

NEWS SUMMARY

WORLDWIDE EDITION

EX-MINISTER BUCKLES UNDER CROSS-EXAMINATION

A major blow to the Attorney General's office and dissident ex-members was struck recently. Benjamin Chapman, disfellowshipped ex-minister of the Worldwide Church of God and a major link in the conspiracy and planned take over of the Church, buckled under cross-examination by church attorneys.

In a deposition being taken late Monday, April 9, Mr. Chapman under close questioning by one of the Church's attorneys, Marshall Morgan, panicked and said he now needed a lawyer to represent him. Mr. Chapman had earlier stated that he didn't have a lawyer present, and had no need to have a lawyer present. Mr. Chapman was reminded that he was already in contempt of the subpoena and subsequent judge's order to appear, but he was allowed to leave upon agreement to come back April 23.

Mr. Rader stated that during the deposition "it became very apparent Mr. Chapman was a very much involved person in the conspiracy to deprive the Church, its leadership and its members of their constitutional rights."

Also during the deposition, recounted Mr. Rader, Deputy Attorney General Lauren Brainard took exception to Mr. Rader having to remind him that (a) he did not represent Mr. Chapman, (b) that he had admitted he did not represent Mr. Chapman, (c) he, therefore, should not be advising Mr. Chapman, (d) our lawyers were getting tired of reminding him of what the law was, and playing "continuing education of the bar," whereupon, he threatened Mr. Rader with physical, bodily harm by his manner and by his statement, which was an epithet. Mr. Rader said that "we are considering bringing an action of assault as well as an action to recuse him" [challenge him as prejudiced, or otherwise incompetent to act].

Mr. Rader commented that "our lawyers have been trying from the beginning to get the State to tell us who they represent, and who they don't represent. A month or so ago we learned that the State orchestrated a concerted effort to keep all of the witnesses that we had subpoenaed for depositions from appearing. And now we felt that Mr. Brainard, although he admitted he did not represent Chapman, was acting as though he did. We don't care if he does," continued Mr. Rader, "we feel it would be a break if he did. We even invited Brainard to represent Chapman, but the point was, he didn't represent Mr. Chapman; therefore, he should not have been constantly advising him."

TAXPAYERS' LAWSUIT LOSES ROUND IN L.A. SUPERIOR COURT

On Tuesday, April 10, Los Angeles Superior Court Judge Vernon Foster dealt a set back to the "taxpayers' lawsuit" filed by eleven taxpayers (all members of God's Church in California) several weeks ago. The suit contested the constitutionality of the Attorney General using tax monies to investigate and harrass the Worldwide Church of God under section 9505 of the California Corporations Code. The Attorney General relied on section 9505 as his sole authority for his lawsuit (State vs. Worldwide Church

of God) which included the demand for a free-wheeling search of any and all records of God's Church.

Section 9505 applies to charitable trusts, but does not mention churches. The Attorney General contends that churches are "charitable trusts," but it is the contention of the taxpayers' lawsuit that IF 9505 is applied so as to include churches, the section is unconstitutional and in violation of the first amendment.

God's Church, as are many other churches in California, is incorporated as a "non-profit corporation" in order to carry on its business affairs and to enjoy the appropriate tax-exempt status of a church. It has always complied with the applicable non-profit corporation laws of California. The taxpayer's attorney pointed out to the court that profit-making corporations -- and churches that have never been incorporated -- do not experience such excessive scrutiny, and that there is no reason to assume that incorporated churches need more watching than other entities.

The attorney for the taxpayers called the court's attention to the U.S. Supreme Court decision regarding Lemon vs. Kurzman. In this 1971 case a parochial school welcomed the prospect of state aid. The church-related school was willing to meet the state's condition for receiving the much needed funds which was a subject-to-audit rule. Even though the church school was willing, the Supreme Court said, "No, this arrangement will mean excessive entanglement between government and religion." The Supreme Court ruled that this was unconstitutional and that the state should not be examining the parochial school's financial records to determine which expenditures were religious and which were secular.

The judge asked if the members bringing this lawsuit were really trying to protect their Church. The attorney replied, "Yes, and themselves." Members have rights of privacy to protect. For example, there would be no privacy protection of their correspondence with the Church concerning spiritual matters if they were exposed to the state's examination and confiscation of anything they wanted.

Judge Foster denied the taxpayer's request for a preliminary injunction, indicating that he did not want to interfere in court proceedings of another department. He felt that the Church had not stressed this matter in its own proceedings thus far and indicated that is where he would like to see it addressed. It is yet to be determined by the taxpayer's attorney just what further action can and should be taken regarding their original suit.

ANOTHER CHURCH RAIDED IN CALIFORNIA

Another church in Southern California was raided by the Attorney General's office! Thursday morning, April 5th, a search warrant was served on Morningland Church of the Ascended Christ in Long Beach. State agents, accompanied by 14 uniformed Long Beach police officers, entered the church and began going through its financial records, seizing any and all that they chose. The original allegation by the State was that the Church had made an "illegal political contribution," and so they were looking for the evidence to support this claim.

Meanwhile, the same day across town, other state investigators literally ransacked the offices of the attorney who represented this church,

as well as another church (Faith Center which operates channel 30). The Attorney General had been investigating Faith Center before he descended on The Worldwide Church, but had been thwarted by a "No, no, we won't show" resistance to his office's unconstitutional gestapo-type attempt to review their records.

In the raided attorney's offices were the private files of over one thousand clients. Because the attorney made a quick call and got camera and sound crews over to his offices, he has over seven hours worth of documented proof showing the Attorney General's men opening, and even in some cases taking, papers from the files of some of these clients whose cases are outside the stated purpose of the investigation. This clearly violated attorney-client confidentiality, as well as the rights to privacy of over 1000 heretofore uninvolved citizens of California -- and by the highest law officer of the state!

After the raids a spokesman for Attorney General George Deukmejian stated that the searches of the law offices were being conducted in the investigation of a church. "We're examining the financial records of Morningland /Morningland Church of the Ascended Christ/ and I've been told," he said, "we're a long way from filing charges." Obviously they were on a "fishing expedition" under the color of state authority.

Could it be that the Attorney General's office is now in so deep that they are going to continue raiding what some consider out-of-the-main-stream churches in the hopes they will find something somewhere to justify their outrageous actions?

Church asks stay of receivership pending review

SAN FRANCISCO (AP) — The Worldwide Church of God asked the California Supreme Court Thursday for an immediate stay of financial receivership proceedings until the U.S. Supreme Court acts on its request for a review of the matter.

The state tribunal on March 22 denied a request to overturn Los Angeles Superior Court orders on Jan. 19 appointing a receiver to manage the church's finances and on March 12 reimposing receivership without notice, hearing or evidence.

The Pasadena-based church

said it is going to the U.S. Supreme Court "to protect and establish First Amendment rights violated by the Jan. 19 and March 12 orders."

The church also claimed the lawsuit and receivership was causing continuing financial injury to the church in excess of \$5 million a year.

The Attorney General's office, acting on behalf of complaints that funds were allegedly being siphoned from the church, filed suit Jan. 2 asking for an accounting from church officials, replacement of directors, appoint-

ment of a receiver and an injunction against individual defendants.

The church said the first receiver asked for fees and costs of \$235,000 "every penny of which was incurred for 'services' inflicted on the church against its will and to its injury."

These "services," it alleged, included storming the premises Jan. 3, confiscating and removing thousands of documents without inventory and destroying the church's previously excellent financial standing.

(Editor's Note: The above AP news release appeared in the Pasadena Star-News on Friday, April 13.)