

Category	Court Document
Title	Grand Jury Indictment United States of America vs. Mary Sue Hubbard et al
Source	“United States District Court for the District of Columbia”
Author	US Attorney
Date	August 15th, 1978

Description:

FILED IN OPEN COURT

AUG 15 1978

James F. Davey, Clerk

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

MARY SUE HUBBARD
JANE KEMBER
MORRIS BUDLONG, also known as MO BUDLONG
HENNING HELDT
DUKE SNIDER
GREGORY WILLARDSON
RICHARD WEIGAND
MITCHELL HERMANN, also known as MIKE COOPER
CINDY RAYMOND
GERALD BENNET WOLFE
SHARON THOMAS

Criminal Case No. 78-00401
Grand Jury Original

Violations:

18 U.S.C. §§ 2, 371, 641, 1503, 1623 2511 (1) (a) (Conspiracy, Theft of Government Property, Aiding and Abetting, Obstruction of Justice, False Declaration Before A Grand Jury, Interception of Oral Communication)
22 D.C. Code §§ 105, 1801(b) (Burglary, Aiding and Abeting)

The Grand Jury charges:

INTRODUCTION

At all times material herein, the Church of Scientology (Scientology) had offices in various cities in the United States and elsewhere within Scientology, a department known as the "Guardian's Office" had responsibility to promote the interests of Scientology by covertly identifying, locating, and obtaining all Scientology-related information in the possession of various individuals, government agencies and private organizations.

At all times material herein,. The Guardian's Office had worldwide headquarters (Guardian's Office WW) at Saint Hill Manor, East Grinstead, Sussex, England. It had United States headquarters (Guardian's Office US) in Los Angeles, California. It had a local office in the District of Columbia (Guardian's Office DC) and other cities throughout the United States. Each of the Guardian Offices was composed of five bureaus including the Information Bureau which was assigned the responsibility for the conduct of covert operations including the collection of data and documents of interest to Scientology.

At all times material herein, L. RON HUBBARD, who held the title "Commodore", by virtue of his role as founder and leader of Scientology exercised overall supervision of the Guardian's Office.

At all times material herein, MARY SUE HUBBARD held the titles of Controller" and "Commodore Staff Guardian" (CSG) and as the second person in the hierarchy of Scientology had duties, under her husband L.RON HUBBARD, which included supervision of the Guardian's Office.

At all times material herein, JANE KEMBER had the title of "Guardian World-Wide" (GWW) and headed the daily operation of all Guardian's Offices, reporting directly to L RON HUBBARD and MARY SUE HUBBARD.

At all times material herein, MORRIS BUDLONG, a/k/a MO BUDLONG (hereinafter MO BUDLONG), held the title "Deputy Guardian for Information World-Wide" (DG I WW), supervised all Information Bureaus around the World and reported directly to JANE KEMBER.

During the approximate periods listed below in the column entitled "Approximate Periods the individuals listed below in the column entitled "Individuals" held the positions, in the Guardian's Office US, listed below in the column "Positions":

INDIVIDUALS APPROXIMATE PERIODS POSITIONS

HENNING HELDT Nov. 21, 1973 – June 20, 1977 Deputy Guardian US (DG US)

DUKE SNIDER March 1974 – Dec. 1, 1974 Deputy Guardian-Information US (DG I US)

Dec. 1, 1974 – June 20, 1977 Deputy-Deputy Guardian US (DDG US)

RICHARD WEIGAND Dec. 1, 1974 – May 15, 1977 Deputy Guardian-Information US (DG I US)

INDIVIDUALS APPROXIMATE PERIODS POSITIONS

GREGORY WILLARDSON Sometime in 1974 – Jan. 1, 1976 Information Bureau Branch I Director US

Jan. 1, 1976 – June 16, 1977 Deputy Deputy Guardian Information US (DDG I US)

June 16, 1977 – June 20, 1977 Deputy Guardian Information US (DG I US)

MITCHELL HERMANN Jan. 1, 1974 – March 1, 1975 Branch I Director Guardian's Office US

a/k/a MIKE COOPER Jan. 1, 1976 – March 1, 1977 Southeast US Secretary Guardian's Office US (SEUS SEC.)

CINDY RAYMOND June 1, 1974 – Jan 1 1976 Information Bureau Collections Officer US

Jan 1, 1976 – Sept 1, 1976 Information Bureau Branch I Director US

Sept 1, 1976 – June 20, 1977 Information Bureau National Secretary US

From on or about January 1, 1974 until on or about June 11, 1976, MICHAEL J. MEISNER, also known as John M. Foster, Jeff Murphy, and "Herbert," held the title "Assistant Guardian for Information – DC (AG I DC). As such, he supervised the Information Bureau in the District of Columbia, and reported to the Southeast US Secretary and the Deputy Guardian for Information US. From on or about July 1, 1976 until on or about August 30, 1976, he held the title "National Secretary – US" in Los Angeles, California. As such he supervised the operation and formulation of Information Bureau programs of national scope.

At all times material herein, GERALD BENNET WOLFE, also known as "Silver" and "Kelly", was an agent of Scientology. As such, from on or about November 18, 1974 until on or about June 30, 1976, he was a covert operative for the Guardian's Office employed as a clerk at the Internal Revenue Service of the United States Department of the Treasury (hereinafter IRS) in the District of Columbia.

At all times material herein, SHARON THOMAS, also known as "Judy," was an agent of Scientology. As such, from on or about February 19, 1976 until on or about November 5, 1976, she was a covert operative for the Guardian's Office employed as a secretary at the United States Department of Justice in the District of Columbia.

COUNT ONE

THE CONSPIRACY, ITS OBJECT AND MEANS

1. Beginning on or about November 21, 1973, and continuing until on or about May 27, 1977, within the District of Columbia and elsewhere, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, CINDY RAYMOND and SHARON THOMAS, together with unindicted co-conspirators Gerald Bennet Wolfe and Michael J. Meisner, and other unindicted coconspirators both known and unknown to the Grand Jury, willfully and knowingly did conspire, confederate, combine, and agree together and with each other, to commit offenses against the United States of America, that is, by various illegal and unlawful means which are known to the Grand Jury that were used or attempted to be used by the defendants and the unindicted co-conspirators were as follows:

a. To willfully and knowing steal, purloin and convert to their own use records and things of value of the United States and departments and agencies thereof, that is, documents and photocopies thereof which were the property of the IRS, the United States Department of Justice, and the Office of the United States Attorney for the District of Columbia, in violation of Title 18, United States Code, Section 641; To willfully intercept and procure other persons to intercept oral communications made during a meeting of agents and employees of the IRS held at IRS headquarters in the District of Columbia, in violation of Title 18, United States Code, Section 2511(1) (a)

c. To falsely make and forge passes and permits issued by and under the authority of the United States, that is, false identification cards bearing the seal of the IRS, for the purpose, among others, of gaining entry to various government buildings, in violation of Title 18, United States Code, Section 499;

d. To enter rooms of various employees of the IRS, the United States Department of Justice, and the Office of the United States Attorney for the District of Columbia, with intent to steal documents contained therein, which were the property of the United States, in the care, custody and control of said agencies and their employees, in violation of Title 22, District of Columbia Code, Section 1801(b);

To recruit agents of Scientology to infiltrate various agencies and departments of the United States.

To place these agents in various positions within these agencies

To use bogus credentials to gain access to various agencies and departments;

To utilize electronic surveillance devices;
To gain access to areas within these agencies which contained documents and information of value to Scientology.

OVERT ACTS

To effect the objects and means of this conspiracy, the defendants, together with the unindicted co-conspirators, committed various overt acts within the District of Columbia and elsewhere, including but not limited to the following:

(1) On or about November 21, 1973, JANE KEMBER issued a directive to HENNING HELDT ordering him and his staff to obtain all INTERPOL (the international police organization) documents relating to Scientology and connecting its founder, L Ron Hubbard, to criminal activity.

(2) On or about July 1, 1974, DUKE SNIDER directed Michael J. Meisner to implement JANE KEMBER's directive described in the preceding subparagraph by obtaining all INTERPOL documents relating to Scientology from the INTERPOL office then locating in the United States Department of the Treasury.

(3) On or about August 15, 1974, CINDY RAYMOND informed Michael J. Meisner that he was to assist her in recruiting a loyal Scientology agent for placement as an employee at the IRS in the District of Columbia.

(4) On or about September 15, 1974, CINDY RAYMOND notified Michael J. Meisner that she had selected Gerald Bennet Wolfe to be the Scientology agent at the IRS in the District of Columbia and that Meisner was to help him obtain a position there as soon as possible.

(5) On or about October 21, 1974, JANE KEMBER issued Guardian Program Order 1361 addressed to HENNING HELDT, DUKE SNIDER and RICHARD WEIGAND, directing, among other things, the infiltration of the District of Columbia offices of the IRS and of the Tax Division of the United States Department of Justice for the purpose of obtaining all files on Scientology, its founder L. Ron Hubbard, and the internal memoranda of attorneys representing the government in Scientology initiated lawsuits.

(6) On or about October 31, 1974, a Scientology agent transported an electronic listening device from Los Angeles, California, to the District of the Columbia.

(7) On or about November 1, 1974, within the District of Columbia MITCHELL HERMANN, a/k/a MIKE COOPER, and two other Scientology agents, placed an electronic listening device in an IRS conference room and recorded an IRS meeting concerning Scientology's application for tax exempt status and related matters.

(8) Between on or about November 10, 1974, and on or about November 14, 1974, MO BUDLONG, HENNING HELDT, DUKE SNIDER and Michael J. Meisner sent numerous telexes relating to the placement of a Scientology agent at the IRS in the District of Columbia.

(9) On or about November 18, 1974, Gerald Bennet Wolfe began employment as a clerk typist at the IRS in the District of Columbia.

(10) On or about December 4, 1974, DUKE SNIDER sent a telex to MO BUDLONG, informing him that the first shipment of stolen IRS documents had been received in Los Angeles.

(11) On or about December 5, 1974, MO BUDLONG sent a telex to DUKE SNIDER acknowledging receipt of the information regarding stolen IRS documents.

(12) On or about December 30, 1974, within the District of Columbia, Gerald Bennet Wolfe stole documents from the office of Barbara Byrd of the Chief Counsel's office of the IRS.

(13) On or about December 30, 1974, within the District of Columbia, Michael J. Meisner, having received a package of stolen documents referred to in the preceding subparagraph from Gerald Bennet Wolfe, forwarded said package to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(14) Between on or about May 2, 1975 and on or about May 17, 1975, within the District of Columbia, Gerald Bennet Wolfe illegally entered on three occasions the offices of various United States Department of Justice Tax Division staff attorneys assigned the defense of Scientology-initiated law suits and stole documents located therein.

(15) Between on or about May 3, 1975 and on or about May 17, 1975, within the District of Columbia, Michael J. Meisner, having received three packages of stolen documents referred to in the preceding subparagraph from Gerald Bennet Wolfe, forwarded said packages to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(16) On or about May 27, 1975, MARY SUE HUBBARD instructed JANE KEMBER and HENNING HELDT to "use any method at our disposal to win the battle and gain our non-profit [tax] status."

(17) On or about June 18, 1975, HENNING HELDT wrote a letter to MARY SUE HUBBARD and JANE KEMBER informing them that HUBBARD's order referred to in the preceding sub-paragraph had been relayed to the Information Bureau with instructions to complete within two to three months the collection of documents from the IRS and the Tax Division of the United States Department of Justice.

(18) On or about June 4, 1975, GREGORY WILLARDSON wrote a letter to Michael J. Meisner directing him to prepare a plan to obtain by August 30, 1975 all documents of interest to Scientology which were in the possession of the IRS Office of International Operations, Intelligence Division, and the Special Services Division.

(19) On or about June 11, 1975, within the District of Columbia, Michael J. Meisner wrote a letter in response to the letter of GREGORY WILLARDSON described in the preceding subparagraph and attached the requested plan.

(20) On or about June 30, 1975, GREGORY WILLARDSON wrote a letter to Michael J. Meisner approving the plan described in the preceding subparagraph.

(21) On or about June 21, 1975, within the District of Columbia, Gerald Bennet Wolfe stole documents from the office of Lewis Hubbard of the Chief Counsel's Office of the IRS.

(22) On or about June 21, 1975, within the District of Columbia, Michael J. Meisner having received from Gerald Bennett Wolfe a package of stolen documents referred to in the preceding sub-paragraph, forwarded said package to Los Angeles for distribution to the defendants and inindicted co-conspirators.

(23) On or about June 27, 1975, JANE KEMBER and MO BUDLONG issued Guardian Program Order 9 directing that all INTERPOL documents relating to Scientology and its founder L Ron Hubbard be obtained through infiltration of, or the placing of "clandestine agents" in, the INTERPOL offices at the United States Department of the Treasury.

(24) On or about July 2, 1975, DUKE SNIDER wrote a letter to RICHARD WEIGAND directing him to obtain by August 20, 1975, all Scientology-related documents in possession of the IRS in the District of Columbia and thereafter to obtain all Scientology-related documents from the possession of the Tax Division of the United States Department of Justice.

(25) On or about July 28, 1975, within the District of Columbia, Gerald Bennet Wolfe stole documents from the Disclosure Division of the Chief Counsel's Office of the IRS.

(26) On or about July 28, 1975, within the District of Columbia, Michael J. Meisner, having received from Gerald Bennet Wolfe, a package of stolen documents referred to in the preceding subparagraph, forwarded said package to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(27) Between on or about September 21, 1975 and on or about September 20, 1975, within the District of Columbia, Gerald Bennet Wolfe on two occasions stole documents pertaining to Scientology from the Disclosure Division of the Chief Counsel's Office of the IRS.

(28) Between on or about September 24, 1975 and on or about September 30, 1975, within the District of Columbia, Michael J. Meisner, having received from Gerald Bennet Wolfe two packages of stolen documents referred to in the preceding subparagraph, forwarded said packages to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(29) On or about December 5, 1975, HENNING HELDT and RICHARD WEIGAND issued on behalf of JANE KEMBER Guardian Program Order 158 ("Early Warning System") which was designed to protect the "personal security" of Scientology's founder L. Ron Hubbard. The order called for the infiltration of government agencies which had the power to subpoena or bring suits against Hubbard or which would possess advance warning of such subpoenas or suits.

(30) On or about December 10, 1975, CINDY RAYMOND directed Michael J. Meisner to implement Guardian Program Orders 9 (referred to in subparagraph 23 above) and 158 (referred to in the preceding paragraph), as well as JANE KEMBER's order of November 21, 1973 to obtain all INTERPOL documents on Scientology, by placing a Scientology agent in the United States Department of Justice.

(31) On or about December 15, 1975, within the District of Columbia, Michael J. Meisner, having selected SHARON THOMAS to become Scientology's agent within the United States Department of Justice, requested approval of his choice from RICHARD WEIGAND.

(32) On or about December 20, 1975, RICHARD WEIGAND sent a telex to Michael J. Meisner approving the selection and placement of SHARON THOMAS as Scientology's agent at the United States Department of Justice.

(33) On or about January 18, 1976, within the District of Columbia, Michael J. Meisner, Gerald Bennet Wolfe, and a Scientology agent sent from Los Angeles, entered the office of Lewis Hubbard of the Chief Counsel's Office of the IRS and stole documents located therein.

(34) On or about January 21, 1976, RICHARD WEIGAND wrote a letter to HENNING HELDT informing him that the IRS office of Lewis Hubbard in the District of Columbia had been entered by Scientology agents and that numerous IRS documents had been stolen therefrom.

(35) Between on or about February 1, 1976 and February 15, 1976, HENNING HELDT, RICHARD WEIGAND, GREGORY WILLARDSON, Michael J. Meisner and other Guardian's Office officials met in various groups on several occasions in Los Angeles, California, to discuss the burglaries and the infiltration of United States government agencies in the District of Columbia and the documents which has been stolen from those agencies.

(36) On or about February 11, 1976, RICHARD WEIGAND wrote a letter to JANE KEMBER, informing her that all IRS documents sought pursuant to Scientology's Guardian Program Order 1361 had been obtained through Scientology infiltration of the IRS.

(37) On or about February 29, 1976, SHARON THOMAS began employment as a secretary at the United States Department of Justice in the District of Columbia for the purpose of obtaining documents and information of interest to Scientology.

(38) On or about March 4, 1976, within the District of Columbia, Gerald Bennet Wolfe stole documents from the office of Joseph Tedesco of the Exempt Organization Division of the IRS.

(39) On or about March 4, 1976, within the District of Columbia Michael J. Meisner, having received from Gerald Bennet Wolfe a package of stolen documents referred to in the preceding subparagraph, forwarded said package to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(40) On or about March 10, 1976, within the District of Columbia, Gerald Bennet Wolfe stole documents from the office of Jeanne Gessay, of the Exempt Organization Division of the IRS.

(41) On or about March 10, 1976, within the District of Columbia, Michael J. Meisner, having received from Gerald Bennet Wolfe a package of stolen documents referred to in the preceding subparagraph, forwarded said package to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(42) On or about March 15, 1976, within the District of Columbia, Michael J. Meisner, and Gerald Bennet Wolfe entered the identification equipment room at the IRS and falsely made for themselves forged official IRS credentials bearing false names.

(43) On or about March 22, 1976, within the District of Columbia, Gerald Bennet Wolfe stole documents from the office of the Assistant Commissioner Alvin Lurie of the IRS.

(44) On or about March 22, 1976 within the District of Columbia, Michael J. Meisner, having received from Gerald Bennet Wolfe a package of stolen documents referred to in the preceding subparagraph, forwarded said package to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(45) Between on or about March 22, 1976 and April 26, 1976 within the District of Columbia, SHARON THOMAS on a number of occasions stole documents from the office of United States Department of Justice Attorney Paul Figley.

(45) Between on or about March 22, 1976 and April 26, 1976, within the District of Columbia, Michael J. Meisner, having received from SHARON THOMAS, packages of

stolen documents referred to in the preceding subparagraph, forwarded said package to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(46) On or about March 27, 1976, MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, RICHARD WEIGAND, GREGORY WILLARDSON approved Guardian Program Order 302 which was written by CINDY RAYMOND. The order directed the infiltration of all government agencies for the purpose of illegally obtaining those documents related to Scientology which had been withheld by these agencies pursuant to provisions of the Freedom of Information Act.

(47) On or about April 9, 1976, within the District of Columbia, Michael J. Meisner and Gerald Bennet Wolfe entered the office of Associate Attorney General Togo G. West, Jr at the United States Department of Justice, stole documents located therein, and forwarded them to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(48) Between on or about April 14, 1976 and on or about May 17, 1976, within the District of Columbia, Michael J. Meisner and Gerald Bennet Wolfe on at least two occasions entered the Offices of International Operations of the IRS, stole documents contained therein, and forwarded them to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(49) On or about April 27, 1976, RICHARD WEIGAND wrote an order to MITCHELL HERMANN, a/k/a MIKE COOPER, directing him to impliment burglaries of the office of Assistant United States Attorney Nathan Dodell in the District of Columbia and obtain any documents containing any prediction on any potential subpoena or deposition of L. Ron Hubbard.

(50) Between on or about April 30, 1976 and May 17, 1976, within the District of Columbia, SHARON THOMAS and Michael J. Meisner, on two occasions, burglarized the office of Special Assistant to the Assistant Attorney General for Administration John F. Shaw at the United States Department of Justice and stole documents found therein. Meisner then forwarded these documents to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(51) On or about May 1, 1976, within the District of Columbia, Michael J. Meisner and Gerald Bennet Wolfe entered the United States Courthouse in order to locate the office of Assistant United States Attorney Nathan Dodell.

(52) On or about May 4, 1976, within the District of Columbia Gerald Bennet Wolfe stole from the United States Courthouse keys to the office of Assistant United States Attorney Nathan Dodell for the purpose of having them duplicated.

(53) On or about May 21, 1976, within the District of Columbia Michael J. Meisner and Gerald Bennet Wolfe entered the office of Assistant United States Attorney Nathan Dodell in the United States Courthouse and stole documents located therein. Meisner

then reported to RICHARD WEIGAND details of the entry and forwarded the stolen documents to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(54) On or about May 28, 1976, within the District of Columbia Michael J. Meisner and Gerald Bennet Wolfe again entered the office of Assistant United States Attorney Nathan Dodell in the United States Courthouse and stole documents located therein. Meisner then reported the details of the entry to to his superiors in Los Angeles and forwarded the stolen documents to Los Angeles for distribution to the defendants and unindicted co-conspirators.

(55) On or about June 11, 1976, within the District of Columbia, Michael J. Meisner and Gerald Bennet Wolfe entered the United States Courthouse for the purpose of burglarizing and stealing documents from the office of Assistant United States Attorney Nathan Dodell and were confronted by agents of the Federal Bureau of Investigation.

(56) On or about December 18, 1976, MITCHELL HERMANN, a/k/a MIKE COOPER, wrote a letter to HENNING HELDT and RICHARD WEIGAND explaining the attached "Project Troy" which called for placing of a permanent electronic surveillance in the IRS Chief Counsel's Office in the District of Columbia so that Scientology would remain informed of all IRS discussions relating to Scientology's request to be exempted from taxation.

(57) On or about December 20, 1976, HENNING HELDT approved "Project Troy" described in the preceding paragraph.

(58) On or about May 27, 1977, HENNING HELDT, GREGORY WILLARDSON and MO BUDLONG issued on behalf of JANE KEMBER Guardian Order 158R ("Early Warning System") which called once again for the infiltration of the Office of the United States Attorney for the District of Columbia for the purpose of obtaining information about any potential legal action against L. Ron.Hubbard.

COUNT TWO

On or about November 1, 1974, within the District of Columbia, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, and MITCHELL HERMAN, a/k/a MIKE COOPER, and CINDY RAYMOND did willfully intercept and procure other persons to intercept oral communication, that is, oral communications made during a meeting of agents and employees of the Internal Revenue Service of the United States Department of the Treasury, held at the IRS headquarters in the District of Columbia.

(Violation of 18 U.S. Code §§2511(1)(a), 2)

COUNTS THREE TO EIGHT

On or about the dates for each count listed below in the column

entitled "Dates", MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, and MITCHELL HERMAN, a/k/a MIKE COOPER, and CINDY RAYMOND and GERALD BENNET WOLFE entered a room consisting of the offices of individual listed below in the column entitled "Office of" with intent to steal property of another, that is, documents and photocopies thereof, located therein, which were the property of the United States of America, in the care, custody and control of the individual listed below in the column entitled "Individual":

COUNT DATES OFFICE OF INDIVIDUAL

- | | | |
|----|------------------|---|
| 3. | January 18, 1976 | Lewis J. Hubbard
IRS,
Office of Chief Counsel,
1111 Constitution Avenue, Northwest |
| 4. | March 4, 1976 | Joseph A. Tedesco
IRS,
Exempt Organization Division,
1111 Constitution Avenue, Northwest |
| 5. | March 10, 1976 | Jeanne Gessay
IRS,
Exempt Organization Division,
1111 Constitution Avenue, Northwest |
| 6. | March 15, 1976 | Agents and Employees
IRS,
Identification Room,
1111 Constitution of the IRS Avenue, Northwest |
| 7. | April 8, 1976 | Associate Deputy Attorney Togo G. West, Jr.
United States Department of Justice
Constitution Avenue and Ninth Street, Northwest |
| 9. | April 14, 1976 | Howard J. Rosen
IRS Office of International Operations,
1325 K Street, Northwest |

(Violations of 22 D.C. Code §1801(b), 105)

COUNTS NINE-THIRTEEN

On or about the dates for each count listed below in the column entitled "Dates". within the District of Columbia, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, CINDY RAYMOND and GERALD BENNET WOLFE did willfully and knowingly steal, purloin and convert to their own use records and things of value of the United States and of a department and agency thereof, that is, a package of documents and photocopies thereof, the property of the department and agency listed below in the column entitled "Department and agency," in the care, custody and control of the individual listed below in the column entitled "Individual":

COUNT DATE DEPARTMENT AND AGENCY INDIVIDUAL

9. June 21, 1975 IRS, Office of Chief Counsel Lewis J. Hubbard
10. March 4, 1976 IRS, Exempt Organization Division Joseph A. Tedesco
11. March 10, 1976 United States Department of Justice Jeanne Gessay
12. April 9, 1976 United States Department of Justice Togo G. West Jr.
13. April 14, 1976 IRS, Office of International Operations Howard J. Rosen

(Violation of 18 U.S. Code §641, 2)

COUNTS FOURTEEN-FIFTEEN

On or about the dates for each count listed below in the column entitled "Dates". within the District of Columbia, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, CINDY RAYMOND and SHARON THOMAS entered a room consisting of the office of John P. Shaw, Special Assistant to the Assistant Attorney General for Administration, United States Department of Justice, Constitution Avenue and Ninth Street, Northwest, with intent to steal property of another, that is, documents and photocopies thereof, located therein, which were the property of the United States of America, in the care, custody and control of John F. Shaw:

COUNT DATE

14. April 29, 1976
15. May 17, 1976

(Violation of 22 D.C. Code §§ 1801(b), 105)

COUNTS SIXTEEN-EIGHTEEN

On or about the dates for each count listed below in the column entitled "Dates". within the District of Columbia, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, CINDY RAYMOND and SHARON THOMAS did willfully and knowingly steal, purloin and convert to their own use records and things of value of the United States and a department and agency thereof, that is, a package of documents and photocopies thereof, the property of the department and agency listed below in the column entitles "Department and Agency," in the care, custody and control of the individual listed below in the column entitled "individual":

COUNT DATE DEPARTMENT AND AGENCY INDIVIDUAL

- | | | |
|-----|----------------|---|
| 16. | April 26, 1976 | United States Department of Justice' Paul Figley |
| 17. | April 29, 1976 | United States Department of Justice' John F. Shaw |
| 18. | May 17, 1976 | United States Department of Justice' John F. Shaw |

(Violations of U.S. Code §§641, 2)

COUNTS NINETEEN-TWENTY

On or about the dates for each count, listed below in the column entitled "Dates" within the District of Columbia, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, and CINDY RAYMOND entered the office of Assistant United States Attorney Nathan Dodell, located in the United States Courthouse, Constitution Avenue and John Marshall Place, Northwest, with intent to steal property of another, that is, documents and photocopies thereof, located therein, which were the property of the United States of America, in the care custody and control of Nathan Dodell.

COUNT DATE

- | | |
|-----|--------------|
| 19. | May 21, 1976 |
| 20. | May 28, 1976 |

(Violation of 22 D.C. Code §§1801(b), 105)

COUNTS TWENTY ONE- TWENTY TWO

On or about the dates for each count, listed below in the column entitled "Dates" within the District of Columbia, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, and CINDY RAYMOND did willfully and knowingly steal, purloin and convert to their own use records and things of value of the United States and a department and agency thereof, that is, a package of documents and photocopies thereof, the property of the Office of the United States Attorney for the District of Columbia, in the care, custody and control of Assistant United States Attorney Nathan Dodell.

COUNT DATE

- 21. May 21, 1976
- 22. May 28, 1976

(Violation of 18 U.S. Code §§641, 2)

COUNT TWENTY-THREE

1. Between on or about May 21, 1976 and on or about June 11, 1976, within the District of Columbia, GERALD BENNET WOLFE and Michael J. Meisner, on three occasions, entered the United States Courthouse for the purpose of burglarizing and stealing documents from the office of the Assistant United States Attorney. On each occasion, Meisner, and on one occasion WOLFE, gained entry fraudulently, through the use of forged IRS credentials bearing false names.

2. On or about June 11, 1976, during the third of these entries, GERALD BENNET WOLFE and Michael J. Meisner were confronted and questioned by agents of the Federal Bureau of Investigation (FBI).

3. Beginning on or about June 11, 1976 and continuing up to and including on or about July 8, 1977, as a result of the confrontation referred to in the preceding paragraph, the FBI and the Office of the United States Attorney for the District of Columbia were conducting an investigation which was continued in conjunction with a Grand Jury of the United States District Court for the District of Columbia duly empaneled and sworn on or about October 12, 1976, to determine whether violations of statutes of the United States and of the District of Columbia had been committed in the District of Columbia and elsewhere, and to identify the individuals who had committed such violations.

4. On or about June 30, 1976, within the District of Columbia, GERALD BENNET WOLFE was arrested by agents of the FBI and charged with the use and possession of a forged official government pass in violation of 18 U.S. Code §499.

5. On or about August 5, 1976, within the District of Columbia, a United States Magistrate Arrest Warrant was issued for Michael J. Meisner charging him with the use and possession of a forged official government pass in violation of 18 U.S. Code §499.

6. On or about May 13, 1977, an information was filed in the United States District Court for the District of Columbia in criminal Case No. 77-283 charging GERALD BENNET WOLFE with the wrongful use of the government seal in violation of 18 U.S. Code §1017. That same day, WOLFE entered a plea of guilty to that charge.

7. On or about June 10, 1977, , within the District of Columbia, GERALD BENNET WOLFE was sentenced in Criminal Case No. 77-283 by United States District Judge Thomas A, Flannery. That same day, WOLFE testified, pursuant to a subpoena, before the Grand Jury described in paragraph three (3) above.

THE CONSPIRACY

8. Beginning on or about June 11, 1976, and continuing at least until on or about July 8, 1977, within the District of Columbia and elsewhere, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, and CINDY RAYMOND and GERALD BENNET WOLFE, together with unindicted co-conspirator Michael J. Meisner, and other unindicted co-conspirators both known and unknown to the Grand Jury, willfully and knowingly did conspire, confederate, combine, and agree together and with each other, to commit offenses against the United States of America, to wit:

- a. to obstruct justice in violation of Title 18, United States Code, Section 1503;
- b. to obstruct a criminal investigation in violation of Title 18, United States Code, Section 1510;
- c. to harbor and conceal a fugitive from arrest in violation of Title 18, United States Code, Section 1071;
- d. to make false declarations in violation of Title 18, United States Code, Section 1623;

all in violation of Title 16, United States Code, Section 371.

OBJECT AND MEANS

9. It was an object of said conspiracy to corruptly influence, obstruct and impede, and corruptly endeavor to influence, obstruct and impede, the due administration of justice in connection with the investigation referred to in paragraph three (3) above, and in connection with the case of United States v Gerald Bennet Wolfe, Criminal Case No. 77-283, referred to in paragraphs six and seven (6 and 7) above, for the purpose of concealing and causing to be concealed the identities of the persons who were responsible for, participated in, and had knowledge of (a) the activities which were the

subject of the above-mentioned investigation and judicial proceedings, and (b) other illegal and improper activities.

10. It was further an object of said conspiracy, for the purposes stated in paragraph nine (9) above, willfully to endeavor by means of misrepresentation, intimidation, and force and threats thereof to obstruct, delay, and prevent the communication of information relating to a violation of a criminal statute of the United States by a person to a criminal investigator. Michael J. Meisner, would and did plan, direct, order, and assist in his initial concealment, and later in his forcible removal to secure hiding places where he was kept under guard.

11. It was further an object of said conspiracy, for the purposes stated in paragraph nine (9) above, that the defendants and unindicted co-conspirators, having received notice and acquired knowledge of the fact that an arrest warrant for Michael J. Meisner had been issued under provisions of law of the United States, would and did harbor and conceal him, so as to prevent his discovery and arrest.

12. It was further an object of said conspiracy, for the purposes stated in paragraph nine (9) above, that the defendants and unindicted co-conspirators, knowingly made and caused to be made false material declarations under oath in proceedings before a Grand Jury of the United States.

13. Among the means by which the defendants and the unindicted co-conspirators would and did carry out the aforesaid objects of the conspiracy were the following:

(a) The defendants and the unindicted co-conspirators would and did plan, solicit, assist and facilitate the giving of false, deceptive, evasive and misleading statements and testimony;

(b) The defendants and the unindicted co-conspirators would and did give false, misleading, evasive and deceptive statements and testimony;

(c) The defendants and the unindicted co-conspirators, in order to limit the investigation by exposing only GERALD BENNETT WOLFE and Michael J. Meisner to criminal prosecution and in order to prevent the uncovering of the true facts regarding the scope of their illegal activities, would and did plan, solicit, order, assist, encourage and facilitate the entry of a plea of guilty by Wolfe;

(d) The defendants and the unindicted co-conspirators, in an effort to harbor and conceal unindicted co-conspirator.

OVERT ACTS

14. To effect the objects and means of this conspiracy, the defendants, together with the unindicted co-conspirators, did commit various overt acts within the District of Columbia and elsewhere, including but not limited to the following:

(1) On or about June 11, 1976, after Michael J. Meisner notified MITCHELL HERMANN, a/k/a MIKE COOPER, that he had been confronted by the FBI in the United States Courthouse in the District of Columbia, HERMANN, after discussing the matter with RICHARD WEIGAND, directed Meisner to stay in a hotel overnight, prepare a memorandum detailing what had occurred in the Courthouse that evening, and leave for Los Angeles the next morning for further meetings.

(2) On or about June 11, 1976, RICHARD WEIGAND wrote a letter to MO BUDLONG, notifying him of the events which had transpired in the United States Courthouse in the District of Columbia, and of the cover plans which he and his superiors in the Guardian's Office - US proposed to implement.

(3) On or about June 12, 1976, RICHARD WEIGAND, GREGORY WILLARDSON and Michael J. Meisner had a meeting in Los Angeles, to discuss Meisner's report on his confrontation with the FBI the previous day, and to formulate the Guardian's Office's strategy in response to the anticipated federal investigation into the Courthouse entry in the District of Columbia.

(4) On or about June 12, 1976, RICHARD WEIGAND ordered Michael J. Meisner to stay at a nearby hotel in Los Angeles under a false name.

(5) On or about June 13, 1976, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, and Michael J. Meisner had a meeting in Los Angeles to discuss the alternative cover up plans prepared the previous day by WEIGAND, GREGORY WILLARDSON and Meisner and decided that a further plan should be considered.

(6) On or about June 13, 1976, RICHARD WEIGAND, GREGORY WILLARDSON, MITCHELL HERMANN, a/k/a MIKE COOPER, and Michael J. Meisner had a meeting in Los Angeles to discuss yet another cover up plan.

(7) On or about June 13, 1976, HENNING HELDT, DUKE SNIDER and RICHARD WEIGAND had a meeting in Los Angeles to discuss the cover up plan referred to in the preceding subparagraph. At the conclusion of the meeting, HELDT approved the cover up plan pursuant to which GERALD BENNETT WOLFE would be told to continue working at the IRS until he was arrested, give the agreed upon cover story to the federal authorities, plead guilty, and Michael J. Meisner would then surrender, give the same cover story, and plead guilty.

(8) On or about June 14, 1976, pursuant to the directions of his superiors, Michael J. Meisner changed his physical appearance to avoid arrest.

(9) On or about June 14, 1976, GERALD BENNETT WOLFE, RICHARD WEIGAND, GREGORY WILLARDSON and Michael J. Meisner had a meeting in Los Angeles, at which WOLFE was briefed on the previously agreed upon cover story, and pursuant to

the agreed upon plan, was directed to return to the District of Columbia, await arrest, give that cover story to the federal authorities and plead guilty.

(10) On or about June 14, 1976, MITCHELL HERMANN, a/k/a MIKE COOPER, travelled to the District of Columbia to supervise the execution of the cover up plan in the ,District of Columbia.

(11) On or about July 1, 1976, the defendants and unindicted co-conspirators arranged for Michael J. Meisner to stay away from the District of Columbia, remain in Los Angeles by appointing him National Secretary - US and directing him to use the alias "Jeff Murphy."

(12) On or about June 30, 1976, MITCHELL HERMANN, a/k/a MIKE COOPER, wrote a letter to RICHARD WEIGAND which notified him of GERALD BENNETT WOLFE's arrest by the FBI that same day in the District of Columbia, and of the steps which were being taken as a result thereof, including the destruction of evidence linking Meisner and WOLFE to Scientology.

(13) Beginning on or about July 1, 1976, and continuing until on or about July 13, 1976, MARY SUE HUBBARD, MO BUDLONG, and RICHARD WEIGAND discussed in various correspondence the arrest of GERALD BENNETT WOLFE, the cover story to be used by him and Michael J. Meisner and the destruction of all evidence linking Meisner to the Guardian's Office and Scientology.

(14) On or about August 30, 1976, within the District of Columbia, the Assistant Guardian for Legal Affairs - DC wrote a letter to the Deputy Guardian for Legal Affairs - US which informed her that FBI Agents had visited the Church of Scientology and had advised them (1) that a warrant had been issued for the arrest of Michael J. Meisner, and (2) that the law prohibited the harboring of fugitives.

(15) On or about August 30, 1976, RICHARD WEIGAND wrote a letter to MARY SUE HUBBARD which informed her that a warrant had been issued for the arrest of Michael J. Meisner and that he had ordered the removal of Meisner from all official Guardian's Office positions, ordered Meisner to further alter his physical appearance, and decided to send Meisner out of the country so he could not be located by the authorities.

(16) Sometime after on or about August 30, 1976, MARY SUE HUBBARD wrote a letter to RICHARD WEIGAND, responding to his letter referred to in the preceding subparagraph, telling him that instead of sending Meisner out of the country, it was preferable to have him disappear within the United States.

(17) On or about September 2, 1976, RICHARD WEIGAND wrote a letter to MARY SUE HUBBARD which notified her that under the plans in effect Michael J. Meisner would not surrender until the Guardian's Office determined it was in its best interest for him to do so.

(18) On or about September 3, 1976, RICHARD WEIGAND and HENNING HELDT wrote a letter to MITCHELL HERMANN, a/k/a MIKE COOPER, which directed him to hide Meisner in the Los Angeles, California, area.

(19) On or about September 26, 1976, Michael J. Meisner wrote a letter to MARY SUE HUBBARD which discussed the previously approved cover up plans for the District of Columbia situation and some alternative proposals he was submitting for her approval.

(20) On or about September 30, 1976, MARY SUE HUBBARD wrote a letter to RICHARD WEIGAND which directed him to prepare for her a list of all buildings which Michael J. Meisner had illegally entered.

(21) On or about October 8, 1976, RICHARD WEIGAND responded to the letter of MARY SUE HUBBARD described in the preceding subparagraph and informed her of all the government agencies and private organizations which GERALD BENNETT WOLFE, Michael J. Meisner and other Guardians Office operatives had illegally entered, the number of illegal incursions made, and the false names used on each occasion.

(22) On or about October 18, 1976, CINDY RAYMOND wrote a letter to RICHARD WEIGAND informing him that she was in the process of complying with his order to create false leads for the FBI in their WOLFE-Meisner investigation.

(23) On or about October 31, 1976, MARY SUE HUBBARD wrote a letter to RICHARD WEIGAND in which she discussed a further aspect of the cover story which could be used by GERALD BENNETT WOLFE and Michael J. Meisner in the District of Columbia.

(24) On or about November 1, 1976, HENNING HELDT wrote a letter to GREGORY WILLARDSON in which he told him to order GERALD BENNETT WOLFE to have his attorney resolve the case - pending against him more speedily.

(25) On or about November 4, 1976, DUKE SNIDER wrote a letter to HENNING HELDT which informed him that, pursuant to the previously agreed cover up plans, all Guardian's Office files were being purged of all references to Michael J. Meisner and his activities on behalf of Scientology.

(26) On or about November 26, 1976, Michael J. Meisner wrote a letter to MARY SUE HUBBARD which reviewed the events surrounding the preparation of the cover story and cover up plans by the other defendants and unindicted co-conspirators.

(27) On or about November 30, 1976, MITCHELL HERMANN, a/k/a MIKE COOPER., wrote a report summarizing the events leading up to the illegal entry and burglary of the United States Courthouse in the District of Columbia and the preparation of the subsequent cover up plans.

(28) On or about December 9, 1976, RICHARD WEIGAND sent to MARY SUE HUBBARD the complete agreed upon cover up plan for the handling of the investigation of the illegal entry and burglary of the United States Courthouse in the District of Columbia.

(29) On or about December 9, 1976, RICHARD WEIGAND sent to MO BUDLONG, a copy of the complete agreed upon cover up plan referred to in the preceding subparagraph.

(30) On or about January 7, 1977, MITCHELL HERMANN, a/k/a MIKE COOPER, wrote a letter to HENNING HELDT informing him of the particulars of a meeting between GERALD BENNETT WOLFE, his attorney, and the Office of the United States Attorney for the District of Columbia.

(31) On or about January 23, 1977, MITCHELL HERMANN, a/k/a MIKE COOPER, wrote a memorandum to HENNING HELDT and RICHARD WEIGAND, informing them of a meeting which GERALD BENNETT WOLFE was scheduled to have with the Office of the United States Attorney for the District of Columbia which should "serve as a means of presenting further cover story to them as a possible means of forestalling a possible grand jury."

(32) On or about March 23, 1977, CINDY RAYMOND wrote a letter and report to HENNING HELDT and RICHARD WEIGAND suggesting to them that GERALD BENNETT WOLFE should be encouraged to plead guilty to the charges pending against him in the District of Columbia so that he could not be questioned by the grand jury.

(33) On or about April 20, 1977, JANE KEMBER wrote a letter to HENNING HELDT informing him of the strategy to be implemented by the Guardian's Office in Los Angeles, including: WOLFE giving the United States Attorney's Office in the District of Columbia the already prepared cover story, waiving indictment, and pleading guilty, followed by Meisner surrendering, giving the same cover story and also pleading guilty.

(34) On or about April 22, 1977, MARY SUE HUBBARD wrote a letter to RICHARD WEIGAND directing him to complete the cover story to be used by Michael J. Meisner, including a false story about his having been a fugitive in Canada during the time he was in Los Angeles.

(35) On or about April 27, 1977, the Information Bureau's Southeast US Secretary wrote a letter to RICHARD WEIGAND informing him that Michael J. Meisner wanted to surrender to the authorities in the District of Columbia.

(36) Sometime after on or about April 27, 1977, HENNING HELDT wrote a letter to MARY SUE HUBBARD informing her that Michael J. Meisner was threatening to return to the District of Columbia on his own and that plans were underway to "restrain" him and "prevent him from leaving."

(37) On or about April 29, 1977, HENNING HELDT wrote a letter to RICHARD WEIGAND and to the Deputy Guardian for Legal Affairs US, directing them to restrain Michael J. Meisner, if necessary, to prevent him from leaving his hiding place, and to complete Meisner's cover story - to "overcome ,all barriers and do it."

(38) On or about April 29, 1977, HENNING HELDT wrote a letter to MARY SUE HUBBARD informing her that a more isolated hiding place would be found for Michael J. Meisner, that more bodyguards would be assigned to restrain him, and that RICHARD WEIGAND and GREG WILLARDSON had been directed to "get control over" Meisner.

(39) Between on or about April 28, 1977, and on or about May 3, 1977, RICHARD WEIGAND, GREGORY WILLARDSON, the Deputy Guardian for Legal Affairs US, and the Information Bureau's Southeast US Secretary met at various times and in various combinations with Michael J. Meisner, ordered him not to surrender himself to the FBI in the District of Columbia, and warned him that he would be placed under guard.

(40) On or about May 2, 1977, HENNING HELDT approved a list of expenses submitted to him by CINDY RAYMOND for guarding Michael J. Meisner.

(41) On or about May 3, 1977, RICHARD WEIGAND wrote to MO BUDLONG, informing him that Michael J. Meisner had threatened to return to the District of Columbia., that he had been physically removed to another hiding place, and that a "crew" had been "organized" to handle the worst eventualities by force if necessary ("i.e. .gag, handcuff, etc.").

(42) On or about June 10, 1977, within the District of Columbia, GERALD BENNETT WOLFE, testified falsely before a Grand Jury of the United States District Court investigating the illegal entries into the United States Courthouse. WOLFE then reported to the Guardian's Office - DC where he was fully debriefed regarding his testimony before the grand jury. A copy of that debriefing was sent to the defendants and unindicted co-conspirators in Los Angeles and elsewhere.

(43) On or about June 15, 1977, Michael J. Meisner, pursuant to the direction of MARY SUE HUBBARD and HENNING HELDT, read a summary of the grand jury testimony of GERALD BENNETT WOLFE in order to conform his own cover story to that of WOLFE.

(44) From on or about June 20, 1977 to on or about June 22, 1977, MARY SUE HUBBARD, MO BUDLONG, HENNING HELDT, GREGORY WILLARDSON and the Deputy Guardian for Legal Affairs - US, in various correspondence were informed of the disappearance of Michael J. Meisner and discussed various efforts to locate him.

(45) on or about July 3, 1977, MARY SUE HUBBARD wrote a letter to HENNING HELDT directing him to "utilize resources to figure out a way to defuse him [Meisner] should he turn traitor." HELDT thereupon directed GREGORY WILLARDSON to carry out HUBBARD's order.

(Violation of 18 U.S. Code §371)

COUNT TWENTY-FOUR

1 . Between on or about May 21, 1976 and on or about June 11, 1976, within the District of Columbia, GERALD BENNETT WOLFE and Michael J. Meisner, on three occasions, entered the United States Courthouse for the purpose of burglarizing and stealing documents from the office of an Assistant United States Attorney. On each occasion, Meisner, and on one occasion WOLFE, gained entry fraudulently, through the use of forged IRS credentials bearing false names.

2. On or about June 11, 1976, during the third of these entries, GERALD BENNETT WOLFE and Michael J. Meisner were confronted and Questioned by agents of the Federal Bureau of Investigation (FBI).

3. Beginning on or about June 11, 1976 and continuing up to and including on or about July 8, 1977, as a result of the confrontation referred to in the preceding paragraph, the FBI and the Office of the United States Attorney for the District of Columbia were conducting an investigation which was continued in conjunction with a Grand Jury of the United States District Court for the District of Columbia, which was duly empaneled and sworn on or about October 13, 1976, to determine whether violations of statutes of the United States and of the District of Columbia had been committed in the District of Columbia and elsewhere, and to identify the individuals who had committed such violations.

4. Beginning on or about December 15, 1976, and continuing until at least on or about June 19, 1977, within the District of Columbia and elsewhere, the defendants MARY SUE HUBBARD, JANE KEMBER, MO BUDLONG, HENNING HELDT, DUKE SNIDER, RICHARD WEIGAND, GREGORY WILLARDSON., MITCHELL HERMANNY a/k/a MIKE COOPER, CINDY RAYMOND, and GERALD BENNETT WOLFE, willfully and knowingly, would and did corruptly influence, obstruct and impede and would and did corruptly endeavor to influence, obstruct and impede the due administration of justice in connection with the Investigation referred to in paragraph three (3) of this Count, by preparing and assisting in the giving of false and misleading statements and information, for the purpose of concealing and causing to be concealed the identities of the persons who were responsible for, participated in, and had knowledge of (a) the activities which were the subject of the said investigation and judicial proceedings, and (b) other illegal and improper activities.

(Violation of 18 U.S. Code §1503)

COUNT TWENTY-FIVE

1. On or about June 10, 1977, within the District of Columbia, the defendant GERALD BENNETT WOLFE, having duly taken an oath that he would testify truthfully, and while testifying in a proceeding before a Grand Jury of the United States, duly empaneled and sworn in the United States District Court for the District of Columbia on October 13, 1976, did knowingly make a false material declaration as hereinafter set forth.

2. At the time and place alleged in paragraph one (1) of this Count, the Grand Jury was conducting an investigation to determine whether violations of statutes of the United States and the District of Columbia -- particularly Title 18, United States Code, Sections 499, falsely making an official pass; 641, theft of government property; 1017, wrongfully using the government seal, and Title 22, District of Columbia Code, Section 1801, burglary -- been committed in the District of Columbia, and to identify the individuals, besides the defendant, who had committed, caused the commission of, and conspired to commit such violations.

3. It was material to the said Grand Jury investigation to determine the reasons for the presence on May 21, 28 and June 11, 1976 of the defendant GERALD BENNETT WOLFE and one John M. Foster in the United States Courthouse for the District of Columbia, and the reasons for WOLFE's use on May 28, 1976 of an identification card bearing the last name of Hoake and his use on June 11, 1976 of falsely made IRS credentials bearing the name of Thomas J. Blake.

4. It was further material to the said Grand Jury investigation to determine whether while in the said United States Courthouse the defendant GERALD BENNETT WOLFE and the individual using the name John M. Foster had entered the office of any Assistant United States Attorney for the District of Columbia, and-whether they had unlawfully taken any documents or files located therein.

5. It was further material to the said Grand Jury investigation to determine whether the defendant GERALD BENNETT WOLFE and the individual using the name John M. Foster had photocopied any document which was the property of the Office of the United States Attorney for the District of Columbia on the photocopying machines belonging to said office.

6. It was further material to the said Grand Jury investigation to determine whether the defendant GERALD BENNETT WOLFE knew the true identity of the individual who had entered the United States Courthouse in the District of Columbia using the name John M. Foster.

7. It was further material to the said Grand Jury investigation to determine how the defendant GERALD BENNETT WOLFE and the individual using the name of John M. Foster had obtained the counterfeit and forged IRS credentials which they had used to enter the United States Courthouse on the dates mentioned in Paragraph three (3) of this Count.

8. It was further material to the said Grand Jury investigation to determine whether any other individual in the District of Columbia or elsewhere had conspired with, or aided and abetted, the defendant GERALD BENNETT WOLFE in obtaining his counterfeit and forged IRS credentials, and in entering the United States Courthouse for the District of Columbia.

9. At the time and place aforesaid, GERALD BENNETT WOLFE, appearing as a witness under oath before said Grand Jury, would and did knowingly make a declaration with respect to the aforesaid material matter as follows:

Q. When did you first come to know that the D.C. Bar Association had a library on the third floor of this building?

A. I don't remember exactly the date.

Q. Why did you want to come to this library?

A. To study.

Q. To study what?

A. To learn how to do legal research.

Q. Why did you want to learn to do legal research?

A. Well, I was planning on going back to Minneapolis to complete or further my studies in music and I thought that in addition to clerical skills that I had that if I could learn to do some legal research that I could perhaps get a better paying, more interesting job to help pay for my school.

Q. Where would you find that job?

A. In Minneapolis, I presume.

Q. Who would hire you in Minneapolis?

A. I don't know. A law firm, perhaps.

Q. Did you embark on this program to learn how to do legal research with the idea in mind of presenting yourself to a Minneapolis law firm and saying, "I can do legal research for you"?

A. Yeah, I think so.

Q. You don't know?

A. That's what I had in mind.

Q. How did you propose to learn to do legal research in the D.C. Bar library?

A. Someone was going to teach me.

Q. Who was that someone?

A. John Foster.

10. The underscored portions of the declarations of GERALD BENNETT WOLFE, quoted in paragraph nine (9) of this Count, were material to the said investigation and, as he then and there well knew, were false.

(Violation of 18 U.S. Code §1623)

COUNT TWENTY-SIX

1. The Grand Jury realleges and herein incorporates by reference paragraphs one (1) through eight (8) of Count TwentyFive (25) of this indictment. 2. At the time and place aforesaid, GERALD BENNETT WOLFE, appearing as a witness under oath before said Grand Jury, would and did knowingly make a declaration with respect to the aforesaid material matter as follows:

Q. Now, the first night that you were here in the courthouse, did you xerox anything?

A. I don't think so but I don't recall exactly, you know, which night.

Q. How long were you here on that first occasion?

A. I don't remember how long exactly.

Q. Approximately.

A. I don't know. Guessing, I'd say maybe an hour.

Q. Did you go anywhere else but the library that night?

A. I don't know. I do know that one or more of the times here I did go to the men's room. Now, whether it was the first night or not that I couldn't recall exactly.

Q. Did you have to leave the library to go to the men's room?

A. Yes.

Q. Apart from going to the men's room, did you go anywhere else in the courthouse that night?

A. I don't think so.

Q. From the first to the third floor library and back onto the first floor and out?

A. Right.

3. The underscored portions of the declarations of GERALD BENNETT WOLFE, quoted in paragraph two (2) of this Count, was material to the said investigation and, as he then and there well knew, was false.

(Violation of 18 U.S. Code §1623)

COUNT TWENTY-SEVEN

1. The Grand Jury realleges and herein incorporates by reference paragraphs one (1) through eight (8) of Count TwentyFive (25) of this indictment. 2. At the time and place aforesaid, GERALD BENNETT WOLFE, appearing as a witness under oath before said Grand Jury, would and did knowingly make a declaration with respect to the aforesaid material matter as follows:

Q. Do you recall ever doing any xeroxing on the third floor of this building on any of the three occasions?

A. Yes.

Q. What did you xerox?

A. Case histories.

Q. Case histories? What's a case history?

A. Well, a case out of a law book which contains cases.

Q. Did you bring the books from the library to the xerox machines?

A. Myself, yes, some of them.

Q. Did Mr. Foster carry books?

A. Yes.

Q. How many did you carry?

A. Approximately five.

Q. And how many did he carry?

A. Approximately the same.

Q. Were they the same type of books?

A. You mean as mine? Yes, I think so.

Q. And how long did you use the xerox machines?

A. Approximately fifteen minutes to a half hour.

Q. No longer than half an hour?

A. I don't think so.

Q. And what did you do when you left?

A. Brought the books back to the library and just left.

3. The underscored portions of the declarations of GERALD BENNETT WOLFE quoted in paragraph two (2) of this Count, were material to the said investigation and, as he then and there well knew, were false.

(Violation of 18 U.S. Code §1623)

COUNT TWENTY-EIGHT

1. The Grand Jury realleges and herein incorporates by reference paragraphs one (1) through eight (8) of Count Twenty Five (25) of this indictment. 2. At the time and place aforesaid, GERALD BENNETT WOLFE, appearing as a witness under oath before said Grand Jury, would and did knowingly make a declaration with respect to the aforesaid material matter as follows:

MR. STARK: Let me inform you, however, that the grand jury and the U.S. Attorney's Office have a joint responsibility to investigate criminality that occurs within the District of Columbia. Now, you may have made your plea of guilty in this case and been sentenced today but Mr. Foster has not. Now, we are investigating Mr. Foster's involvement in this and there may come a time when Mr. Foster is sitting either in that chair or in the defendant's chair before a petit jury. And your version of what happened

on these three occasions will aid this grand jury in its determination of what if anything to charge Mr. Foster with. Do you understand that?

Q. Now, did you know Mr. Foster by any other name?

A. No, I didn't.

Q. You only knew him by John Foster?

A. Right.

3. The underscored portions of the declarations of GERALD BENNETT WOLFE, quoted in paragraph two (2) of this Count, were material to the said investigation and, as he then and there well knew, were false.

(Violation of 18 U.S. Code §1623)

ATTORNEY OF THE UNITED STATES
IN AND FOR THE DISTRICT OF COLUMBIA