MR. GLICK: The United States calls Ava Avalos.

AVA AVALOS, Government's witness,
duly sworn.

THE CLERK: Please state your name for the record and spell your last name.


DIRECT EXAMINATION

BY MR. GLICK:

Q. Good morning, Ms. Avalos. Between 1982 and 1985 you were a member of the Rajneesh commune?

A. Yes, I was.

Q. Before we get into your experiences at the commune, would you please tell the ladies and gentlemen a little bit about yourself, where you were born and your background?

A. I was born and raised in San Diego. Middle -- lower middle class Mexican American household. We were a pretty typical family. We suffered kind of the same typical things that, you know, assimilations, parents were both kind of abusive alcoholics and -- but they loved me and my sister very much and they sent us to Catholic school for 12 years.

And when I was 15 and a half I read a book
called *Be Here Now* Byron Doss (ph). I decided to become a vegetarian and start yoga. And I had some friends that were doing yoga. It happened they were doing it at a place called the Utsava Meditation Center in Laguna Beach, California. I didn't know about Bhagwan or Rajneesh before I got there. And I went and unbeknownst to my parents and started doing yoga and found out about Bhagwan, began to read some of his books.

Q. Now, how old were you when you first came in contact with the teaching of Bhagwan Shree Rajneesh?

A. I was 15.

Q. And what role, if any, had religion played in your life up to that point?

A. Well, I had gone to Catholic school since second grade. We went to church every Sunday. I was curious about spirituality from the very beginning. So when I -- actually I did yoga for about six months before I asked who this man was on the wall. There were lots of pictures on the wall. I kind of had this anti-Christ fear thing.

After about six months, I finally did ask. And I read a book. I felt like Bhagwan was able to answer questions about spirituality that I had never gotten in the Catholic church. It was very exciting for me.

Q. Did there come a time when you decided to take a journey to see him, to do something about your curiosity?
A. Yeah. I finished high school and I went to Utsava Meditation Center. I received a scholarship to go to U.C. Berkeley. I went to Berkeley for a year. My best friend at the time, her name was Ma Prem Sono. She had become a sannyasin already. Through the mail you had -- you could write and ask to be a disciple of Bhagwan, which meant you wore orange clothes and had the Bhagwan's picture around your neck, or asked to have your name changed. She had done that already and really wanted to go to India.

After I finished about a year, almost a year and a half at Berkeley, I decided to take a year and a half leave from school and go to India and see Bhagwan.

Q. How old were you when you decided to leave the United States and travel to see the Bhagwan yourself?

A. It was 1979. I was 19.

Q. Did you travel?

A. Yeah. My friend and I.

Q. And what happened when you got to India?

A. Well, I never traveled out of California before. I went to India. It was a real shock to me. If you have ever been to India, it's like another planet from the United States.

It was very -- first we went to Nepal for a month. Nepal is an incredibly beautiful country. Then we rode the train and went to India. The ashram was kind of a
hippy paradise, I guess, in some way. Everyone wore these
long, flowing orange robes and long hair and meditation
that went on all day and people sang and danced. It was
like a paradise to me. I had never seen a group of people
living like this before. It seemed like everybody loved
each other. And everybody’s intention was to become, you
know, better people. And so it was a really wonderful
place.

Q. And what did you do when you got to the ashram in
India?

A. Well, we purchased -- my girlfriend and I participated
in the meditation. And I asked right away to become a
sannyasin, to become a disciple. They said that was okay.

        I went and met Bhagwan personally. The
night when we were invited by him was to take sannyasin, so
you would come in -- a small group of people would come to
him and he would put the (necklace) around your neck and
touch your head and talk to you about your name. So he did
that. That was the first time I met him.

Q. And what was the name that Bhagwan Shree Rajneesh gave
you?

A. He didn't change my name. He left it Ava. I was Ma
Ava.

Q. What does "Ma" represent, or if there is an English
equivalent?
A. Women were called "Ma" and men were called "Swami," so maybe that had something to do with mother, or something like that.

Q. Now, did you remain in India at the ashram at that time for a period of time?

A. I stayed at the ashram about three months.

Q. What did you do during that period of time from the end of 1979 through the first three months of 1980?

A. I was really a visitor. I did -- I did a number of therapy groups. The idea, I guess, was to eliminate your ego, is how he put it. We were trying to transcend the -- you know, our conditioning. And so I did the meditation and did --

Q. What did it mean to you to become a disciple of Bhagwan?

A. I meant that I was taking -- I was taking a step to completely devote my life to my spiritual awakening, and that I was acknowledging Bhagwan as my spiritual master, therefore saying that -- acknowledging that he knew what I needed spiritually and would help me spiritually to achieve those goals, even though maybe I wasn't totally clear at the time what those were. We would say it was enlightenment. And I don't -- we didn't really question what that was. It was something all of us were trying to do.
Q. What did you consider Bhagwan to be.
A. An enlightened master. I guess we felt like he was Jesus in some way, try to make it clear he was all knowing, had achieved the highest human potential that a person could achieve. He was clairvoyant, all-knowing. Understood everything there was to understand about life and being on the planet, I guess.
Q. Did there come a time when you left the ashram?
A. I left about three months after I was there. I was in India and Nepal about four months.
Q. After four months being in the presence of your master, what did it mean to leave the ashram?
A. I was really disappointed. I stayed as long as I could stay. I sold everything that I could sell to stay longer and came back when I absolutely didn't have any more money.
Q. What happened then when you returned to the United States sometime in the spring of 1980?
A. Well, at that point I was then wearing red clothes and the (necklace). And I still had my scholarship to go back to school. So I decided to return to U.C. Berkeley. I finished another semester there at school.
Q. During the time you were at U.C. Berkeley, were there any outerwear or external manifestations of Bhagwan?
A. I continued to wear red clothes and my (necklace).
Q. While you attended school?
A. Yes.
Q. Did there come a time when you did something else?
A. Yeah, that next summer. As soon as I came back from India, there were a number of meditation centers in San Francisco and the Bay Area. And I started to attend them, Rajneesh Meditation Center in San Francisco called PARR, P-A-R-R.

And from that I was contacted from a Rajneesh Meditation Center in Laguna Beach that had just opened. And they heard that I had secretarial skills. I had worked since I was about 14 in different offices and had worked while I was in school. And somebody called me from Laguna Beach and said, "We understand you are a secretary. We have this meditation center. We are looking for an office manager. Would you like to come to Laguna Beach? And we will fly you down and see if you like it here."

I thought, okay, at that point my goal was to try and earn as each money as I could and try and go back and be with Bhagwan.

I went to Laguna Beach. And as it turned out, there was a church pastor that had become a sannyasin and asked his whole congregation to do that. It was a large property. There were residential properties. It was
beautiful. I thought I should take this job. I moved to Laguna Beach.

Q. At Laguna Beach were there other sannyasins?
A. Yes. It was called Rajneesh U-t-s-a-v-a.

Q. And what did you do with your personal positions and the items that you had while you were living in U.C. Berkeley when you moved down to Laguna Beach?
A. Well, I didn't have that much stuff. I had a car and a little bit of furniture. I just turned it over, all to the ashram.

Q. You turned your possessions over?
A. What I might have, yes.

Q. How long did you remain in Laguna Beach?
A. I was in Laguna Beach for about a year and a half, I think.

Q. What type of things did you do in Laguna Beach as a sannyasin?
A. In the beginning I was the office manager. I did pretty much all of the administrative things that had to happen in the church, or the center at that point. And at a certain point Bhagwan ended up coming to America. And all of the sannyasins that were in India descended kind of on all of the ashrams in the United States. They were coming back to the United States.

There was another big Rajneesh meditation
center in the desert. It was called Geetan (ph), just east of here. I can't remember exactly where it was. Those are the two, Geetan was one of the big Rajneesh meditation centers in the United States on the West Coast, because it was pretty big, to become kind of -- these two centers became kind of sister centers.

A lot of their therapists from India that were leaving came to the centers to start to do meditations and therapy groups there. So they suddenly descended upon all of the people that were all right there.

Q. Now, this was in approximately the end of August of 1981 when Bhagwan moved to Oregon; is that correct?
A. Yes, that is right.

Q. And did others of his followers from India go with him to Oregon?
A. Some did and some didn't. At the very beginning there were very few sannyasins invited to be with the Bhagwan. So people that lived for years and years in India weren't being invited to go to the ranch. They were really displaced.

Q. What did it mean to you to be in the United States and at the location in Laguna Beach, and the Bhagwan, your master, up in Oregon?
A. Well, we were also thrilled that Bhagwan had come to America. Kind of like beyond our wildest dreams that
Bhagwan would come to America. And the fact in a way that I was at the right place at the right time in some ways, I was meditating and the people from India came and took the center over. And a lot of the people that had been there before they asked to leave, but they actually invited me to stay on. So I felt kind of privileged in some way to be there with a lot of the disciples that had been with Bhagwan for many years. All of us wanted to go be with him at the ranch.

Q. Did there come a time when you had the opportunity to visit for the first time the commune located in Eastern Oregon?

A. Yes. In -- I guess it was in June of 1982 they had the people on the ranch, we had about four different celebrations a year that sannyasins would celebrate. One of them was the Master Day celebration, that was the biggest one, in July. And that was the first Master Day celebration that was going to be celebrated in Oregon, so they invited the residents of the meditation centers to go up.

Q. Would that have been the first World Festival in July of 1982?

A. That is right.

Q. What did you do after you got to that festival at that time?
A. We were assigned different jobs. I think I worked in a tent selling Rajneesh souvenirs in the very beginning. The residents kind of went up and everyone that was already working in the center got a job to do to make the festival happen.

Q. For how long a period of time did you then remain at the commune in Oregon?

A. I really remained at the commune -- well, I stayed there -- I was originally asked to come up for two weeks. And then I was told I was going back down and care take the center. Because all of the residents from Saba were invited to go for the full month. Originally I went up for two weeks. Some of them had to go back.

Q. Did you leave the commune and return to the Saba?

A. That's right.

Q. What did it mean after you finally got to the commune and had to leave?

A. It was really hard to leave. Specially because it had been a while since I had seen Bhagwan. Actually while I was on the ranch I had been invited with a small meeting with him. A few people had been invited for a meeting with him. Anytime you got near Bhagwan you felt privileged, you felt like it was a honor.

Q. Spell Darshan?

A. D-a-r-s-h-a-n.
Q. And what was the darshan that you had with Bhagwan?

A. Well, it meant -- again, we got to sit in front of him, he touched our head. I guess he gave us some sort of blessing and asked us, maybe five or six of us if we had any affection for him. At this time he wasn't speaking publicly, so it was quite an honor to be there with him and have access to him and ask him any questions that we wanted to.

Q. And what did you do when you returned to Saba after spending this brief period of time at the commune in the middle of 1982?

A. Well, at that point there was nobody really at the center, we were just caretaking. You know, taking care of ourselves. And I think maybe there were three, four of us there at the time.

Q. For how long a period of time did that continue until something else happened?

A. Well, I guess about the time when people are supposed to be coming back the -- the person that ran the center, her name was Asema (ph) from Australia came back and she had been there for the day. In the evening we were cooking dinner. She looked at me and said, "I forgot to tell you you are suppose to be on a plane tomorrow to go live at the ranch." I was in complete shock. I thought, my God, I have been invited to live at the ranch. The next morning I
got on the plane and moved to Oregon.

Q. And what did you do when you got to Rajneeshpuram?
A. Well, there was a woman named Sheela who was -- had been in charge of fund raising for the ranch. She was sannyasin from India. When all of the sannyasins were relocated she was doing a lot of fund raising because Saba and Geetan, the meditation center, have the potential to make a lot of money. That was kind of her domain.

When I got to Rajneeshpuram I went to see Sheela. She told me to go and look for Ma Prem Geeta, she would tell me what to do.

Q. Where did you first live when you got to Rajneesh?
A. I lived in a group of trailers called Desiderada.

Q. What did you do when you got to the ranch?
A. I went to Geeta and she said I was going to be assigned a really special job. And Saba had worked at the legal team, I thought I was going to be doing legal typing. She said actually you are going to be answering Bhagwan's letters that disciples have written him. And there are only a few people that do this. You feel like you are really sensitive and you know this is kind of a privileged job. You have to be special to be able to do this. And this is the job that we are going to give you.

Q. What do you mean, you are the one that answers Bhagwan's --
A. Bhagwan received letters from around the world from his disciples asking for spiritual advice. Instead of Bhagwan answering the letters personally the typists in the typing pool would answer them. We would read them -- and this had been going on for a long time. There were books that had quotes about love or relationships and death or whatever, any number of subjects. So we would read the person's letter and write a few lines of advice and then pick a Bhagwan quote and then Sheela would sign for Bhagwan.

Q. When you said you would go to a book with quotes, whose quotes were they?

A. They were Bhagwan's quotes.

Q. You would place them in a letter?

A. Yes.

Q. Who is Sheela?

A. Sheela is Bhagwan's personal secretary. She was the -- she ran everything on the ashram in it -- I mean the commune.

Q. Did there come a time when you first got there when you had meet Sheela, or was your only association the signing of those letters?

A. I think I may have meet Sheela during the first -- really briefly the first time I went to the ranch when she had come into one of the tents where we sold the souvenirs.
She said, "This is Ava, she works with ashram." That is
the first time I had seen Sheela.

Q. You mentioned Vidya?
A. Yes.

Q. Who was that?
A. Vidya was the president of the commune. Within this
corporate structure in order to -- the commune was the --
for-profit corporation that employed workers, sannyasins
and there was the Rajneesh Foundation International, the
religious nonprofit corporation. Sheela headed, we called
it our Rajneesh Foundation International, the nonprofit
religious corporation and was second to Bhagwan. Vidya was
the president of Rajneesh International commune, which was
this for-profit corporation.

Q. And did you come to know her by the name of Vidya?
A. Yes.

Q. And who was Savita?
A. Savita was the person that ran all of the financial
matters.

Q. Do you see that woman in the courtroom day?
A. She is right here.

MR. WEATHERHEAD: Stipulated.

Q. (By Mr. Glick) Did there come a time when you met Ma
Anand Su?
A. Yes.
Q. Who was Su?
A. Su ran -- at that time ran the heavy equipment department on the ranch.
Q. Do you see her in the courtroom?
A. She is right here.

MS. SCISSORS: Stipulated identified Miss Hagan, Your Honor.

THE COURT: Okay.

Q. (By Mr. Glick) For how long a period of time did you work in the capacity of answering Bhagwan's mail?
A. For about six months I worked there.

Q. During that period of time did you have any contacts with Sheela?
A. No, I didn't, not personally.

Q. Any contacts with Savita?
A. No.

Q. Vidya?
A. Yes. Vidya was -- Vidya was the -- was our supervisor. Geeta was my immediate supervisor, Vidya that was her supervisor. I would get to see Vidya, she was the person I felt was my supervisor.

Q. During that same initial period of time from approximately November of '82 until six months of 1983, did you have any contacts with Su?
A. As it turned out in Desiderada a lot. And in
addition, my friend I had gone to India with worked in the heavy equipment department and the people I lived with in the Desiderada, my roommate, Swami Prem Vijen, and my next door neighborhood, a woman named Sambash (ph) and Radamba (ph) worked for Sheela. And so they always would come home and talk about stories about Su and the heavy equipment department. And the first time I met Su I was with Sono and Monvera and Su was conducting a meeting and we met briefly.

Q. Now, did there come a time when you got a new job at the commune --
A. Yeah.
Q. -- in 1983?
A. One day we would have something called coordinators meeting. Every department had a coordinator which was the boss or the supervisors of that particular department. And every week they would have get-togethers at Sheela's house and have coordinators meetings were they would exchange information. Sheela would tell them about what we were trying to do and what was coming up. And then those coordinators would come back to their department and tell them everything that happened at the coordinators meeting.

So one day Vidya came and was talking to the whole department of the floor there and said we just purchased a disco in Portland and we are looking for
volunteers to go and work in Portland. And the way it will
work out you will go to Portland for two weeks and come
back to the ranch for two weeks.

And I thought, boy, this is what I want to
do, you know, working in a Rajneeshe disco sounded really
great to me. So that evening I went to Jesus Grove, which
is where Sheela and Vidya and Savita lived. A lot of the
main ranch coordinators lived there in the trailer compound
called Jesus Grove. So I went there for the first time and
asked to see Vidya and told her I would really like to go
to Portland and work in the disco. And --

Q. What happen?

A. A couple of days later she came to the typing pool and
announced to everyone I was going to be going over to go to
Portland, which I was really excited about.

Q. And did there come a time then when you went to
Portland to work in it disco?

A. Yeah.

Q. Describe for the ladies and gentlemen of the jury and
the Court what you did?

A. Well, in the beginning I was -- I was supposed to be a
cocktail waitress. As it turned out, for a number of
different reasons, they needed me to cook in the kitchen.

So I started to cook. And after a time they asked me if I
wanted to be a bartender. I started to be a bartender at
the disco.

Q. In your capacity as the bartender, did you have any contact with Sheela?

A. Actually that is really the first time I got to meet Sheela, or really any of the top branch administrators at that time. There were -- a lot of legal proceedings were beginning and they needed to come into Portland quite a bit to go to different legal proceedings. And Sheela would come through the disco. And one time because I was the bartender she ordered a Margarita. I made a Margarita. She came down and said that is the best Margarita I ever had. Whenever I come to Portland you are to make my Margarita. It was kind of a joke. So whenever she would come to Portland no matter where I was they would find me and say you have to go make Sheela a Margarita.

Q. Did there come a time during this period when you were working as the bartender at the disco where you had personal contacts with Savita?

A. What happened, while I was bartending I would sometimes read role (ph) cards. That was something I had done for a while, and someone told Sheela I read her role card. One day when she came she said, "Why don't you make a pitcher of margaritas and bring your cards and come up and give me a reading," which I did. I also gave Savita a reading. I think that is the first time I met Savita.
Q. When did this take place, when you said you would come up?
A. Well, the restaurant was two levels, a bar level and then the restaurant up on top. She said come up from the bar.
Q. Who was up there when you got up there?
A. Probably Ma Patipada, Savita, Sheela.
Q. And yourself?
A. And myself.
Q. And was this to discuss the business of the commune or the business of the disco?
A. No, just to have a reading.
Q. Just you and the girls?
A. Uh-huh.
Q. And was that the first social occasion that you met Savita?
A. That was the first time giving her a reading.
Q. For how long a period of time did you continue to work in the disco before you had another job in relation to Rajneeshpuram?
A. I guess it was about five or six months, about five months probably.
Q. And what was your next assignment? Where you told to go some where?
A. Yeah, actually on one of my -- it never turned out
that we went two weeks to the ranch and two weeks to Portland. It always turned out we spent a lot more time in Portland than on the ranch, which was actually okay with me because I really enjoyed what I was doing in Portland. I think because of this, because a lot of the sannyasins didn't, as it turned out not enough people turned out to volunteer to go to Portland. People were assigned to Portland, they kind of resented that, they didn't want to be away from Bhagwan. I think because, whoever that I ended up appearing like I was, I was very enthusiastic.

And so one day when I was in Portland I got a message to go and see Ma Samadhi and they told me that I was going to be made manager of the hotel because they -- and also first they bought the disco and then they purchased the Martha Washington Hotel, it was a pretty big hotel. At that time there were probably about 100 -- 100 sannyasins in Portland running a hotel, the disco and restaurant and we also had a bakery. So whoever ran the hotel, whoever was coordinating the hotel kind of ran the whole show of all three places. So I had a message that I was going to be made the hotel manager, which really shocked me.

Q. Why did it shock you?

A. Well, I was just a bartender at that point, you know. At first when they asked me I thought they wanted me to
cook in the hotel. They told me I was going to be working
in the hotel. I thought they were going to make me a cook
again. It turned out -- and they actually told me I was
going to be the manager. I had to hear it a couple of
times to realize that that was the job that I had gotten
promoted to, to run the whole show in Portland.
Q. And so in the summer of 1983 you were the manager of
the hotel?
A. That's right.
Q. Where did you live?
A. I lived in the hotel.
Q. Was that right here in Portland?
A. That is right.
Q. Did there come a time at the end of July of 1983
something happened at the hotel?
A. Yeah. The hotel was bombed at the end of July.
Q. And what, if anything, happened as a result of that
bombing? What did you do and what was the effect on
whatever work you were doing?
A. Well, because I was the manager I, you know, took care
of everything that happened in the hotel. One night I went
to bed and heard a loud explosion and ran downstairs and
saw a man lying in the lobby with kind of half of his face,
you know, burned and blown up and half of his hand was
blown off. At the time I didn't even know who this was. I
thought maybe it was sannyasins. I couldn't figure out what happened. I ran upstairs and found out the hotel had been bombed. The upstairs was, you know, kind of in a shambles, so I had to evacuate the hotel.

Immediately, as soon as the police came and fire department came and they realized it was a bombing, you know, enormous amount of police, and, you know, special police that deal with bombing came and media was there and the hotel was in a complete uproar. And because I was the manager I had to coordinate getting all of the sannyasins out. Making sure everything was okay.

Q. What, if any, result was there with respect to your assignment or how did people react and to how you handled that situation?

A. Well, I received a lot of praise for the way I handled myself and handled the situation that evening from Vidya and Sheela. And I was given a gift. I received a watch from Bhagwan and a message. He told me he was very proud of me and I had done very well.

Q. What did it mean to you to receive a gift from Bhagwan?

A. Anything to do -- anything that had to do with Bhagwan, any messages or gifts you felt really honored.

Q. Was that an unusual occurrence for sannyasins?

A. No.
Q. Rather unique?
A. It was unique.

Q. Describing then the period of time after the July 29, 1983 bombing through the next several months, was there a reaction on the commune to that bombing and the level of security anywhere?
A. Absolutely.

Q. Describe what happened.
A. After the bombing Sheela tightened security, especially in Portland. Like we always had a security force on the ranch. And we had a police force also. In fact, my best friend Sono went to the police academy. That was her job. We had police officers and security force. After the bombing Sheela doubled the security force in size. And there was a new level of paranoia, heightened paranoia and fear that, you know, accompanied the hotel bombing.

Q. Are you familiar or have you ever heard the term "24"?
A. Shortly after the bombing the police chief, her name was Ma Deva Barkha came to me in Portland while I was on rotation and said Sheela asked me to give you a message. She wanted to go in the room and stuff, kind of top secret. And she said Sheela had a meeting on the ranch with 24 people that she feels are the strongest people on the ranch and are ready to protect Bhagwan with their lives if they
need to.

And she showed me the list. She said, "You have been put on the list." And I was kind of shocked. Just because at that point everyone on the list were the main people that were running the ranch. And so I thought, wow, you know, Sheela must think a lot of me to put me on this list.

Q. How old were you when this occurred? I mean, summer, fall of 1983?

A. 20.

Q. Sorry?

A. 20.

Q. And was Savita, the defendant Savita, on the list of the 24 most important people?

A. Uh-huh.

MR. WEATHERHEAD: Objection to the form of the question, Your Honor. I don't think counsel properly rephrased back to the witness what her earlier testimony had been. She never said 24 most important people. She said 24 strong people.

THE COURT: I am going to allow the question.

Go ahead.

THE WITNESS: Yes.

Q. (By Mr. Glick) What about defendant Su, was she on that list?
A. Yes.

Q. Vidya -- was Vidya on the list?
A. Yes.

Q. Sheela?
A. Yes.

Q. Shanti Bhadra?
A. Yes.

Q. Anugiten?
A. Yes.

Q. Yourself on the list?
A. Yes.

Q. And there were others; is that correct?
A. That is right.

Q. What training, if any, did you receive as a member of the 24?
A. Barkha explained to me we were going to be trained to use a variety of different weapons that we might need to defend ourselves and to defend Bhagwan, and that included pistols, Uzis, gallies (ph), rifles,

Q. And did you receive that kind of training?
A. Yes, I did.

Q. Now, what hours did the 24 work? How did that function as a security force and where did it function?
A. Well, Barkha explained we were going to construct, which they did, construct a guard tower behind Bhagwan's
house. And in the guard tower there were a variety of
different guns and you had to walk up a staircase to get to
the top and you could overlook Bhagwan's house and the
surrounding hills.

And they made up a schedule where we would
work two-hour rotations. So when -- for instance when the
schedule begin the first time you would work you would go
from 12:30 at night to 2:30 in the morning. Then the next
night you go from 1:30 to 3:30. The next night, 2:30 to
4:30. As soon as the whole operation began we -- our sleep
pattern started to become interrupted. We would be getting
up all hours of the night and follow through during the
day.

Q. Did Savita work on that schedule?
A. Yes.

Q. Did Su?
A. Yes.

Q. Did Vidya?
A. Yes.

Q. And the others on the 24?
A. Initially everyone on the 24 worked a shift.

Q. Now, did there ever come a time when you saw Savita
training or working with firearms in relation to the 24 or
any of those other functions that you had?
A. I don't remember seeing Savita train in firearms. I
do remember Savita wearing a pistol and carrying a firearm, which if you weren't trained to do that you couldn't do it.

Q. What about Su, did you see her with firearms or train with firearms?
A. Yes.

Q. What did you see, what did you personally observe?
A. The same thing. Su carrying firearms and guarding Bhagwan.

Q. How about Vidya, did you ever see Vidya get firearms training?
A. Yes, I did.

Q. What about Shanti Bhadra?
A. Yes.

Q. Now, did there come a time when the 24 got expanded to additional personnel?
A. Yes. Later on the 24 became 38.

Q. And what were the circumstances that led to that 24 to be expanded to the 38?
A. Well, I think the 24 that had been chosen were the members that really did have the most responsibility on the ranch and worked a lot. And they just couldn't keep up their normal types of schedules with what they were doing on the ranch and do this other, you know, schedule on top of it. So more people had to be included so the people could run the ranch.
Q. Did there come a time, then, you also worked during this period where you were on that schedule, you continued to work at the disco in the hotel?

A. Yes, I continued to work in Portland. And then shortly after the bombing when I came back to the ranch I was invited to work in the personnel department. We called it Ramakrishna. It was working directly with Vidya.

Q. All right. And what type of work did you do with Vidya at the Ramakrishna Department?

A. The Ramakrishna was the place where members would go if they had any problem in their job or if they wanted a job change or if they weren't happy with anything really that was going on in their life. They would go and see Vidya or one of her assistants in the Ramakrishna. So often people, you know, would ask to have their job changed. Vidya would say yes or no. It was a pretty powerful place to be working.

Q. What was your function and your role?

A. I was just one of Vidya's assistants. Basically because there were so many sannyasins on the ranch Vidya couldn't always see everybody. She had me and a couple of other women that would sometimes see people. And we would just write down what their problems were and we would go back to Vidya and say this is what is going on with this person. Vidya would tell us to do this or that.
Occasionally we would tell people ourselves.

Q. Did there come a time when you told someone yourself something happened?

A. One time I was seeing a disciple that had became unhappy at the ranch. I said, "If you don't like it here, you should leave." I told Vidya that. She was really unhappy with me. She told me I was on a power trip. I shouldn't be on the Ramakrishna anymore. I was demoted back.

Q. Vidya was your superior?

A. Yes.

Q. What did you do when you got back to the typing pool?

A. I did the same thing. Answered Bhagwan's letters again. I was still on the Portland rotation, working Ramakrishna and going back to Portland. I was still the disco manager in Portland.

Q. Did there come a time in 1984 when you got a different assignment?

A. When I got back to the ranch I was told I was going to start to work at the medical center. Rajneesh Medical Corporation. It was really just a medical center with a woman named Ma Anand Puja.

Q. What type of work did you do there?

A. Oh, originally I was supposed to assist a woman named Ma Bohdi, who was Puja's assistant. That meant assisting
in whatever happened at the medical center.

Q. Was Puja your superior at the medical center?

A. That is right.

Q. How long a period of time did you work at the medical center?

A. About a year.

Q. Did that continue through the third World Festival in the summer of 1984?

A. Yes.

Q. Now, I want to direct your attention to the period of time between July of 1984 and November of 1984. What was the atmosphere as you and to the relationship of immigration matters?

MR. WEATHERHEAD: I'll object to the form.

Question asking about an atmosphere.

MR. GLICK: I'll strike it.

THE COURT: Sustained.

Q. (By Mr. Glick) What was personally told to you about the immigration matters occurring? What did you personally observe?

A. Well, even before I got to the ranch immigration was an issue for all sannyasins because many sannyasins were not American. And being an American myself, I think anyone that wasn't American felt like, you know, we had a role to play in that in some way. And from the very beginning,
from when I first got to the ranch there was an ongoing
investigation of I think 12 couples that had supposedly
filed false immigration papers. They had marriages of
convenience and they were under investigation.
Q. Did you have a marriage to a non-American?
A. Yes, I did. I was married to Swami Prem Vijen, a man
named Francis.
Q. What nationality was he?
A. He was English.
Q. You were American?
A. I was American.
Q. How would you describe your --
A. I was actually in a relationship, actually in love,
that I was in a relationship with him for the enter time I
was at the Saba. But the fact of the matter was that
Bhagwan teaching never supported marriage. It was
something that, if we hadn't been in the United States
would never have happened. We would just continue to have
a relationship. We would have not got married.
Q. Spell the name?
A. Swami Vijen, V-i-j-e-n.
Q. Now, during the period of time did you know and
observe defendant Savita and her relationships with anyone?
A. Sorry. What time?
Q. During this period of time you were at these meetings
through 1984, prior to that, had you had an opportunity to
observe Savita and her relationship?
A. Yes.
Q. And what is Savita's nationality?
A. British.
Q. Was she married to an American sannyasin?
A. Yes.
Q. What was his name?
A. I don't know his legal name. His legal name at the
ranch was Swami Pragitam, actually. A chiropractor at the
medical center.
Q. Did you observe the defendant Savita with Pragitam?
A. No.
Q. Did you observe Savita's relationship with somebody
else?
A. Yes.
Q. Who was the person you saw her in a relationship with?
A. Swami Anugiten.
Q. During this same period of time, did you have an
opportunity to observe and see Defendant Su?
A. Yes.
Q. And what was Defendant Su's nationality?
A. British.
Q. Was she married to an American sannyasin?
A. Yes.
Q. If you know, what was his sannyasin name?
A. Okay. I can see his face right now. I'm totally blank with these names. I can't remember. He was from Los Angeles.
Q. Would the name "Anutosh" refresh your recollection?
A. Yes.
Q. During that time that you observed her, did you observe her in a relationship with Anutosh?
A. No.
Q. Did you observe her in a relationship within someone else?
A. Yes.
Q. Who was that person?
A. Swami Sanir, S-a-n-i-r.
Q. During the same period of time, did you have an opportunity to observe Vidya in her relationship?
A. Yes.
Q. And was she married to an American?
A. Yes.
Q. What was Vidya's nationality?
A. She was from South Africa.
Q. Did you observe her in a relationship with that American to whom she was married?
A. No.
Q. Do you remember his name?
A. I can't remember his name.
Q. Would the name Shanti?
A. Shanti, I think that was his name.
Q. Shanti --
A. S-h-a-n-t-i, P-r-a-b-h-u.
Q. During this period of time that you observed Vidya, was she in a relationship with someone else other than person who whom she was supposedly married?
A. Yes.
Q. And who was that person?
A. Bodhi, B-o-d-h-i.
Q. And continuing now, or directing your attention to the November 1984 time period. By this time, how many couples on the commune would you say were in these type -- same type of relationship marriages between foreign sannyasins and American sannyasins?
A. Well, it's really hard to say, I don't know how many. I could say a percent but I couldn't -- I wouldn't have a clue. I'm not sure how many people.
Q. Approximately what percent, of your own estimate and the relationships from the people that you say had these types of relationships and marriages?
A. 85 percent.
Q. Now, did there come a time when you began to get involved in certain criminal activities?
A. Yes.

Q. Now, would that time frame then be the November time frame through the spring of 1985?

A. Yes.

Q. Now, before we address certain -- one specific criminal activity that you personally were involved in, I want to direct your attention to the spring of 1985 and ask you whether or not there was any structure or hierarchy in your opinion as you observed it at the commune?

A. Absolutely.

Q. And what would the structure or the order of hierarchy be?

A. Bhagwan was the head. He was up on top, and Sheela was directly beneath him, and beneath Sheela, Vidya, Savita.

Q. And between Savita and Vidya?

A. Well, I would say, well, it went Sheela, Savita, and Vidya. And the three of them together shared the job of attending Bhagwan. For instance, if Sheela was away in another country or not able to go in and see Bhagwan for some reason, Savita would see the Bhagwan. If Sheela and Vidya were both gone, then Savita went in.

Sheela made a real point of saying that the three of them could never be broken up as a team. Sheela was always afraid Bhagwan was going to tell Savita
something and not Sheela, or Vidya something and not her.
So Sheela was always real concerned that they always tell
each other everything so that Bhagwan couldn't use one of
them against the other. She used to say that.
Q.  Now, in this time frame, spring 1985, did there come a
time when you began to work with Savita?
Q.  And what type of work did you do for Savita?
A.  Savita ran, again, all of the corporate. Savita ran
all of the corporate structure. What I mean by that is,
all of the financial responsibility of all of the different
corporations that existed, Savita had the overall picture
of all of those corporations.
Q.  And for how long a period of time did you work
directly with Savita?
A.  Probably three months.
Q.  Was she your superior?
A.  Yes.
Q.  Now, by the spring of 1985, did you have any
conversation with Sheela concerning any immigration
investigation that was going on?
A.  Sheela was very concerned about this ongoing
investigation of these 12 couples. In addition, there was
a lot of concern about Bhagwan's immigration status.
Petitions had been filed for him to be allowed to stay in
the United States, and there was an ongoing concern about
this criminal investigation concerning INS fraud.
Q. And did there come a time in connection with that
concern of the INS investigation that you had an occasion
to observe any of the training sessions that were going on
or participate in any training sessions?
A. I got to observe training sections that were taking
place in the legal department on the ranch. Sheela was
very concerned that members wouldn't do well in their
immigration interviews because so many people that were
married were not really in relationships with the people
they were married to.

They had to get to know all of the personal
habits and all of the information about the people they
weren't having a relationship with. She would have
different people that are going to be interviewed come into
the legal department and be grilled as though they were
going to be interviewed.
Q. Did you observe any of those sessions?
A. Yes, I did.
Q. And what, if anything, did Vidya say about any INS
issue?
A. Well, Vidya was --

MR. WEATHERHEAD: I am going to object to the
hearsay at this point. We are getting pretty far afield
with hearsay.

MR. GLICK: Directly related to the INS.


THE WITNESS: I can answer?

THE COURT: Yes. Go ahead.

THE WITNESS: I'm sorry. What did Vidya say?

Q. (By Mr. Glick) About any INS investigation?

A. Just she was very concerned about it.

Q. And how close were you to Sheela at this point by the spring of 1985?

A. I was very close. Well, I was very close to Sheela in the sense that there was a small group of women and well, there were a few men, too, that she had taken into her confidence and we had worked together really closely.

Q. And this small group that Sheela had taken into her confidence by this time, does that include Savita?

A. Yes.

Q. Does that include Su?

A. Yes.

Q. Vidya?

A. Yes.

Q. Shanti Bhadra?

A. Yes.

Q. Anugiten?

A. Yes.
Q. Yourself?
A. Yes.
Q. Yogini?
A. Yes.

MR. WEATHERHEAD: Your Honor, this is really leading in a degree. I have to object to --

THE COURT: I'll sustain the objection. Let her name off the names.

Q. (By Mr. Glick) Who were the names of the persons in the small group besides the ones we already discussed, with the exception of the last one where the objection was sustained?
A. K.D., Julian, Shanti Bhadra.
Q. Were there others?
A. Well, yeah, Padma, Patipada.

MS. SCISSORS: I don't know if she was done.

THE COURT: Were you finished?

THE WITNESS: I'm a little confused about all of the people that I have said so far.

THE COURT: Okay.

Q. (By Mr. Glick) I will move on to something else. We can come back to that.

What did it mean to you by the spring of 1985 to be on the commune with Bhagwan?

A. In the spring of 1985, meaning up until, meaning
before June, I was still as devoted as I had ever been to Bhagwan and the commune? I have loved Bhagwan more than anyone I loved in my life. He was the most important person to me. In that way, the commune, you know, was the most important thing to me, too. It was my life.

Q. And what would it have meant for you to be exiled or sent off the ranch?

A. I couldn't even have imagined living anywhere other than with Bhagwan at that point in time.

Q. And who had the power to exile sannyasins from the ranch?

A. Sheela.

Q. Anyone else?

A. Well, often things like exiling, well, if it had been exiling me at that particular point in time, I think Sheela would probably have spoken with a member, number of people within that inner circle of women and men.

MR. WEATHERHEAD: Objection. Move to strike, speculation.

MR. GLICK: This is based on her own observation and conversations with the group she was part of, Your Honor. She can testify to what she knows based on her own observation.

MR. WEATHERHEAD: Evidence of habit, character, not evidence of facts, things that occurred.
THE COURT: Sustain the objection.

Q. (By Mr. Glick) I want to direct your attention, then, to a specific moment in time in the spring of 1985. Did there come a time when you were in Portland, Oregon, during the trial of -- between the commune and Helen Byron.

A. Yes.

Q. Who else was with you in Oregon at that time?

A. Anugiten and Yogini.

Q. And did there come a time when the verdict was reached in the Byron case?

A. Yes.

Q. And were you in Sheela's presence after the verdict?

A. Yes, I was.

Q. Can you describe for the ladies and gentlemen what Sheela's reaction was to the verdict as expressed to you?

A. Sheela was very upset about the way the trial had gone. Helen Byron had loaned Sheela $500,000 when the ranch had first started. She wanted the money back.

Sheela claimed she had given her the money, it wasn't a loan. So Helen Byron sued Sheela and the commune for the money back and won the case plus damages, I suppose. I think the case -- it was going to cost the ranch about a million and a half dollars. Sheela was really upset. At this -- the same time there was an election trial, we had an election trial -- violation trial going on. We also had
a disfavored verdict. And so Sheela was really feeling
desperate and expressed to me and Yogini in the hotel room
she felt like we were never going to get a fair trial in
Oregon and that we would really need to take the law into
our own hands, and said if we were going to survive, there
was going to have to be almost a war to achieve our goals
in establishing the community.

Q. Did she said anything about Savita or Vidya at that
time?

A. What she said --

MR. WEATHERHEAD: Objection. Calls for hearsay,
Your Honor.

THE COURT: I am going to sustain the objection.

MR. GLICK: State of mind, Your Honor.

THE COURT: Sustain the objection.

MR. GLICK: This be a good time for the morning
break, Your Honor?

THE COURT: All right. Well be in recess for 20
minutes.

THE CLERK: Court is now in recess for 20
minutes.

(REcess)

THE COURT: Previous to the last recess I
sustained an objection. I think I was in error. I am
reversing that decision and the objection is overruled.
You may proceed with that question.

MR. GLICK: Thank you, Your Honor.

Q. (By Mr. Glick) Ms. Avalos, directing your attention to the matter of the Helen Byron verdict and Sheela's reaction. What, if anything, did Sheela say to you about Savita and Vidya?

A. What she said was that when we got back to the ranch we would have to support her opinion, support her opinions about needing to take the law into our own hands, so that the rest of the people at the ranch would agree.

Q. Did she mention Savita and Vidya specifically?

A. No, she didn't.

Q. Directing your attention then to the specific time, did there come a time when you got back to the ranch?

A. Yes.

Q. And did you go about your business until something happened?

A. Yeah. It was, I believe, the next day or the following today. I was -- I had a beeper on. I was beeped to come to Jesus Grove for a meeting. It was in the afternoon sometime. And we all -- I walked into Sheela's bedroom. Sheela was saying to everyone, "If you have any morality, you need to leave it at the door or don't come to this meeting."

Q. And what, if anything, took place at this meeting?
A. Well, there was a group of us sitting in a circle. And Sheela said that -- expressed again the same idea that she had expressed back at the hotel, which is that the time had come for us to take the law into our own hands. In order for us to survive in Oregon, we were going to have to start to kill people.

Q. Now, who else, if anyone, spoke at this first meeting?

A. Well, Sheela referred to Su and Su took over the meeting and said that, "I am going to run the meeting so that everyone knows that Sheela isn't forcing us to do this, that everyone is taking responsibility on their own and no one is forcing us to do this."

Q. Can you describe for the ladies and gentlemen with respect to Sheela, what was here tone, her demeanor as you observed it when you were present at this meeting?

A. It was completely serious. She meant business, is how she put it.

Q. And what was defendant Su's tone when she made statements that she made?

A. She was equally as serious.

Q. And were there other meetings that you attended during this immediate period of time where killing was discussed?

A. Yes, there were.

Q. Was there any discussion during the period of time at any of these meetings about who would do the killing?
A. Yes.

Q. Describe to the ladies and gentlemen what was said and who said it.

MR. WEATHERHEAD: Your Honor, I object to the question insofar as it doesn't attempt to place us in a place and time we can deal with.

THE COURT: Let's have a framework of time when these meeting took place.

Q. (By Mr. Glick) Directing your attention then to the Helen Byron verdict, approximately May 24th, and the return to the ranch and the first meetings in a day or so. Were there a series of meetings after this first meeting during the period of time May 26 to May 28 of 1985?

MR. WEATHERHEAD: Objection. Leading, Your Honor.

THE COURT: Could you put a framework on that?

THE WITNESS: If the Helen Byron trial was at the end of May, it was sometime directly after that. The trial ended, Sheela came back to the ranch, it was within a day or two that the series of meetings took place.

Q. (By Mr. Glick) Describe for us what was said, who would do the killing and --

MR. WEATHERHEAD: I apologize for continuing to interrupt, Your Honor. Once again we don't have a question framed in terms of specific place, time, which is obviously
the whole case, Your Honor, as to who was where when.

MR. GLICK: Your Honor, she is describing a
series of meetings. She provided a specific time.

THE COURT: We will get to the people after we
get to the topic. Proceed.

THE WITNESS: Sorry. Repeat the question.

Q. (By Mr. Glick) Were there some conversations during
the series of meetings about who would be doing the
killing?

A. Yes.

Q. And tell the ladies and gentlemen who said what at
these meetings.

A. In one of the series of meetings that took place,
Sheela said that she wanted to create an assassination team
and she wanted me, Yogini, Su, Shanti Bhadra and Anugiten
to be these five people that our main task would be to
participate in this assassination team. And that we should
always have -- she would always make sure that we had an
open plane ticket in case we had to flee the country at any
point. And we would always be provided money and always
have money on hand in case this needed to happen. And we
should hand all of our responsibilities on the ranch to
someone else because we needed to do this full time.

Q. At the meeting where the assassination team was
discussed by Sheela, can you remember any specific words
she used?
A. I believe she used the expression "hit team."
Q. H-i-t?
A. Yes.
Q. You mentioned during this time Sheela also stated that money would be provided for the assassination team for expenses.
A. That is right.
Q. Was defendant Savita present at that time?
A. Yes, she was.
Q. What, if anything, did Sheela or Savita say about the money?
A. Sheela said Savita would provide the money.
Q. And did Savita protest?
A. No.
Q. And what else was discussed in addition to a hit team in terms of killing? How it would be accomplished, for example?
A. Well, there were a variety of different options or different possibilities of --
Q. Any discussion about firearms?
A. Yes, there were. What I was going to say is there were a number of different options how to hurt people or how to kill people were discussed, which included poisoning, shooting guns to kill people.
Q. What was said at these meetings concerning the firearms that would be needed to kill people?
A. We started talking about the fact that in order to accomplish killing, some of the killing we would need to have guns.

Q. I am confused. You described earlier defendant Savita and Su and yourself on the 24th had firearms. What would be the need for additional firearms other than they ones that Su and Savita would have had?
A. We all understood we would need firearms that could never be traced back to the ranch. All of the firearms on the ranch were registered and bought legally. And we couldn't have there ever be a trace between a gun that we fired in an assassination attempt, I suppose, and a ranch gun.

Q. And was there any discussion about where to get or how to get firearms that could not be traced to the commune that you were present at or discussed?
A. Yes.

Q. Who made the decision and what was said, if you can tell me?
A. Well, again, the way the discussion took, there were a group of people that participated in the discussion. And we talked about the need to buy guns that were untraceable, that we would need to have false identification to buy
guns, to bring them back.

Q. And was Savita present during these discussions?
A. Yes, she was.

Q. Was Su present during these discussions?
A. Yes, she was.

Q. Vidya present?
A. Yes.

Q. Shanti Bhadra?
A. Yes.

Q. Now, was there any discussion about who would be killed?
A. Yes, there was.

Q. Did the name Charles Turner get raised?
A. Yes, it did.

Q. What was said about Charles Turner?
A. Well, Charles Turner was brought up as an enemy of the commune. Somebody that was of importance, one of the main enemies of the commune.

Q. At that time did you know who Charles Turner was?
A. I knew the name and I knew he was involve in the INS investigation. But I didn't understand -- I may have heard he was the U.S. Attorney. But I didn't understand what it meant to be a U.S. Attorney at that time.

Q. Was there any discussion at these series of meetings as who to who would be the person to purchase or obtain the
untraceable firearms?

A. Yeah. It was decided that Shanti Bhadra and Rikta should go buy firearms.

Q. And were you present during that discussion?

A. Yes, I was.

Q. Who discussed at the meeting, that particular meeting, this topic?

A. Well, Sheela decided that it should be done by Rikta and Shanti Bhadra. Again the meetings were group meetings, but ultimately Sheela was the one that decided everything. Someone may have said, "How about Rikta?" You know, there was a dialog that happened within the group. Ultimately it was always Sheela that said, "Yeah, Shanti Bhadra and Rikta should go."

Q. At the meeting where the hit team was selected by Sheela --

A. Yes.

Q. -- Rikta was on the team?

A. Yes.

Q. Did any of the persons, including yourself or Su or anybody, say anything about that selection?

A. No, not -- I'm --

Q. Protest in any way?

A. Sorry?

Q. Protest in any way?
A. No.

Q. Were there others there who did object to killing?

A. Well, that was a different meeting. I mean, I feel like it sounded like all of these things happened in one meeting. It didn't really happen all in one meeting. But the first meeting where Su asked us are we in or out, that is when different people objected to the idea of killing people.

Q. And who objected at that first meeting?

A. K.D. objected. Padma objected, Patipada objected. She said, "I can't kill anybody, but I support you if you do it." Bodhi objected, Jayanada objected.

Q. Now I want to direct your attention to the period of time after these objections were lodged in early June of 1985. What, if anything, did Sheela do with respect to the protests?

A. Immediately within that meeting she asked Bodhi and Jayanada to step out of the room.

Q. Did she at any time thereafter tell the Bhagwan about anything?

A. Yeah. Again, within a few days of that first meeting she went -- Sheela would go and see Bhagwan every morning and every evening. In the evening she would talk with him and discuss ranch business and ask him what he would want done within the commune. And I guess because so many of
the people that were close to her in that group objected to the idea of killing people, she went to him and asked him what he thought about the need to kill people.

Q. And what did Bhagwan say?

A. Well, Sheela came back from the meeting. She had taken a tape recorder so she could play us the message. She came back to the meeting and said -- and began to play the tape. It was a little bit hard to hear what he was saying. But Param Bohdi, who was one of the people that kind of assisted her in Jesus Grove, assisted her, went and transcribed it. We listened to some of it and he transcribed some of it.

And the gist of Bhagwan's response, yes, it was going to be necessary to kill people to stay in Oregon. And that actually killing people wasn't such a bad thing. And actually Hitler was a great man, although he could not say that publicly because nobody would understand that. Hitler had great vision. And --

Q. Did the tapes get to be known by any name?

A. I guess -- well, since everything has happened we referred to that as the Hitler tape.

Q. Now, at this time what, if anything, other than what you have already told us about these discussions about killing Charles Turner occurred, did you do in the early part of June, if anything?
A. Well after the -- in relation to Charles Turner?
Q. Yes.
A. After the series of meetings, I received a message to come and see Sheela. I went to see Sheela. She said, "You should go and find Samadhi and do it" -- you know, "Go and see Samadhi. I want you to work with Samadhi. Go find her and go to Portland with her."

I went and I found Samadhi and found out that Samadhi had been working on investigating the location of Charles Turner's home for sometime.
Q. Let me stop you there for a moment. How much time had lapsed between the time of these series of meetings that first took place after the Helen Byron trial and the period of time where Sheela came up to you and instructed you to go see Samadhi?
A. Well, a week, two weeks. Yeah, it's for me -- in my memory it's like a period of time. I couldn't tell you exactly how many times.
Q. It seems either a week or two weeks at this point?
A. I would think so.
Q. Let's see if we pick some dates as we go through this.

Now, you indicated you were present at a meeting in one of the series of meetings where Rikta and Shanti Bhadra were assigned to go get firearms.
A. Rikta wasn't at the meeting. Shanti Bhadra was.
Q. Do you know if they went and did that after the meeting?
A. Yes.
Q. Were they successful?
A. Yes, they were.
Q. How do you know that?
A. Because they told me. And because I was shown the guns that they went and purchased.
Q. And what were the circumstances that surrounded the time when they did show you, when they did tell you? How did it come about that they told you that they had gotten the weapons? Was there another meeting? What took place?
A. No, there wasn't another meeting. I was talking to Shanti Bhadra and Rikta outside, you know, just seeing them in Jesus Grove or something, or outside. I also spoke with Anugiten about it. He was the one that actually showed me the guns. Because when they brought any guns back, they had to be sighted, you know, they had to be sighted or, you know, be able to aim correctly with them. So on one trip him and Shanti Bhadra were going out and sight the guns. I actually met them outside as they were going over to the range to shoot the guns. I saw them when they came back.
Q. Were these the same guns Rikta and Shanti Bhadra had received?
A. Yes.
Q. Directing your conversations with Sheela and Samadhi. What did Samadhi tell you about the work she had done on Charles Turner?

A. Samadhi did showed me, Samadhi told me she had been trying to locate Charles Turner's home and contact Charles Turner for sometime. And she actually had went to Washington, D.C. and had gone to his office there to try and get an interview with him there and had been unsuccessful. What she did bring back from there was a picture from his college yearbook a picture of him in different clubs and things like that. That was the only picture we had of him.

And she also said that she had found out where he came in and out of the courthouse here in this building. And that we were -- I was supposed to go with her to help her find out where he lived.

Q. And did there come a time when you went with Samadhi?

A. Yes, I did.

Q. And what happened at that time? Where did you go with Samadhi?

A. The first morning Samadhi -- somehow she had figured out he lived in an area called Sherwood, and that we should go to the library and try and find out where the voter precincts for Sherwood were located.

So we went to the library here downtown.
Samadhi was looking through the books and found out where in Sherwood you could go. And we drove there to the voter precinct information building. I don't know exactly what it was called. It was where they have all of the voter card information. We went in and told them that well were are doing a survey on Reagan's economic plan.

Q. Let me stop you there for a moment. You described earlier the orange clothing and (necklace) that you were a sannyasin. Describe for the ladies and gentlemen prior to going with Samadhi were you wearing these clothes or different clothes?

A. We changed our clothes. We changed into normal clothes. We called it "blue clothes."

Q. Why?

A. Well, because we didn't want to be recognized as sannyasins.

Q. And what kind of automobile did you travel into either look at Mr. Turner's home or get to the post office?

A. Well, there was a green Maverick that we used.

Q. Now, what happens when you get to the post office?

You were describing a conversation you had about Reagan's economic plan.

A. We went in and said we were doing a survey to see Reagan's -- find out about how people felt about Reagan's economic plan, and they let us in. It was just like a wall
of cabinets with these cards in them. And we pretended
like we were looking at all different cards, but of course
the main card we went to get was Charles Turner.

We pulled out the card and it had a -- it
had his name, but a P.O. box for an address, not an
address. So we left there and Samadhi said maybe if we go
to the post office we can see if they will tell us.

We drove to the post office in that area and
the woman at the post -- the mail place said, "No, we don't
give out addresses for post boxes," you know. She gave us
a paper, I think, that had different route numbers on it.
So we spent the rest of the afternoon trying to find the
location of these post office boxes just driving around
Sherwood.

Q. Now, during this period of time when you were driving
around with Samadhi, did you have any discussion with her
as to what the motive was for killing Charles Turner?
A. Yes. She explained that -- again, that Charles Turner
was involved, headed the INS -- immigration investigation
that was taking place against the ranch. And the idea was
if we killed him, that the investigation would be
interrupted and that would give us more time.

Q. What, if anything, did you say about that?
A. I listened, I guess. I don't remember saying anything
other than taking in the information.
Q. Based upon your conversations with Sheela, what was Sheela's view of the Grand Jury investigation of the commune during June of 1985? Anything that she said.

MR. WEATHERHEAD: Objection to hearsay, Your Honor.

THE COURT: Ask the question again, please.

Q. (By Mr. Glick) In relation to the Grand Jury investigation, what if anything did Sheela say about it in June of 1985?

THE COURT: Tie it in. Sustain the objection.

Needs some kind of tie-in.

Q. (By Mr. Glick) Did you have any discussion with Sheela in 1985 concerning the Grand Jury investigation being headed up by Charles Turner?

A. Yes.

Q. She express to you and make any statement about her view in this time period of the Grand Jury and possible effects on the ranch?

A. Yeah. All of us were very concerned about the INS investigation that was taking place because we understood that a Grand Jury had convened and that if -- if any of the couples that were being investigated were found -- their marriages were found to be fraudulent, then that would reflect badly on Bhagwan's immigration application also and he could be deported. And then everything that we had
worked for on the ranch would cease to exist.

The ranch couldn't have existed without Bhagwan. Everyone had thrown all of their money and time and energy into creating this commune. So we had everything at stake.

Q. How was it, given the upbringing that you had, that you came to participate in discussions about killing Charles Turner at this point in 1985?

A. Well, I felt later in trying to make sense of everything that happened to me, understood how desperate I was to belong to a group, how desperate I was to have a family, you know, coming from some of the things that I came from. And there was nothing more important to me than my family, than my home, which is the way I said it then, you know. I was willing to jeopardize my life, give up my life to protect the community, to protect Bhagwan.

Q. How long a period of time did you drive around with Samadhi searching for Charles Turner's house?

A. Pretty much three, four hours, good part of the day.

Q. Did there come a time when you eventually found it?

A. Yes.

Q. Describe to the ladies and gentlemen the circumstances immediately preceding finding it and then finding the house.

A. Well, we finally came upon a group of mailboxes.
There were, I don't know, maybe seven, eight of them in a row, some old ones and then some of them that were like Oregonian mailboxes on the side of the road.

The thing about this road, however, was that it wasn't -- these mailboxes weren't attached to any house. They were in the middle of this street. Well, they weren't really streets, they were dirt roads that one went this way and one went that way. And there were houses all along those streets.

So we got to the mailboxes, found the mailbox. We didn't know where the house was. And we went and had lunch. And somehow in this conversation I decided that I could do a road drive to try and find the house. What ended up happening was I tried to figure out which way to go and we came -- I decided to turn right on the road.

And when we went down -- when we turned right on the road and went down a couple of houses we found Charles Turner's home because it had a sign in the front yard that said Turner.

Q. And what was you and Samadhi's reaction in finding Mr. Turner's house?
A. At the time we were excited of having found the house.

Q. What, if anything, did you do at that point?
A. Well, we went back to the apartment where we were at and called the ranch and reported back that we had found
and located his house.

Q. And you said that you went back to an apartment. What apartment was this?

A. Well, I think they were called the St. Francis apartments. They were big yellow apartments in Portland. I guess would be considered kind of a safe house where we would go and change our clothes and, you know, we would go from the ranch to the apartment, change our clothes and then go out, you know, to do whatever it was we were going to be doing.

Q. And can you describe in terms of time how long a period of time did you remain at the house when you first got there before you went back to the apartment?

A. After we found the house we -- we stayed in the area. We drove around and looked at everything and then stayed in the area probably three hours or so. I mean it took us a couple of hours to find it. We probably stayed there that first time two or three hours by the side of the road just watching, kind of doing surveillance and seeing whether the road was busy or who came around there. It was a pretty isolated place.

Q. Describe it for the ladies and gentlemen.

A. It's really pretty country, rural and kind of rolling hills and real pretty trees. And there is a main road before you turn off to the dirt road to get to Charles
Turner's house. And there is another dirt road you go
down, it was really country. It is not, it's not city at
all. And it's very isolated.
Q. Did you remain in the same location during this first
viewing of the home that you were at?
A. No. We went and parked in a couple of different
locations and just sat out there. I think we put the hood
up once, if anybody wondered what we were doing to pretend
we were broken down.
Q. And these different locations, did you have a view of
the home from there?
A. Sometimes.
Q. All right. And do you recall who it was that you
spoke to back at the ranch when you reported in that you
found the house?
A. I don't remember who. But it would have been --
MS. SCISSORS: Objection.
Q. (By Mr. Glick) Just tell us if you remember.
A. No, I don't.
Q. Did there come a time you went back to the house with
Samadhi later that evening?
A. Yes, later that evening.
Q. Approximately what time in the evening was that?
A. It was around midnight. Later in the evening.
Q. And can you tell the ladies and gentlemen what
happened when you went back at midnight?

A. Well, basically the same thing. We just went to see
the lay of the land and to see what it was like there in
the evening, to kind of get an idea what was happening in
the meantime.

Q. And what did you discover was happening around Charles
Turner's house around midnight on a particular June night?

A. It was very quiet and very isolated.

Q. What, if anything, did Samadhi say about the location
and killing Charles Turner?

A. Well, both of us talked about the possibility of
killing Charles Turner there.

Q. And what was discussed?

A. Well, how that could be accomplished.

Q. And what plans or operation did you discuss, if any?

You remember any of the specifics?

A. Well, yeah. One idea was that as he was coming out
along this road, either in the morning -- what sticks in my
memory, this morning plan before he got out, like if he was
driving out somebody could pretend they were broken down
because the road was only a one-lane road to his house so
maybe you could fit two cars but it was real narrow.

Somebody could pretend like their car is broken down and
stop -- the car would have to stop and then somebody would
shoot him.
Q. Did there come a time that you then went back to the apartment, the St. Francis apartment after this midnight viewing?
A. Yes.
Q. And for how long a period of time did you remain, did you say?
A. After the evening?
Q. No, during the evening.
A. Maybe an hour or so. I don't remember staying a long time at night. We were there for a long while.
Q. Directing your attention to the next day. Did anybody else come?
A. Yes. Back at the Portland hotel, the real Rajneesh hotel, Vidya was giving a press conference about some legal pleading or proceedings that was happening. And so we went to the hotel, also to tell Vidya, hey, we found Charles Turner's house. So amazingly enough Vidya asked to go with us to see his house.
Q. Why do you say amazingly enough?
A. Well, because up to that point, Vidya, Sheela or Rikta --

MS. SCISSORS: Objection, your Honor, question has been answered.
MR. GLICK: She is in the middle of her answer.
THE COURT: I don't think it has been answered.
What was the purpose or what was said?

MR. GLICK: She replied amazingly so. I was asking her to explain that.

THE COURT: Right. What was the reason?

THE WITNESS: Well, that up until that point Sheela, Vidya, Rikta, the main people, never went out on any kind of --

Q. (By Mr. Glick) So you were surprised that Vidya was there; is that correct?

A. Yeah. I was surprised she wanted to come with us.

Q. What clothing did Vidya have when you came into contact with her?

A. At the hotel she had red clothing, you know, the regular sannyasin red clothing.

Q. Did she change?

A. Yes.

Q. And what was Vidya's role in relation to Rajneesh Legal Services and the INS investigation?

A. Well, Vidya ran the legal department on the ranch.

Q. And what, if anything, had Vidya say prior to this about the INS investigation?

A. Because she ran the legal department she was the one that was in charge of making sure that all of the couples were prepared and anyone that, you know, was going to be getting interviewed by the INS was prepared. She was also
in charge of the -- all of the legal proceedings to try and get Bhagwan's immigration approved in this country. She was in charge of all of the legal things.

Q. And did she then go with you on this surveillance of Charles Turner?

A. Yes, she did.

Q. What happened when you got to Charles Turner's house this time, the second day with Vidya?

A. Well, the same thing. We drove her there and showed her where it was and drove around and came back.

Q. All right. And while you were at Charles Turner's house, was there any discussing with Vidya and Samadhi concerning their killing of Charles Turner?

A. Yes.

Q. What was discussed with Vidya and Samadhi?

A. Again, all of us discussed the possibility of killing him.

Q. And what, if anything, did Vidya say about killing Charles Turner?

A. She listened to what we had to say.

Q. And was anyone else with you during this particular surveillance?

A. I think just the three of us at the time.

Q. Did there come a time anyone else joined you going on surveillance?
A. Yes, later Yogini came.
Q. What happened when Yogini arrived?
A. We also took her out to see Charles Turner's home.
Q. Was this another trip other than the morning trip you described?
A. I believe so. We went out with Vidya a couple of times and --
Q. Vidya was out at Charles Turner's a couple of times?
A. Yes.
Q. How long a period of time did you remain at Charles Turner's house?
A. Not very long. Again, we just went out there and drove. I was really conscious Vidya was with us. Vidya was the president of the commune. We didn't feel like we could get caught with the president of the commune roaming around Charles Turner's house.
Q. Was there any separate surveillances of the courthouse where Mr. Turner worked?
A. Yes. Before we had gone out to Charles Turner's home.
Q. Before the first time you went out to his house?
A. Yes, I believe so.
Q. Describe to the ladies and gentlemen what, if anything, you did in the surveillance of this building.
A. It was actually before we went out and before we went out to Sherwood. Samadhi had been here before and I think
said she figured out how Charles Turner came in and out of this building. And she wanted to see if we could see him again coming in and out of the building. I didn't know what he looked like. I only had a picture from his yearbook, many years previously.

So I sat at the -- I think the bar -- the other side, like if this was a one-way-street, here it was the other side. I sat in a parked car for a while watching people come in and out of the courthouse not knowing who I was going to be looking for but knowing I was going to look for Charles Turner. Then we went to the parking lot across the street. And she had this idea that he could be shot in the parking lot possibly if that is where he parked his car.

Q. What did you think about any plan to shoot him in the parking lot?

A. I thought it was a bad idea.

Q. Why?

A. Because I thought -- well, it seemed pretty ridiculous to try and shoot him across the street from the courthouse in a parking lot where it would make tons of noise.

Q. Did Samadhi say anything about what role she wanted to play in the assassination of Charles Turner?

A. Samadhi was real enthusiastic about this and wanted to shoot him, actually. And that was, again, rather absurd
and farfetched to me. Because Samadhi had never been
included in the 24 people, had never practiced, as far as I
knew, firing guns and only had the use of one eye.
Q. She had one eye and she wanted to kill Turner?
A. Yes.
Q. And how long did you remain outside this building
trying to see if Charles Turner would go in or out?
A. I don't really remember. It was a little while. We
didn't sit in a parking structure for a long period of
time. We sat outside the courthouse watching people come
in and out longer than the parking structure.
Q. How long did you remain outside of this courthouse
trying to find Charles Turner?
A. An hour or two, maybe.
Q. You said you had an old yearbook picture. Did you
have at this time in June of 1985 and up-to-date picture of
Charles Turner?
A. No.
Q. Did there come a time when your activities in the
surveillance of Charles Turner came to an end and you went
back to the ranch?
A. Yes.
Q. What happened and what were the circumstances?
A. Well, after Yogini came in she relieved me with
Samadhi and I went back to the ranch. I flew back to the
ranch on the commune plane with Vidya.

Q. And did you have any other role at the end of June or the beginning of July in relation to Charles Turner and killing him?

A. No. Only that, that K.D. wanted -- came and asked me for a camera. We had these very small little cameras that we could take pictures of -- kind of without them knowing, I guess was the idea. He came and asked me for a camera because he was going to be -- going to some sort of social function that Charles Turner was attending and he wanted to take his picture.

Q. Did you give K.D. that little camera?

A. Yes, I did.

Q. Now, directing your attention to the middle of September, three weeks later, did there come a time when certain people left the commune?

A. Yes.

Q. Can you describe the circumstances which surrounded that and what you did and what happened?

A. Well, at a certain point Sheela started to talk to that same small group of people and said that she felt like she wasn't happy on the ranch anymore and she didn't feel like she would -- she was ready to go to prison for Bhagwan, or work for him anymore, you know, give up her life for him anymore. She started talking about all of us
leaving the country together, fleeing the country. We
didn't put it fleeing the county, all leave the country
together and go something else in Europe.
Q. Where you part of that group?
A. Yes, I was.
Q. Did Sheela leave the commune?
A. Yes, she did.
Q. What did you do?
A. Well, Sheela came -- she was away on a -- she was away
on a trip traveling. When she came back it was around the
middle of September, she came back and told us, I'm leaving
tomorrow or, you know, real soon, maybe one or two days.
She wrote a letter of resignation to the Bhagwan. She said
she thought we ought to all go with her.

So all of the people that were close to her
had a real hard time trying to decide whether or not we
should go or whether we should go. And finally pretty much
all of us decided, okay, let's go. And we -- Sheela left
the night before. And then the next day we all packed up
and got into the van and left. Which, we were the top
administrators of the ranch, so everyone was in complete
turmoil and we suddenly decided to get up and go. Nobody
really understood what was going on.
Q. What was your emotional state at the time?
A. I was really, really upset. I was really confused
because everything that I had done to that point had been for Bhagwan and the commune. Subsequently we were shifting now and we were going off and do something for ourselves. And it's just -- it didn't make sense to me.

Q. And prior -- through the summer of 1985, what were your sleeping hours then, the time?

A. Sorry?

Q. What were your sleeping hours? What was going on in terms of how you were physically feeling?

A. What point?

Q. Through the summer of 1985, during the time you were conducting surveillance and up until the time you left?

A. Well, we were all working, you know, we were working like crazy. We were having meetings in the evening, we were doing this ridiculous schedule at the Bhagwan's house. Sometimes we slept maybe, four, five hours a night. Four is probably closer to what it was. So our schedules were completely insane.

Q. What happened then when you left the ranch and came to Portland?

A. Well, Sheela had left before us. Then there were a group of us went to a hotel in Portland. And some people had passports already updated and some of us didn't have a new, you know, the new passport. So half of the people could leave before the other half. And I was really upset.
And I hadn't slept that night so when we all got to the hotel Vidya gave me a sleeping pill so I could calm down. And when I woke up in the morning I found out that they had all talked in the evening about all the plans that were going to happen.

So when I woke up Yogini walked in the room and said I just talked to Sheela on the phone, everything is going to be fine. We are going to go buy a disco in Europe. And something snapped inside of me at that time. I said, "That is the most ridiculous idea I ever heard of in my life."

Q. What did you do?
A. I said, "I'm not going." And I think people felt differently about that. I mean, everybody was so upset really at the time that, you know, everybody was really upset at the time. So me saying I wasn't going to go added to an already bad situation.

Q. So did you go back to the commune?
A. Yeah.

Q. How was it you were able to go back to the commune after having left?
A. I called. I called Geeta again at the ranch. I said, "I really want to come back. I don't want to go." She said, "Okay, come back." So I dropped off -- I dropped off Yogini. I drove Yogini to the airport. I said good-bye to
her. I drove the van back to the Portland hotel and then
got on the plane and went back to the ranch.
Q. What happened when you got back to the ranch?
A. When I go back to the ranch I found out Bhagwan had a
press conference in the morning and had made a number of
allegations against all of the people that had left.
Q. And what did you think was going to happen to you at
that time?
A. Well, even before I was back to the ranch, when I woke
up that morning I realized that everything I had done to
that point had been completely wrong. And I thought, if I
have to spent the rest of my life in prison because of
that, that is what I have to do. I felt like I had to make
things right. I had to put things straight.
Q. Sorry?
A. I had to set things straight.
Q. And part of that process, did you come to retain an
attorney or have contact with the FBI?
A. Yeah.
Q. Describe the first contact with the FBI and the
circumstances that surrounded that.
A. Well, after Bhagwan -- Bhagwan started to have these
press conferences and accused us all of doing all kinds of
things and everyone started accusing us of doing all kinds
of things, some of which were true and some of which
weren't true, people were kind of having a hey day. And because of the allegations the FBI and the State Department descended on the ranch kind of on matters and set up offices like in the middle of the ranch there.

Q. You say the State Department, the State Department or Department of State in Washington?

A. The State Police, sorry. And I received a message to go and speak to an FBI agent named, Paul Hudson. So I went in to see him. And what I told him was that I was really confused and that I didn't know who to trust anymore. And he listened to me. And I told him, I said, "A lot of people are saying a lot of things that are true and a lot of people are saying a lot of things that aren't true." He said, "Okay, we will just -- I'm here. If you want to talk to me, I'm here." And I left. And I ended up talking, going -- the only person I felt at that point I could really trust was my old friend, Sono who had gone to the -- who is the one I had gone to India originally when I was

19.

Q. Spell Prem Sono.

A. Prem Sono, S-o-n-o. So I went and found Sono. And I said --

Q. Would you like a break?

A. I'll be okay. I told her what had happened to me.

And just a second, she listened and she went --
MS. SCISSORS: Objection, Your Honor, as to relevance. And also it's clearly going to be hearsay. It's really irrelevant.

THE COURT: Her own feelings, but not someone else at this stage.

Q. (By Mr. Glick) What were your feelings about what was happening to you at this stage? What did you do?

A. I talked to Sono about what had happened.

Q. Without telling us what Sono said to you, what did you do?

A. It really -- what Sono did at that point?

Q. What did Sono do?

A. Sono went to Paul Hudson and told him my friend needs help. And so at that point -- again, I was still really confused. And I was told by someone, and I don't remember who it was, that I should go in and tell the FBI everything that I knew. So I went in and I sat down. I didn't know that Sono had spoken to Paul Hudson. She later told me she had done this.

So I went to Paul Hudson. And I said, "I want to tell you what happened." And he said, "I don't think you want to tell me what happened." He said, "I don't want to talk to you until you have an attorney. You need an attorney. And you need to do whatever you can do to find an attorney, that is what you need."
Q. He didn't make an attempt to interrogate you even though you wanted to talk?
A. He wouldn't.
Q. What happened, did you get an attorney?
A. At that point there were a lot of other people on the ranch that felt like that -- because the FBI and everybody where there -- there were a group of people that went to Portland to find some attorneys to talk to. And then that was when I met Ron Hoevet and Jack Ransom for the first time and we talked. And then they recommended that I hire Tommy Hawk as my attorney.
Q. Did you do that? Did you hire Tommy Hawk as your attorney?
A. Well, I didn't hire him. I didn't have any money. But the people at the commune put together some sort of fund to hire attorneys for people that needed attorneys at that point. And that is the ones that paid him. But I did want him to be my attorney.
Q. Did Mr. Hawk negotiate a plea agreement or immunity agreement, if you will, with the United States?
A. Yes, he did.
Q. And are you familiar with that?
A. Yes, I am.
Q. And what is your understanding as to what you have promised to do as part of that agreement?
A. Part of the agreement I promise to tell everything
that I knew about everything that had happened as
accurately as I could.
Q. And what did you understand that the promise of the
United States was as part of that agreement?
A. That as long as I -- if I didn't lie about anything or
misrepresent any information that I wouldn't be prosecuted
for the crimes that I committed. But if I was found to lie
or tell -- not tell the truth in any way I would be
prosecuted completely for my crimes and for everything that
I said. Everything that I said would be used against me
all at once.
Q. All right. Now, you talked a little bit earlier, you
said you did a lot of things that you realized were at that
point really wrong. Can you tell the ladies and gentlemen
the things that you did that at this point that you knew
were wrong?
A. Actually I made a list. Is it okay for me to take it
out?

MR. WEATHERHEAD: Your Honor, I object. The
quality of this witness' memory is crucial to us.

THE WITNESS: Well, I just didn't want to forget
any of them.

THE COURT: Go ahead and do what you can without
the list. If you need the list to refresh your memory
after that you can use it.

THE WITNESS: Okay. I participated in poisoning
Judge Hull. I participated in the salmonella poisoning
that took place in The Dalles. I participated in a series
of poisonings.

MS. SCISSORS: Objection, Your Honor. Can we
approach the bench, please?

THE COURT: Ladies and gentlemen, why don't you
step out.

(Jury out)

THE COURT: Ms. Scissors.

MS. SCISSORS: We are conferring among ourselves,
Your Honor.

It had been my understanding from the
lengthy discussion we had the other day regarding immunity
that the Government was to elicit those categories of
crimes for which an individual witness received immunity.

The problem with something like this is that
all of us have very carefully avoided the hit list, which
includes a whole series of people. But now suddenly we
have Ms. Avalos testifying she got immunity for poisoning
Judge Hull, which is very prejudicial because it creates
the impression that, you know, all kinds of particularized
individuals, public officers in that case were being
poisoned, targeted or whatever.
MR. GLICK: Your Honor, should we excuse the
witness during this?

THE COURT: Yes. I think it would be better if
the witness was excused.

(Witness excused from the stand.)

THE COURT: Mr. Glick.

MR. GLICK: Yes. I think we are doing exactly
what the Court wants us to do. I think we have been very
careful to, on direct, to stay away from those areas that
the Court has instructed that delicate balance in the
404(b) area. The witnesses are under enormous pressure.
They are not attorneys.

It's a complicated legal issue, but we have
instructed them as far as the direct is concerned to stay
away from certain areas, and we did that. Now we are in
that portion of the testimony which is not a chronolog to
make it seem as if there is a series of acts everyone is
involved in. We are in a portion of the foundation which
is the plea agreement and what crimes she committed she
received immunity on.

She is talking about what she did. She is
not talking about what any others did, let alone that
Savita or Su participated in them. And she is under
specific instructions from me to "just say what you did."
And that is what she is doing.
So far as the hit list is concerned, I think Ms. Scissors is confused about the timing whether Judge Hull was on the hit list. That is a poisoning at a much earlier time. It wasn't an attempt to kill Judge Hull as part of the hit list. So she is factually wrong there.

But the witness is doing exactly what we thought would be the delicate balance that the Court instructed, to stay away from the chronolog and to have the witness describe the criminal activity that they participated in as part of the plea agreement and what they received immunity on. And that is what the witness is doing and there is no doubt on cross-examination they will go into all of the bad things that Ms. Avalos did to make it seem to the jury she is not a credible person or that she had some sort of bias because she heard testimony -- her testimony is in exchange for not being punished for all of the crimes that she did commit.

So it's highly relevant. We are doing it in a way we thought the Court wanted us to, and that measure is a delicate and balanced way.

THE COURT: Ms. Scissors.

MS. SCISSORS: I was using the hit list by analogy. Both sides have avoided saying that Sheela actually listed ten or so people because the view had been that would open the door.
Well, similarly, by saying the poisoning of Judge Hull is like saying that there were other public officials that were targeted. So it's the analogy, not the fact Judge Hulls was ever on the list. That makes this so damning.

The other thing that is as bad or worse is she is being permitted to testify she participated in instead of stating -- which is misleading to the jury -- instead of stating, "I did." So I would ask on both scores that the testimony not be allowed. And the inference "was participating" was that others were involved. She is here to say what she did and what she got immunity for.

THE COURT: Well, this issue has always been a concern to all of us. I think counsel has followed my instructions to the letter that I set the other day after some previous testimony along the same line. There is no question that this has some reverberations that one can consider on the issue of prejudice. And I am weighing this testimony from its prejudicial position, but I also feel that the Government is entitled to put its witnesses before the jury in its light as being one who is candid about her affairs or her activities. And as the word is used, although I don't like it, to blunt what would fairly be the endeavors of the defendants to use these same acts to attack her credibility. The Government, I have previously
ruled, is entitled to do that, and I think they have been
very cautious in doing it in this instance. It would not
necessarily be accurate for her to say, "I did something,"
if she was merely -- or was not merely but was one of
several participants. That doesn't necessarily mean that
ties your clients in, but it may well be the only truthful
answer she can give about that activity. She is going to
say, "I participated in" or "involved in" or "I did," but I
think the way she is putting it means there may have been
others involved. Now, that has got some questions of
prejudice to the defendants, but I am weighing carefully,
but I cannot preclude all evidence that the Government is
entitled to put in just because it has some prejudice,
whether the prejudice overweighs the use that the
Government puts this testimony to, and here I find it does
not, so I am going to overrule your objection.

Would this be a better time to stop for noon
rather than bringing the jury back?

MR. GLICK: Yes. If the Court wishes to stop, we
might as well. Maybe we can return a little earlier.

MS. SCISSORS: I assume there is a few more
minutes of direct.

MR. GLICK: I think that assumption is incorrect.

THE COURT: Okay. That assumption is incorrect.

Bring the jury back.
(Jury in)

THE COURT: Be seated. One of the jurors has mentioned that the witness is somewhat difficult to hear so I ask that you advise her to speak more directly into the microphone. I found it the same when she turns away from me. I have difficulty hearing too.

MR. GLICK: I'll tell her during the luncheon recess.

THE COURT: Ladies and gentlemen, we are going to take our noon recess at this time. The reason we brought you back in to tell you you can go again, I want to remind you again of all of my admonitions. You are back in a trial mode again where you need to be very careful moving in and out of the building and being around people that might be out on the sidewalk. So be cautious to have a good light lunch and be back. We will reconvene with counsel. Any matters that counsel anticipate you need to bring up or can we just begin -- we will reconvene at 1:00. Be back a few minutes early and we will start at 1:00 o'clock.

THE CLERK: Court now in recess until 1:00 p.m.

(Luncheon recess)
AFTERNOON SESSION

(Jury out)

THE COURT: Mr. Glick, Ms. Avalos, I want you to move the mike up and speak right into it.

THE WITNESS: Okay.

MR. GLICK: Your Honor, may we approach for a moment on one other matter?

THE COURT: All right.

MR. GLICK: Mr. Wax brought it to my attention—

THE COURT: Be seated, everyone. It has been brought to my attention that some members of the gallery are sitting in close proximity to the jurors with a couple of publications which relate to the commune. I need to be particularly sensitive to what my jurors are exposed to, and therefore, I am going to ask that you leave those papers out of the courtroom or those out of the courtroom.

Now, I should also advise you that the sale or handing out of distribution of pamphlets or written material within the courthouse is prohibited. And therefore, if there have been attempts to sell or distribute any of this information, it is a matter which may well be in violation of that edict. I have asked a couple of items be brought to me now from where it is posted as you enter the courthouse.

Because of the sensitivity of the issues of
this case, even if that document does not preclude the sale
or distribution of written materials about Rajneesh, I
prohibit it within the courthouse and it's immediate area
of jurisdiction around the courthouse.

So I don't know if there is any question
that you might have on this, but I don't want to have any
misunderstanding. Soliciting on commercial or political,
vending of all kinds, displaying, advertising, commercial
advertisements, collecting private debts, and so forth. It
goes on quite a list here. It is not allowed within the
courthouse or its environment. So you should be aware of
that and be very careful, as it could bring about a
citation.

VOICE: Your Honor, may I apologize for my
thoughtlessness. And if I leave these in the coat room
outside, may we come back and listen to the testimony?

THE COURT: Well, you can come back. I would
like you to take them out of the courthouse now.

VOICE: Out of the courthouse.

VOICE: Thank you.

MR. WEATHERHEAD: Your Honor, before the jury
comes back, I took advantage of the unexpected break to
hand up a proposed limiting instruction.

THE COURT: Excuse me. Let me take it one step
further. I'm not sure either of you ladies and gentlemen
were around when the admonition was given to the jurors. They are not only to contact anybody or be subject to any publicity about this case, but they are not allowed to have anyone approach them about anything that has any relation to this case. So most of these jurors are all marked with a jury button, but they may not wear that. And so that could be a violation of my rules regarding any contact with jurors. You must be very, very careful about this.

VOICE: It was not my intent to contact any of the jurors. After we sat down here, I thought about the book and I put my purse on top, but I am sorry.

THE COURT: Okay. Thank you.

VOICE: Thank you.

MR. WEATHERHEAD: Your Honor, since we have committed to the Court we had no business and didn't at the time. Once we got the unanticipated moment away from the jury, I did hand up to Miss Black -- and I distributed to the Government and Mr. Wax a proposed limiting instruction regarding plea agreements that Mr. Simms prepared for me and was able to complete over the noon hour, and this seems like a timely opportunity to propose it to the Court.

There was some discussion in-camera the other day about the Court's willingness or perhaps even duty to instruct the jury in connection with the blunting issue, and our thought was that since Miss Avalos is about
to apparently embark on blunting relating to her plea
agreement and relating to the conduct which underlay it, we
request that this instruction be given immediately after
that testimony is received. Thank you.

THE COURT: Now, I am going to ask you keep me
tuned to when you are done with this. Do you have any
objections to this limiting?

MR. GLICK: Very definitely. Two specific
reasons. One, this: The Ninth Circuit has clearly said in
its patent instruction these kind of instructions should be
given once in a trial it shouldn't be combined with
accomplice or something else. You should do one
instruction when it comes to this type of area in terms of
the great caution. If we do it now and again, it's
repeating something which is a little bit in conflict with
the Ninth Circuit.

Now, the second point is that as we
discussed before, this is a very fluid situation. And
right now, this may be accurate, but to deliver it for all
time, we don't know what is going to happen on cross. It
may be a different situation. I don't know if the Court
wants to be in a position where it's given an instruction
and now it has to craft a new one and take back what it
said. I think it needs to be -- I think we need to think
it through and I don't know that this is the time to do
that. Maybe we will have a break a little later on prior

to the next witness.

THE COURT: Let me ask you, if I was to delete
the last sentence and then start out the instruction with,
"Unless I instruct you further and to the contrary."

MR. GLICK: I think the deletion of the last
sentence in that proposed addition will be all right. I
think it should be done at the conclusion of the witness'
testimony, not the middle. It's drawn for their

conclusion, I think.

MR. WEATHERHEAD: My understanding is, Your
Honor, and that the cases Dawbert recommends that the
instructions be read after the testimony in question comes
in, so it's right on top of it. As far --

THE COURT: That is what I -- the way its worded,
it sounds that way. That is why I was asking you to clue
me in when you are done with that.

MR. GLICK: It should be subject to cross. If
they open the door on cross, we are in a different
situation. We should wait for the witness to be done,
cross and redirect.

MR. WEATHERHEAD: Well, at this juncture, Your
Honor, their only basis -- the only lawful basis, given the
rules and given the Court's order upon which this witness
can be invited to testify to those matters, is in relation
to impeachment. That is what this instruction goes to.
Naturally, Your Honor, we prefer the instruction as it's
designed here on the understanding it has been proved,
although I will not say mandated, by the Ninth Circuit.
The Ninth Circuit also recognized the giving of the
instruction twice, once following the testimony in question
and once when the jury is charged at the end of the case.
Again, that is a recommendation from the circuit, not a
mandate. We feel in this particular case it is an
appropriate course of action.

THE COURT: All right. Now, do you want this
instruction when he is questioning or when you are through
with the witness, completely through?

MR. WEATHERHEAD: My belief is the instruction
ought to be given after she testifies about her prior
crimes. In other words, she testified about a conspiracy.
That is what we are here about. Fine. Now she is going to
testify, though, about a number of other crimes. It seems
to me the law says we are entitled to have the jury
immediately told.

THE COURT: I'm not going to do it more than once
until I get to my final instructions on the jury as to the
one final witness. If you go back into these same crimes
on cross-examination, you don't get it again.

MR. WEATHERHEAD: I understand that, Your Honor.
THE COURT: You'd rather have it at this time?

MR. WEATHERHEAD: I think so.

MR. GLICK: We object to that and wait for the conclusion of redirect.

THE COURT: All right. You let me know when you are through and that is when I am going to give it.

MR. GLICK: The conclusion of my direct?

THE COURT: Well, at the conclusion of this type of testimony. You may have other areas.

MR. GLICK: After we do this, I am going to start showing her some exhibits, though.

THE COURT: Okay.

(Jury in)

DIRECT EXAMINATION

(Continuating)

BY MR. GLICK:

Q. Good afternoon, Miss Avalos. Before the lunch recess, we were discussing the things that you had done that you were not proud of that were part of the plea agreement. Can you explain for the ladies and gentlemen of the jury the crimes that you personally were involved in?

A. I was involved -- I participated in poisoning of Devaraj numerous times, who was Bhagwan's physician. I participated in poisoning attempts on Vivek, who was
Bhagwan's assistant, a number of times. I participated in poisoning of Judge Hull. I participated in salmonella poisoning of the dams.

I participated in falsifying medical records in relation to the Share-A-Home project, and knew about Haldol being given to the people involved there without their knowledge. I participated in, I guess you would call it kidnapping and drugging of the participants during the Share-A-Home project, named Felton Walker.

I participated in the arson of the City Planner's Office and Attorney's Office. I participated in attempted murder, attempt on Savita's life. I knew about the attempt on -- to kill Devaraj at the celebration.

I knew about the election fraud attempt in the Wasco County election. I'm not sure what all the technical names are. I participated in the plot to kill Charles Turner. I participated in the plot to kill Helen Byron. I participated in --

Q. Any action with respect to The Oregonian?

MR. WEATHERHEAD: Objection. Leading, Your Honor.

THE COURT: Sustained. That as far as she can remember.

Q. (By Mr. Glick) As best you can remember?

A. Now, he said that -- should I say that?
THE COURT: Yes. What you can remember now.

THE WITNESS: Okay. Well, I participated in
attempt to break in and destroy evidence at the Oregonian.
I participated in the illegal wiretapping that occurred on
the ranch. That was the majority of them.

Q. All right. You indicated earlier you had a list.
Would it refresh your recollection by examining that list
if there was anything else?

A. I have the list.

THE COURT: Just look at it to refresh your
memory, not to read it into the record.

THE WITNESS: Okay. I represented myself to be
Lorna Buckles after stealing her wallet in Portland. I
represented myself also twice as people that I wasn't, two
times. Once, Donna Larson and another time Tina something.
I don't remember the last name. First name Tina. And I
also participated in the surveillance of Wasco County
Courthouse with the intention of bombing the courthouse.

I participated in the surveillance of a man
named -- I think it's -- I don't remember his first name.
His last name was Khomeini (ph), liquor store, and the
intention of possibly bombing his liquor store. Also, he
was in the hospital, when he was in the hospital, with the
intention of possibly harming him there.

I also knew about the way that money was
brought illegally, I suppose illegally, into the United
States. Large cash money was brought in. I think that is
about it.

MR. GLICK: Okay, your Honor.

THE COURT: Ladies and gentlemen, unless I
instruct you further on this respect, or contrary to these
instructions, the testimony that you have just heard, that
the witness entered into a plea agreement for crimes she
has committed in the past in exchange for her testimony
today. This plea agreement or the confessed crimes
contained therein or in this testimony is not evidence
against the defendants, and you may consider it only in
determining Miss Avalos's believability or credibility.

All right. Proceed.

MR. GLICK: May I approach the witness, Your
Honor?

THE COURT: Yes.

Q. (By Mr. Glick) I want to show you Government's
Exhibit 3 into evidence, and I ask you to take a look at
that. Do you recognize that?

A. Yes.

Q. What is it?

A. Jesus Grove, the compound where Sheela and the ones
that worked with her lived.

Q. All right.
MR. GLICK: If I may, Your Honor.

Q. (By Mr. Glick) Now I show you Exhibit 3A in evidence. Would you take a look at this. Do you recognize this?

A. Yes. This is the floor plan of the trailer complex. It shows Jesus Grove.

Q. Is it the main house?

A. Yes.

Q. Did there ever come a time when you lived in the main house?

A. Yes.

Q. Could you indicate, if she may, Your Honor, where she lived? Come up to the diagram. Yes.

A. (Indicating.)

MR. GLICK: Your Honor, may the record reflect she is indicating the portion of the diagram on the top, indicating bedroom.

THE COURT: Let's put an initial in that bedroom.

Q. (By Mr. Glick) Just put your initials in the spot where you lived. I want to show you, if I may, Your Honor, Exhibit 3B. Take a look at that. Do you recognize that?

A. It's a diagram of Sheela's bedroom.

Q. Is this the bedroom where the series of meetings took place to kill Charles Turner?

A. Yes. There were also some meetings that took place
on --

Q. On Government's Exhibit 3A?

A. -- meetings room. There is a large square there.

Q. Okay. I'll show you what is marked as Government's Exhibits 5, 5A and 5B.

MR. WEATHERHEAD: Your Honor, I have a relevance object on those exhibits, I believe, outstanding from earlier.

MR. GLICK: Do you want to see them?

THE COURT: There is -- yes. Just go ahead with your preliminary questioning.

MR. GLICK: Thank you, Your Honor.

Q. (By Mr. Glick) I'd ask you to take a look at this and see if you can identify these exhibits?

A. These are the registrations that I filled out. The one on the right here were it says Tina Rivera, that we filled out, that was filled out after we burned down Dan Durow's office in San Francisco.

MR. WAX: Your Honor, I think we object to the "we" there. We need clarification of that.

Q. (By Mr. Glick) Just tell us, were you part of the "we"?

A. Yes. There were two names and so I said we.

MR. WEATHERHEAD: Your Honor, the record, I think given the ambiguity on that point, should indicate the
bottom name was Richard Langford.

THE COURT: Yes.

MR. GLICK: I'm sorry.

THE COURT: We clarified the other name was Richard Langford.

MR. GLICK: Yes.

Q. (By Mr. Glick) Now, you indicated earlier on direct examination the apartment that you changed, or used for portion of the surveillance regarding Mr. Turner, was the St. Francis apartments; is that correct?

A. That is right.

Q. I would like to show the witness 24A. I ask you to take a look at that. Tell us if you recognize 24A?

A. Yes. That was the St. Francis apartment.

Q. Is it a fair and accurate depiction of the St. Francis apartment as it was at the time you used it for surveillance of Charles Turner?

A. Yes.

MR. GLICK: I offer it, Your Honor.

MR. WEATHERHEAD: No objection.

THE COURT: Received.

(Government's Exhibit 24A received.)

Q. (By Mr. Glick) Now, you indicated on direct examination that you used a Ford Maverick --

A. Uh-huh.
Q. -- in the surveillance of Charles Turner?
A. Yes.

Q. You remember the name you used in the registration of that Ford Maverick?
A. I believe it was Stella Larson.

MR. GLICK: Your Honor, I would like to show the witness 26A, B, C. Please take a look at 26A, 26B, 26C. Do you recognize either your signature or any of the handwriting on these documents?
A. 26B I signed Stella Larson. That is my writing. All three of them are a certificate of title and application for the title for the car.

Q. And was this the Ford Maverick used in the surveillance of Charles Turner?
A. Yes.

MR. GLICK: I offer this in evidence and I believe we have a stipulation.

MR. WEATHERHEAD: I believe it is stipulated as to foundation, Your Honor. I don't see the relevance, but I don't really care, so I don't object.

THE COURT: 26A, B, C?
MR. GLICK: Yes, Your Honor.

THE COURT: Received.

(Government's Exhibits 26A, B and C received.)

THE COURT: Is there an offer of 5A, and B?
MR. GLICK: Not at this time. We have a stipulation to read for 26A, B, C,

MS. HAIMOV: It is hereby stipulated and agreed by and between the United States of America and the defendants, Sally-Anne Croft, also known as Ma Prem Savita, and Su Hagan, also known as Ma Anand Su, individually and through their counsel these facts are accurate:

The United States Exhibit 26 is an envelope containing United States Exhibit 26A, 26B and 26C.

That United States Exhibit 26A is a certified copy of a certificate of title for at 1974 Ford Maverick, license plate IFC 257, vehicle identification number 4K91L191547, from the Department of Licensing, the State of Washington.

That United States Exhibit 26B is certified copy of a dealer temporary permit application for a 1974 Ford Maverick, license plate number IFC 257, vehicle identification No. 4K91L191547, from the Department of Licensing from the State of Washington.

That United States Exhibit 26C is a certified copy of a -- microfilm copy of a certificate of title for a 1974 Ford Maverick, license No. IFC 257, vehicle ID number 4K91L191547, from the Department of Licensing of the State of Washington.

That United States Exhibits 26A, 26B and 26C
are each records kept and maintained in the course of
regularly conducted business activity at the Department of
Licensing, the State of Washington.

That it is and was the regular practice of
the Department of Licensing, the State Washington to mark
and maintain these records, and that much of these records
was made at or near the time of the event and facts
depicted by and from information transmitted by a person
with knowledge of these events and facts.

And it is also hereby stipulated and agreed
that this stipulation may be received into evidence and
counsel for any matter with the approval of the Court may
publish it to the jury during the trial. Signed by each of
the parties and by both defendants Croft and Hagan.

MR. GLICK: May I approach?

THE COURT: Yes.

Q. (By Mr. Glick) Now I want to show you Government's
Exhibit 27A, 27B, and 27C, ask you to examine these and
tell me if you can identify them for the record?

A. These are the employment reports from Servicemaster
where I worked. I said I was Lorna Buckles. I filled out
the W-4 form and I signed Lorna Buckles' W-4. And 27A, 27B
was my time sheet I turned in. And 27C looks like a
payroll input record from Servicemaster. I never saw that
before.
Q. Where did you get the Social Security number to put on this form?

A. It was from Lorna Buckles' wallet that happened to have a Social Security card in it that I took.

Q. A wallet that you stole?

A. Yes.

Q. I'll show you Government's Exhibit 28 and tell me if you recognize that?

A. This is the envelope that went with some books that were sent to a P.O. box that I participated in opening.

Q. And when was it that you went and found this envelope?

A. It was after I was giving testimony to the Government.

Q. Were the books send before you reached your agreement with the Government?

A. Yes, they were.

MR. REARDON: If I may, Your Honor?

THE COURT: Yes.

Q. (By Mr. Glick) I want to show you what is marked as Government's 23C and ask you if you can take a look at that? Do you recognize that?

A. Yes.

Q. What is that?

A. It's a false identification of Shanti Bhadra obtained in New York. It looks like it's a New York State identification card. And when we were all preparing to
leave the ranch Shanti Bhadra gave this to me and told me to destroy it. In the midst of everything I forgot to and I stuck it in a sweater pocket and then weeks later, maybe a month later I put my hand in my pocket and I found it.

Q. Who did you give it to?

A. I gave it to -- I don't remember exactly who I gave it to.

Q. Was this in the same --

A. I did give it to somebody in it Government, the FBI.

Q. Is this in the same condition as it was when Shanti Bhadra gave it to you?

A. Yes.

MR. GLICK: I offer this, 23C.

THE COURT: 23C is received.

(Government's Exhibit 23C received.)

MR. GLICK: Can I publish it to the jury while I hand the witness the next exhibit?

THE COURT: Yes.

MR. GLICK: And 24A as well, Your Honor, may I publish that to the jury?

THE COURT: Yes.

MR. GLICK: May I approach the witness, Your Honor.

THE COURT: Yes.

Q. (By Mr. Glick) I want to show you Government's
Exhibit 19 for identification and ask you to look at this. Tell me if you recognize this?

A. Well, this looks like a briefcase that I used to carry on the ranch.

Q. And what type of items did you keep in this briefcase?

A. We kept a number of different things, but books about how to kill people and different things that were needed to carry out some of the crimes that I committed.

Q. And did you personally have possession of this briefcase?

A. Yeah, it was assigned to me.

Q. I would like to show you Government's Exhibit 19A, 19B, 19C and 19D. Tell me if you can identify those items?

A. Yes. These were books entitled How to Kill, 1 through 4 -- 1 through 6 but --

Q. When did you see these books on the commune?

A. These books were purchased by Julian and they were distributed within the inner circle of people that agreed to participate as the assassination team. Sheela ask that we read them and get to know what was inside of them.

Q. Did you read those books?

A. I never ready them cover to cover. I looked through them.

Q. Now, Government's Exhibit 19E and 19E-1 and E-2, this is the book called Without a Trace. And it's about how to
commit crimes without being caught, how to commit crimes
without leaving a trace. Did you read this book?
A. I have read this book more completely than I did How
to Kill books. I don't think I read it cover to cover, but
portions of it. And these two markers, book markers are --
one has 19E-1 has call numbers on it in my writing and
which I believe I was sent to find out about poisonous
plants at one point in the library. That is what these
call numbers are for. I was looking up which plants were
poisonous and could not be traced. And 19E-2 is -- has
schedule times and I'm not sure what they mean, my writing
on the bottom.
Q. Is that your handwriting that appears on that?
A. Yes, it is.

MR. GLICK: Your Honor, I offer into evidence,

MR. WEATHERHEAD: Your Honor, I believe the
Court's ruled on that.

THE COURT: Right. Those will be admitted.
(Government's Exhibits 19, 19A, 19B, 19C, 19D,
19E-1, 19E-2 received.)

MR. GLICK: I would like to publish the How to
Kill books to the jury, Your Honor.

THE COURT: Proceed. Mr. Glick, are you going to
publish 19E?
MR. GLICK: I wasn't going to do it at this time.

THE COURT: We got things to show the jury. We spend less time if we get all of them at once.

MR. GLICK: We can do 19, 19E-1, E-2.

(Pause in the proceedings - jury viewing exhibits.)

MR. GLICK: The parties reached a stipulation how we came in possession of 19E-1 and 2.

THE COURT: All right.

MS. HAIMOV: Your Honor, stipulation regarding Government Exhibits 19, series just published to the jury, as well as Exhibit 20, 20A and 20B. With the Court's permission, we purpose to read the stipulation with respect to the 19 series of exhibits.

THE COURT: Right.

MS. HAIMOV: Is it hereby stipulated and agreed between and by the United States of America and defendant Sally-Anne Croft, also known as Ma Prem Savita and Susan Lissanevitch, also known as Ma Anand Su, the following statements are factually accurate:

On or bought September 22, 1985 at Rajneeshpuram, district of Oregon, Special Agent James E. Russell obtained one brown Samsonite suitcase, United States Exhibit No. 19, from Ma Deva Barkha, Chief of the Rajneeshpuram Peace Force.
The brown Samsonite suitcase, No. 19,

contained the following items: Four books entitled *How to Kill*, Volume 1, United States Exhibit 19A; Volume 2, United States Exhibit No. 19B; Volume 3, United States Exhibit No. 19C; Volume 6, United States Exhibit No. 19D; and a book entitled *Without a Trace*, United States Exhibit No. 19E.

That contained within the book entitled *Without a Trace*, United States Exhibit No. 19E, was one yellow piece of paper, United States Exhibit No. 19E-1, and one orange piece of paper, United States Exhibit No. 19E-2.

That on or about November 22, 1985, Special Agent Russell submitted the brown Samsonite suitcase, United States Exhibit No. 19, and each of the items contained therein in United States Exhibit No. 19A, 19B, 19C, 19E, and 19E-1 and 19E-2, to Special Agent Buckmeister (ph), in whose custody and control they remained until October 1st, 1985, when they were submitted to the custody and control of the Portland field office of the FBI. And United States Exhibit 19, 19A, 19B, 19C, 19D, 19E, 19E-1 and 19E-2 are in substantially the same condition today as they were on September 22, 1985, when Special Agent Russell obtained them from Ma Deva Barker as described above.

Special Agent Russell has no information that Sally-Anne Croft or Susan Hagan possessed, had, saw or

It is also hereby stipulated and agreed the stipulation may be received into evidence and that counsel for any party with the approval of the Court may publish it to the jury during the trial. This stipulation is signed by both parties, defendants Croft and Hagan.

MR. GLICK: I would like to show the witness Government's Exhibit 14.

Q. (By Mr. Glick) Take a look at Government's Exhibit 14. Tell me if you recognize what it appears to be?

A. The courthouse, the map.

Q. Is that the courthouse that you conducted the surveillance to determine whether Charles Turner would go in or out of it?

A. Yes.

Q. Can you please mark on the exhibit with the Court's permission the locations and indicate with your initials the places that you were when you conducted the surveillance of Charles Turner.

MR. WEATHERHEAD: Your Honor, I object to the marking of the exhibit on Rule 615 grounds, having to do with the independent recollection of each witness, unless
the Court has a fresh exhibit for each subsequent witness.

THE COURT: Let's do it right now with some
yellow stickers, and then we can adjust those. But we need
to have some way to show where she is marking it in the
record.

MR. GLICK: Put your initials, a "K" on the
number that would correspond to how many places you were.

I can use the easel, Your Honor.

THE WITNESS: (Complies) I was asking if he
wanted me to put where we did surveillance or where we
went.

Q. (By Mr. Glick) Where you did surveillance.

A. (Indicating)

MR. GLICK: Your Honor, may the record reflect
the witness placed her initials on a sticky looks like --
if I got my directions right -- east of the courthouse
between southwest Madison, Southwest Main, and Southwest
Sixth Avenue; is that correct?

THE WITNESS: Yes.

MR. GLICK: She has placed a sticky on the north
side of the courthouse, Southwest Main between Southwest
Sixth and Broadway; is that correct?

THE WITNESS: Yes. That would be in the parking
structure.

Q. (By Mr. Glick) So this second sticky represents
inside the parking structure?

A. Yes.

Q. Would you put a No. 2 on this?

A. (Indicating)

Q. And No. 1 on the first one.

Were there other locations that you went to around the courthouse in connection with this surveillance that are depicted on this exhibit, Government's Exhibit 14?

A. We went around the block, traveled around the block.

Q. All right. Thank you.

MR. GLICK: Your Honor, it has been indicated to me we can get numerous copies of these exhibits.

THE COURT: All right. If you can get copies, go ahead and mark it.

MR. GLICK: So we will.

THE COURT: If you will step over there, in place of those yellow stickers make your own mark.

THE WITNESS: (Complies) I changed that.

Q. (By Mr. Glick) No. 1, is now which place where you did the surveillance?

A. The parking garage.

Q. And No. 2 is which exit to the courthouse, which side?

A. The side on Sixth Avenue.

Q. All right.

MR. GLICK: If I may, Your Honor, I would like to
approach the witness.

THE COURT: Yes.

Q. (By Mr. Glick) You indicated that you were present on surveillance in the area surrounding Charles Turner's house.

A. That is right.

Q. I would like you to look at these series of exhibits. And there are letters on the back in the 16 series.

If you would indicate which of these exhibits depict the area that you recall that you conducted surveillance on with respect to Mr. Turner's home.

A. If I recognize something else, just only the ones about Charles Turner's?

Q. Just with respect to the surveillance of Mr. Turner's home.

A. 16N looks like the hills surrounding Charles Turner's home in Sherwood. As well as 16 -- oh, 16P. 16Q is a picture from inside the little white Toyota that we were in when we went to find Charles Turner's home. Vidya was with us. This is a shot, I believe, of one of the roads leading to the house.

Q. This is the Toyota or Maverick? Which day did you use the Maverick?

A. We used the Toyota the first day or they second day.

16R is the road that you go down before you
turn right, which is where Charles Turner's home is. This is also a different perspective of the same road, 16F.

16T seems like also a different angle from the road. We used the Maverick the first day.

16U looks like part of the road, mailboxes. 16W looks like one of the houses that were along the road to Charles Turner's home.

16X looks like a side view of one of the homes. It could actually be Charles Turner's home, I'm not certain, but it was definitely one of the houses -- either the house or directly next door.

This is a clear picture of that, 16Z, either his house or his neighbor's house.

That is all of them.

Q. Now, you indicate that on the day that you did the surveillance Vidya was with you on one of the trips --

A. Yes.

Q. -- in June.

MR. GLICK: At this time I would like to play for the witness Government's Exhibit No. 30, a 10- or 15-second videotape, and ask her a question with respect to Vidya and the surveillance stipulation from the parties that occurred June 21, 1985.

MR. WEATHERHEAD: Objection at this time, Your Honor. No foundation the witness has seen the video or has
anything to say about it.

THE COURT: Qualify it.

MR. GLICK: I don't know if the witness has seen the video. I am going to ask if Vidya was dressed the way she was in the video when she went on the surveillance. The videotape was the press conference that took place on June 21, 1985.

MS. SCISSORS: Your Honor, there is absolutely no dispute as to that issue. There has been testimony she changed from red clothing, which is in the video. The video adds nothing to that presentation.

MR. GLICK: With all due respect, the tape -- I think it would be very clear with respect to the witness' testimony.

THE COURT: Okay. I am going to ask the jurors to step out for a minute.

(Jury out)

MR. GLICK: Your Honor, the Government's position, this is not unduly cumulative. If permitted to testify, this witness would testify this is not the way Vidya was in this depiction when they went on the surveillance. And the previous testimony was from Mr. Knapp his presence at the conference and he was not on the surveillance.

This witness was on the surveillance. And
it does add to the testimony, it adds to the story of what happened.

Vidya is one of the indicted defendants and went on the surveillance, and this witness has already testified to Vidya changing her clothes and present at the press conference and how surprised she was that Vidya, personally so high up in the hierarchy, would go on the surveillance.

Here you have Vidya making this statement and then testifying. And this is to add to this witness' testimony and fix the date in time. I'll be asking her a series of questions afterwards as to establish that it is June 21, what is the day you got there, what is the day you went on with Vidya.

THE COURT: I don't know why you can't do that without showing the video again.

MR. GLICK: Because there has been no testimony from Mr. Knapp when we did show the video that Vidya went on the surveillance. This shows the jury that Vidya was wearing the red clothes and this witness has testified she changed. I mean, we have the obligation to present our case to the jury, which we accept that burden, but this adds to the witness' testimony and it will indicate that this is not how Vidya was.

There is no testimony on the record other
than her original testimony that she was not wearing the
sannyasin clothes. This shows Vidya in different clothes
and she changed.

THE COURT: I didn't hear any dispute about that
from either defendant. Am I --

MR. WEATHERHEAD: My understanding Vidya is not
here.

MS. SCISSORS: It's stipulated the press
conference occurred on the 21st.

THE COURT: She was wearing -- are you
stipulating she was wearing red clothing at this time?

MS. SCISSORS: It's in the video.

MR. GLICK: Why don't we show the video?

THE COURT: Are you going to refute that?

MS. SCISSORS: Absolutely not.

MR. WEATHERHEAD: The video is in evidence.

THE COURT: I realize it is in evidence. The
issue is whether or not we are agreeing that Vidya is in
that in red clothing and later changes into whatever we
want to call it, muffle.

MR. WEATHERHEAD: "Muffle" is probably a good
word. I don't know if the Court is inviting a stipulation
on that. I really don't care.

The witness has testified to it. There
isn't any source of information to contradict it other than
maybe the other people who were in the car. Certainly, we
are not in a position to confirm what Vidya was wearing.
But I think the ultimate point is the video doesn't get you
there.

All the video shows is Vidya wearing red
clothes. The jury has seen that. The video does not
confirm she changed her clothes to go on surveillance. All
it is is cumulative and repetitive and adding nothing more.

MR. GLICK: There is no testimony in the record
that Vidya was wearing the sannyasin clothing. It's a
video to audio portion about the clothing and how it was
changed.

THE COURT: I think this witness can testify she
was there at that press conference.

MR. GLICK: She wasn't at the press conference.
She was there after the press conference when Vidya got in
the car. The question is, the issue is, this is not how
Vidya was when she went on surveillance. Vidya had gotten
out of these clothes. This captions Vidya on that day at
that time. I don't hear them stipulating these are the
sannyasin clothes that Vidya wore. She wasn't wearing them
at the time of the surveillance.

THE COURT: This is the last time I am going to
show the video. If you don't want to use it somewhere, you
better save it.
MR. GLICK: No, this is it.

THE COURT: All right. Bring the jury in.

(Jury in)

THE COURT: Ladies and gentlemen, this exhibit is one that you have already seen once. It is already in evidence. It is now being used for this witness.

And so you go ahead and show it again.

MR. GLICK: If the Court could turn on the Helg

THE COURT: Can all jurors see that? Wait a

minute. Are you having difficulty?

THE WITNESS: I can't see through him.

MR. GLICK: If you would watch the television

monitor directly behind or the one in front, Government's Exhibit 30.

(Videotape played.)

Q. (By Mr. Glick) Ms. Avalos, did you have an

opportunity to watch Government's Exhibit 30 as it was played?

A. Yes.

Q. Did you see the clothing that was worn by Vidya?

A. Yes.

Q. And what kind of clothing was that?

A. Red clothing.

Q. And was that clothing that Vidya wore when she went on
the surveillance with you?

A. No.

Q. What kind of clothing was she wearing?

A. She was wearing non-sannyasin-colored clothing.

Q. Is the date of this press conference June 21, 1985?

When did you first arrive in Portland to
begin the surveillance?

A. Two or three days before that. Two definitely, maybe
three.

Q. And how many days did you remain in Portland after
this press conference?

A. We went back to the ranch that same day, that evening.

Q. All right. Now, you indicated on direct examination
earlier that you actually saw the firearms which Anugiten
had shown you; is that correct?

A. That is correct.

Q. I would like to show you Government's Exhibits 8, 9,
10, 11, 12. Were you present or did you hear any
discussion about what happened to these firearms?

A. No. We were leaving the ranch. Anugiten told me that
he had thrown them into the lake.

Q. I want to show you an portrait, Government's Exhibit 5
in evidence. I ask you to take that look at this and see
if you recognize this.

A. Yes. That looks like Patanjali Lake.
Q. If anywhere -- did Anugiten indicate where he had
thrown the guns?
A. He didn't tell me where. He just said he threw them
in the lake, in Patanjali. He didn't say "the guns." He
referred to them as "five easy pieces."
Q. All right. And where did that name derive from?
A. I have no idea.
Q. Now, you indicated earlier there came a time when
David -- when K.D. came and asked you for a camera; is that
right?
A. That is right.
Q. With the Court's permission, I want to show you
Governments Exhibit No. 22. I ask you to open that up and
look inside.
Directing your attention to 22-A, what do
you recognize it to be?
A. This is one of the little cameras that we had, one
like the one I would have given K.D.
Q. Any differences between this camera and the camera
that you gave to K.D.?
A. No, not that I remember. It looked pretty similar to
the same type of camera.
Q. All right. I want to direct your attention, with the
Court's permission, to Governments Exhibit 26, and ask you
to take a look at that. Do you recognize that?
A. Yes, I do.
Q. What do you recognize it to be?
A. It's a picture of Su, Patipada, Savita, Su, Sheela in a communal meeting.
Q. Do you recognize by the depiction of any of the people when in time this picture was taken?
A. Well, my guess is it was in the summer because Savita had her haired permed. And Savita permed her hair that summer.

MR. WEATHERHEAD: Excuse me. I guess I have to object because it was a guess.

THE COURT: Sustained.
Q. (By Mr. Glick) Do you know, based on your time that you spend with Savita in the summer of 1985, when approximately she had her hair permed?
A. Well, it was that summer she permed her hair.
Q. Is that depicted in Government's Exhibit 36?
A. Yes.
Q. What was her hair before that?
A. Straight, like it is now.
Q. And you recall this particular meeting?
A. It seemed like I remember I was at it, but I'm not completely sure why. I have a feeling it was when Bhagwan decided to talk again. I don't know for sure.
Q. You are uncertain as to the subject matter of the
meeting?
A. That is right. I know I had been to this meeting.
Q. What would have been the circumstances for Savita and
Su to be standing next to Sheela at the front of that
auditorium?
MR. WEATHERHEAD: Objection, Your Honor. No
foundation. I think the witness said she has no specific
recollection.
THE COURT: Sustained.
MR. GLICK: It's a different question.
THE COURT: I understand.
MR. GLICK: Not the subject matter of the
meeting.
THE COURT: I understand, sustained.
MR. GLICK: Thank you.
Q. (By Mr. Glick) You recall being present at this
meeting?
A. Yes.
Q. Do you recall the person standing in front of the
auditorium being depicted in that picture?
A. Yes.
Q. And who were these people in front of the auditorium?
A. Vidya, Sheela, Savita, Patipada and Su.
Q. What are the circumstances that led them to be
standing next to Sheela as opposed to yourself or any other
sannyasin?

A. Making some sort of announcement.

    MR. GLICK: Offer that exhibit.

    MR. WEATHERHEAD: Move to strike. Objection to that, it's -- what is obvious to the witness may not be obvious to the next person.

    MR. GLICK: We can do this next, at a later time.

    THE COURT: All right.

    MR. GLICK: We will move to 8, 9, 10, 11, 12.

    Your Honor, if I may I ask that Agent McCann take out the firearms and display them to the witness.

    THE COURT: Yes.

Q. (By Mr. Glick) Indicate for the record what exhibit that is.

A. It's No. 8.

Q. All right. Take a look at that. I want to show them to you one at a time and ask you a question after you have seen all five.

A. Okay. No. 9 --

Q. Take a look at that.

A. (Complies) Number 10.

Q. Okay.

A. No. 11. And No. 12.

Q. Based upon your examination of Government's Exhibits 8, 9, 10, 11, 12, is there anything about any of these
weapons, these firearms that you recognize as to the time
that you did see them with Anugiten?
A. Well, obviously they are very rusty, but what I
remember about seeing the guns was that one had a long
barrel like number -- I think it's No. 10 right here.
Q. Just speak into the microphone.
A. One of the guns had longer barrels than the rest and
one had a smaller barrel, the small one. Like that one.
So those are the two that I remember in relation to the
five. One had a longer barrel and one was short. The
other three --
Q. All right.
A. -- I can't remember.
Q. All right. Thank you.

MR. GLICK: Thank you, Agent McCann.

Q. (By Mr. Glick) Now, directing your attention to
April of 1990, did there come a time when you returned to
Mr. Turner's home?
A. (No response)

Q. April of 1990, did there come a time when you returned
to Mr. Turner's home?
A. Yes.

Q. What were the circumstances of that?
A. The Government asked me to accompany Agent McCann to
his residence, if I could identify where he lived.
Q. And how was it that you got to that residence?
A. Hadley drove to Sherwood to -- close to the area where Charlie Turner lived.
Q. And then what happened?
A. Then he says, "Can you tell me how to get to Charles Turner's house from here," and I told him.
Q. What happened?
A. We went there.
Q. Did you get to Mr. Turner's home?
A. Yes, we did.
Q. Did you give Agent McCann directions or did he give them to you?
A. No. I gave them to him.
Q. I would like to show 18A through F. Take a look at these, and by the letter on the back and the exhibit number tell me if you can identify any of these.
A. 18A is one of the houses on -- that you turn -- that would be as you turn right to go down to Charles Turner's. It's the same as the black and white one itself in color and it's either his home or the neighbor's home.

This blue house on Exhibit 18B is also one of the houses along the road. I'm not sure whether either of them could be Charles Turner's home. They are along the road.

8 looks like the mailboxes that we finally
found that led us to his home. Sorry, 18C.

Q. The numbers on the back.

A. 18D is a color picture of the road leading to Charles Turner's home before you turn right to go down the little hill. And 18E is a the same shot, but I think taken back a little bit so there is more brush and trees that are showing.

Q. Thank you.

A. There is one more, 18F, which is also the hills surrounding the property, surrounding his home, I am pretty sure.

Q. Thank you.

And finally, Ms. Avalos, you indicated earlier on direct examination that you attended approximately a year and a half at U.C. Berkeley before you became involved in the commune. After all of this was over, did you ever go back to school?

A. After I got out of jail, I went back to school.

Q. Tell the ladies and gentlemen of the jury what you are doing now.

A. I decided to go back to school. I received an undergraduate. I got my major in dance and philosophy. I'm currently a graduate student and writing a thesis on the relationship of movement in health and psychology. And I taught dance and movements. I direct and teach at-risk
teenagers. I put myself through school. I have been doing that for the last seven years.

Q. Does that mean -- you work with at-risk teenagers.
What does that mean?
A. Kids on probation or have been on probation as the transition out of jail. I teach at the university as an undergraduate student.

Q. Generally what do you mean you put yourself through school?
A. Well, I worked. While I have been going to school I have been working and put myself through school.

MR. GLICK: Thank you. No further questions.

THE COURT: All right. Ladies and gentlemen, we will be in recess for 20 minutes.

(Recess)
(Recess)

THE COURT: Ms. Scissors.

MS. SCISSORS: Thank you.

CROSS-EXAMINATION

BY MS. SCISSORS:

Q. Ms. Avalos, when you left the ranch on September 14, 1985, the concept of leaving was something that you discussed for some time, wasn't it?
A. A few weeks beforehand.
Q. Well, isn't it true that in early August, 1985, Sheela had talked about two plans for the ranch, Plan A and Plan B?
A. Yeah, that's right.
Q. And under what she called Plan A, she was going to try and have all the people put their résumés together?
A. I don't remember. I know they were Plan A and Plan B. And one plan was about people going off together. But I don't remember necessarily putting a résumé together, no.
Q. Under one plan, she was going to have people who were on the commune go off the commune and work jobs to bring money back into the ranch; is that right?
A. That's right.
Q. Well, wasn't there -- there were two plans; is that correct?
A. Right. One plan was to leave, go to Europe, and the other one was to stay on the commune.
Q. And the plan that talked about going to Europe was the plan where she was going to take people with her to Europe and they were going to start up a business in Europe that would generate income for Rajneeshpuram; is that right?
MR. GLICK: Objection to the question.
THE COURT: Let's break it down. I realize it's a clarification. Break it down.
Q. (By Ms. Scissors) One plan Sheela had in August of