM LOS ANGELES (47-12230)

TO DIRECTOR IMMEDIATE

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ATTENTION: FINANCE AND PERSONNEL DIVISION; GENERAL GOVERNMENT

CRIMES UNIT, CRIMINAL INVESTIGATIVE DIVISION.

SITOL *Wolfe Gerald Bennett*

RE LOS ANGELES TELCALL TO [REDACTED]

JULY 13, 1977.

IN ORDER TO MAKE SIX XEROX COPIES OF THE APPROXIMATELY 20,000 DOCUMENTS, SOME OF WHICH HAVE UP TO 100 PAGES, IT WILL BE NECESSARY TO RENT APPROXIMATELY TEN XEROX MACHINES.

[REDACTED] SALES REPRESENTATIVE, XEROX REPRODUCTION CENTER, 3255 WILSHIRE BOULEVARD, LOS ANGELES, ADVISES THIS EQUIPMENT

AVAILABLE AND XEROX WILL FURNISH ONE OPERATOR TO ASSIST CREW OF AGENTS AT EACH MACHINE TO REPRODUCE DOCUMENTS. COST WILL BE APPROXIMATELY FIVE CENTS PER IMPRINT, FOR A TOTAL COST OF APPROXIMATELY \$50,000.

BUREAU AUTHORITY REQUESTED TO EXPEND APPROXIMATELY \$50,000 TO REPRODUCE DOCUMENTS.

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SEE ADDENDUM PAGE TWO CRIMINAL INVESTIGATIVE DIVISION

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ADDENDUM CRIMINAL INVESTIGATIVE DIVISION (CID) [REDACTED] 7/14/77

CID approves the expenditure of \$50,000.00, in the Sitol case, to reproduce 6 xerox copies of approximately 20,000 documents by the Los Angeles Division. It is contemplated Los Angeles will utilize approximately 10 xerox machines obtained from the Xerox Reproduction Center in Los Angeles. SAC - Criminal, Los Angeles, advises Xerox Corporation will furnish one operator to assist the crew of Agents at each machine to reproduce the documents. The SAC further stated that these Xerox employees are cleared for top secret and will function in a support role to maintain the xerox machines during the reproducing operation. The documents will remain in the custody of FBI Agents during the xeroxing process. Assistant United States Attorneys from Washington, D. C., in Los Angeles, have advised the SAC that it will be necessary to xerox the 20,000 documents obtained in the Sitol case so they can be reviewed without contaminating the evidence. Those documents which are not pertinent will probably be returned to the Founding Church of Scientology. If approved, CID will advise the Los Angeles Division by teletype and they will be instructed to submit the invoice to the attention of the Budget and Accounting Section, Finance and Personnel Division.

JCC  
/a

APPROVED: _____	Adm. Serv. _____	Legal Coun. _____
Director _____	Crim. Inv. _____	Plan. & Insp. _____
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TO LOS ANGELES PRIORITY

WASHINGTON FIELD OFFICE PRIORITY

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*Wolfe, Gerald Bennett*

SITOL

RELATEL JULY 13, 1977.

BUREAU AUTHORITY GRANTED LOS ANGELES DIVISION TO EXPEND UP TO \$50,000 TO REPRODUCE SIX XEROX COPIES OF APPROXIMATELY 20,000 DOCUMENTS. WHEN REPRODUCTION COMPLETED, LOS ANGELES SUBMIT INVOICE FROM XEROX CORPORATION TO THE ATTENTION OF "THE BUDGET AND ACCOUNTING SECTION, FINANCE AND PERSONNEL DIVISION," REFERENCING THIS COMMUNICATION AS YOUR AUTHORITY.

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NOTE: It was recommended and approved that the Los Angeles Division expend up to \$50,000 to reproduce documents in this case. Assistant U. S. Attorneys from Washington, D. C., who are in Los Angeles have advised the SAC-Criminal that it will be necessary to xerox these documents so they can be reviewed without contaminating the evidence.

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