

4 OCT 1978

FINDINGS AND RECOMMENDATIONS
OF
COMMITTEE OF EVIDENCE
CALLED ON CONDITIONS ORDER #288

BACKGROUND:

On the 25th of Sept, Cine set about making their daily JVC of a short sequence for R as part of their training program.

The JVC that was done and sent up caused gross upset on R's lines as it communicated a slap stick comedy degrade of the very successful Cine drilling that was in progress.

The shot itself was a mockery of a Gaffer drill and depicted Gary Press removing and replacing the Molipso from a stand. Gary played it with hammed up comedy and made it into a slap stick which is known to be not wanted in Cine acting.

The shot was commentated by Jerry Armstrong who assumed the beingness of a Barnham and Bailey circus ring master, making the shot into a quality degrade.

During the filming of the shot at the studio, David Rossouw remarked to the Director, Camera Chief and Producer that the shot was corny, however these remarks were ignored and the filming of the degrade was continued and sent up to command.

The following day an investigation done by a Commodore's Messenger revealed that the Producer and the Director saw nothing wrong with the shot and didn't correct the degrade despite the disagreements with its quality and presentation from an experienced Cine crew member on the set. Gary Press, recently removed from the post of Chief Gaffer, was the actor and responsible for the slap stick. Gerry Armstrong as the commentator added to the degrade of the tech of the drills. The Cinematographer, Terri Armstrong was aware that it was thought that the shot was corny and not OK yet she (the one responsible for getting high quality shots in the can with the camera) thought the shot was "cute" and went ahead with the degrade. Carol Spurlock, the Cine Crew Supervisor thought that the shot was good and announced this to all the Cine crew at the Cine study muster.

The interested parties:

Stuart Moreau-----Producer
Mike Titmus-----Director
Gerry Armstrong---Announcer of shot
Terri Armstrong---Cinematographer
Gary Press-----Actor in the snit
Carol Spurlock----Supervisor

were the following day routed to the RPF for the quality degrade, making the shot into a slapstick, allowing it to occur, condoning the degrade and causing Cine to go into disrepute.

The interested parties were allowed a Committee of Evidence by R if they felt that the RPF assignment was incorrect. Every one of the interested parties requested a Comm Ev.

On the 28th of Sept the Committee of Evidence met to review the evidence and look into the assignment of the interested party's assignment to the RPF.

The Committee reviewed the JVC tape that was sent up to command and collected knowledge reports on the incident from the following witnesses:

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| Talent Chief | - | Bob Waldeman |
| Chief Electrician | - | Marc Ferreira |
| CMO Messenger | - | Marc Yager |
| DCO CMO External | - | DeDe Reisdorf |
| Cinematographer | - | David Miscavige |
| DCO CMO | - | Gayle Reisdorf |
| A/Cam for Lighting | - | David Roussow |
| Chief Gaffer | - | Robbie Robinson |

The following witnesses were called to the Committee to give evidence on the charges:

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|------------------|---|-----------------|
| Chief Gaffer | - | Robbie Robinson |
| A/Cam for lights | - | |
| Now Director | - | David Roussow |
| Cinematographer | - | David Miscavige |
| Talent Chief | - | Bob Waldeman |

Commodore's messenger, Shelley Barnette was making a detailed report on the incident as she was a key witness, being on duty for the investigation and the subsequent RPF assignments but in the interests of time, she attended the Committee meeting and gave all her evidence verbally, to the Committee, in the presence of all interested parties.

The interested parties were shown all the evidence and knowledge reports presented. They were then individually interviewed on each of the charges and cross questioned on the circumstances of the incident.

The interested party's ethics files were looked at by the Committee, those stats that were available were looked at and in the efforts of justice, the work each interested party had done in the past was looked at as deciding factors when drawing up the recommendations.

In interviewing each of the interested parties they wanted it made known that at the time of the shooting of the shot they said that their intentions were not to communicate a degrade slapstick or to mock the drills but did realize after RPF assignment that this did appear to communicate to command.

Here are the results of the Committee of Evidence:

INTERESTED PARTY - GARY PRESS

High Crime Charge 1

Interested party pleaded not guilty. The Committee found no evidence of Gary inciting a mutiny. The Committee finds him not guilty.

Crimes Charge 1

Pleaded guilty. The Committee finds him guilty. The tape sent up to R in which he was the actor was definitely a quality degrade.

Charge 2

Pleaded not guilty. However the Committee finds him guilty of joking and degrading in that as above he admitted guilt of quality degrade and as the shot itself was portrayed as a slap stick comedy making a joke of the shot and the drills, despite the interested parties statement that this was not his intention, this is what communicated in the shot.

Charge 3

Pleaded not guilty. The Committee finds Gary guilty of this charge. He was the one who originated the beingness which was introduced into this shot which started out as a simple gaffer drill. He incited the Announcer, Director, Producer, Cinematographer and the majority of the Cine crew present into agreeing with his beingness which in actual fact communicated insubordination to command.

Charge 4

Pleaded guilty. The Committee finds him guilty as by his own admission, this incident did cause a flap in Cine as a result of his actions.

Charge 5

Pleaded not guilty. The Committee found no specific incident of Gary being guilty of this crime in relation to the incident of the 25th. The Committee finds not guilty.

Charge 6

Pleaded guilty. The Committee finds him guilty as the incident did cause an overwork to command through Gary's ignoring his duties.

Charge 7

Pleaded guilty. The Committee finds him guilty of this charge. The incident on the 25th did cause a severe disturbance to R and a resulting disrepute to Cine.

Charge 8

Pleaded guilty. The Committee found him guilty in that the incident which produced a quality degrade and communicated a mockery of the drills was condoned by the interested party and did result in a collapse of Cine and the loss of 5 of its staff.

Charge 9

Pleaded not guilty. The Committee however finds the interested party guilty of this charge as the Video tape did communicate a mockery of the drills and also made a mockery of ED 276 Cine, quality degrade which are both Scientology materials. Evidence of this is on the Video tape itself and the resultant upsets caused to command.

INTERESTED PARTY - CAROL SPURLOCK

High Crime #1

Interested party pleaded not guilty. The Committee found no evidence that showed that Carol in any way incited a mutiny by her actions.

Crimes #1

Pleaded not guilty but admitted that to the degree that she was in the studio at the time of the incident, did see it happen and didn't take any action to correct the matter that she was guilty the Committee confirms this and finds her guilty of this charge.

CHARGE 2

Pleaded not guilty. The Committee found no evidence that she was guilty of joking and degrading. The Committee finds her not guilty.

Charge 3

Pleaded not guilty. The Committee found no evidence of her being guilty of this charge and so finds her not guilty.

Charge 4

Pleaded not guilty. The Committee finds her guilty as she could have prevented the collapse. See details under charge #6.

Charge 5

Pleaded not guilty. The Committee found her not guilty as no evidence found which would incriminate her on this charge.

Charge 6

Pleaded guilty. The Committee finds her guilty. Carol should have spotted that the JVC was an overt product as she herself has been a lead actor in the films and worked under R directorship so is quite familiar with the standards of film production demanded. As the crew supervisor she could and should have been looking at the quality of Cine production as this reflects the application of the materials learned by Cine crew. The resultant JVC tape that did go up did cause an overwork on command lines.

Charge 7

Pleaded guilty and found guilty by the Committee as per #6 above.

Charge 8

Pleaded guilty and found to be guilty by the Committee as per evidence in Charge #6 above.

Charge 9

Pleaded not guilty. The Committee finds her not guilty as found no evidence of her being uilty of this charge.

INTERESTED PARTY - STUART MOREAU

NOTE: The interested party when first interviewed, pleaded guilty to all the charges as he as the senior terminal in Cine (Producer) felt that he would be guilty of all charges laid out in the Bill of Particulars. However, when interviewed separately and asked for specifics of why he was guilty, could not provide them on 2 charges and changed the plea to not guilty.

High Crime 1

First pleaded guilty then after being asked for specifics, changed the plea to not guilty. The Committee found him not guilty as after examination of the evidence did not feel that Stuart incited a mutiny by his actions.

Crime Charge 1

Pleaded guilty. The Committee finds him guilty. The video did communicate a gross quality degrade and as Producer, he was responsible for the end product of the Cine org.

Charge 2

Pleaded guilty. The Committee finds him guilty as the Video did communicate a joke and a degrade and while the interested party states that he did not intend it to turn out that way, that is what the Video did communicate and Stuart accepts the responsibility for the end product.

Charge 3

The interested party pleaded guilty to this charge. The Committee does find him guilty of this charge in that as the senior of Cine he is responsible for the whole org and that the Video of the 25th did communicate an insubordination and this could all have been prevented had he worn his hat and prevented an overt product from being filmed and sent up to command.

Charge 4

Pleaded guilty. The Committee finds him guilty. The Cine org did suffer a collapse as a result of the Video sent up and as the CO, Stuart is responsible for the effects it caused.

Charge 5

Pleaded guilty. The Committee finds him guilty. As the Producer and CO of Cine he was responsible for the incident of the 25th which did show a lack of discipline in the Cine Exec structure and in those involved with the overt product and in failing to prevent it.

Charge 6

Pleaded guilty and the Committee finds him guilty. The incident did cause an overload on command lines and as the CO he could have and should have prevented this from occuring.

Charge 7

Pleaded guilty. The Committee finds him guilty. The Video tape sent up on the 25th did cause a severe disturbance to command and did cause disrepute to Cine. As the CO, Stuart is fully responsible for this and does recognize it.

Charge 8

Pleaded guilty. The Committee finds him guilty. There was a collapse in Cine as a result of the JVC tape sent up to R and the fact that the shot was considered by an experienced Cine terminal to be corny was made known to Stuart at the time of the shooting but were ignored by him.

Charge 9

Pleaded guilty. The Committee finds him guilty as he did allow a mockery of the drills and a quality degrade to be communicated to R on the Video tape.

INTERESTED PARTY - TERRI ARMSTRONG

High Crime #1

Pleaded not guilty. The Committee found no evidence of Terry inciting a mutiny. The Committee finds her not guilty of this charge.

Crimes 1

Pleaded guilty. The Committee found her guilty. As the Cinematographer, she is responsible for the high quality shots in the can and by allowing a shot to go up which did communicate a quality degrade, she is guilty.

Charge 2

Pleaded not guilty. However, as the Cinematographer, and the one responsible for the shot which appears in front of the camera, she also is held responsible in allowing a JVC to go up to R which communicated joking and degrading of the Cine drills and so the Committee finds her guilty of this charge. Interested party disagreed with this finding.

Charge 3

Pleaded not guilty. The Committee found her not guilty of this charge as found no evidence of her inciting to insubordination.

Charge 4

Pleaded not guilty and then later changed her plea to guilty. The Committee finds her guilty as she as the then Cinematographer was totally responsible for the quality of the shot going into the camera. She allowed the product of the CameraDept and the JVC section to collapse by sending up an overt product yet she as the Cinematographer could have prevented the catastrophe by demanding that a high quality shot be set up in front of the camera and refusing to shoot an overt product.

Charge 5

Pleaded not guilty. Then changed her plea to guilty later. The Committee finds her guilty as she refused to uphold discipline in allowing a degrade of a drill to occur in front of her camera.

Charge 6

Pleaded guilty. The Committee found her guilty of this charge due to the fact that she allowed the quality degrade shot on the JVC to be taken, condoned it and allowed it to be sent up to R which resulted in upset to command, overworking command and forcing command to intervene to handle the situation.

Charge 7

Pleaded guilty. The Committee found her guilty. There was a severe disturbance caused by the 25th JVC and there was disrepute caused to Cine as a result. Also see charges 4 & 6 above.

Charge 8

Pleaded guilty. The Committee found her guilty as per evidence in 4 & 6 above and in the fact that Terri was told that the shot looked corny by A/Camera for Lights and herself condoned it saying she thought it was a cute shot.

Charge 9

Pleaded guilty. The Committee finds her guilty in that as the Cj Cinematographer, she allowed a mockery of the drills and a quality degrade per ED 276 Cine to take place in front of her camera and go up to command whereas she could have prevented it.

NOTE: The Interested party wanted it made known that she felt that at the time of the shooting of this shot she did not intend that the shot would communicate a degrade or a mockery. She has since observed that that is what it communicated and has taken responsibility for this. She wanted it also made known that she had benefitted from the Cine drills, was totally with them and did not intend to undermine them.

INTERESTED PARTY - GERRY ARMSTRONG

High Crime #1

Pleaded not guilty. The Committee found no evidence of Gerry inciting to a mutiny. The Committee found him not guilty of this charge.

Crimes Charge 1

Pleaded guilty. The Committee found him guilty. Gerry was the announcer in the shot and originated playing his part as a Barnham and Bailey circus ring master announcer which introduced and communicated a quality degrade of the shot.

Charge 2

Pleaded not guilty. The Committee however found him guilty of the charge due to his originating and introducing the Barnum and Bailey Beingness into the shot which brought about a joking and degrading communication of the Cine drills. Even though the interested party stated that it was not his intention to communicate a joke/degrade of the shot and that he himself had made good gains from the drills themselves, the shot did communicate a Joke and Degrade and this is what caused the extreme upset to command.

Charge 3

Pleaded not guilty. The Committee found him not guilty of this charge as found no evidence incriminating him on inciting to insubordination. There was an element of insubordination in his actions in the shot and this has been taken into account in the drafting of the recommendations.

Charge 4

Pleaded guilty. The committee finds him guilty. By his contributing actions, there was a collapse in Cine as a result of the JVC sent up on the evening of the 25th Sept.

Charge 5

Pleaded not guilty. The Committee found him not guilty of refusal to uphold discipline. There was a lack of discipline in the actions of the interested party in the part he played in the shooting of this overt product JVC however and the Committee has taken this into account in the drafting of its recommendations.

Charge 6

Pleaded guilty. The Committee found him guilty. The JVC shot in which he played the Announcer did cause overwork to command. Also see data in charges 1 and 2 above.

Charge 7

Pleaded guilty. The Committee found him guilty as there was indeed a severe and disreputable disturbance created by the quality degrade JVC shot in which the interested party participated and contributed to. There was as a result disrepute caused to Cine.

Charge 8

Pleaded guilty. The Committee found him guilty. The circumstances did cause a collapse in Cine and were condoned. See above charges.

Charge 9

Pleaded not guilty. The Committee however finds him guilty as he was the announcer in the shot and did participate and contribute to a shot that communicated a mockery of the drills and a mockery of ED 276 Quality Degrades.

INTERESTED PARTY - MIKE TITMUS

High Crime #1

Pleaded not guilty. The Committee found no evidence in Mike "Inciting a mutiny" and so finds him not guilty of this charge.

Crimes Charge 1

Pleaded not guilty. However, the Committee finds him guilty as he as the Director is directly responsible for the actions on the set and by definition is over all the terminals on the set. The shot did communicate a gross quality degrade. Interested party did not feel this was correct.

Charge 2

Pleaded not guilty. However, as the actor in this shot was in fact communicating joking and degrading and as he as the Director is directly responsible for the quality of the shot and the direction of the shot, the Committee finds him to be guilty of this charge.

Charge 3

Pleaded not guilty. The Committee finds him guilty of this charge as he as the Director allowed to go up to R a Video that communicated insubordination and that he did nothing to correct this despite being informed by the A/Camera for Lights (now the Director) that the shot was corny.

Charge 4

Pleaded not guilty. The Committee however finds him guilty as the Product of the Director is high quality shots in the can. The very low quality of the JVC shot manifested a collapsed Director section.

Charge 5

Pleaded not guilty. The Committee however finds him guilty of this charge as he as the Director was told by an experienced Cine terminal that the shot was "corny". He agreed that the shot was corny but did not correct it. He also allowed the original 'Simple Shot of Drills Being Done Well', as the original theme of the JVC shot for the day to be degraded into a joke and a degrade.

Charge 6

Pleaded guilty. The Committee finds him guilty. There was an overload caused at command level due to the Director ignoring his duties of insisting and getting a high quality shot in the can.

Charge 7

Pleaded not guilty. The Committee however finds him to be guilty of this charge as there was indeed a disreputable disturbance created by this bad JVC tape sent up to command and the repute of Cine and the Director was marred severely.

Charge 8

Pleaded not guilty. The Committee however finds him to be guilty of this charge as he as the Director was directly responsible for the quality of the shot in the can. He was urged to improve it but did not do so. The overt product did result in a collapse in Cine.

Charge 9

Pleaded not guilty. The Committee however finds him guilty of this charge as he as the Director is responsible for the quality of the shot in the can and this JVC was found to have made a mockery of the drills and ED 276 Cine, Quality Degrades, even though the interested party stated that this was not his intention, this is what was communicated

to command in the shot and is majorly what caused the whole upset and the collapse in Cine and the resultant RPF assignments.

The interested parties have been confronted with these findings.

RECOMMENDATIONS

NOTE: The Committee, in proposing these recommendations, took into account the seriousness of the charges considering that not only did they cause unnecessary and unfair upset and overload on R's lines, they were also committed during a period when Cine was already heavily on R's lines, out of production, in disrepute and in a low condition. Mitigating factors in each individual case were also looked at in proposing handlings.

GARY PRESS

The Committee found that Gary was deeply involved and largely responsible for the J&D JVC. There were few mitigating circumstances to consider in his favor and the committee feels that in view of this and the fact that Gary was recently removed from post as the Chief Gaffer, has dramatized case on post and is in need of correction that his RPF assignment be confirmed.

GERRY ARMSTRONG

The Committee found that Gerry was also very much involved in the rendition of the JVC shot and the establishment of the tone and beingness which it communicated. Gerry has been in post difficulty over the last month or two. As with Gary Press above, the Committee recommends that Gerry's assignment to the RPF be confirmed.

TERRI ARMSTRONG

Besides being the Cinematographer and a Div head in Cine at the time of the JVC incident, Terri is also a Commodore's messenger and should have set an example far above that expected from other Cine staff. The Committee has noted that while Terri was found to be hard working on her post, she has been in difficulties as a Cameraman since she started in Cine and has had numerous ethics and Qual. handlings. The Committee feels that besides being a correct ethics handling, it would benefit her and the group for her to get herself cleaned up and enhanced in the RPF. Therefore the Committee recommends that her RPF assignment be confirmed.

MIKE TITMUS

The Committee recognizes the severity of the offences for which Mike has been found guilty and agrees that the offences warrant an RPF assignment however after careful consideration, the Committee has taken into account the fact that Mike was on the post of Director for one week and on a training program to get hatted up as a Director. His main contribution to the situation was found to be not grabbing and wearing his hat of Director, during the time of this JVC shot. The Committee therefore recommends that the RPF assignment of Mike be held in abeyance and that he be put on a one month probation during which time he be assigned to Cine sets. The Committee recommends a condition of confusion be assigned for the crimes of which he is guilty.

CAROL SPURLOCK

The Committee found that Carol's involvement in the incident was not severe. She does recognize her failed responsibility. The Committee has found that Carol has never completed an EPF cycle nor done her basics of staff statuses or Product 0. The Committee therefore recommends that Carol's RPF assignment be held in abeyance and she

be put on a probation for a period of one month and that she be assigned to the WHQ EPF where she is to do MEST work and complete her basics. The Committee recommends a condition of confusion for the crimes she is guilty of.

STUART MOREAU

Whereas the Committee found Stuart guilty on the majority of the charges, it found that the interested party himself had recognized his total responsibility in the matter as he was the CO and had taken full responsibility for the crimes committed. The Committee took into account the good work done by Stuart in the construction of the WHQ and the Silver barn and the many construction cycles done by him at WHQ. The Committee feels that the severity of the situation has been duplicated by the interested party and in view of the good work he has done outside of Cine, recommends that he be assigned to WHQ Construction on probation and that the RPF assignment be held in abeyance for a period of one month, pending his excellent production. Post stats and demonstration of assumed responsibility. The Committee recommends a condition of confusion in addition for the crimes committed.

Respectfully submitted:

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| Chairman: | Norman Starkey |
| Secretary: | Pat Murray |
| Member: | Glenn Hackenberg |
| Member: | Lesley Tyrer |

The Findings and Recommendations are accepted and the Committee is thanked.

The interested parties who are assigned conditions are to report to HCO for deligation of amends.

Carol Spurlock is to do her EPF MEST work in the Galley.

Lynn Hurst
Convening Authority

LH: NS: PM: GH: LT: ph