

the constitutionality of the California warrants. United States v. Various Documents Seized from the Church of Scientology, No. CV-77-2565 MNL (C.D. Cal., Aug. 8, 1977). The government has appealed both decisions.

Allegations of use of excessive force in the execution of the search warrants will be the subject of further litigation in the pending criminal matters should the United States prevail on appeal. Such allegations are also the subject of pending civil suits. Unlike the facts surrounding the issuance of the warrants, there is no information that has been made public concerning the execution of the warrants. Consequently, in accord with the long-standing policy of the Department of Justice, we regret that we can not comment substantively upon the allegations. However, we are confident that the government's actions in this matter will be vindicated.

Your enclosure is returned herewith.

Very truly yours,

Benjamin R. Civiletti  
Assistant Attorney General  
Criminal Division

Enclosure

November 7, 1977

Honorable Ronald V. Dellums  
House of Representatives  
Washington, D. C.

SITOI

Dear Congressman Dellums:

Your letter of October 17, 1977, expressing astonishment at the manner of execution of the search warrants for Church of Scientology premises and at the number of agents executing the warrant has been referred to the Criminal Division for reply.

On July 8, 1977, the Federal Bureau of Investigation executed search warrants at three offices of the Church of Scientology in Washington, D. C. and Los Angeles. The warrants were based on information supplied by an official of the Guardian's office of the Church of Scientology who had been discovered using fraudulent Internal Revenue Service identification. The informant detailed instances of thefts of copies of government documents and the subsequent endeavor to obstruct a grand jury investigation. Although the United States District Court for the District of Columbia found that the warrant was patterned after one approved by the Supreme Court in Andresen v. Maryland, 427 U.S. 463 (1976), it found the Andresen case inapplicable to searches for evidence of an illegal conspiracy and suppressed the fruits of the search. In re Search Warrant Dated July 4, 1977, Dist. No. 77-0151 (D.D.C., July 27, 1977). The United States District Court for the Central District of California never reached the constitutional issue. Instead it held that the District of Columbia decision collaterally estopped the government from litigating the constitutionality of the California warrants. United States v. Various Documents Seized from the Church of Scientology, No. CV-77-2565 MML (C.D. Cal., Aug. 8, 1977). The government has appealed both decisions.

cc: [redacted]  
FBI

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Allegations of use of excessive force in the execution of the search warrants will be the subject of further litigation in the pending criminal matters should the United States prevail on appeal. Such allegations are also the subject of civil suits. Unlike the facts surrounding the issuance of the warrants, there is no information that has been made public concerning the execution of the warrants. Consequently, in accord with the long-standing policy of the Department of Justice, we regret that we cannot comment substantively upon the allegations. However, we are confident that the government's actions in this matter will be vindicated.

Very truly yours,

Benjamin R. Civiletti  
Assistant Attorney General  
Criminal Division

Honorable Floyd K. Haskell  
United States Senate  
Washington, D. C.

November 30, 1977

Dear Senator Haskell:

SITUI

Your letter of October 3, 1977, has been referred to the Criminal Division for reply. You stated that a number of your constituents have expressed their concern about the number of Federal Bureau of Investigation agents and the amount of force used in the execution of search warrants for Church of Scientology premises in Washington, D. C. and Los Angeles.

On July 8, 1977, the Federal Bureau of Investigation executed search warrants at three offices of the Church of Scientology in Washington, D. C. and Los Angeles. The warrants were based on information supplied by an official of the Guardian's office of the Church of Scientology who had been discovered using fraudulent Internal Revenue Service identification. The informant detailed instances of thefts of copies of government documents and the subsequent endeavor to obstruct a grand jury investigation. Although the United States District Court for the District of Columbia found that the warrant was patterned after one approved by the Supreme Court in Andresen v. Maryland, 427 U.S. 463 (1976), it found the Andresen case inapplicable to searches for evidence of an illegal conspiracy and suppressed the fruits of the search. In re Search Warrant Dated July 4, 1977, Misc. No. 77-0151 (D.D.C., July 27, 1977). The United States District Court for the Central District of California never reached the constitutional issue. Instead it held that the District of Columbia decision collaterally estopped the government from litigating the constitutionality of the California warrants. United States v. Various Documents Seized from the Church of Scientology, No. CV-77-2565 MML (C.D. Cal., Aug. 8, 1977). The government has appealed both decisions.

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✓ cc: [redacted]  
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DATE 3/29/82 BY SP2 TAP/elt

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Very truly yours,

Benjamin R. Civiletti  
Assistant Attorney General  
Criminal Division

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FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- Airtel

*WJ*

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- E F T O
- CLEAR

Date 11/21/77

TO: DIRECTOR, FBI (47-56689)

FROM: SAC, WFO (47-10713) (P)

SITOL  
ET AL  
(OO:WFO)

On 11/15/77 AUSA RAYMOND BANOUN, U. S. District Courthouse, Washington, D. C. (WDC), advised that the following Judges of the U. S. Court of Appeals would hear the matter in reference search warrant dated 7/4/77 for premises at 2125 5th Street, N.W., WDC, on 11/18/77:

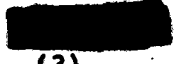
ROGER ROBB  
~~EDWARD A. TAMM~~  
GEORGE E. MAC KINNION

*[Handwritten signature]*

*USCA JUDGE Edward A. Tamm  
did not hear this matter*



2-Bureau  
1-WFO



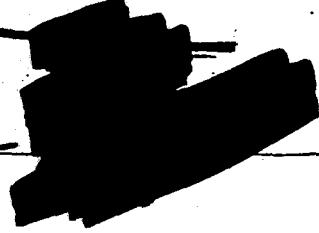
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Approved: NFS/B  
34 DEC 22 1977

Transmitted \_\_\_\_\_  
(Number) (Time)

Per \_\_\_\_\_



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17 Page(s) withheld for the following reason(s):  
Appeal Filed 12/1/77 in United States  
Court of Appeals for the District of Columbia

For your information: \_\_\_\_\_

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To: SAC, Washington Field

From: Director, FBI

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SITOL

Enclosed for receiving offices are two copies each of a self-explanatory letter dated 12/5/77, from Benjamin R. Civiletti, Assistant Attorney General (AAG), Criminal Division, Department of Justice (DOJ), to Mr. John Tausaig, Ministry of Legal Affairs, United States Church of Scientology, Los Angeles, California. Enclosed letter was furnished to FBIHQ by the Criminal Division.

Receiving offices furnish appropriate U. S. Attorney's with copies of the Department's letter. Furnished for information and record purposes.

Enclosures (2)

2 - SAC-Criminal, Los Angeles (Encs. 2)

[redacted] (6) [redacted] b7c

NOTE: This pertains to the criminal case involving the Church of Scientology. The Criminal Division of the Department furnished a copy of a letter they sent the Ministry of Legal Affairs, United States Church of Scientology, Los Angeles, California, in reply to a letter received by DOJ from the Scientologists dated 10/4/77. This reply letter to the Scientologists is in answer to allegations made by them concerning "reckless and punitive behavior" of Federal Bureau of Investigation Agents who executed search warrants for Church of Scientology premises in Washington, D. C., and the Los Angeles area on 7/8-9/77.

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- Dep. AD Adm. \_\_\_\_\_
- Dep. AD Inv. \_\_\_\_\_
- Asst. Dir.:
- Adm. Serv. \_\_\_\_\_
- Crim. Inv. \_\_\_\_\_
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- Ident. \_\_\_\_\_
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- Rec. Mgnt. \_\_\_\_\_
- Spec. Inv. \_\_\_\_\_
- Tech. Servs. \_\_\_\_\_
- Training \_\_\_\_\_
- Public Affs. Off. \_\_\_\_\_
- Telephone Rm. \_\_\_\_\_

ENCLOSURE

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F.B.I.  
U.S. DEPT. OF JUSTICE

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