

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CITY OF CLEARWATER and
SIDNEY R. KLEIN, Chief of
Police, Clearwater Police
Department,

Plaintiffs,

vs.

Case No. 94-292-CIV-T-24A

CHURCH OF SCIENTOLOGY FLAG
SERVICE ORGANIZATION, INC.,

Defendant.

AFFIDAVIT OF PAUL MASER

STATE OF FLORIDA

COUNTY OF PINELLAS

I, Paul Maser, being duly sworn, deposes and says of my own personal knowledge and belief that:

1. He is employed by the Clearwater Police Department and has been so employed for 20 years. He holds the rank of captain and has held this rank for approximately 2 years.
2. He has been involved in criminal investigations being conducted by the Clearwater Police Department and other local law enforcement agencies since October, 1974.
3. He has directed Clearwater's investigations into allegations of criminal activities by the Church of Scientology since approximately January, 1987. He has reviewed the Defendant's interrogatories pertinent to this matter and has reviewed the records of the Clearwater Police Department providing information to support answers to those interrogatories.

Affidavit

4. Affiant states that the qualified privileges asserted in response to certain of the Defendant's interrogatories have been asserted in good faith, with the intent to protect from disclosure the identity of governmental informers, information pertaining to ongoing criminal investigations, information that may reflect policy and deliberative processes of the Clearwater Police Department, and matters of tactical intelligence involving current investigatory techniques.

5. Presently, the only individuals within the Clearwater Police Department involved with the Church of Scientology investigation or having access to the files gathered during the Church of Scientology investigation are those persons who are in our undercover investigative unit. These individuals assisted me in the preparation of the responses to the interrogatories from the Church of Scientology.

6. Clearwater Police Department's undercover police officers are involved in and responsible for ongoing investigations into many matters, including narcotics and organized crime among others.

7. Disclosure of the names of undercover officers of the Clearwater Police Department would defeat the status of those officers as undercover police officers, as they would no longer be able to serve in that capacity. Additionally, disclosure of their names would compromise the safety of these individuals as well as the safety of their families in regards to the possibility of retribution from individuals and organizations previously investigated and in regards to subjects of active investigations.

8. Individuals who have investigated the Church of Scientology and detractors of the Church of Scientology have in the past been subject to harassment tactics by the Church. Harassment and intimidation is authorized by the Church under the Fair Game Law, as dictated by L. Ron Hubbard founder of the Church of Scientology. (See Exhibit "A"). Under the Fair Game Law, the homes, property, places and abodes of persons who have been active in attempting to suppress Scientology or Scientologists are beyond any protection of Scientology Ethics, unless absolved by later Ethics or amnesty.

9. Under the Church of Scientology's Fair Game Law, an enemy of the Church may be deprived of property or injured by any means by any Scientologist without any discipline of the Scientologist. Furthermore, Church documents indicate that enemies of the Church may be tricked, sued or lied to or destroyed. (See Exhibit "B").

10. Affiant further states that he is aware of other Church documents which label those persons investigating the Church as attackers. As such, Church documents authorize Scientologists to harass such attackers. (See Exhibit "C").

11. Affiant further states that although the Church of Scientology has publicly renounced its Fair Game Law, another Church document, the Integrity of Source indicates that only L. Ron Hubbard can renounce such policy. (See Exhibit "D" and "E").

12. In the fall of 1992, I attended a national conference of the Cult Awareness Network ("CAN"). I attended this meeting for informational purposes, seeking information on cults generally, and seeking further information as to the operational activities of CAN. I attended this conference in an undercover capacity. While at this conference, an individual, Eugene Ingram, whom I know to be an agent of the Church of Scientology, identified me as a Clearwater Police Officer to a group of his associates, whom I believe were Scientologists. Mr. Ingram stated to me that I was "out of my league." For the remainder of my time at this conference, I was harassed by Mr. Ingram and his associates continuously. I could not speak with other conference attendees without having a Church of Scientology member linger nearby in an attempt to overhear my conversation. Additionally, I had my picture taken repeatedly by members of the Church of Scientology. It was clear to me that the agent for the Church of Scientology and the individuals associated with him were trying to intimidate me.

13. At subsequent national conferences attended by other City of Clearwater Police Officers, I am aware of incidents in which those officers were harassed in the same manner that I was. Additionally, two City of Clearwater Police Officers, whose photographs were surreptitiously taken by Church members, had their pictures published in a national Church of Scientology publication.

14. Affiant is personally aware of actual incidents and reports of incidents where harassment has been practiced by the Church of Scientology against its detractors. Affiant is also aware of such incidents occurring elsewhere. (As partial examples thereof, see Exhibits "F", "G", "H" and "I"). Therefore, affiant believes that harassment would be imminent against all informers who have provided evidence against the Church of Scientology in the criminal investigations. Furthermore, affiant believes that harassment would be certain and imminent against all police officers within the Clearwater Police Department who have engaged in investigations of the Church of Scientology. To reveal the names of relevant witnesses and Clearwater Police Department undercover investigators would thus have a chilling effect on present and future criminal investigations by the City of Clearwater Police Department.

15. Affiant further states that he is aware that the Church of Scientology conducts extensive investigations into its detractors. The results of these investigations are assembled into packages of information which are distributed throughout the Church and are also provided unsolicited to individuals outside of the Church. (See Exhibits "J" and "K"). As such, revealing the names of informers and investigators to the Church of Scientology would lead to an invasion of the privacy rights of the police officers and informers.

16. Affiant states that disclosure of the City of Clearwater Police Department's methods and procedures by which files of the Church of Scientology were compiled and the justification for maintaining those files will compromise the effectiveness of the Police Department to engage in law enforcement because it would reveal Clearwater Police Department investigative tactics to the Church of Scientology. The City of Clearwater Police Department

intermittently receives complaints about activities of a criminal nature regarding the Church of Scientology which has warranted ongoing investigations of the Church. Due to the well documented harassment tactics of the Church, disclosure of the names of informants would seriously jeopardize the ability of the Police Department to perform future investigations into not only the Church but other organizations since informers would be unwilling to provide the Police Department with information for fear of harassment. Additionally, disclosure of the specific means by which the Clearwater Police Department investigates suspected criminal entities and the deliberative processes of the Department will only educate those entities as to how to better avoid law enforcement efforts. This educational process will seriously hurt our effectiveness to detect and prevent future crimes. Although many of the claims received by the Police Department against the Church are old and therefore not active, due to the ongoing intermittent receipt of complaints against the Church, the Police Department continues to perform intelligence gathering concerning activities of the Church of Scientology.

17. Affiant is aware that other law enforcement agencies have performed investigations into the Church. Disclosure of the names of those law enforcement agencies would compromise the effectiveness and the future investigations of other law enforcement agencies performing such investigations.

18. In some cases, the Clearwater Police Department's investigation of large institutions may span many years before enough information is compiled to file criminal charges. Accordingly, other law enforcement agencies have much time and effort invested in their investigations which could be seriously jeopardized by revealing the names of those entities.

FURTHER AFFIANT SAYETH NAUGHT.

Capt Paul Maser

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 2 day of Feb,
1995, by Capt. Paul Maser, (who is personally known to me) or who has
produced _____ as identification and who did take an oath.

W. L. Goatcher
W. L. Goatcher



Notary Public, State of Florida
Printed name: W. L. Goatcher
My Commission Expires:
Commission No. CC 227937

W. L. GOATCHER
MY COMMISSION # CC 227937
EXPIRES: October 18, 1996
Bonded Thru Notary Public Underwriters