

# Scientology case declared mistrial

From Sun reports

PORTLAND, Ore. — A judge, saying courts must pay closer attention to religious freedom, declared a mistrial Tuesday in a lawsuit that ended with a jury's \$39 million fraud judgment against the Church of Scientology, and ordered a new trial.

Multnomah County Circuit Judge Donald Londer said he based the ruling on improper and prejudicial arguments made by the attorney for plaintiff Julie Christofferson Titchbourne during the 11-week trial that ended in May.

More than a thousand Scientologists converged on Portland for protests for about a month after the jury's May 17 ruling, claiming the verdict represented an assault on freedom of religion.

Daily rallies, concerts and news conferences were held, sometimes featuring celebrity Scientologists, including actor John Travolta and jazz pianist Chick Corea.

Ms. Titchbourne, 27, said she was defrauded when the group claimed it could improve her intelligence, eyesight and creativity when she joined it in 1975. She also said the Church of Scientology lied about the background of founder L. Ron Hubbard. She quit the group in 1976.

Ms. Titchbourne's attorney, Garry McMurry, had said fraud was the only issue in the case, not religious persecution.

But Londer said the jury was told improperly that information on the Scientologists' beliefs and practices could be used as a basis for punishing the group.

He also said the jury was prejudiced by abusive language used during McMurry's closing arguments, when the attorney called the Church of Scientology a terrorist group and Hubbard a sociopath.

"We're ecstatic over the decision," said the Rev. Ken Hoden, president of the Church of Scientology of Los Angeles.

Hoden and other Church of Scientology officials were preparing to return to Los Angeles Tuesday afternoon to celebrate the victory.

"We've blocked off a whole Los Angeles city block, and there's going to be a giant celebration," Hoden said Tuesday from Portland, Ore.

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Ms. Titchbourne's attorneys still can file for a retrial, Hoden said, but he believes criteria Londer has established for conducting further hearings on this

case will protect the sect's religious beliefs from taking the stand.

"I can guarantee you that if there is a retrial, Julie Christof-