

U-1-C-1(61)

1977 No. 2584 DEMERARA

IN THE HIGH COURT OF THE SUPREME COURT OF
JUDICATURE

CIVIL JURISDICTION

In the matter of JOHN VICTOR STOEN
an infant

- and -

In the matter of an application by GRACE
LUCY STOEN, by and through her lawful
attorney JEFFREY A. HAAS, for a Writ of
Habeas Corpus and Sub juciendum

- and -

In the matter of the Civil Law Act,
Chapter 6:01.

AFFIDAVIT IN ANSWER:

1977

RWD-37242

re filing 1 FEB 1977

JET/12/77

H.B. FRASER and/or DABI DIAL
Solicitor to Applicant.

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U-1-C-1 (64)

IN THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE
CIVIL JURISDICTION

REGISTER

GEORGE

B&P

In the matter of JOHN VICTOR STOEN
an infant

- and -

In the matter of an application by
GRACE LUCY STOEN By and through her
lawful attorney JEFFREY A. HAAS; for
a Writ of Habeas Corpus ad Sub
juciendum.

- and -

In the matter of the Civil Law Act,
Chapter 6:01.

AFFIDAVIT IN ANSWER:

I GRACE LUCY STOEN of 3609 Sacramento Street, San Francisco,
California, United States of America, being duly sworn make oath
and say as follows:-

1. That I am the applicant herein.
2. That I duly authorised Jeffrey Allen Haas, Attorney-At-Law, to appear on my behalf in the abovementioned matter and I also specifically and expressly authorised him to swear to all the affidavits sworn to herein on my behalf, and to seek and obtain all the orders sought and obtained herein on my behalf.
3. That I hereby specifically and expressly ratify and confirm all acts and things done by the said Jeffrey Haas in the matter herein. The said Jeffrey Haas was at all times acting as my agent herein with full knowledge and authority to do and perform all the acts which he has done and performed herein and to seek and obtain all the orders which he has sought and all other orders necessary for and incidental to the proceedings herein, including the power to receive and retain physical control and custody of my infant son John Victor Stoen.
4. That I am the mother of the infant John Victor Stoen born of my body on the 25th day of January 1972 as appears from a copy of the Certificate of Live Birth attached to the affidavit of Jeffrey

Haas sworn to on the 5th day of September, 1977 and marked "B".

5. That on the 23rd February, 1977, a Petition for dissolution of the marriage between Timothy O. Stoer and me the deponent herein was filed on my behalf in the Superior Court in and for the County of San Francisco. In the said petition I claimed custody of the infant John Victor Stoer.

6. That on the 26th day of August, 1977, the Superior Court granted legal custody of the said John Victor Stoer to me.

7. I am a former member of the Peoples' Temple. I joined the organization shortly after marriage to TIMOTHY O. STOEN. At the time of my marriage, I was nineteen (19) years old, impressionable, and looked to my husband, who was twelve (12) years older, for guidance. He was a member of the Temple. I soon became a member also. The organisation's professed ideals of social justice, racial equality and concern for the economically disadvantaged held great appeal for both of us.

8. Because of my commitment to professed ideals of the Temple, I worked very hard. I was eventually promoted to Chief Counselor as well as bookkeeper. I still held both positions when I left the Temple in July, 1976.

9. I worked in close association with Jim Jones. His behaviour was frequently erratic. Jim Jones often expressed a paranoid world vision wherein he and his organization were the objective of multiple conspiracies. To protect himself from alleged threat of assassination, he employed bodyguards. He feared attack from within the Temple as well as from without. To protect himself from internal threat, members were frequently directed to sign statements declaring their predisposition to one aberrant form of anti-social behaviour or another. I was required to sign such a statement. These statements were regarded as an internal security measure. There was no suggestion that they were truthful. The statements were intended to be used to discredit anyone who turned against the church.

- 3 -

10. The longer I remained in the Temple, the more disturbed I became at the discrepancies between the stated beliefs of the Temple and the internal workings. The only reason that I remained in the Temple for so long was that Jim Jones convinced me as well as other Temple members that the Peoples' Temple was the only progressive organization in the United States that was working toward socialistic and egalitarian goals. Members of the Temple were taught that Jim Jones was the reincarnation of Buddha, Jesus Christ and Lenin, and that membership in the Peoples' Temple was the only way towards justice on earth and salvation in the hereafter. The Temple cooperated with progressive movements in hopes of recruiting their memberships.

11. Some examples of what I believed to be wrong with the Peoples' Temple are as follows:

(a) The membership of many older and not well-educated persons was recruited by fear and fraud. Older black persons were taught that a facist overthrow of the United States government was imminent and that they would be gassed like Jews under Hitler. If they signed their names and pensions over to the Temple, Jim Jones would save them from concentration camps.

(b) Elderly persons who feared cancer or other terminal illness were recruited through the use of staged "miracle" cures in which "cancers" (in reality a chicken's innards) were shown to pass from members of the audience (in reality Temple members acting under the instructions of Jim Jones). The staging of phony miracles was justified as a means toward the end of advancing the ultimate greater good.

(c) A common method of discipline within the Peoples' Temple is the beating of members before the assembled membership. Microphones are placed near the mouth of the person beaten so that the intensity of their screams will not be lost on the audience. Children are not excluded from watching the public beatings. In fact, they are encouraged and sometimes required to watch them.

While I was a member of the Temple, JOHN and myself were present at many public beatings. On one occasion, a girl of seven was beaten well beyond the point at which she began to scream. On

another occasion, a girl of eleven was straddled spread-eagle and beaten seventy-five to one hundred times. On still another occasion, a young woman was beaten until both of her eyes were swollen shut.

The above is by no means an exhaustive list of public beatings which took place during my time in the Temple. The majority of the members of the Peoples' Temple were "brought up" before the membership for punishment at some time. Not all of the beatings caused serious injuries. Some merely served to degrade a selected member because of an alleged wrong. Members who did not say "Thank you, Father!" to Jim Jones at the conclusion of a punishment directed by him were beaten more.

12. My own life was strictly regulated by the Temple. My minor son was sent to live with other Temple members. The children of other Temple members were in turn sent to live with me. Though undermining the nuclear family was not a stated aim of the church, such was frequently the effect of the Temple's directives. The heavy schedule of church duties to which I was assigned often left me no more than 5 to 6 hours sleep per night. Nevertheless, because of the strong love I felt for my son, I was able to maintain close contact with John, generally seeing him at least four times a week. We enjoyed a warm and affectionate relationship.

13. That conditions within the Temple became so appalling and unbearable that I had to flee therefrom during the month of July, 1976. That I was not able to take my infant son John Victor Stoen with me because I feared physical harm would have been inflicted on both of us.

14. That since leaving the said Peoples' Temple, I made numerous attempts to secure the return of my son John Victor Stoen but without success.

15. That during the month of September 1976, the said Jim Jones told me that he would kill both my son John Victor Stoen and me if I attempted to take away John from the Temple.

16. That I deny that my son John Victor Stoer has been in Guyana on and off for the past three years. On or about the 2nd day of July 1977, I was informed by my husband Timothy O. Stoer that my son John Victor Stoer was in Guyana.

17. That I am informed that Jim Jones and other members of the Peoples' Temple claim custody of my son on the basis of a notarized parental consent executed by me before I left the church. At the time I signed the form it was treated as a very routine matter. It was explained to me that the form was necessary in the event that JOHN and I travelled separately or that he needed emergency care while I was away on church business. There was no suggestion that I was being requested to sign the form because I was an unfit mother. On the contrary, at the time I signed the form I was head counselor a position of considerable responsibility within the church.

18. In September, 1976 I personally notified Jim Jones that I wished JOHN'S return. My request was denied.. Therefore, when JOHN was removed from California, Jim Jones was aware that his removal was contrary to my wishes.

19. That on the 30th day of August 1977, I executed before a Notary Public, a Revocation of Previous Powers of Attorney And Authorizations Re Guardianship of the Minor Child John Victor Stoer. Hereto attached and marked "A" is the said Act of Revocation.

20. That by a registered letter dated the 14th day of October 1977, a copy of the said Act of Revocation was sent to Joyce Touchette. Hereto attached and marked "B" is a copy of the said letter written on my behalf by Mr. C.A.F. Hughes.

21. That my husband, Timothy O. Stoer, my son John Victor Stoer and I are all citizens of the United States of America. We have all been born in and have lived all/our lives, save for short periods, in the United States of America. Since my marriage my husband and I have lived all of our lives in California, United States of America and at the present time we both still live in California, United States of America. Neither my husband nor I have any intention of residing or living in Guyana.

U-I-C-1(72)

22. That in the premises I respectfully submit that the issue as to custody of the said infant should be determined by the Courts of the State of California, and that the said Jim Jones and/or Joyce Touchette should be ordered to deliver up my said son to me.

Acknowledgment - General:

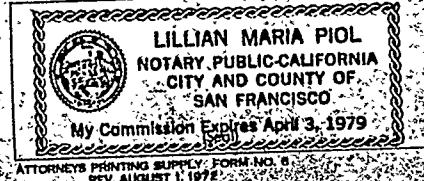
STATE OF CALIFORNIA,
County of SAN FRANCISCO

On November 29, 1977, before me, LILLIAN MARIA PIOL

a Notary Public whose principal place of business is in the County of SAN FRANCISCO

State of California, personally appeared GRACE L. STOEN

known to me to be the person named in the within instrument, and whose name is subscribed thereto, and acknowledged to me that he executed the same.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Lillian Maria Piol
LILLIAN MARIA PIOL, Notary Public