



DEPARTMENT OF STATE

Washington, D.C. 20520

P780032-1718

DEC 16 1977

Dear Mr. Freitas:

The President has asked that I reply to your letter of November 25 concerning the child custody case of John Victor Stoen who is presently in the custody of a religious group known as The People's Temple, in Guyana.

We note that John Stoen's mother previously signed over custody of John to the religious group. The Department has met personally with the two California attorneys engaged by Mrs. Stoen to assist her in this case. They have been given advice concerning the handling of a child custody case in a foreign country. They have also been advised that the American Embassy in Guyana is prepared to offer all possible assistance to themselves and to Mrs. Stoen's Guyanese attorney if such assistance is required during the hearings scheduled in Guyana this month.

As you are no doubt aware, neither the Department of State nor the Superior Court for the State of California has the authority to enforce the order of November 18 regarding the custody of John Victor Stoen in the country of Guyana. Under many foreign laws there are provisions for proving foreign judgments, although, unfortunately, custody orders are usually excluded from this procedure. It is extremely unlikely that a child custody order issued in the United States is normally not accepted for enforcement in another country on the basis of comity. The question of John Victor Stoen's custody will almost certainly be decided by the Guyanese court, after hearing all relevant evidence, on the basis of Guyanese law. The California court order undoubtedly will be given evidentiary weight in the custody hearing, although by no means will it be binding on that court.

Joseph Freitas, Jr., Esquire,
District Attorney,
890 Bryant Street,
San Francisco, California, 94103.

A copy of this correspondence is being forwarded to the American Consul in Georgetown for his information. I trust that this will be helpful to you. Further information regarding child custody may be obtained from Miss Elizabeth Powers of this office on 202-632-3015.

Sincerely,

Alan A. Gise
Director Office of
Special Consular Services



Custody Case SCS 2-72

P780032-1720

ID DOS 771205030

T H E W H I T E H O U S E O F F I C E

REFERRAL

7731054

DATE: DEC 05 77

TO: DOS

REPLY DIRECT REPLY. FURNISH INFORMATION COPY

IF MORE THAN 9 DAYS DELAY IS ENCOUNTERED PLEASE TELEPHONE

MISS BYRNE 456-2718.

BASIC CORRESPONDENCE MUST BE RETURNED.

REMARKS:

X LETTER

TELEGRAM

DATED: NOV 25 77

TO: PRESIDENT

FROM: JOSEPH FREITOS, DISTRICT ATTORNEY, CITY OF SAN FRANCISCO

SUBJECT: REUBEST FOR ASSISTANCE IN ENFORCEMENT OF COURT ORDER AGAINST REV. JIM
JONES IN GUYANA

RESPONSE:

CLOSED OUT:

BY DIRECTION OF THE PRESIDENT:

PAMELA ZINN

DIRECTOR OF AGENCY LIAISON

Custody Case SCS 2d

UNCLASSIFIED

S/S# 7731054

426

Date DEC 21 1977

SCS

DEPARTMENT OF STATE
 REVIEWED BY PT80032-17 / QCS/MB
 DATE _____
 BASIS OF MODIFICATION DATE _____
 AUTHORITY _____
 ENFORCE BY _____
 DECLASSIFIED BY _____
 RELEASE BY _____
 PA OF FOI EXEMPTIONS _____

DEPARTMENT OF STATE
EXECUTIVE SECRETARIAT
TRANSMITTAL FORM

SEARCHED _____
 SERIALIZED _____
 INDEXED _____
 FILED _____
 DEC 21 1977
 FBI - NEW YORK

Dist to:
TMC
CA
RF (Lab)

FOR: ~~Dr. Zbigniew Brzezinski~~
National Security Council
The White House

REFERENCE:

TO: The President FROM: Joseph Freitas, Jr.

DATE: Nov. 25, 1977 SUBJECT: Child Custody

Case of John Victor Stoen in Guyana

WHITE HOUSE REFERRAL DATED: 12/5/77 NSC# _____

THE ATTACHED ITEM WAS SENT DIRECTLY
TO THE DEPARTMENT OF STATE

ACTION TAKEN:

- _____ A draft reply is attached
- _____ A draft reply will be forwarded.
- _____ A translation is attached.
- xxx _____ An information copy of a direct reply is attached
- _____ We believe no response is necessary for the reasons cited below.
- _____ Other

6131

REMARKS:

- SCS - Mr. Dokrenchuk *SPD*
- SCS - Mr. Lambert *MLC*
- CA - Miss Watson *W*

EAPow:ms
12-14-77

MICROFILMED
BY S/SI ✓

Robert S. Pea
for Peter Tarnoff
Executive Secretary

UNCLASSIFIED

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