

lawyer Rosen spent a week or more at \$500 an hour. Among Rosen's actions were asking questions for the DA's office's criminal prosecution under cover of a civil bankruptcy deposition. Legal expenses and private investigators together, Scientology may have spent as much as \$5 million harassing me and have spent more on others, for example, Robert Minton. Without a moments hesitation they would kill their "enemies" if they could get away with it.)

Not long after that, May 28, 2001, I believe Scientology set up an attempt (using the police) to kill or seriously injure my Canadian host Gregg Hagglund and me. I believe Scientology agent "Gwen Summerfield" made it clear in the posting of May 17, 2001 (Exhibit 5) that had I been jailed in Riverside, I would not have survived (last sentence, fourth paragraph).

I was arrested in Canada on May 28. Ten days later a Canadian immigration adjudicator after carefully looking through the best selection of materials the Scientology cult (acting for Deputy District Attorney Robert Schwarz) could provide concluded there was nothing of substance in the same accusations for which I was convicted. I was released and granted refugee claimant status, further evidence that unclean hands were involved in my conviction. The fact that Scientology is well known as a criminally convicted corporation on charges of infiltrating and spying on numerous federal, provincial and municipal agencies here in Canada might have had some influence.

It is my hope that the court will take a careful look at the extraordinary constitutional and political circumstances and the unclean hands aspects of this case before applying the fugitive disentitlement doctrine. (Application of the fugitive disentitlement doctrine is discretionary, see *Ortega-Rodriguez v. United States*, 507 U.S. 234, 250 n.23 (1993), and it is not always applied, see *United States v. Luppi*, No. 98- 1475, 1999 WL 535295, (10th Cir. July 26, 1999))

Posted to the news group alt.religion.scientology because it is of public interest. Under penalty of perjury I state that copies of this letter were mailed to the below addresses and that the contents of this letter are factual to the best of my knowledge.

Respectfully submitted,



H. Keith Henson

CC District Attorney Office
Appellate Department
4075 Main St.
Riverside, CA 92501

Law Offices of Elliot Abelson
8491 W. Sunset Blvd., Suite 1100 (actually a mail box)

Main Identity

(Exhibit 1, <http://www.wired.com/news/politics/0,1283,43420,00.html>.)

April 14, 2001 signed under penalty of perjury to the Riverside Grand Jury (Exhibit 2),

H. Keith Henson
Box 60012 (302 College Ave.)
Palo Alto, CA 94306
650-325-7533 (hm)
650-776-5702 (cell)
hkhenson@pacbell.net

April 14, 2001

Riverside County Grand Jury
P. O. Box 829
Riverside, CA 92502
(909) 955-8990

Grover Trask, District Attorney
Riverside County District Attorney's Office
4075 Main Street
Riverside, California 92501
(909) 955-5400

Board of Supervisors
c/o Executive Office
4080 Lemon Street, 12th Floor
Riverside CA, 92501-3651

Dear Grand Jury Members, Mr. Trask, and Members of Board of Supervisors:

I am putting the questions from the complaint form into a letter since my handwriting on your form would be hard to read.

Questions from the complaint form are in italics throughout this letter.

*A complaint should be only submitted to the Grand Jury AFTER all attempts to correct a situation have been unsuccessful. Attempts to correct a situation include, but are not limited to, 1) appeal to the supervisor, manager or department head of the public agency, 2) request intervention by the District Attorney or Board of Supervisors.

I approached the DA investigators in the Hemet office (who would not provide their names) with this complaint. They told me on April 9,

2000 "go talk to the Sheriff." I tried. Sheriff Deputy Sergeant Secor informed me later the same day that the Sheriff's office is forbidden by law from taking complaints about criminal conduct which may involve a member of the district attorney's office. I believe this exhausts local law enforcement approaches. Sergeant Secor told me to take my complaint to the Attorney General. I had already written the Attorney General. On April 13, 2000 I received a letter from the AG that said I should take these complaints to the local authorities and the Grand Jury (Exhibit A).

Is complaint regarding a specific official or local government employee of a city, district or county department?

My complaint is directed against Scientology lawyers Moxon and Paquette, the District Attorney's office, the District Attorney (DA) himself, Deputy DA (DDA) Tom Gage and an unknown number of other deputy district attorneys who may have been involved. Due to the advice of the Attorney General and the above instructions it seems appropriate to write all of you with one letter.

My complaint is: (Be as precise as possible, providing dates, times, and names of individuals involved.)

I have been charged by the DA in Hemet under Section 422 of the Penal Code, "misdemeanor terrorism." Though these are fabricated charges because I have made no threats and the complaint against me (for picketing and posting on the Internet) are protected by the First Amendment. The complaint to the Grand Jury and Supervisors is NOT about the DA's bringing these charges. (Although if you want to see the details, they can be found at <http://freehenson.tripod.com>.)

What I am complaining about is that I have evidence that Mr. Kendrick Moxon, Ms Ava Paquette of his office, and at least one Deputy DA in Hemet conspired to have me arrested on a Riverside warrant for failure to appear, and "no lawful authority will look into the matter."

Conspiracy is covered in Section 182, of the Penal code. It reads in part:

182. (a) If two or more persons conspire: (1) To commit any crime. (2) Falsely and maliciously to indict another for any crime, "or to procure another to be charged or arrested for any crime."

Moxon and Paquette are Scientology lawyers. They set up an otherwise pointless "videotaped" deposition of me in the Los Angeles case of Hurtado v. Berry. Even though there was no reason for me to be deposed in that case (no first hand knowledge about it at all), I was subpoenaed. While attempting to obtain a protective order, I acceded to threats on August 25, 2000 and agreed to the deposition date of September 15, 2000. I believe this date and others were offered at times to allow the legally stipulated two weeks between the filing

of a complaint and arraignment. The date of my agreement was six days before the Section 422 complaint was filed on September 1, 2000. The complaint against me was filed in such a way that the arraignment would occur at the same time as a far away deposition (originally scheduled for San Jose). I believe there was a conspiracy to obtain an arrest warrant and arrest me on videotape.

Normally, a scheme—failed or not—to get someone arrested for failure to appear would be considered far fetched. But not when considered in the light of Scientology's *religious precept,* the Wager testimony in *Hurtado v Berry* and the raw framing of Paulette Cooper (Exhibit B, background), as well as of Arnie Lerma, Mark Bunker, Pedro Lerma, Bob Minton, Tom Klemesrud and the other examples on the list in my attached letter to the FBI (Exhibit C).

Not only did Moxon, Paquette and a Deputy DA contrive a situation that required me to be in a far-away deposition at the same time as my arraignment, but that arraignment was *unnoticed.* I have *physical evidence* that false information about the notice of arraignment was introduced into the court records in violation of Section 132 of the Penal code.

The physical evidence of a violations of Section 132 is on two pieces of paper from the court. First is the computer printout of the court's record (Exhibit D). The court's record shows an entry on September 1, 2000 which indicates my status as "Release with: LETTER TO APPEAR?" [sic]. The "Letter to Appear" according to a court clerk is always the defendant's copy of the four-part carbonless complaint form. And, according to the same clerk, this notation is treated by the court as a statement sworn under oath that proves to the court that the charged person has either been handed the defendant's copy, or that the copy has been mailed (by regular mail).

It is the opinion of several lawyers I have consulted (including James Harr of Hemet) that this notation in the computer records would have been ample cause for any judge to issue an arrest warrant had I not shown up for arraignment September 15, 2000.

Normally failure to get a notice in the mail could be blamed on the post office, but in this case I can *prove* the defendant's copy was not mailed. I was *handed* the defendant's copy September 15, 2000, the first day I appeared in court (no doubt because Hemet court personnel are not skilled in covering up criminal activities). I have been careful to preserve its original condition, and it shows no creases, indicating it was never folded and mailed. This paper is available for inspection by the Grand Jury or the Board of Supervisors on request. If the DA's office claims some other paper was mailed to me, then they should be able to produce a copy. No copy was produced when it was twice requested from the DA's office.

There are other bizarre irregularities in this case. I have never

been through the normal arrest process on these charges. I was arrested and then "unarrested" by Deputy Rowe on July 19, 2000, then released before booking with a written statement that I had only been "detained."

Violations of Section 182 (conspiracy) and Section 132 (forging court records) done under color of law enhance the crimes, and could make them into a Federal case. There is strong circumstantial evidence in the form of dates on a letter from Ava Paquette, beyond what I have discussed here, for the Section 182 complaint, and physical evidence as mentioned above for the Section 132 complaint. The 182 evidence is in a sworn declaration which has been filed in my case in connection with a motion to disqualify the entire DA's office. A copy will be provided next week.

Because the complaint filing followed the fixing of the deposition date, and that date has no relation whatsoever to my detention, or other dates in the case file, the information flow had to be from Moxon and Paquette to Deputy DA Tom Gage in order for him to sign and file the complaint on September 1, 2000. This set up the overlapping arraignment and videotaped deposition dates for September 15, 2000. It would be interesting to ask Mr. Gage a few questions under oath. Were there "suggestions" from Scientology personnel or attorneys regarding the date of filing or arraignment, and (2) for what reason did the defendant's copy remain in the file?

Mr. Gage could also be asked how and when he came to know personal details about my lawyer, Mr. Berry. In the course of a conversation late on September 14, 2000 with Mr. Berry, Mr. Gage revealed he knew about Mr. Berry's former drinking problem. This was reported shortly after the phone call concluded, in an Internet posting I made on that date (copy of my September 14, 2000 posting attached as Exhibit E). If Mr. Gage had this level of knowledge about Mr. Berry, from his contact with Scientology lawyers, he surely would have known that Mr. Berry was representing me. I believe that that knowledge created an obligation for Mr. Gage to notify Mr. Berry of my arraignment. How I came to accidentally find out about the arraignment is also in this posting.

There are other Scientology-related matters at a higher level in the DA's office than Mr. Gage's that concern me.

There are two letters from Scientology lawyers in my case file, at least one of which starts: "Dear Grover," indicating something more than a formal relation. (DDA Schwarz, who appears not to be happy to be on this case, deserves credit for almost forcing these letters on the attention of Mr. Berry.) My lawyers have asked for copies of these letters. The request was refused, but they were permitted to read the letters. One of the letters references a meeting that occurred May 24, 2000 between Scientology lawyers and DA staff, about charging me with crimes. This was a few days after I had discussed

(on Internet Relay Chat) picketing over the Ashlee Shaner death. See "Scientology attorney Alan E. Oberstein meets with the Riverside County District Attorney Trask regarding Mr. Henson," the entry for May 24 in Exhibit F, "Timeline." In the same Exhibit, August 16, 2000, "Gerald Feffer (of Williams and Connally, Washington, D.C.) writes to Deputy D.A. Kevin Ruddy."

There are two additional reasons to suspect that influence on the DA's office by Scientology extends far beyond what is proper.

First, The DA's office has not (to the best of my knowledge) filed manslaughter charges in the Shaner death even though this was the recommendation of the California Highway Patrol and it is uncommon for the DA's office not to follow CHP recommendations. Filing these charges would have serious financial repercussions on Scientology due to a pending civil suit. Scientology would exert as much political pressure as they could to prevent manslaughter charges from being filed, or vastly inflate the cost to prosecute if charges were filed.

Second, Deputy Tony Greer told me he was given no assistance from the DA's office when he asked for help obtaining the files Scientology has on Stacy Moxon Meyer, (20 year old daughter of Kendrick L. Moxon). Mrs. Meyer was the woman electrocuted in a transformer vault June 25, 2000 due to what Scientology management claimed was her concern about electrical dangers to ground squirrels. Keeping a lid on an investigation is in the Scientologist's interest, especially if the investigation were to disclose that Ms Meyer was sent to her death as a result of policy, something a lot of people believe likely.

Please list other persons or agencies you have contacted about this complaint.

FBI, US Attorney, California Attorney General, State Bar, private investigators, news media.

What do you believe should be the proper outcome of the Grand Jury involvement in this complaint?

I want the Grand Jury and/or the Board of Supervisors to investigate the fraudulent entry of information into the court's records, discipline any officials who are found to have done it, and put procedures in place to prevent future recurrences. I also think it would be responsible for the Grand Jury or the Board to determine if any members of the DA's office are unduly influenced by Scientology and if any are found, to remove such people from positions of public trust. I see a need for a serious decrease in the level of influence Scientology has over the DA's office in Riverside County.

Provide names and telephone numbers of others who can substantiate your allegations or provide more information.

Graham Berry 310-393-2835
Jim Harr 909-925-5024
Ida Camburn 909-652-5956
Tony Greer 909-791-3419
Serg. Secor 909-791-3400
Robert Schwarz 909-766-2370
Tom Gage 909-766-2378

Attach additional sheets if necessary.

See Exhibits.

I realize that communications with the Grand Jury are intended to be confidential. However, in this case, all of the information in this letter has been posted to the Internet over the course of the last few months and read by close to 100,000 people. So, there seems to be little point in keeping this document confidential, but I will respect the wishes of the Grand Jury if the Jury expresses a desire within a reasonable time that this letter to be kept confidential.

Every person who makes a report to the Grand Jury that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor (Penal Code Section 148.5(d)).

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

H. Keith Henson

[The only thing which is out of date is that just about a week after I mailed this with the Grand Jury and give copies to the Board of Supervisors and the DA's office, the DA filed charges in the Ashlee Shaner death.

I want the Grand Jury and/or the Board of Supervisors to investigate the fraudulent entry of information into the court's records, discipline any officials who are found to have done it, and put procedures in place to prevent future recurrences. I also think it would be responsible for the Grand Jury or the Board to determine if any members of the DA's office are unduly influenced by Scientology and if any are found, to remove such people from positions of public trust. I see a need for a serious decrease in the level of influence Scientology has over the DA's office in Riverside County.

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I certify (or declare) under penalty of perjury that the foregoing is true and correct.



H. Keith Henson

Main Identity

DECLARATION OF FRANK OLIVER

I, FRANK OLIVER declare:

"I. The facts set forth in this declaration are known to me personally. If called to testify as to the truthfulness of the facts set forth in this declaration, I would do so.

2, I was a member of Scientology from 1986 to 1992. From 1990 to 1992, I was a member of the Scientology Office of Special Affairs ("OSA"). Part of my responsibilities in OSA was to conduct the tactic of fair game, which is not a religious belief. It is an administrative practice unrelated to the religion of Scientology, The fair game tactic allows any Scientologist to do all things necessary to destroy detractors of Scientology. Such detractors are referred to as enemies or suppressive persons ("SP)". The tactic of fair game was practiced by Scientology in 1992 up to the time that I left Scientology. My special knowledge and training as a Scientologist make me certain that the non-religious tactic of fair game and other such tactics have been continuously in practice by Scientology from at least 1968 to the present.

3, On February 11, 2001, I was in the Circuit Court of Pinellas County, Florida when witness Antonio Avila, a Scientology security guard, testified under oath that his Scientology superiors had indicated to him that Keith Henson was among the group that it considered SPs and enemies of scientology.

4. A partial listing of my Scientology credentials, training records, and experience are attached hereto as Exhibits 1 through 20 and are incorporated herein.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. f

Dated: April 18, 2001

[signed]

FRANK OLIVER

(Added by hand)

On June 16, 1998 I appeared on NBC Dateline which profiled scientology and my involvement.

On December 20, 1998 I appeared on ABC, 20/20
Additional Info available on the Internet at
www.xenu.net

[A signed copy of this declaration is in the case file. Or if the court
wishes, I can fax a copy of a poor copy I have. Keith Henson]