

Scientology Founder's Wife Loses Final High Court Plea, Faces Prison

By JIM MANN, Times Staff Writer

WASHINGTON—The Supreme Court Monday let stand the convictions of two former leaders of the Church of Scientology, rejecting their final efforts to contest the legality of the FBI's search of the church's Los Angeles offices in 1977.

The court's action apparently clears the way for Mary Sue Hubbard—the one-time “controller” for the church group and wife of its founder, L. Ron Hubbard, who was not charged in the case—to begin serving a five-year prison term on a conspiracy charge.

Mary Sue Hubbard, and Duke Snider, the other Scientology official (not the former baseball player) whose appeal was rejected Monday, were found guilty in what federal prosecutors called a plot to burglarize and infiltrate several agencies of the federal government.

Mrs. Hubbard and Snider had urged the high court to examine whether the FBI had violated the Fourth Amendment's prohibition against unreasonable searches during massive raids in two Scientology offices in Hollywood.

But the justices, who had turned down an earlier challenge to the searches, did so again Monday. Without comment and without any dissenting votes, they left in effect a ruling by the U.S. Court of Appeals in the District of Columbia that upheld the validity of the FBI's conduct.

In addition to the five-year prison term, Mrs. Hubbard has been fined \$10,000.

Snider also was fined \$10,000 and was sentenced to four years in jail.

Justice Department officials said he already has begun to serve his sentence. Snider's lawyer could not

be reached for comment on the court's action (Hubbard and Snider vs. U.S., 81-1227; Church of Scientology vs. U.S., 81-1275).

The federal government's investigation and prosecution of the Scientology leaders dates to 1976, when two church members were found late at night inside the federal courthouse in the District of Columbia.

One of the church members later agreed to cooperate with investigators. He told them that he and other church members had infiltrated and broken into offices of the Internal Revenue Service, the Drug Enforcement Administration and the Justice Department to find and copy government documents. According to the Justice Department, the church members used false IRS credentials to gain access to government buildings.

Based on this information, the

FBI in 1977 obtained a warrant to search two Scientology offices at Fifield Manor and the Cedars-Sinai Complex in Hollywood, along with an office in the District of Columbia.

The Justice Department contended that Mrs. Hubbard, as one of two persons in charge of the church's “Guardian office,” was responsible for the church members' activities. Snider was a deputy serving under the other leader of the Guardian office.

Both Mrs. Hubbard and Snider agreed to plead guilty to a conspiracy charge in 1979 under an unusual arrangement with prosecutors that left them free to contest the legality of the searches in the appeals courts.

Search Called Exploratory

In legal papers filed with the Supreme Court, they said the case “presents the classic example of a general exploratory search prohibited by the Fourth Amendment.” They argued that the agents searching Scientology offices were not properly controlled.

However, the Justice Department told the court that the officials in charge of the searches “used an acceptable combination of preparation and supervision.”

Also Monday, the high court let

stand without comment a ruling by the U.S. Court of Appeals in the District of Columbia that permits the Federal Communications Commission to strip RKO General Inc. of its license for a Boston television station (RKO General vs. FCC, 81-1545).

RKO had been allowed to keep operating the Boston station, WNAC-TV, while it appealed the FCC's action to the Supreme Court. But, within the next few months, the company will be required to give up its license to another company, the New England Television Corp.

RKO is a subsidiary of General Tire & Rubber Co. The FCC's action against the company stems from its finding that General Tire officials engaged in several instances of misconduct and showed a “lack of candor” during license-renewal proceedings.

RKO operates station KHJ-TV in Los Angeles, among other stations, but Monday's high court action will have no immediate impact on the Los Angeles station. The FCC originally found that RKO was unfit to operate its stations in Boston, Los Angeles and New York City, but the U.S. Court of Appeals has told the commission to study the Los Angeles and New York cases further.