

Judge Rejects Plea to Halt Scientologists' Prosecution

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U.S. District Judge George L. Hart Jr. rejected a Church of Scientology bid yesterday to halt criminal proceedings against 11 church members pending a West Coast appellate court ruling on whether a 1977 FBI raid on church headquarters in Los Angeles was legal.

Hart said the church had "no standing" to make the request for the delay because it is not a defendant in the criminal case. The judge said that every defendant who came into his courtroom belonged to some sort of church, but that did not permit each denomination to try to block criminal proceedings against its members.

Hart, dealing quickly with a series of motions made by defense attorneys for various Scientologists, also rejected a request to block the extradition of two British Scientologists, Jane Kember and Morrison J. Budlong, who live in England.

But Hart did delay any further proceedings in the case until after the 9th Circuit Court of Appeals in Cali-

fornia has a chance to clarify an order it issued in the case on Oct. 30. In that order, the appellate court ruled that, pending a full hearing on the legality of the 1977 Los Angeles raid, prosecutors could present "seized materials to federal criminal grand juries." But the government was prohibited under the ruling from distributing any of the Scientology documents to other government agencies or the public.

Assistant U.S. Attorney Raymond Banoun has asked the California court to clarify that ruling to make certain that the documents can be used not only before grand juries, but also in the criminal proceedings yet to come.

The 9th Circuit Court has scheduled a full hearing on the legality of Los Angeles raid for Dec. 4. A lower court already has ruled that the raid, in which thousands of documents were seized, was conducted legally.

The 11 Scientologists are accused in a 28-count indictment of conspiring to plant spies in government agencies, break into government offices, steal official documents and bug government meetings.