1 PATRICK SARSFIELD HALLINAN Hallinan & Blum 2 345 Franklin Street San Francisco, California 94102 3 Telephone: (415) 861-1151. Attorney for Defendant 5 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO 10 PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, a nonprofit corporation,) 740531 11 JEAN BROWN, and JAMES MCELVANE, DECLARATION BY DEFENDANT 12 Plaintiffs, OPPOSING APPLICATION FOR PRELIMINARY INJUNCTION 13 V., 14 TIMOTHY OLIVER STOEN, (CCP § 527) 15 Defendant. 16 .17 I, Timothy Oliver Stoen, declare: 18 1. I am the defendant herein. This declaration is made in 19 opposition to plaintiffs' application for a preliminary injunction. 20 2. Incorporated herein by reference are the following 21 verified pleadings filed in this action on behalf of defendant: 22 a. Answer to Complaint; 23 Declaration by Steven A. Katsaris, Opposing Application 24 for Preliminary Injunction ("Katsaris Declaration").; 25 c. Declaration of Wade B. Medlock and Mabel M. Medlock, Opposing Application for Preliminary Injunction ("Medlock Declaration"); BB-31-6-122

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3. I am an attorney admitted to practice law in the State of California.

4. As an attorney having a public trust, I am well aware of the rule pertaining to representation adverse to a former client. This rule has been stated by the California Supreme Court as follows:

The fact that an attorney has once acted in a professional capacity for a person does not preclude him from thereafter accepting a retainer to act adversely to his former client in a matter which has no reference to his previous employment \*\*\*.

Wutchumna Water Co. v. Bailey (1932) 216 C. 564, 571, 15 P.2d 505.

5. As an attorney I am well aware of another serious obligation, i.e., to represent "the cause of the defenseless or the oppressed." The California legislature, in enacting Section 6068 (h) of the California Business and Professions Code, made this an express duty:

It is the duty of an attorney:

- (h) Never to reject, for any consideration personal to himself, the cause of the defenseless or the oppressed.
- 6. James Warren Jones, also known as Jim Jones, is a necessary witness in these proceedings. Jim Jones was the president of plaintiff PEOPLES TEMPLE, and kept himself totally aware of all its business, until leaving the United States for Guyana in June 1977. Aside from me, only he was in a position to

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know whether I ever acquired, in any legal capacity or in any other capacity, any "confidential" or "secret" information connected with the subject matters of the three lawsuits mentioned in the complaint herein as filed by me. If Jim Jones were called to testify, and did so truthfully, he would testify that I was never consulted by PEOPLES TEMPLE on any subject matter connected with the aforesaid lawsuits, and that I never acquired, in any legal capacity or in any other capacity, from PEOPLES TEMPLE, or any authorized member thereof, any "confidential" or "secret" information connected with the aforesaid lawsuits. He would also testify that from September 5, 1976, until the present time I was never appointed, retained, or used as "counsel" for PEOPLES TEMPLE on any matter. He would also testify that I have never been retained or appointed as general counsel for PEOPLES TEMPLE even though, pursuant to a general requirement of PEOPLES TEMPLE, I donated my legal talents free of charge on routine matters, as a member of PEOPLES TEMPLE and not in an attorneyclient capacity. He would also testify that from March 2, 1970, when I joined PEOPLES TEMPLE, until February, 1977, I had a full-time job as an assistant district attorney.

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7. On June 12, 1977, I terminated all communication with plaintiff PEOPLES TEMPLE and its members. Since that date I have not visited or set foot in any PEOPLES TEMPLE building or facility. Since that date I have not had any consultations with, nor given any advice to (except to demand the return of my son), nor received any information from (except to receive threats),

plaintiffs PEOPLES TEMPLE or BROWN or McELVANE or any other member of PEOPLES TEMPLE.

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8. In April and May of this year, 1978, I was approached by four oppressed victims of illegal and savage practices of plaintiffs PEOPLES TEMPLE, BROWN, and McELVANE. These victims were: Steven A. Katsaris, Wade B. Medlock, Mabel M. Medlock, and James Cobb, Jr. I did not in any way "solicit" any business or employment from any of them. I did not accept employment from them "out of spite" or any personal vendetta. Rather, upon being asked by each of these victims to file a lawsuit on his or her behalf, I researched each matter carefully and concluded that each had been greatly wronged, that the liabilities of PEOPLES TEMPLE, BROWN, and McELVANE were clear beyond all reasonable doubt, and that the only question for a trier of fact was the amount of damages suffered. Accordingly, I thereupon filed the following three complaints, each of them verified by plaintiffs under penalty of perjury:

- a. STEVEN A. KATSARIS vs. JAMES WARREN JONES, PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, et al ("Katsaris lawsuit"); filed on May 16, 1978, in the Superior Court for the County of Mendocino, Civil Case No. 39911;
- b. WADE B. MEDLOCK and MABEL M. MEDLOCK, husband and wife, vs. JAMES WARREN JONES, PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, JAMES MCELVANE, et al ("Medlock lawsuit"); filed on June 7, 1978, in the Superior Court for the County of Los Angeles, Civil Case No. C243292; and

c. JAMES COBB, JR., vs. PEOPLES TEMPLE OF THE DISCIPLES OF CHRIST, JAMES WARREN JONES, JEAN F. BROWN, et al ("Cobb lawsuit"); filed on June 22, 1978, in the Superior Court for the City and County of San Francisco, Civil Case No. 739907.

3.

A copy of the Katsaris lawsuit is attached to the Katsaris declaration. A copy of the Medlock lawsuit is attached to the Medlock declaration. A copy of the Cobb lawsuit is attached to the Cobb declaration.

- 9. I did not in any way use any "confidential" or "secret" information acquired from PEOPLES TEMPLE or any member thereof in preparing or filing any of the aforementioned lawsuits, nor will I be "called upon" to do so. This is clear from the Katsaris declaration, the Medlock declaration, the Cobb declaration, and an analysis of the dates alleged in the complaints for the unlawful acts of PEOPLES TEMPLE.
- 10. In the Katsaris lawsuit, the dates alleged for the unlawful acts of PEOPLES TEMPLE are:

First Cause of Action (Libel): May 10, 1978; Second Cause of Action (Libel): April 12, 1978; and Third Cause of Action (Slander): September 20, 1977.

11. In the Medlock lawsuit, the dates alleged for the unlawful acts of PEOPLES TEMPLE and McELVANE are:

First Cause of Action (Conversion/Extortion): February
13, 1977;

Second Cause of Action (Intentional Infliction of Emotional Distress): January 20, 1978; and

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Third Cause of Action (Intentional Infliction of Emotional Distress): March 26, 1978.

 12. In the Cobb lawsuit, the dates alleged for the unlawful acts of PEOPLES TEMPLE and BROWN are:

First Cause of Action (Intentional Infliction of Emotional Distress): March 14, 1978;

Second Cause of Action (Intentional Infliction of Emotional Distress): March 14, 1978 and April 18, 1978;
Third Cause of Action (Libel): March 14, 1978;
Fourth Cause of Action (Libel): May 10, 1978; and
Fifth Cause of Action (Libel): May 15, 1978.

action show, then, that all except one occurred long after I severed my relationship to PEOPLES TEMPLE on June 12, 1977. The only exception is the act of conversion and extortion alleged by Wade and Mabel Medlock to have occurred on February 13, 1977, in Los Angeles, California. The truth is that I never consulted at any time with the Medlocks about the transfer of their properties to PEOPLES TEMPLE or anyone else. The truth is that I have never consulted with PEOPLES TEMPLE, BROWN, McELVANE, or any other member of PEOPLES TEMPLE about the transfer of the Medlock's properties. I never saw or talked with either Wade Medlock or Mabel Medlock from September 5, 1976 (the last meeting of PEOPLES TEMPLE I ever attended in the United States and the last time I

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visited PEOPLES TEMPLE in Los Angeles) until seeing them at a meeting of "Concerned Relatives" in Los Angeles on April 25, 1978.

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14. The complaint for injunction herein alleges specific facts of misuse of confidential information solely with respect to the Katsaris lawsuit. (As the points and authorities make clear the failure of plaintiffs to allege specific facts as to the Medlock lawsuit and the Cobb lawsuit means no injunction may legally issue as to them.) Declarant hereby refers to the answer to complaint, which shows that the allegations of paragraph VI of the complaint are totally false, perjured, and verified by a person in no position to know their truth or falsity.

15. Maria Katsaris, a member of PEOPLES TEMPLE, is a necessary witness in these proceedings. Aside from me, only she is in a position to know whether I advised her "in April or May, 1977" that she "should go to Guyana to avoid the possibility of her father's instituting conservatorship proceedings against her." Aside from me, only she is in a position to know whether in consultations with her I "obtained confidential information concerning her relationship with her father ... and certain sexual advances made by her father towards her when she was a child." These terribly serious charges constitute the only possible basis in the entire complaint for the issuance of an injunction, and ought not to be decided on the basis of hearsay, which is all Carol Stahl, as verifier of the complaint, had at best available to her.

If Maria Katsaris were called to testify, and did so truthfully, she would testify as follows: that I have not seen, consulted, or advised Maria Katsaris since leaving the United States on February 16, 1977; that she never mentioned to me ever any charge that her father molested her; that she and I never discussed conservatorships; that she was in the United States during all of April and May, 1977 (while I was out of the United States during all that time).

affidavit (unnotarized) signed by me which alleges that I was "unable" to sire a child and asked James Warren Jones to do so. Plaintiffs know that this document is totally false and spurious. (See birth certificate attached as Exhibit A; delivery room admission approval form attached as Exhibit B; urologist report attached as Exhibit C). Plaintiffs also know that this document is totally devoid of legal significance and that it could not be introduced in either of two custody proceedings, involving the same child, John Victor Stoen, brought in California and Guyana, respectively. (In the California proceeding, both Jones and I were named as parties before the Superior Court for San Francisco, which issued its order on November 18, 1977, awarding me joint legal custody along with my wife.)

In 1972 I signed the document at Jones' request as an act of trust and as a deterrent to my embarrassing the PEOPLES TEMPLE cause should I ever defect. As an idealist, I then believed that PEOPLES TEMPLE was the most promising organization to bring about

a utopian society. As a lawyer, I was well aware that there would be no legal effect to the document because it was signed after the birth of the child and because of the California law that a child born to husband and wife cohabiting together "is conclusively presumed to be a child of the marriage." California Evidence Code, \$621; California Civil Code, \$7004(a).

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I left Georgetown, Guyana, on June 12, 1977, with the intention of returning in two to six weeks. I came to the United States to take a vacation and see my family and friends. first part of July I met with my estranged wife, Grace, and others They informed me of things that conwho had left PEOPLES TEMPLE. vinced me that Jim Jones had changed and was no longer the person I had previously esteemed. Shortly thereafter an article appeared in "New West" magazine criticizing the church and its practices. (A copy of this article is attached as Exhibit D and made a part hereof.) I realized the charges were substantially true and that I could no longer defend PEOPLES TEMPLE or Jim Jones. knew that my failure to defend the church would result in my being very much distrusted upon my return to Guyana. I realized that Jones was becoming increasingly ruthless and that it would be very difficult, maybe impossible, to go to Guyana and bring my son back safely.

My plan was to defend Jones and PEOPLES TEMPLE on individual points when I could in good conscience do so, which I did. (See Exhibit A of complaint.) I thought Jones would soon be returning to the United States from Guyana and that he would need my services

as an intermediary. I hoped he would see that I had remained loyal to the values (espoused by PEOPLES TEMPLE) of social justice, economic fairness, and racial brotherhood even though I was no longer a member. In return for my services and my remaining loyal to these values, Jones would, I thought, bring my son back without a court fight. Jones never returned.

In late October I decided I would have to fight Jones and PEOPLES TEMPLE in the courts to get my son. On November 18, 1977 I testified accordingly in the above-mentioned action. Even before that, as soon as I had made it clear to Jones that I was taking this route, a number of harrassing events happened in my life, continuing up until the present, all of which I believe were caused by PEOPLES TEMPLE upon the instructions of Jim Jones.

I have not filed any lawsuit against plaintiffs because of any personal vendetta. I am, however, very much opposed to the practice of PEOPLES TEMPLE and Jim Jones. I believe that his members, including BROWN and McELVANE, are "mind-programmed" by Jones. I believe that Jim Jones has lost the capacity for self-criticism. I believe that he is willing to murder all 1100 people now living under his dictatorial control in Jonestown, Guyana. I believe Jim Jones and PEOPLES TEMPLE do not respect human rights or individual rights of any type, but that the collective is all-important. I believe that Jim Jones has delusions of grandeur and has a totally irrational and paranoid fear that everyone is out to get him. I do not wish Jim Jones or PEOPLES TEMPLE destroyed. What I want with all my heart is the return of my beloved son, John Victor Stoen. Secondly

I want the 1100 people in Guyana living under the control of Jones to be given the choice to return home.

PEOPLES TEMPLE, I have purposefully remained rational and nonvindictive. I am aware of two cardinal principles: (1) "That which goes around comes around", and (2) vindictiveness breeds counterproductive judgments. Therefore I am working through the Congress, the State Department, the Guyana courts, and the public to pressure Jones to return my son. I have no intention to file unmeritorious suits and thereby risk losing the momentum already established. In fact, I was at first reluctant to file any of these suits, but I did so recognizing my obligation as an attorney to defend the oppressed, and as a human being to expose wrongdoing.

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VERIFICATION I, the undersigned, say: I am a party to this action; the above document is true of my own knowledge, except as to the matters that are stated in it on my information and belief, as as to those matters, I believe 6 them to be true. 8 , 1978, at San August 3 9 Executed on Francisco , California. 11 I declare under penalty of perjury that the above is 12 true and correct. 14 Timothy Oliver Stoen 15 16 17 18 19 20 21 22 23 24 25

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WALTER C. CLOWERD, M.D. PUBLIC HEALTH CIFICER

#### SONOMA COUNTY PUBLIC HEALTH SERVICE

FEBRUARY 1, 1972

3313 CHANATE ROAD BANTA ROSA, CALIFORNIA 95404 PHONE: 527-2605

IMPORTANT NOTICE: YOUR BABY'S BIRTH CERTIFICATE HAS BEEN FILED IN THIS OFFIGE. THE INFORMATION BELOW IS A COPY OF PART OF THIS CERTIFICATE. IF THE INFORMATION SHOWN IS INCORRECT OR INCOMPLETE: PLEASE MOTIFY OUR VITAL STATISTICS SECTION WITHIN SEVEN DAYS OF ABOVE DATE. PHONE 527-2278.

Although this notice will not take the place of an official certified copy of the birth certificate, it may serve as a record for some purposes and should be preserved. An order form to use in ordering a certified copy is attached. There is a charge of \$2.00 for each certified copy.

In order to safeguard this birth record a permanent copy is kept in our records. The original certificate is sent to the State Registrar of Vital Statistics in Sacramento.

If you have any questions about these matters, I hope you will not hesitate to call upon us.

Very truly yours,

WALTER C. CLOWERS, M.D. Fublic Health Officer

4900-170 CERTIFICATE OF LIVE BIRTH STATE S'PIA CERTIFICATE NUVOER STATE OF CALIFORNIA---DEPARTMENT OF PUBLIC HEALTH LOCAL REGISTRATION EISTRICT AND CERTIFICATE HUMBED A NAME OF CHILD-FIRST HAME IS. LAST NAME JOHN VICTOR STOEN THIS 2. SEX 34 THES BUTH, SINGLE THIR. 38 IF THIN OR TRIPLET, THE CHILD BUPH IST, ZND 3PD? 44 DATE OF BIRTH-HOVIN CAY, YEAR 4. HOUR MALE -JANUARY 25, 1972 2:16PM SA PLACE OF BIRTH-HAME OF HOSPITAL Se. STREET ADDRESS (STREET, AND HUMBER, OR LOCATION Sc. UNSIDE CITY CORPO PLACE OF BIRTH SANTA ROSA MEMORIAL HOSPITAL 1165 MONTGOMERY DRIVE 50. CITY OR TOYIN SE. COUNTY SONOMA SANTA ROSA GAL MAIDEN NAME OF MOTHER—FIRST MARE GO MIDDLE NAME SC. LAST NAME (MAIOES SUPPARE) 7. BIRTHPLACE ESTATE OR FORTISH COUR SAN FRANCISCO, C GRACE LUCY GRECH MOTHER COLOR OR RACE OF NOTHER STACES TODALS OAD NO 6300 EASTSIDE CALPELLA ROAD OF CHILD CAUCASTAN 21 100 RESIDENCE OF MOTHER-COUNTY OC RESIDENCE OF MOTHER-CITY OF TOWN IOL RESIDENCE OF MOTHER-STATE MENDOCINO UKIAH CALIFORNIA 9548 IIA. NANE OF FATHER—FIPST HAVE II: LAST NAME 12. BIRTHPLACE ISTATE OR FOREIGN COU He MIDDLE NAME MILWAUKEE, WISCON TIMOTHY OLIVER STOEM FATHER OF CHILD 3 AGE OF FATHER LAT THE OF THIS BIRTHS 14. COLOR OR RACE OF FATHER SA. PRESENT OR LAST OCCUPATION 15. KIND OF INDUSTRY OR BUSINE 34 SS't DIST. ATTORNEY CAUCASIAN LEGAL INFORMANT'S CERTIFICATION LVIENCO ÀND DONES BY INFORM i merfor certify that 1 maje reitend the about Stated information as D teat it the and con Pect to the sect of he rounded 17:2011 HEREBY CERTIFY THAT I ATTENDED THIS BIRT ATTENDANT'S CERTIFICATION SVORA DATE AND PLACE STATED ABOVE SCHOLLSTON DISCHILLS IN LOCAL REGISTRAR EXHIBIT

## CONSENT TO ADMISSION OF EXPECTANT FATHER TO DELIVERY ROOM

roam of SANTA ROSA		Hospital during the bitth of the child.
# this request is granted, the undersignand to comply with all of the orders and di		onform to all the rules and regulations of the Hospital physician
and procedures of the Hospital in the deliver of the medical procedures to be performed as the attending physician and his associ	ry room and has been the I, and the undersigned rel	structed by the attending physician as to the practices proughly informed as to the nature and consequences leases the Hospital, its employees and agents, as well instibility in the event the husband's attendance in the Husband  Husband  Husband  Wife (patient)
Dois: January 25, 1972	· .	. <b></b>
Time: 1125 A.M. CERTIFIC	ATE OF ATTEN	IDING PHYSICIAN

I hereby certify that I am the attending physician of the above named patient; that I have examined the patient and conferred with both the patient and her husband, and that it is my opinion that the patient and her husband fully understand the nature of the husband's admission to the delivery room and the rules and regulations of the Hospital, as well as the nature and consequences of the medical procedures to be performed. It is my further opinion that the attendance

of the husband during the birth of the child will not be detrimental to the patient, the child, or the husband.

BB-31-6-135

EXHIBIT B

FRANK DE M. HILL, M.D. UROLOGY 8838 CALIFORNIA STREET-SUITE 803 SAN FRANCISCO, CALIFORNIA 94118

TELEPHONE (415) 668-3600

February 27, 1978

Mr. Timothy O. Stoen 2731 Woolsey Street Berkeley, California 94705

Dear Mr. Stoen:

At your request, I am sending along a summary of the urological findings as of your visit with me on February 22, 1978.

As you will recall, we discussed the length of your marriage and the separation and the other events which are of great concern to you regarding the establishment of the paternity for your boy. I will merely mention that you have had no past urologic symptoms nor a previous semen analysis and that voiding at the present time is normal, erections are described by you as within normal limits, as is ejaculation.

It was my feeling that the past history was not relevant to the present problem.

On examination, the abdomen and genitalia were unremarkable. On rectal examination, the sphincter tone was intact, the rectal ampulla clear, the prostate was small and clinically benign, and the prostatic expressate was microscopically clear.

The urinalysis and stain of sediment were within normal limits. A samen specimen (delivered in the office) showed a 3 cc. volume with 80,000,000 sperm per cc., about 95% excellent directional motility, fewer than 10% abnormal forms, and these primarily microheads. There was about 65% motility at three hours.

It was my impression that this specimen appeared to be within the limits of normal.

Very sincerely yours,

Frank DeM. Hill, M.D.

FDH:jh cc: Roger Kimball, M.D.

350 Parnassus San Francisco, California 94117

BB-31-6-136

EXHIBIT C

# Inside Peoples Temple

By Marshall Kilduff and Phil Tracy

"... Jim Jones is one the state's most politically potent leaders. But who is he? And what's going on behind his church's locked doors?..."

For Rosalynn Carter, it was the last stop in an early September campaign tour that had taken her over half of California, a state where her husband Jimmy was weak. So Rosalynn gamely encouraged the crowd of 750 that had gathered for the grand opening of the San Francisco Democratic party head-quarters in a seedy downtown storefront. She smiled brayely despite the hoar.

She smiled bravely despite the heat.

Mrs. Carter finished her little pep talk to mild applause. Several other Democratic bigwigs got polite receptions, too. Only one speaker aroused the crowd: he was the Reverend Jim Jones, the founding pastor of Peoples Temple, a small community church located in the city's Fillmore section. Jones spoke briefly and avoided endorsing Carter directly. But his words were met with what seemed like a wall-pounding outpour. A minute and a half later the cheers died down.

and a half later the cheers died down.
"It was embarrassing." said a rally
organizer. "The wife of a guy who was
going to the White House was shown up
by somebody named Jones."

If Pacalum Corter was superficed, she

If Rosalynn Carter was surprised, she shouldn't have been. The crowd belonged to Jones. Some 600 of the 750 listeners were delivered in temple buses an hour and a half before the rally. The organizer, who had called Jones for help, remembered how gratified she'd felt when she first saw the Jones followers spilling off the buses. "You should have seen it—old ladies on crutches, whole families, little kids, blacks, whites. Made to order," said the organizer, who had correctly feared that without Jones Mrs. Carter might have faced a half-empty room.

faced a half-empty room.
"Then we noticed things like the bodyguards," she continued. "Jones had

his own security force [with him], and the Secret Service guys were having fits." she said. "They wanted to know who all these black guys were, standing outside with their arms folded."

The next morning more than 100 letters arrived. "They were really all the same," she said, "'Thanks for the rally, and, say, that Jim Jones was so inspirational.' Look, we never get mail, so we notice one letter, but 100?" She added, "They had to be mailed before the rally to arrive the next day."

But what surprised that organizer was really not that special. She just got a look at some of the methods Jim Jones has used to make himself one of the most politically potent religious leaders in the history of the state.

Jim Jones counts among his friends several of California's well-known public officials. San Francisco mayor George Moscone has made several visits to Jones's San Francisco temple, on Geary Street, as have the city's district attorney Joe Freitas and sheriff Richard Hongisto. And Governor Jerry Brown has visited at least once. Also, Los Angeles mayor Tom Bradley has been a guest at Jones's Los Angeles temple. Lieutenant Governor Mervyn Dymally went so far as to visit Jones's 27,000-acre agricultural station in Guyana, South America, and he pronounced himself impressed. What's more, when Walter Mondale came campaigning for the vice-presidency in San Francisco last fall. Jim Jones was one of the few people invited aboard his chartered jet for a private visit. Last December Jones was appointed to head the

city's Housing Authority Commission.

The source of Jones's political clout is not very difficult to divine. As one politically astute executive puts it: "He controls votes." And voters. During San Francisco's run-off election for mayor in December of 1975.

members walked precincts to get out the vote for George Moscone, who won by a slim 4,000 votes. "They're well-dressed, polite and they're all registered to vote," said one Moscone campaign official.

Can you win office in San Francisco without Jones? "In a tight race like the ones that George or Freitas or Hongisto had, forget it without Jones," said State Assemblyman Willie Brown, who describes himself as an admirer of Jones's.

Jones, who has several adopted children of differing racial backgrounds, is more than a political force. He and his church are noted for social and medical programs, which are centered in his three-story structure on Geary Street. Temple members support and staff a free diagnostic and outpatient clinic, a physical therapy facility, a drug program that claims to have rehabilitated some 300 addicts and a legal aid program for about 200 people a month. In addition, the temple's free dining hall is said to feed more indigents than the city's venerable St. Anthony's dining room. And temple spokesmen say that these services to the needy are financed internally, without a cent of government or foundation money.

Jones and his temple are also applauded for their ardent support of a free press. Last September, Jones and his followers participated in a widely publicized demonstration in support of the four Fresno newsmen who went to jail rather than reveal their confidential news sources. The temple also contributed \$4,400 to twelve California news papers—including the San Francisce Chronicle—for use "in the defense of free press," and once gave \$4,000 to the defense of Los Angeles Times reported Bill Farr, who also went to jail for refuling to name a news source.

Fruncisco's run-off election for mayor in
December of 1975, some 150 temple temple makes regular contributions

San Francisco Chronicle Reporter Marshall Kilduff and New West contributing editor Phil Tracy were assisted by freelance newsman George Klineman.



The boly bost: At a 1976 temple lanch, Reverend Jones sat between two friends, S.F. mayor Moscone (left) and Lieutenant Governor Dynally

several community groups, including the Telegraph Hill Neighborhood Center and Health Clinic, the NAACP, the ACLU and the farmworkers' union. When a local pet clinic was in trouble. Peoples Temple provided the money needed to keep it open. The temple has also set up a fund for the widows of slain policemen, and the congregation runs an escort service for senior citizens.

To many, the Reverend Jim Jones is the epitome of a selfless Christian

The reverend was born James Thurman Jones, and grew up in the Indiana town of Lynn. While attending Butler University in Indianapolis, where he received his degree in education. Jones opened his first temple (in downtown Indianapolis). Although he had no formal training as a minister and was not affiliated with any church, his temple grew. It featured an active social program, including a "free" restaurant for the down-and-out. And the congregation was integrated, a courageous commitment in the years before Martin Luther King became a national figureparticularly in Indianapolis, once the site of the Ku Klux Klan's national

Then at around Christmas of 1961.

according to a former associate named Ross Case, Jones had a vision. He saw Indianapolis being consumed in a holocaust, presumably a nuclear explosion. Fortunately for him. Esquire had just run an article on the nine safest spots in the event of nuclear war. Eureka, California, was called the safest location; another safe area was Belo Horizante. Brazil. Jones headed for Belo Horizante. and Case went to Northern California.

Jones eventually returned and visited Case in Ukiah, Jones liked California, and twelve years ago this month, he and his wife Marceline incorporated Peoples Temple in California: Jones and some 100 faithful settled in Redwood Valley, a hamlet outside Ukiah.

Jones's congregation grew, and he soon became a political force in Mendocino County. In off-year elections. where the total vote was around 2,500. Jones could control 300 to 400 ballots, or nearly 16 percent of the vote. "I could show anybody the tallies by precinct and pick out the Jones vote," says Al Barbero, county supervisor from Redwood Valley.

Then, in 1970, Jones started holding services in San Francisco; one year later he bought the Geary Street temple. And later that same year, he expanded to Los

Angeles by taking over a synagogue on South Alvarado Street.

One success followed another, and his flock grew to an estimated 20,000. Jones's California mission seemed blessed.

Although Jones's name is well-known. especially among the politicians and the powerful, he remains surrounded by mystery. For example, his Peoples Temple has two sets of locked doors, guards patroling the aisles during services and a policy of barring passersby from dropping by unannounced on Sunday mornings. His bimonthly newspaper, Peoples Forum, regularly exalts socialism, praises Huev Newton and Angela Davis and forecasts a government takeover by American Nazis, And though Jones is a white fundamentalist minister, his congregation is roughly 80 percent to 90 percent black.

How does Jones manage to appeal to so many kinds of people? Where does he get the money to operate his church's programs, or maintain his fleet of buses, or support his agricultural outpost in Guyana? Why does he surround himself with bodyguards -- as many as lifteen at a time? And above all, what is going on behind the locked and guarded doors of

Peoples Temple?

# the Temple Speak Out

Beginning two months ago, when it became known that New West was researching an article on Peoples Temple. the magazine, its editors and advertisers were subjected to a bizarre letter-andtelephone cumpaign. At its height, our editorial offices in San Francisco and Los Angeles were each receiving as many as 50 phone calls and 70 letters a day. The great majority of the letters and calls came from temple members and Mercyn Dymally, Delancey Street founder John Maher, San Francisco businessman Cyril Magnin, and savings and loan executive Anthony Frank. The messages were much the same: We hear New West is going to attack Jim Jones in print; don't do that. He's a good man who does good works.

The flood of calls and letters attracted

supporters, as well as such prominent Californians as Lieutenant Governor newsman Bill Barnes to report the campaign in the San Francisco Examiner. The Examiner also reported an unconfirmed break-in one week later at our San Francisco office.

After the Barnes article, we began getting phone calls from former temple members. At first, while insisting on anonymity, the callers volunteered "background" about Jim Jones's "cruel-

## "... Peoples Temple members beat his sixteen-year-old daughter so badly, says Elmer Mertle, that 'her butt looked like hamburger' . . . "

ty" to congregation members, in addition to making several other specific charges.

We told the callers that we were not interested in such anonymous whispers. But then a number of them, like Deanna and Elmer Mertle, called back and agreed to meet in person, to be photographed, and to tell their attributed

stories for publication.

Based on what these people told us. life inside Peoples Temple was a mixture of Spartan regimentation, fear and selfimposed humiliation. As they told it, the Sunday services to which dignituries were invited were orchestrated events. Actually, members were expected to attend services two, three, even four nights a week-with some sessions lasting until daybreak. Those members of the temple's governing council, called the Planning Commission, were often compelled to stay up all night and submit regularly to "catharsis"-an encounter process in which friends, even mates, would criticize the person who was "on the floor." In the last two years, we were told, these often humiliating sessions had begun to include physical beatings with a large wooden paddle, and boxing matches in which the person on the floor was occasionally knocked out by opponents se-lected by Jones himself. Also, during regularly scheduled "family meetings." attended by up to 1,000 of the most devoted followers, as many as 100 people were lined up to be paddled for such seemingly minor infractions as not being attentive enough during Jones's sermons. Church leaders also instructed certain members to write letters incriminating themselves in illegal and immoral acts that never happened. In addition, temple members were encouraged to turn over their money and property to the church and live communally in temple buildings: those who didn't ran the risk of being chastised severely during the catharsis sessions.

In all, we interviewed more than a dozen former temple members. Obviously they all had biases. (Grace Stoen. for example, has sued her husband, a temple member, for custody of their five-year-old son John. The child is reportedly in Guyana.) So we checked the verifiable facts of their accounts—the property transfers, the nursing and foster home records, political campaign contributions and other matters of public record. The details of their stories checked out.

One question, in particular, troubled us: Why did some of them remain mem-

bers long after they became disenchanted with Jones's methods and even fearful of him and his bodyguards? Their answers were the same-they feared reprisal, and that their stories would not be believed.

The people we interviewed are real: their names are real. They all agreed to be tape-recorded and photographed while telling their side of the Jim Jones

#### Elmer and Deanna Mertle of Berkeley

After Elmer and Deanna Mertle joined the temple in Ukiah in Novem-



They beat his daughter badly: Elmer Mertle.

ber, 1969, he quit his job as a chemical technician for Standard Oil Company, sold the family's house in Hayward and moved up to Redwood Valley. Eventually five of the Mertle's children by previous marriages joined them there.

When we first went up [to Redwood Valley]. Jim Jones was a very compassionate, person," says Deanna. taught us to be compassionate to old people, to be tender to the children.

But slowly the loving atmosphere gave way to cruelty and physical punish-ments. Elmer said. "The first forms of punishment were mental, where they would get up and totally disgrace and humiliate the person in front of the whole congregation. . . . Jim would then come over and put his arms around the person and say, 'I realize that you went through a lot, but it was for the cause. Father loves you and you're a prophet," said Birdie Marable, a beauti-stronger person now. I can trust you cian who was first attracted to Jones in

more now that you've gone through this and accepted this discipline.

The physical punishment increased, too. Both the Mertles claim they received public spankings as early as 1972—but they were hit with a belt only "about three times." Eventually, they said, the belt was replaced by a paddle and then by a large board dubbed "the board of education." and the number of times adults and finally children were struck increased to 12, 25, 50 and even 100 times in a row. Temple nurses treated the injured.

At first, the Mertles rationalized the beatings, "The [punished] child or adult would always say, 'Thank you, Father,' and then Jim would point out the next week how much better they were. In our minds we rationalized . . . that Jim must be doing the right thing because these people were testifying that the beatings had caused their life to make a reversal

in the right direction.

Then one night the Mertles' daughter Linda was called up for discipline because she had hugged and kissed a woman friend she hadn't seen in a long time. The woman was reputed to be a lesbian. The Mertles stood among the congregation of 600 or 700 while their daughter, who was then sixteen, was hit on her buttocks 75 times. "She was beaten so severely," said Elmer, "that the kids said her butt looked like hamburger."

Linda, who is now eighteen, confirms that she was beaten: "I couldn't sit down for at least a week and a half.

The Mertles stayed in the church for more than a year after that public beating. "We had nothing on the outside to get started in." says Elmer. "We had given [the church] all our money. We had given all of our property. We had given up our jobs."

Today the Mertler live in Recketsy.

Today the Mertles live in Berkeley. According to an affidavit they signed last October in the presence of attorney Harriet Thayer, they changed their names legally to Al and Jeanne Mills because. at the church's instruction. "we had signed blank sheets of paper, which could be used for any imaginable purpose, signed power of attorney papers. and written many unusual and incrimi-nating statements [about themselves], all of which were untrue.

#### Birdie Marable of Ukiah

"I never really thought he was God. fike he preached, but I thought he was a

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1968 because her husband had a liver ailment. She had hoped Jones might be the healer to save him.

On one of the trips to services in Redwood Valley. Marable noticed Jones's aides taking some children aside and asking, "What color house did my friend have, things like that," she says, "Then during the services, Jim called Jone woman Jout and told her the answers that the children had given as though no one had told him."

She became skeptical of Jones after that, and remained skeptical when her husband's health did not improve: the cancer "cures" Jones was performing seemed phony to her. Yet eventually she moved to Ukiah and ran a rest home for temple members at Jim's suggestion.

One summer she was talked into taking a three-week temple "vacation" through the South and East. "Everybody paid \$200 to go on the trip, but I told them I wasn't able to do so," she added.

The temple buses were loaded up in San Francisco, and more members were packed aboard in Los Angeles. "It was terrible. It was overcrowded. There were people sitting on the floor, in the luggage rack, and sometimes people [were] underneath in the compartment where they put the bags," she said. "I saw some things that really put me wise to everything," she added. "I saw how they treated the old people." The bathrooms were frequently stopped up. For food, sometimes a cold can of beans was opened and passed around.

"I decided to leave the church when I got back. I said when I get through telling people about this trip, ain't nobody going to want to go no more. [But] as soon as we arrived back. Jim said... don't say nothing." She left the church in silence.

#### Wayne Pietila of Petaluma And Jim and Terri Cobb of San Francisco

Wayne Pietila and Jim Cobb guarded the cancers. "If anyone tried to touch them, we were supposed to eat the cancers or demolish the guy," said Cobb, who is six-feet, two-inches tall. Pietila was licensed by the Mendocino County Sheril's Department to carry a concealed weapon; reportedly he was one of several Jones aides with such a permit.

It was during the Redwood Valley healing sessions in 1970, when nervous hope for relief from the pains of age spread among the congregation, that Cobb and Pictila would guard the cancers. Finally Jones would ask for someone who believed herself to be suffering from cancer. That was the signal for Cobb's sister. Terri, to slip into a side restroom and shoo out whoever might be

THE REAL PROPERTY.

there. Then Jones's wife Marceline and a trembling excited old woman would disappear into the stall for a moment. Marceline would emerge holding a foulsmelling scrap of something cupped in a napkin a cancer "passed." Marceline and the old woman would return to the main room to screams, applause, a thunder of music, Jim Jones had healed again.

But one time. Terri got a chance to look into the "cancer bag." "It was full of napkins and small bits of meat, individually wrapped. They looked like chicken gizzards. I was shocked."

Wayne Pietila recalled another healing incident. On the eve of a trip to Seattle in 1970 or 1971, as Jones was leaving his house, a shot cracked out and he fell. "There was blood all around and people (were) screaming and crying, just hysterical." Jones was lifted to his feet and helped to his house. A few minutes



They took her best watch: Laura Cornelious, ..

later, Jones walked out of the house with a clean shirt on. "He said he'd healed himself." Pictila said. "He used [the incident] for his preaching during the whole Seattle trip."

#### Micki Touchette of San Francisco

The Touchette family followed Jones to California in 1970. They lived in Stockton for a while, then moved up to Redwood Valley, where they bought a house and converted it into a home for emotionally disturbed boxs.

emotionally disturbed boys.

During 1972 and 1973 Micki and other temple members were expected to travel to Los Angeles services every other weekend. One of her jobs was to count the money after offerings. Micki, a junior-college graduate, had the combination to the temple's Los Angeles safe. She says, "It was very simple to take in \$15,000 in a

weekend, and this was [four] years ago. [To encourage larger offerings. Jones] would say, "We folks, we've only collected \$500 or \$700," and we would have [in reality] several thousand."

In addition to attending Wednesday night family meetings and weekend services. Micki also was part of letterwriting efforts directed by church officials. "We'd write various politicians throughout the state, throughout the country, in praise of something that they had done. I wrote Nixon, wrote Tunney: I remember writing the chief of the San Francisco Police Department," she said, Micki, who lived in temple houses apart from her parents, would often be handed a sheet listing the points she would have to include in the letter. "It would tell you how and what to say and you'd word it yourself." She says she also would regularly use aliases she made up.

When Micki left the church in 1973 along with seven other young people, including Terri and Jim Cobb and Wayne Pietila, none warned their parents or other relatives. "We felt that our parents, our families... would just fight us and try to make us stay." Furthermore, they were all frightened. "At one point we had been told that any college student who was going to leave the church would be killed... not by Jones, but by some of his followers." Both Terri and Cobb recall the statement being made—by Jones.

#### Walter Jones of San Francisco

When Walt Jones, who never believed in the church, followed his wife Carol to Redwood Valley in 1974. Jim Jones asked them to take over a home for emotionally disturbed boys. The home belonged to Charles and Joyce Touchette. Micki Touchette's parents. Walt says he was told that the Touchettes were in Guyana, and that the people who had replaced them. Rick and Carol Stahl, had done such a poor job that "the care home, at that time, was under surveillance of the authorities because of the poor conditions.' Some of the boys had scabies due to the filth."

In 1974 and early 1975, before Walt and his wife were granted a license to run the home, county checks (of approximately \$325 to \$350 per month for each child) for the upkeep of the boys were made out to the Touchettes and cashed by a church member who had their power of attorney. "The checks," said Walt, "were turned over to someone in charge of all the funds [for the church's care homes] at the time. [The temple] allotted us what they felt were sufficient funds for the home and supplied us with foodstuffs and various articles of clothing." Jones says the food was mostly canned staples, and the clothes

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### Jones held a snake close to the terrified old woman. 'Viola screamed,' said a member. 'And he still held that snake there' . . . "

were donations from other temple members. Walt is uncertain how much of the approximate total of \$2,000 a month of county funds earmarked for the upkeep of his boys actually ended up in his hands; his wife kept the books. But, he claimed, "it was very inadequate."

After the Joneses were granted their own license in 1975, the checks from the Alameda County Probation Department (which placed the boys in the home) were made out to him and his wife. "But still the church requested that we turn over what remained of the funds," says Walt Jones. "Approximately \$900 to \$1,000 [per month] were turned over to the church." And he added, "I do remember that there were times when all of the checks were signed over to the church."

#### Laura Cornelious of Oakland

Laura Cornelious was one of the privates in the Peoples Temple's army. She was in the temple about five years before leaving in 1975-just one of dozens of elderly black grandmothers who attend each meeting of the San Francisco Housing Authority Commission that Jim Jones chairs.

The first thing that bothered her was the constant requests for money. "After I was in some time." she says, "it was made known to us that we were supposed to pay 25 percent of our earnings (the usual sum, according to practically all the former members that we interviewed]." It was called "the commit-ment." For those who could not meet the commitment, she says, there were alternatives, like baking cakes to sell at Sunday services—or donating their jew-elry. "He said that we didn't need the watches-my best watch," she recalls sadly. "He said we didn't need homesgive the homes, furs, all of the best things you own.

Some blacks gave out of fear-fear that they could end up in concentration camps. The money was needed, she was told, "to build up this other place [Guyana-the 'promised land'], so we would have someplace to go whenever they [the fascists in this country] were going to destroy us like they did the Jews. [Jones said] that they would put [black people] in concentration camps, and that they would do us like the Jews ... in the gas ovens."

Laura Cornelious was also bothered by the frisking of temple members (but never dignitaries) before each service. "You even were asked to raise up on your

toes [to check] your shoes."

The final straw, she says, came the night Jones brought a snake into the services. "Viola . . . she was up in age, in her eighties, and she was so afraid of snakes and he held the snake close to her [chest] and she just sat there and screamed. And he still held it there.

#### Grace Stoen of San Francisco

Grace Stoen was a leader among the temple hierarchy, though she was never a true believer. Her husband Tim was the temple's top attorney, and one of its first prominent converts. Later, while still a church insider, he became an



They have her five-year-old boy: Grave Stoen.

assistant D.A. of Mendocino County, and then an assistant D.A. under San Francisco D.A. Joe Freitas. Tim resigned to go to Jones's Guyana retreat in April of this year.

Grace agreed to join the temple when she married Tim in 1970, and gradually she acquired enormous authority. She was head counselor, and at the Wednesday night family meetings, she would pass to Jones the names of the members to be disciplined.

She was also the record keeper for seven temple businesses. She paid out from \$30,000 to \$50,000 per month for the auto and bus garage bills and also doled out the slim temple wages. And she was one of several church notaries. She kept a notary book, a kind of log of documents that she officially wit- Commission, and then internessed-pages of entries including assure him the chairmanship. power-of-attorney statements, deeds of Strangely. as Jones's successes trust, guardianship papers, and so on, mounted, so did the pressures inside his

signed by temple members and officials.

She recalled why Jones decided to aim for Los Angeles and San Francisco. "Jim would say, 'If we stay here in the valley, we're wasted. We could make it to the hig time in San Francisco.'

And expanding to Los Angeles, Jones told his aides, "was worth \$15,000 to \$25,000 a weekend.

During the expansion in 1972, members would pile into the buses at 5 P.M. on a Friday night in Redwood Valley. stop at the San Francisco temple for a meeting that might last until midnight and then drive through the night to arrive in Los Angeles Saturday in time for six-hour services. On Sunday, church would start at 11 A.M. and end at 5 P.M. Then, the Redwood Valley members would pile back on the buses for the long trip home; they would arrive by davbreak Monday.

Some of the inner circle, like Grace Stoen, rode on Jim's own bus, number seven. "The last two seats and the whole back seat were taken out and a door put across it," she said. "Inside there was a refrigerator, a sink, a bed and a plate of steel in the back so nobody could ever shoot Jim. The money was kept back there in a compartment." According to attendance slips she collected, the other 43-seat buses sometimes held 70 to 80 riders.

Jones's goal in San Francisco, Grace said. was to become a political force. His first move was to ingratiate himself with fellow liberal and leftist figures-D.A. Freitas, Sheriff Hongisto, Police Chief Charles Gain, Dennis Banks, Angela

Sometimes Jones nearly tripped up. Once, said Grace, when Freitas and his wife dropped in unexpectedly, temple aides quickly pulled them into a side from and sent word to Jones in the upstairs meeting hall. Just in time. The pastor was wrapped up in one of his "silly little things," said Grace. "He was having everybody shout 'Shit! Shit! Shit! to teach them not to be so hypo-critical." When Freitas was shown in. everyone just laughed at the puzzled district attorney. (D.A. Freitas confirms making an unexpected visit to the temple, but does not recall anyone using the word shit.)

Jones became impatient at the pace of his success. Eventually Mayor Moscone placed Jones on the Housing Authority Commission, and then intervened to

temple. "We were going to more and more meetings," said Stoen, "[And] if anyone was getting too much sleep-say, six hours a night-they were in trouble." On one occasion, she said, a man was vomited and urinated on.

temple bus trip, her morale was ebbing lower, her friends were muttering about her, and there were rumors that Jones was unhappy with a number of memn one occasion, she said, a man was bers."I packed my thingsand left [with-omited and urinated on.

In July of 1976, after a three-week He'd tell Jim."

She drove to Lake Tahoe and spent the July Fourth weekend lying on a warm beach. She dug her toes in the sand, stretched her arms and tried to relax. "But every time I turned over, I looked around to see if any of the church members had tracked me down.

# Why Jim Jones Should Be Investigated

It is literally impossible to guess how much money and property people gave Jim Jones in the twelve years since he moved his Peoples Temple to California. Some, like Laura Cornelious, gave small things like watches or rings. Others, like Walt Jones, sold their homes and gave the proceeds to the temple.

According to nearly all the former temple members that we have spoken with, extensive, continuous pressure was put on members to deed their homes to the temple. Many complied. A brief reading of the records on file at the Mendocino County recorder's office shows that some 30 pieces of property were transferred from individuals to the temple during the years 1968 to 1976. Nearly all these parcels were recorded as

Interestingly, several of the "gifts" were signed or recorded improperly. The deed to a piece of property signed by Grace and Timothy Stoen was notarized on June 20, 1976. Grace Stoen told New West that on that date, when she was supposed to be in Mendocino signing the deed before a temple notary, she and several hundred temple members were in New York City. Grace Stoen said she signed the deed under pressure from her husband, Tim, months before it was notarized. And similar irregularities appear on a deed the Mertles turned over to the temple. A thorough investigation of the circumstances surrounding the transfers of the properties is clearly required.

in the last few issues of Peoples Forum. the temple newspaper, there are several references to the claim that 130 disturbed or incorrigible youths were being sent to the temple's Guyana mission. A church spokesman confirmed that these youngsters were released to the temple by "federal courts, state courts, probation departments" and other agencies. An article in the July issue of the temple newspaper on the Guyana mission's youth program reports that. "In certain

produced the necessary change." The article goes on to describe a "wrestling match" that sounds all too similar to the "boxing matches" some former temple members described. If there is even the slightest chance of mistreatment of the 130 youths the temple claims to have under its guidance in Guyana, a complete investigation by both state and federal authorities would be required.

An investigation of the "care homes"

run by the temple or temple members in Redwood Valley may also be in order. Both Walt Jones and Micki Touchette have stated that anywhere from \$800 to \$1,000 of the monthly funds provided by the state for the care of the six boys in the Touchette home were actually funneled to the temple. If those figures are accurate, as much as \$38,000 to \$48,000 may have been channeled into the church's coffers during the four years the Touchette home was open. It is known that at least two other "care homes"for boys were run by the church or its members. In addition, at least six residential homes licensed by Mendocino County were owned or operated by the temple. They housed from six to fourteen senior citizens each, and the county provided upwards of \$325 per month per individual. An investigation should be launched immediately to determine if any of the money paid for the care of the elderly actually went to the temple.

Files at the Mendocino County recorder's office show that the temple has sold off a number of its properties. The Redwood Valley temple itself is currently for sale for an estimated \$225,000. The Los Angeles temple is also for sale. The three Mendocino "care homes" that are still operating are up for sale. Several former temple members believe Jones and a few hundred of his closest followers may be planning to leave for Guyana no later than September of this year. The ex-members we interviewed had the ability to walk away from the cases when a young person is testing the temple once they found the courage to environment...physical discipline has do it. Whether the church will permit

those who move to Guyana the option of ever leaving is questionable.

Jones has been in Guyana for the last three weeks and was unavailable to us as this magazine article went to press. In a phone interview, two spokesmen for the temple. Mike Prokes and Gene Chaikin, denied all of the allegations made by the former temple members we interviewed. Specifically, they denied any harassment, coercion or physical abuse of temple members. They denied that the church attempted to force members to donate their property or homes. They also denied that Jones faked healings. They confirmed that the temple's churches and property in Redwood Val-ley and Los Angeles are for sale, but went on to deny that Jones's closest followers are planning to relocate in Guyana any time soon.

Finally, something must be said about the numerous public officials and politi-. cal figures who openly courted and be-friended Jim Jones. While it appears that none of the public officials from Governor Brown on down knew about the inner world of Peoples Temple, they have left the impression that they used Jones to deliver votes at election time and never asked any questions. They never asked about the bodyguards. Never asked about the church's locked doors. Never asked why Jones's followers were so obsessively protective of him. And apparently, some never asked because they didn't want to know.

The story of Jim Jones and his Peoples Temple is not over. In fact, it has only begun to be told. If there is any solace to be gained from the tale of exploitation and human foible told by the former temple members in these pages, it is that even such a power as Jim Jones cannot always contain his followers. Those who left had nowhere to go and every reason to fear pursuit. Yet they persevered. If Jones is ever to be stripped of his power. it will not be because of vendetta or persecution, but rather because of the courage of these people who stepped forward and spoke out.

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