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8 Attorneys for Plaintiffs
MARC HEADLEY and CLAIRE HEADLEY

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11
12 MARC HEADLEY,
13 Plaintiffs,
14 vs.
15 CHURCH OF SCIENTOLOGY
16 INTERNATIONAL, a corporate entity,
17 Defendants.

CASE NO. CV09-3986 DSF (MANx)

18
19 CLAIRE HEADLEY,
20 Plaintiff,
21 vs.
22 CHURCH OF SCIENTOLOGY
INTERNATIONAL, a corporate entity,
23 RELIGIOUS TECHNOLOGY CENTER,
a corporate entity AND DOES 1-20,
24 Defendants.

CASE NO. CV09-3987 DSF (MANx)

DECLARATION OF ROBERT V. LEVINE, PH.D., IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

DECLARATION OF ROBERT V. LEVINE, PH.D.

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I, Robert V. Levine, declare as follows:

1. I am a Professor of Psychology at California State University, Fresno.
2. I have personal knowledge of the matters set forth hereinafter and, if called as a witness, I would competently testify thereto.

QUALIFICATIONS

3. I have been a Professor of Psychology at California State University, Fresno since 1973. I have also served as Associate Dean of the College of Science and Mathematics and two terms as Chair of the Department of Psychology at the university. I have served Visiting Professorships at Universidade Federal Fluminense in Niteroi, Brazil, at Sapporo Medical University in Japan, and at Stockholm University in Sweden. I am a Fellow in the American Psychological Association and the Western Psychological Association. I have won awards for both my teaching and research. I serve on national and international professional boards. I have authored four books, more than 90 articles in professional journals, and numerous conference presentations. I have also given many invited and keynote lectures. My qualifications are set forth in greater detail in my curriculum vitae, a copy of which is attached hereto as Exhibit "A".

4. In addition to my general qualifications in the field of psychology, I also have particular qualifications regarding the psychology of persuasion and mind control, issues that directly relate to this case. I have been specializing in the psychology of persuasion and mind control since 1984. I have taught a self-designed course on this topic for more than twenty years. I have published a book, peer-reviewed research and invited chapters and book reviews in professional journals, and presented research on this topic at professional conferences.

5. My most extensive publication regarding this subject is a book: Levine, R.,

1 *The Power of Persuasion: How We're Bought and Sold* (2003) (updated paperback version
2 published 2006). Hoboken, NJ: John Wiley & Sons. This book has been translated into seven
3 languages. It details the psychology of persuasion that is often used to manipulate consumers into
4 making decisions that are sometimes not in their best interest. It includes material on the
5 psychological manipulations that have been used in common situations such as sales and
6 advertising as well as the manipulations used in extreme groups such as cults. It includes a chapter
7 on Jonestown and analyses of cults, including the Moonies and Hare Krishnas, and a very brief
8 discussion of Scientology.

9 6. I have also published a chapter on cults in an encyclopedia: Levine, R.,
10 "Cults," in E. Hickey (Ed.), *Encyclopedia of Murder and Violent Crime*. Thousand Oaks, Ca.: Sage
11 (2003). This invited chapter was written as an introduction to the social psychology of cults. It
12 summarizes research concerning what constitutes a cult, the type of individuals who join cults, the
13 typical structure of cults and the social psychological dynamics that exert such a powerful influence
14 on cult members.

15 7. My other relevant publications on the topic include: Levine, R., "The evil
16 that men do: Review of The Lucifer Effect by Philip Zimbardo," *American Scientist* 95:440-442
17 (2007); Levine, R., Fast, N., & Zimbardo, P., "The power of persuasion: A field exercise,"
18 *Teaching of Psychology* 31:136-138 (2004); Levine, R., Milgram's progress: Review of The Man
19 Who Shocked the World by Thomas Blass," *American Scientist* 93:368-370 (2004); Levine, R.,
20 "Beware the illusion of vulnerability," *Net and Books* 1:24-27 (2001).

21 MATERIALS REVIEWED

22 8. I have read four volumes of the deposition of Claire Headley and four
23 volumes of the deposition of Marc Headley in this case, along with all the exhibits attached to these
24 volumes of the deposition transcripts.

25 INTRODUCTION

13. As I will describe below, physical force was, in fact, a factor in the coercion of the Headleys, although it certainly was not of the magnitude of the torture that is stereotypically associated with brainwashing. This physical force played a large role in preventing the Headleys from making clear decisions. Pure physical force, however, is generally not an effective means of inducing the sort of long-term commitment that Scientology extracted from the Headleys. There is no empirical evidence that physical torture, i.e. brainwashing, is an effective means of long-term control. The core of the problem is that torture produces immediate compliance. Force induces fear, and fear leads to outward compliance but, without additional social and psychological pressure, the fear of physical harm is short-lived. The victim performs when the torturer is watching. But once the threats are no longer present, the victim feels no psychological compunction to remain in the situation. But in the case of people like the Headleys in an organization like Scientology, short-term overt compliance is not sufficient for the needs of the organization. Scientology needed members like the Headleys to commit to sustained work and dedication to the organization.

14. The sort of torture that is commonly associated with the term brainwashing does not appear to have been usual in the Headleys' history in Scientology. What I believe did occur, however, was a more subtle, more potent form of control that transformed their reality and thinking in a manner that left them unable to make rational decisions. They were subject to social and psychological pressures that subverted control of their thinking, behavior, emotions, and decisions. Although this type of control can and did lead to pathological behavior and thinking, it is usually for the most part an extension of normal psychology – the common tactics of persuasion and influence that occur in non-pathological, everyday life settings. The differences between everyday persuasion and extreme control concern intensity and intent: In instances of totalistic control, such as the case of the Headleys, the psychological techniques are taken to extremes. The techniques are, also, often “manipulative” -- a term that, in a psychological context, refers to persuading or influencing people in such a way that the manipulator tries to get what he or she

wants, or makes a person believe something in a calculating, indirect and somewhat dishonest way.

1 The end product of the control to be described is pathological. However, the normalcy of the
2 techniques, when applied with skill and subtlety, make it difficult for the victim to recognize just
3 how pathological the coercive forces are until they are removed from the situation. This, I believe,
4 was the case in the experience of the Headleys under Scientology.

5 15. In this document, I offer my analysis of how the Headleys were manipulated
6 and socialized by Scientology to a point where they lost their ability to make clear, independent
7 decisions. Whether or not the Headleys sincerely believed in the tenets of Scientology, the
8 pressures upon them made it extremely difficult to express their grievances and even more difficult
9 for them to leave the organization. Again, this is not to say it was impossible for them to leave.
10 Psychologists understand that, even under the most intense pressures, individuals react on a normal
11 curve, meaning there are always outliers who defy the pressures. Given the intensity of the
12 coercion in this case, however, I conclude with confidence that a normal person – which I define
13 here as an average person – would not have been capable of walking away; and, I am convinced by
14 these depositions, very few individuals experiencing this series of pressures would have been
15 capable of clearly weighing the issues, costs and benefits that would enable them to make rational
16 decisions.

17 16. An overview of what is to follow: I will, below, try to spell out the following
18 pressures that, I believe strongly, prevented the Headleys from being able to make clear,
19 independent decisions concerning their participation and continued presence in Scientology:

- 21 1. The context: Being raised under Scientology.
- 22 2. The establishment of unquestioned social norms
- 23 3. The totality of the day-to-day control – behavior, information and thought
24 control – that encompassed the Headleys during their time in Scientology.
- 25 4. The overt, physical force that made leaving seem difficult if not impossible.

5. Commitments and behaviors made over time that induced further fears.

1 6. Guilt, shame, and separation: The social and psychological force that
2 induced sustained, long-term commitment.

3 7. Learned helplessness.

4 8. Summary and conclusions.

5

6 THE CONTEXT AND IMPORTANCE OF BEING RAISED IN SCIENTOLOGY

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8 17. To begin with, the Headleys knew virtually no other way of thinking other
9 than that presented by Scientology. Marc and Claire never chose to join Scientology. They were
10 raised in Scientology. Their childhoods were inseparable from Scientology. When filling out a
11 revised Life History questionnaire that was required for him to work for Sea Org, Marc responded
12 to the question How did you get into Scientology? with the only honest response possible: I got
13 into Scientology because my parents were Scientologists (p. 249 and Exhibit 9). My mother read a
14 Scientology book when she was pregnant with me, and she joined the Sea Org when I was four
15 years old, Claire says (p.20). Claire was raised, socialized and educated in Scientology. She says
16 she lived in a girls dorm from when I was four until I was ten (p. 94). After coming with her
17 mother to the United States at age 13, the only school she attended was a tutoring place run by
18 Scientology (p. 35). She never got a high school diploma.

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20 18. Even when parts of their lives appeared to have links to the outside world,
21 virtually all of their interactions, information and education was, in fact, coming from Scientology.
22 This is especially clear in Claire's deposition. As an example of this:

23 19. When Claire arrived at the Gold Base in 1996, she lived in an apartment
24 complex (The Kirby Apartments) from which she commuted to work. Claire estimates that virtual
25 all (95-98 percent) of the other residents of the complex, however, were also working at Gold Base.

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1 When commuting, interactions were equally confined to members (p. 132): She describes buses
2 that would pull up out front every morning at a set time. Everyone would pile onto the buses. The
3 buses would drive into the property, and then you would pile off.

4 20. In the cases of most organizations, the most difficult step in recruitment, as it
5 is in any persuasion campaign, is to elicit an initial commitment, no matter how small. It might be
6 a willingness to attend a lecture, or a free dinner, or to accept a free book, or a free flower, or even
7 to just stop and listen to what the recruiter has to say. This initial step is known in sales lingo as
8 getting a foot-in-the-door. In many cases, especially in so-called cold calls when the recruiter
9 contacts a stranger who has not requested to be contacted this first step is often considered the most
10 difficult in the persuasion process and the key to its success. When I was engaged in research on
11 the car sales process, I was told in training that once the customer is on the lot, you are halfway to
12 your sale. Although the precision of this statistic is questionable, it emphasizes the usual difficulty
13 faced by organizations wishing to get the initial ear of potential recruits. In the case of the
14 Headleys, however, they never had to be recruited.

15 21. Being raised in Scientology also meant that subsequent training and
16 socialization came to them from many directions. When typically being recruited by an
17 organization, the persuasion efforts come from the organization itself. The recruit, for this reason,
18 understands that the organization has a vested interest in recruiting them and, as a result, is wary of
19 intentions. In the case of the Headleys, however, their socialization came from their family and
20 friends within Scientology. Much of their belief in the normalcy of this way of thinking was likely
21 not even directly taught but, like most of what a child comes to assume as normal and correct
22 behavior, is communicated through modeling by parents and authorities and observation by the
23 child. This level of learning does not require higher levels of thought; it is something a child is
24 simply programmed to do.

25 22. When asked if she had an understanding at the time of being recruited as to
26 what the Sea Org was, Claire responds that she did not. She adds: I mean, thats all I ever knew.

1 Its not an understanding of . . . to me, an understanding is having a comparison. I had no
2 comparison. Thats how I was raised (p. 28). Over the course of the deposition, the examiner
3 often asks Claire about the sincerity of her public statements at the time. On one occasion, for
4 example, he asks Claire: What Im trying to find out is this: Up until the point in time when your
5 beliefs started to waver, would it be correct that you had a sincere belief in the Scientology religion
6 as you understood it? (p. 37). Claires responds: That’s a very subjective question that I find hard
7 to answer because not knowing anything else, I would say the best I can say is thats all I knew that
8 there was to believe.

9 23. A child who is raised under a certain mindset is not prone to think in terms
10 of sincerity or insincerity. Their dominant motive is to gain the approval of powerful others
11 around them, most notably their parents. Claire expresses this well in another exchange (p. 38):

12 Q. Did you think it was important to try to
13 bring benefits of Scientology to other people?

14 A. I thought it was important to do what I had
15 been raised to do and to do things that my parents
16 were going to approve of and to do what I had been
17 raised to believe was right.

18 I’d been raised to believe that it was wrong to
19 not be in the Sea Org and that people that left were
20 out-ethics criminals and various other things along
21 that same line of thought.

22 So it was not so much a subjective thing to me
23 as that’s how I was raised, and I was doing what I was
24 raised to believe was right.

And, more directly later in her deposition (p. 63):

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Q. What were you raised to believe your purpose was in being at the -- in the Sea Organization?

A. To do what was right and to do what was approved of by my friends and peers and parents.

24. These are insightful observations on Claire's part. A child's vision of right, wrong and normalcy can only come from what the child is exposed to. They are not capable of imagining contrary alternatives without being presented with these alternatives. This is not to say the child will choose to remain in that mindset as they grow older. As they mature, they often choose to associate with an entirely different group of people and may strongly modify their values and beliefs. But their initial socialization determines a great deal of what they think and whom they become. In the case of the Headleys, the life and belief system of Scientology was with them from the beginning. It was their unquestioned, unambiguous foundation.

NORMATIVE PRESSURES

25. Normalcy creates a powerful foundation for the organization. Social norms refer to a groups rules for accepted and expected behavior. They describe what most other normal people in ones family or group tend to do, i.e. what is normal. We understand implicitly what constitutes appropriate social behavior and that when we misbehave the consequences are painful. There is ostracism or humiliation from other people that in turn lead to self-punishment. Levine, 2003, *supra*.

26. As will be described below when discussing the psychological and social pressures on the Headleys, social norms are extremely powerful. See, e.g., Kahan, D.M., “Gentle nudges vs. hard shoves: Solving the sticky norms problem,” *Univ. Chicago Law Rev.* 67:607-645 (2000). They, rather than formal rules, guide most of our behavior. We often think of legal authorities – the police, the courts, prisons – as the most formidable enforcers of our society’s rules. Rules and laws, however, simply threaten with formal penalties. They work through fear of external threats. Once the enforcers are gone, the individual can escape. Kahan, D. M., “Gentle nudges vs. hard shoves: Solving the sticky norms problem,” *Univ. Of Chicago Law Rev.* 67:607-645 (2000).

27. With social disapproval, however, the punishment persists inside the transgressor. Shame and guilt are, in a sense, like having control agents living in your mind; as a result, they are always present. They dictate one’s moral code of behavior. In the case of the Headleys, their inner voices dictated codes of behavior that were often not consistent with those of the surrounding world: The beliefs that may have been considered normal, correct behavior in another context were understood to be deviant from the norm in the culture of Scientology. Many of the precepts of Scientology, which outsiders might consider strange, were the accepted norm. To not sign required documents, even when unreasonable, was not only understood to create problems for oneself, but was understood to be a deviant act. To stand up for what one believed was deviant, inappropriate behavior. It not only led to discipline toward oneself but created problems for those close to you. An outsider might wonder why any normal person would remain in Scientology under many of the conditions described by the Headleys. To the Headleys, however, to leave Scientology required a rebellious or deviant act and they had been socialized to believe that rebelliousness and deviance – when targeted at Scientology – were immoral ways of thinking.

28. This sense of normalcy established a strong foundation for the effectiveness of the physical, psychological and social forces the Headleys faced in Scientology.

1 TOTALISTIC CONTROL OF BEHAVIORS, INFORMATION, AND THOUGHTS

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3 29. Layered upon their history of socialization in Scientology was totalistic
4 control--behavior, information and thought control--of their day-to-day lives. Hassan, S.,
5 *Releasing the Bonds* (Somerville, MA: Freedom of Mind Press, 2000).

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Behavior Control

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9 30. Behaviors and activities were tightly regimented and controlled. The
10 experiences reported by the Headleys describe a high degree of control of their daily behavior,
11 including regulation of the type of activities they engaged in and, in turn, how they spent their time.

12 It must be emphasized that an important element in the degree of this control was the fact that they
13 were both essentially born into the Church. When not working in the Church per se, they were
14 spending their time with family members or friends who mirrored the same reality. As a result,
15 they had little with which to compare their experiences, resulting in the assumption that the level of
16 control exerted on their behavior was normal.

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31. Examples of behavior control included:

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(A) Long and tightly regimented work hours. Hours became increasingly
19 long as time went on, leaving them little time outside work.

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(B) Scientology controlled where the Headleys lived and with whom they
21 associated.

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(C) Work demands controlled their sleep patterns. In her deposition,
23 Claire described how lack of sleep became chronic and left her exhausted. Keeping members
24 constantly busy, and exhausted, is a common strategy used by cults to keep members from thinking
25 too much about alternatives, or thinking at all. It leaves neither time nor energy for critical

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thinking.

1 (D) Behaviors were controlled even more tightly when a worker was
2 being disciplined. Claire recounts that “during the periods that I was considered to be off my
3 position or in trouble, (I) was not allowed to eat at the mess hall with the other staff. So there was a
4 period of six months where I didn’t eat a meal. I was living on protein bars and water. There was
5 periods that I wasn’t allowed to go home at all.” (Claire’s deposition at p. 138). Marc recounts
6 instances of more severe discipline. For example, he describes a time in 2004 when he and several
7 hundred other staff members were emptying out the excrement by hand from the aeration ponds
8 that are located on the property . . . this was going on for about two days and nights (Marc’s
9 deposition at p. 905). On another occasion, Marc describes being assigned as punishment to work
10 two days from first thing in the morning to midnight on a task which consisted of emptying out a
11 football size field about six feet deep of shit and emptying it, picking it up with our hands, putting
12 it in buckets and transferring it from the field into piles that could be picked up by bulldozers and
13 dumped off site. (Marc’s deposition at p. 908). He describes yet another occasion when David
14 Miscavige disapproved of a film he and others had been shooting and we were assigned to scrub
15 the floor of the kitchen facility at the International headquarters with toothbrushes and all manner
16 of other punishments over a several-month period. (Marc’s deposition at p. 918). Another time
17 – a rare holiday day from most staff – he and their crew were assigned to scrub toilets and grease
18 trap floors with toothbrushes (Marc’s deposition a p. 921). A number of other hard labor
19 assignments are described in Marc’s deposition.

20 32. Relationships were controlled by Scientology, even those concerning
21 spouses. Scientology would sometimes discipline members by prohibiting contact with one’s
22 spouse.

23 33. Contact with other family members was controlled. Claire recalls, about her
24 upbringing: (p. 26):

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1 My mother was a single mother. I never saw
2 her. I saw her for maybe two, three hours once a
3 week. Every once in a while she might have a day
4 off. It was definitely every once in a while. Over
5 the years she took maybe two or three vacations that I
6 remember.

7 There was a period when she was sent to the
8 RPF because she had sex with her boyfriend, so I
9 couldn't – I didn't get to talk to her for a period of
10 one to two months.

11 . . . I remember that there was almost on a
12 weekly basis when she would spend two to three
13 hours with me on one of the weekend mornings. I
14 forget if it was Saturday or Sunday, actually. But
15 there was a period where she had to clean her room
16 and do her laundry and such. And it was a very
17 frequent occurrence, that when she would go back to
18 work, I would try to go with her and was told I
19 couldn't go. And I would ask to be able to go with
20 her repeatedly and couldn't. And that went on over
21 pretty much the entire time I was there that I didn't get
22 to spend time with her.

23 34. Needless to say, the consequences of this level of control, during her early
24 years, were considerable.

25 35. All behaviors were tightly controlled: There were rigid rules and regulations

1 about what members were and were not allowed to do, with an understanding of severe
2 consequences for non-obedience. Even motherhood was decided by Scientology, something that
3 Claire painfully experienced when she was pressured to have abortions by her supervisors.

4 Information Control

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6 36. Information was also tightly controlled. The Headleys received virtually all
7 of their information from filtered sources within Scientology, sometimes directly from leaders,
8 other times indirectly from family or other members. This information was both distorted to meet
9 the needs of Scientology and limited by holding back information that might have been detrimental
10 to Scientology. Examples of this include:

11 37. There was little access to any information that might challenge Scientology.
12 Access to information was decided by higher-ups, who apparently had more information than the
13 workers they supervised, which is also common to totally controlled organizations. Claire (p.
14 137): Any communication, written or verbal, was monitored, receiving or sending . . . there were
15 security guards watching at the berthing where we lived to make sure people got on the buses. If
16 you didn't if I ever overslept, like I did on occasion, someone would come banging at my door
17 and drive me into the property.

18 38. Also, as is common in cults, there was an over-reliance on information
19 generated by Scientology, one-sided documents (see the various exhibits) as well as misquotations
20 and distortion of news items from non-Scientology sources.

21 39. Education, to what extent it was offered, was under the control of
22 Scientology. As already indicated, Claire describes her only schooling after coming with her
23 mother to the United States at age 13 as a tutoring place run by Scientology (p. 35).

24 40. Even when the Headleys were allowed to enter the outside world, they were
25 tightly supervised and understood the consequences of communication with sources critical of

1 Scientology. Claire, for example, recalls a rare occasion when she was given one week time off in
2 1991 to visit her parents' house in Los Angeles and then her grandmother in South Carolina. She
3 reports, however: "I was Sec Checked before I left to ensure, to interrogate me as to my plans
4 during the trip, where I was going to be. They had my phone numbers. They had the phone
5 number from my grandmother's house. There was an exact date I was to be back by, and I was
6 interrogated as to my intentions during that trip, if I was going to try and escape during the trip and
7 so on and so forth." (p.795).

8 41. Insiders were prohibited from contact with former members. This prohibition
9 was one of the key threats associated with any negative activity that could lead to one being
10 declared a suppressive person.

11 42. Outside phone communication was severely limited . The Headleys had cell
12 phones but, as they point out, these phones served more as walkie-talkies for communicating inside
13 their work group. Claire (p. 133): ". . . it was a radio and a cell phone. The primary purpose was
14 for use of the radio. The only reason the cell phone was ever used was to receive calls from
15 executives like Dave Miscavige, Shelley Miscavige, Laurisse Stuckenbrock. They would
16 sometimes call on the phone line. The phone lines the phone records were monitored, so it's not
17 that it was an open line to be able to make other phone calls. Even the few rare exceptions were
18 severely limited. Claire (p. 136): . . .there was three times that I had made phone calls to my
19 parents and one time to my sister where I was confronted on that and told to not use the phone, and
20 that's how I knew the phone records were being monitored.. . . (the cell phone) was physically
21 capable of (calling anybody) . . . But at the same token, if I continued to violate it, it would be
22 taken away from me completely. And if . . . my usage was continued enough a violation of those
23 stated rules, then I would end up on heavy heavy labor."

24 43. It was well understood that, even if one had information challenging
25 Scientology, that there were severe consequences for verbalizing this information. It would risk
26 discipline for both oneself and the person one spoke to – who, in turn, understood they were

1 as the “ingroup-outgroup bias” which, it has been well-demonstrated, leads to both antagonism
2 toward the out-group and cohesion within the in-group. In cults, this cohesion often takes the form
3 of extreme dependence on the ingroup and a fear, sometimes described by former cult members as
4 a phobia, of separation from the group. Myers, D., *Social Psychology* (10th ed., McGraw-Hill,
5 2009).

6 48. Critical questions or comments about Scientology were absolutely
7 prohibited. As described often in their depositions, digressions were severely punished.

8 49. The Headleys were required to obtain permission from the Church for any
9 major decisions. This even included, as stated above, those concerning marriages and the decision
10 to birth children.

11 50. Spying was encouraged to enforce the strict control of what information
12 should be available to members. Members were encouraged to turn in deviants. As is shown by
13 their depositions, Claire and Marc understood it was dangerous to even speak with each other about
14 plans to defect. This strategy of requiring members to inform on one another is a powerful means
15 of breaking down individual trust. Levine, 2003, *supra*. This deters members from coming
16 together to fight perceived injustices. In military terms, it represents an application of the truism
17 to divide and conquer.

18 51. Many of the forms that the Headleys had to sign include required, i.e. forced,
19 sometimes untrue confessions. These confessions had multiple consequences. The Headleys
20 understood they could be used to threaten their defying the will of supervisors and/or wanting to
21 leave the group. Scientology could also reference their past misbehaviors to manipulate the
22 effectiveness of forgiveness in future encounters.

23 52. Admitting misdeeds (see, e.g., the discussion of auditing below) encouraged
24 a chronic feeling of guilt. Enhancing this effect, members were made to feel that any misdeeds or
25 failures relevant to Scientology were their own fault rather than that of Scientology. Scientology
26 was there to save (i.e. clear) them from who they were. The greater their personal shortcomings, the

more they needed to abandon themselves to Scientology to save them.

1 53. Perhaps the epitome of Scientology’s thought control manipulation was the
2 auditing process. In most cases auditing was presented to the member as an essential step in
3 reaching their highest religious potential, i.e. going Clear. In some cases – what are described as
4 situations where the auditor would announce I’m not auditing you – wayward members were told it
5 was to correct misdeeds or help improve their contributions to the organization. In both cases,
6 however, these supposed lie detectors were assumed by those being tested to be capable of
7 revealing their true inner thoughts. I will not address the well-researched limitations of lie
8 detectors, even when administered by trained experts, which people like Claire were not. Adelson,
9 R., “Detecting deception: The polygraph in doubt,” *APA Monitor* 35:71 (2004). What is important
10 is that the members believed these machines could reveal their innermost thoughts. Given the
11 ubiquity of these tests and the importance placed upon them, the auditing process became capable
12 of pressuring members not only to overtly agree with everything promoted by Scientology but to try
13 to stop thinking about anything negative. It is not unwarranted to draw parallels with Orwell’s
14 notion of the thought police in his novel *1984*. Auditing may, as promised, allow a member to
15 better themselves personally. But, whatever the intentions of Scientology in requiring this
16 procedure, it served as a powerful message that even one’s thoughts were being monitored.

17 54. The pressures of thought control were critical to obstructing independent
18 decision making. Almost by definition, a person who is under mind control finds it difficult or
19 impossible to understand that they are under mind control unless they have access to feedback from
20 outside sources. The Headleys were both victims of thought control and deprived of being able to
21 recognize the extent to which they were being manipulated.

22 55. In summary, there was virtually totalistic control of behavior, information
23 and thoughts over the life of the Headleys. Scientology had relative ease in administering this
24 control due as a result of the Headleys being raised, and thus totally socialized, in the organization.
25 In an organization that wants to exert totalistic control over their membership, typically one of the

1 watershed steps in achieving total commitment from a member is to get them to move on to the
2 group's campus. They might be asked to move to The Farm or The Church, perhaps explaining to
3 the recruit that it would save the organization money and increase efficiency. Problems often
4 escalate for the member when, coupled with this move, they are required to cut off ties with
5 outsiders. This is a difficult demand for most organizations to achieve with a member. When
6 successful, however, the organization gains a new level of control over the member. In the case of
7 the Headleys, they were already in this position. Everything about their lives, family, social,
8 economic, education, information unfolded in a physically and socially isolated environment under
9 the control of Scientology.

10 56. In her deposition, Claire was asked, reasonably, many questions challenging
11 her lack of insight into what was reportedly being done to her, at the time it was happening, while
12 she was in Scientology. She says she never considering filing a lawsuit until 2008, well after she'd
13 left. She goes on to say that, until then (p. 713):

14
15 I had been led to believe during my entire
16 employment that the Scientology organization was in
17 compliance with I.R.S. regulations and that the pay
18 that I was being paid was in accordance with I.R.S.
19 regulation . . .(2008) was the first time that I talked to
20 Mr. Van Sickle and learned that that was not
21 necessarily the case, and also that my rights had been
22 violated in regards to forced labor and the fact that I
23 had been under lock and key for 15 years with very
24 limited personal rights and the fact that there might be
25 something that I could do to put an end to the

organization's practice of forcing women that got
pregnant to have abortions.

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57. This lack of initial insight, like so many other statements in the depositions, may be difficult to understand by an outsider. It is, however, the normal response from a person who was so totally embedded and isolated for so long, with no pre-Scientology history, in Scientology. It is normal under these conditions to accept even the greatest of abuses when no one around them ever publicly questioned any of these abuses. This passive acceptance of the normalcy of what should have been recognized as pathology is common among long-term members of totalistically controlled organizations (i.e. what are commonly referred to as cults). It takes former cult members considerably time and distance from their former group to put their experiences in a broader perspective that is more consistent with the beliefs, values, practices and laws that are common to the world outside the organization.

58. I now turn directly to the psychological mindset that resulted in the Headleys' inability to freely make decisions concerning their lives and their futures. Over and over again, the examiner in their depositions poses the question of why they didn't just get up and leave if things were so terrible? Let me address the forces and fears that, I believe, were created by Scientology that profoundly reduced the possibility of any true choice.

OVERT PHYSICAL FORCE

59. To begin with, physical conditions made leaving seem extremely difficult. The descriptions in the depositions are of a prison-like environment – constant monitoring, surrounded by guards, threats of hard labor and punishment and/or isolation if one got caught, and so on. It is hard to know where to begin with examples of these very direct threats. Here is a small sampling:

(A) Coming and going were strictly policed. In a mild example, Marc (p.

890) describes an instance when he was 17 years old and was physically prevented from leaving Gold by a security guard: “He’s right there and I have no means of getting away from him. . . he was the security chief. So if he says I can’t leave, there is no way for me to leave. In order to leave the property, the security guard has to physically open the gate. You cannot leave the property -- it’s not like I can just say hey, I’m going to go somewhere and walk out. There is an electronic gate that is locked, the security booth is right there, you have to say I’m leaving and they have to say okay and open the door for you. So if the security chief says you can’t leave, you ain’t leaving, whether you try to or not.”

(B) Marc (p. 893): At a later time, Mr. Dunnagin (a guard) placed a large chain on my motorcycle so that I would not be able to access it so that I would not be able to leave the property. He actually locked it up.

60. Even if they did manage to escape from the grounds, the Headleys understood that the dangers only mounted:

(A) Claire (p. 495): “. . . a few weeks after I arrived there, I learned about the blow drill that gets done whenever anyone makes an attempt at an unauthorized departure whereby anywhere from 30 (my note--perhaps as few as 20, she states later) to 60, 70 staff are sent out to track the person down. To say that that was a deterrent to a complete decision to leave is about the understatement of the century. I mean if you know that 60 to 70 people are going to track your every move and their entire purpose is to bring you back and that they’re going to be calling your relatives and any known person that you’ve ever talked to in your entire life tracking your credit cards, your bank records, your phone, it’s a deterrent.

(B) Escaping completely was met with more force. Claire (p. 260), for example, describes how a co-worker, Tanja Castle, was picked up after jumping the fence after which she was assigned a buddy full-time. Claire describes hearing her being yelled and screamed at for 48-72 hours, then put on heavy labor for close to a year, confined to the base.

(C) Claire describes the threat of being punished through assignment to

1 the Rehabilitation Task Force in Los Angeles (p. 504): “My understanding was that it’s a program. .
2 .(that) takes anywhere from 6 months to 10 years. . . My uncle was on it for 10 years . . they’re
3 required to dress in black boiler suits and they’re required to run everywhere they go. They’re not
4 allowed to address anyone outside of the, that program. They’re restricted to RPF headquarters.
5 They’re only allowed to work on heavy manual labor. And they do heavy manual labor for I think
6 anywhere from 8 to 10 to 12 hours a day and they’re supposed to do five hours of Sec Checking
7 and ethics actions to find out their evil purposes, to rehabilitate them as beings. . . I’d say the mild
8 average was three or four years that I personally witnessed.”

9 61. Why not call the police? Claire (p. 527): “I worked there for 15 years, and
10 never once had I seen or heard of someone calling the police and successfully escaping. . . (and) if
11 you fail, you’re going to be under lock and key for a good year or two with a full-time security
12 watch and stripped of all rights, heavy manual labor. I mean I had seen it happen many, many
13 times.”

14 62. There are many similar examples throughout the depositions. They all add
15 to the clear conclusion that the Headleys believed that escape would be physically difficult,
16 dangerous and probably unsuccessful and that the end result would more than likely be even greater
17 physical abuse. Given the ubiquity of physical force and abuse that they had observed so often on
18 their Scientology sites, they had good reason to feel this way.

19 OTHER COMMITMENTS AND BEHAVIORS USED TO SUPPRESS RESISTANCE

20 AND MAKE LEAVING SEEM DIFFICULT IF NOT IMPOSSIBLE

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22 63. Along with fears of guilt, shame and social isolation, the Headleys faced a
23 number of other threats concerning the consequences of leaving. They were, for example, required
24 to divulge information, sign documents and make other commitments that led them to believe made
25 them legally bound them to Scientology. They understood that their agreement with these

documents would be put on file and that they could and would be used against them should they
1 ever challenge Scientology or try to leave. A few examples:

2 (A) They were required to complete repeated questionnaires, some of
3 which have already been discussed. One notable questionnaire, which they seem to have had to
4 fill out and modify on numerous occasions, was the Life History questionnaire. It was understood
5 that any wrong answers would mean either further training, discipline or expulsion. Most of the
6 questions were ordinary. Some, however, would certainly require some degree of lying in order to
7 meet expectations. For example:

8 Question 9A. Have you ever had doubts about
9 being in Scientology and/or the Sea Org? If yes, give
10 full details of time, place, form and event. And:

11 Question 39. Have any of your relatives
12 expressed any opinion against Dianetics and
13 Scientology or do they have any objection to your
14 working in connection with it? If so, give full details.

15
16 64. Scientology certainly knew that no person with even a mild level of
17 intelligence could honestly answer these questions with a definitive “No.” Questions such as these
18 were all part of a larger pattern inquisition that encouraged, and often required, the Headleys to,
19 essentially, agree to their own punishment should they ever stray from Scientology. They were
20 also part of a larger pattern requiring them to reveal unflattering information about themselves that
21 could be used against them at any time.

22 65. The Headleys both signed endless statements over their years in
23 Scientology statements they said they either didn’t read carefully and/or simply signed because they
24 knew they had to sign them or face consequences. Claire, when asked in her deposition about a
25 form she’d signed that declared her religious commitment to spiritual awareness and betterment

1 and to the religion of Scientology, in accordance with the terms of the Covenant, and for which, as
2 a result, stated she was forsaking all commercial and financial motivation (Exhibit 39), responds in
3 reference to the totality of documents she'd supposedly agreed to sign over the years (p. 377):

4 I don't recall reading this or thinking that. This was
5 one of many forms I was required to sign. If I refused
6 there would be consequences, so when you're in such
7 a situation, you sign the forms that are placed in front
8 of you to sign.

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11 66. Claire's response, which seems irrational, dishonest and dangerous to an
12 outsider was, once again, the norm they grew up with. It would have required a rebellious act to
13 defy the order to sign. Levine, 2003, *supra*.

14 67. Perhaps the epitome of Scientology's manipulations to gather potentially
15 self-incriminating information – and, I would argue, their most creative--was the auditing process,
16 which I have already described under my discussion of thought control. It is certainly possible
17 that, as promised by Scientology, auditing can help a member achieve personal growth (i.e. go
18 clear). (I have not, however, seen empirical evidence that it actually does so). Certainly,
19 however, the revelations that came out of these sessions about a member's personal flaws left them
20 that much more vulnerable to potential retribution by Scientology in the future.

21 68. In a totalistically insular organization like Scientology, fears of what this
22 personal information can be used for get exaggerated in the mind of the member. One becomes
23 easily convinced that the organization has information about them that can be brought out to ruin
24 them at any time, in any future endeavor; and, in the case of Scientology, it was understood by
25 members that the organization knew no bounds in how far they would, in fact, go to ruin anyone

1 who resisted orders; and it was perceived that the organization would go that much further to ruin
2 them if they tried to leave. The actualities of what Scientology would do to hurt the member was
3 less important than the member's perceptions of what they would do. In the end, members were
4 left feeling that what they had revealed about themselves left them even more deeply immersed
5 within the control of the organization.

6 69. Some of the tenets of Scientology as a religion were also a deterrent to
7 leaving. For example, Scientology doctrine professes that members who follow the correct path
8 can live for eternity. Although it does not appear overtly in their depositions, I suspect the
9 Headleys, on some level, felt threatened by the possibility that being declared a suppressive person
10 meant they would lose this possibility of eternal life. When people live with a religious doctrine
11 their entire lives, even those who become non-believers find it difficult to accept with complete
12 certainty that everything they were taught is false. (The Headleys had each also signed a document
13 stating: I contract myself to the Sea Organization for the next billion years (p. 78)).

14 70. There were other threats to leaving that were more tangible. Notably, the
15 Headleys were required to make financial commitments to insure against their challenging
16 Scientology. For example, they were required to sign documents that committed them to
17 extremely large fines for breaching a Declaration and agreement of nondisclosure (exhibit 31)
18 which, among other things, stated:

19 "I understand and agree that it would be impractical or
20 extremely difficult to fix actual damages that would
21 result from a breach of this Declaration and
22 Agreement of Nondisclosure. Therefore, I agree to pay
23 to RTC and/or CSI as applicable, as liquidated
24 damages and not as a penalty, the sum of Seventy Five
25 Thousand Dollars (\$75,000.00) for each breach of this

1 Agreement. I understand that this sum represents a
2 reasonable attempt to estimate a fair compensation for
3 the foreseeable losses that might result from such a
4 breach. This provision for liquidated damages shall
5 not preclude RTC or CSI from electing to pursue any
6 of the other legal or equitable remedies that may be
7 available to them.

8 71. The criteria concerning what constitutes disclosure as stated in this
9 agreement is, however, extremely vague. It states, for example, that I declare that I am not here to
10 harm, malign, damage, injure or otherwise adversely affect the RTC, CSI or any of their activities,
11 functions or personnel or affiliated organizations. I understand that my employment is dependent
12 upon my honesty and my performance of the terms of this Declaration and Agreement of
13 Nondisclosure ("Agreement"). The Headleys and their fellow members understood that this
14 essentially meant they would be fined for saying anything their supervisors chose to define as
15 critical of Scientology. Other financial threats included freeloader charges, supposedly to cover
16 the costs of the training that Scientology had invested in them. After the Headleys did finally
17 leave, in fact, they were sent freeloader bills for \$150,000, which they were told would need to be
18 paid if they ever wanted to contact their family again. Clearly, it was understood that challenging
19 or leaving Scientology would have severe financial consequences.

20

21 GUILT, SHAME, AND SEPARATION

22

23 72. Guilt, shame, and separation constituted the social and psychological force
24 that induced sustained, long-term commitment. Physical force, physical abuse and the fear of even
25 greater abuse if one tried to escape were powerful deterrents to any attempts to leave. It could

26

28

1 easily be argued that these coercions could have been sufficient to keep anyone from ever making
2 an attempt to get out. There was, though, another level of forces exerted by Scientology that
3 made leaving even more costly -- exponentially so and difficult to do.

4 73. I have already addressed some of the shortcomings of controlling people
5 through sheer physical force. The problem is the limitations in their long-term effectiveness. No
6 matter how painful the potential punishments, one understands that, once the enforcers are gone,
7 they are safe. I referred to the prison-like conditions in Scientology. In terms of the effectiveness
8 of physical force, however, the Headleys might have perceived their situation as less restrictive than
9 that of an actual prison: If a prisoner successfully escapes, their captors are legally sanctioned to
10 track them down, meaning the escapee lives with a permanent fear of being caught. In the case of
11 the Headleys, they feared being tracked down (see, e.g., Claire's description of the blow drill), but
12 they should have understood that there would be laws to protect them from being physically
13 captured and brought back to Scientology once they had established sufficient distance. If they
14 could escape from the grounds, they could mostly escape the physical punishments.

15 74. The Headleys faced other fears in leaving, however, which exponentially
16 raised the cost in doing so. The most powerful of these threats were psychological and social:
17 guilt, shame and the threat of permanent social isolation and rejection from everyone in their social
18 circle. It was understood that escape, whether successful or unsuccessful, would be punished by
19 strict prohibitions against any future contact with family or friends within Scientology. We need
20 to recall at this point that the Headleys' entire social world for virtually their entire lives had been
21 confined to family and friends within Scientology. Being permanently cut off from these
22 individuals would have created intense, arguably phobic-level fears in most individuals. As one
23 reads the descriptions of Scientology's repeated threats of isolation, I find it difficult to avoid the
24 conclusion that people like Mr. Miscavige clearly understood the magnitude of their threats.
25 These actions created intense fear and pain on several psychological levels:

26 75. Escaping – whether successful or getting caught – meant the Headleys were

cutting themselves off from family and friends. They were abandoning their loved ones whom, they understood, would have to bear the pain of their being abandoned in silence, since verbalizing their pain would leave them, too, open to punishment. We see the dynamics of social rejection and the inability to express one's true feelings even in situations less dramatic than that of completely leaving Scientology. For example, when Claire decided to join Sea Org at age 16, her stepfather and mother were required to co-sign her Religious Commitment document (quoted earlier), thereby agreeing to the consequences of any subsequent misbehaviors by their child. But Claire (p. 76) describes her mother's actual reaction when she'd told her she had joined Sea Org: "My mother, when I told her, was crying initially that she couldn't she was very upset that I didn't consult her first before I started. But ultimately, she as I understood it, she was not in a position to express objection. . . . Because . . . I knew of a few people that and she had told me of some people, too, that the parents had objected to the children joining the Sea Org and that had gotten in trouble for that."

76. By the time Claire was a young adult and developing strategies for escape, she understood the pain it would cause for her mother and family if she chose this extreme step. She was also informed how it would hurt her family members' futures within Scientology. She describes a 30 minute layover at a bus station when she finally did leave Scientology (p. 157), "during which the entire time Greg (a staff member who had gone after Claire) went on a tirade about how, you know, my family was going to be barred from continuing in Scientology because I was leaving, that my brother and sisters were going to that this was going to harm them on their progress in Scientology, that I would never be able to talk to them ever again" This was manipulation through shame and guilt. Unlike the fear of physical restraint, Claire understood that this pain would be chronic and permanent. In this way, social forces exert more powerful control on an individual than physical threats. With guilt and shame, the punishment persists inside the transgressor. Guilt and shame reside inside one's consciousness. One cannot escape from their own mind. Threats about how they were hurting their family manipulated the Headleys, through

guilt and shame, to punish themselves.

1 77. Perhaps an even greater obstruction to leaving was the understanding that
2 attempts, whether successful or unsuccessful, would mean their own social isolation. Once
3 declared a suppressive person, they would be absolutely rejected and prevented from
4 communicating with everyone they were close to. These threats were also chronic and permanent
5 (although it appears in reading the depositions, that transgressors could buy their way back into
6 contact with insiders by paying exorbitant freeloader fees, to be described below). These fears of
7 social isolation are repeated throughout the depositions, particularly concerning the pain the
8 Headleys knew they would live with by never seeing their family members. Leaving could even
9 very well mean the Headleys would never see each other.

10 78. The notion of phobia was, I believe, most applicable to the thought of living
11 independently. The Headleys had no experience with independent living. They were completely
12 dependent on Scientology. Where would they even begin? When Claire is asked why she never
13 called the police, for example, she responds (p. 140) that she had no place to even go. She didn't
14 know anyone on the outside. She had neither the skills to survive nor anyone she knew who could
15 get her started.

16
17 LEARNED HELPLESSNESS
18

19 79. The concept of learned helplessness refers to the feeling of resignation and
20 hopelessness that results when a person repeatedly fails at attempt to alter the course of bad events.
21 The dynamic is well established in research studies, most notably through the work of Professor
22 Martin Seligman and his colleagues. These studies find that, when confronted by a painful event,
23 humans (and animals) will initially take active steps to stop the pain or remove themselves from the
24 pain but, after repeated failures, most people will give up. The victim is then left with a chronic
25 feeling of hopelessness which is often accompanied by depression. They lose their initiative at this

1 point and will no longer try to help themselves, even if at some point they actually gain the power
2 to do so; hence, the term, learned helplessness. Seligman, M., *Helplessness: On Depression,*
3 *Development and Death* (San Francisco: Freeman, 1975).

4 80. The Headleys' depositions, as described above, describe repeated failures by
5 both themselves and by other people in attempts to leave Scientology. Marc describes one
6 particularly telling story of his own failed attempt to follow through on leaving (which appears
7 from his deposition to have occurred in 1990) (p. 338). The exchange in the deposition begins with
8 a reasonable question by the examiner:

9 Q. In that year that you got there did you send
10 anything to the personnel department telling them you
11 changed your mind and you wanted to leave? Let's
12 take the first month, in the first month did you say, "I
13 changed my mind. I want to leave"?

14 A. Well, let me just answer the first question
15 because yes, within the first year I did say yes, I want
16 to leave.

17 Q. And did you leave?

18 A. No. I was convinced to stay.

19
20 Marc then describes the sequence of pressures that convinced him to stay. First,
21 he was confronted by a staff member named Gary Morehead:

22
23 A. And then Gary Morehead came and saw
24 me. I was in the HCO division, the Hubbard
25 Communications Division of Golden Era

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Productions, and Gary Morehead basically said, you know, if you leave you're going to get declared anyway. You're never going to see your sister again, because my sister was now working at Golden Era Productions. He said you're never going to see your family again. You know, you really have to think about if you want to leave. I mean there is a policy – an advice that L. Ron Hubbard wrote that says if you leave the Int Base you automatically get declared, so, you know, you're basically never going to be able to see your family again if you do this, and do you really want to do this? . . .

81. Marc was no doubt conflicted about leaving at this point but was still intent on doing so when he could do so. He told Mr. Morehead that he really did want to leave. Later, however, when he was basically doing hard labor (p. 340), another staff member confronted Marc:

A. . . . And then I was contacted by an individual named Gary Wilhere, and he basically sat down with me and basically said if you – you know, you really don't want to leave, it's not the best thing to do. It's going to – you know, you're going to ruin your life if you leave. And you know, if you stay you might not get declared. So, you know, you should probably stay and we can probably work something else out.

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82. By this point, Marc perceives the hopelessness of his situation. He gives up
(p. 341):

A. And then basically I had a choice if I was going to leave and never see my family again and not have a job and not be able to go anywhere, or if I would stay and possibly do the RPF and do the, you know, that program, or possibly not get declared. And so based on Greg's, Greg Wilhere's insistence I decided okay, fine, I'll stay. . .

83. He goes on to describe a textbook feeling of learned helplessness:

A. . . . and it was almost like this is, you know, this is too much pain to go through for, you know, to then not get paid as well, and some weeks we weren't getting paid at all. That would go on for months where we wouldn't even get paid the \$35 a week. So it was kind of like it was really, really miserable, it was a really miserable time, and add to that the fact that now they are saying I'm going to get declared a suppressive person and I'm never going to be able to speak to my family. So it was kind of like, you know, I was -- it was basically like no matter what I did I was going to be miserable. I was either going to

1 be a bum on the street, or I was going to be on the
2 RPF, or I was going to be a declared suppressive
3 person or . . .

4 84. The examiner cuts Marc off at this point. "I got it," the examiner responds.

5 85. This sense of helplessness and despair was the norm within the Headleys'
6 cohort. To put up with so much abuse was pathological in the sense that people were not willing
7 to revolt against such a painful, oppressive, exploitive existence. However, as the research on
8 learned helplessness has demonstrated, it was normal insofar as it is the way that average,
9 otherwise psychologically healthy people can be expected to respond to these conditions. This
10 response is an example of perhaps the strongest finding in social psychology, which has been
11 shown over and over again in empirical studies: The power of a cleverly manipulated situation to cause
12 otherwise psychologically healthy people to behave in unhealthy ways: Pathological conditions,
13 like those created by Scientology, create pathological behavior.

14
15 THE CUMULATIVE EFFECT

16
17 86. In summary, the Headleys were raised in Scientology, socialized in
18 Scientology and their lives were totalistically controlled by Scientology. Their energy and hope
19 for a better alternative future was undermined by a multiplicity of physical, social and
20 psychological threats from Scientology. They were made to believe that leaving would have been
21 extremely costly even if they'd been prepared with the skills and knowledge to lead an alternative
22 life, which the entirety of their experience in Scientology had convinced them they were not
23 prepared for. The cumulative effect of the threats and the perceived odds against carrying out their
24 plans, layered upon a lifetime of social isolation and unpreparedness for living an independent life,
25 rendered the decision to try to escape an extremely dangerous, last-ditch option which would have

painful and lasting consequences for the Headleys even if they were successful.

1 87. Their situation is reminiscent of that of many cult members. It has been
2 said by ex-cult members that nobody joins a cult; they simply postpone the decision to leave.
3 Levine, 2003, *supra*. The problem in manipulative, exploitive organizations like these is that
4 participants get caught deeper and deeper in the web as time goes on. We see this clearly in the
5 case of the Headleys – the signed documents, financial commitments, social connections and
6 accumulation of other fears that increasingly tied them to staying. As one’s commitments to a
7 group increase, they are left with more to lose. This leads to an irrational and counterproductive
8 way of thinking that cognitive psychologists call the sunk cost trap. The term sunk costs refer to
9 non-recoverable investments of time or money. The trap occurs when a person’s aversion to loss
10 impels them, in economic terms, to throw good money after bad because they don’t want to lose
11 their earlier investment. See, e.g., Hammond, J., et al., *Smart Choices: A Practical Guide to*
12 *Decision Making* Boston: Harbard Business School Press (1999).

13 88. In the case of the Headleys, they had invested their entire lives in the
14 organization. The more time went on, the more enmeshed they became in the world of
15 Scientology and the further removed they became from any alternatives. To give up their friends
16 and family seemed an increasingly greater loss as time progressed. With no good alternatives
17 seemingly present, leaving became, ironically, progressively more difficult even as conditions
18 worsened. Consistent with the results of the stock market study, The rational decision would have
19 been to recognize that their losses would only increase as time went on and, as a result, they should
20 take their losses and leave as soon as possible. However, the sunk cost trap and the multitude of
21 other forces directed against them dictated a less rational response.

22 89. As I read the accounts in their depositions, I am reminded of an observation
23 made by ex-Jonestown member Jeannie Mills. Jeannie and her husband had joined Jim Jones’
24 People’s Temple, well before the Church’s tragic move to Guyana, because they were persuaded by
25 Jones’ talk of a humanitarian social mission. Both Jeannie and her husband were intelligent,

1 educated individuals who were driven by a commitment to social causes. It wasn't until sometime
2 later, after they had slowly, in step-by-step increments, become totally enmeshed in the Church by
3 Jones, that they recognized the intensity of the man's dark side. By then, however, sunk costs had
4 distorted their rational thinking. In her retrospective account, Mills describes how they convinced
5 themselves to persist in what was clearly a pathological situation:

6 We had to face painful reality. Our life
7 savings were gone. Jim had demanded that we sell
8 the life insurance policy and turn the equity over to the
9 church, so that was gone. Our property had all been
10 taken from us. Our dream of going to an overseas
11 mission was gone. We thought that we had alienated
12 our parents when we told them we were leaving the
13 country. Even the children whom we had left in the
14 care of Carol and Bill were openly hostile toward us.
15 Jim had accomplished all this in such a short time!
16 All we had left now was Jim and the Cause, so we
17 decided to buckle under and give our energies to these
18 two. Mills, J., *Six Years With God*, New York, A &
19 W Publishers, p. 230 (1979).

20
21 90. The Headleys were caught in a similarly destructive loop whereby they
22 mentally distorted the benefits of staying in order to put off the pain that it would mean to give up
23 those benefits. Unfortunately, they found it increasingly difficult to recognize the fact that,
24 eventually, they would either have to find a way out or resign themselves to a life of misery, and
25 that the costs of leaving would become progressively greater so that the decision to leave would

1 become increasingly difficult. Further, as would have been predicted by the sunk cost trap, each
2 time they rationalized staying, or failed in finding a way out, they became more hopeless about
3 their situation and, thus, less likely to attempt to get out even as conditions became more painful.

4 91. In her deposition, Claire is asked (p. 139): “Why didn’t you simply call 911
5 and tell the authorities . . . that you wanted to leave?” In another context, this would be a
6 reasonable question. In this case, however, it is at best naïve. Claire answers and then
7 responds to the examiner’s follow-up questions:

8 A. Because I would be told I was a
9 suppressive person, and I would be put on heavy
10 labor, put under lock and key, like I had observed
11 many times happen. It’s specifically in the Scientology
12 justice procedures that to call 911 or any outside
13 government agency to complain about something in
14 the Scientology work environment is prohibited.
15 You’re supposed to deal with it on Scientology lines. .
16 . . . If I called the police . . . I would be put on heavy
17 labor. I’d be separated from my husband.

18 Q. Well, did it occur to you that if you called
19 the police, they might just come get you and you
20 would never have to go back?

21 A. To go where? I didn’t know anybody
22 outside of Scientology. Where would they take me, to
23 the police station, and I would live in the police
24 station for the rest of my life?

25 Q. You were aware that there was a world

of of the testimony of the Headleys, I believe strongly that the Church of Scientology exerted a constellation of physical, social and psychological coercions which successfully deprived the Headleys’ ability to think clearly and to exercise free will in their decision making.

95. As mentioned in the Introduction, *supra*, the Headleys signed documents indicating their full commitment to the philosophy and work of Scientology. They attested to their total dedication to the cause, that they truly believed in Scientology, and were willing to do Scientology’s work with minimum financial reward. A good example is a statement that both of the Headleys were required to sign at an early age and to re-sign on subsequent occasions (Claire Headley’s deposition at p. 102):

“I understand and agree that by this declaration I am declaring a religious commitment to spiritual awareness to the Scientology religion and to create a better world, in accordance with this declaration. I further understand that all church staff members, including myself, are members of a religious order; that they serve pursuant to their religious obligations and not in contemplation of receiving any compensation whatsoever, and in doing so that are forsaking all commercial and financial motivation. Each considers himself/herself a volunteer to create a better world and understands that he/she is not an employee, i.e., is not entitled to receive secular benefits such as a minimum wage or overtime compensation.”

96. To assume their signature indicated they had thought through their belief in

1 this doctrine would, however, be in error. Their signatures do not reflect the combination of
2 physical, psychological and social forces that made it extremely difficult for the Headleys to not
3 make this public statement or, in fact, to sign any document put in front of them by Scientology.
4 As Marc Headley observes under questioning (p. 270):

5 . . . but what it (the statement) doesn't say is: And so I
6 don't get declared a suppressive person, sent to the
7 RPF or kicked out of my family, not able to talk to my
8 mother, my sister, my brother, it doesn't say all that. . .
9 . That's implied and that's how you get somebody to
10 sign this. You don't have a choice. I didn't – I was
11 16 years old. I didn't have a lawyer. I didn't even
12 know what minimum age was.

13 97. In fact, I believe the coercion that kept the Headleys in Scientology for so
14 many years was even more complex and oppressive than Mr. Headley was aware. I have tried to
15 explain some of the intensity and complexity of these pressures.

16 98. The Headleys were not subjected to the sort of torture that is usually
17 associated with the term brainwashing. What I believe did occur, however, was a more subtle,
18 more potent form of control that transformed their reality and thinking in a manner that left them
19 unable to make rational decisions. They were subjected to social and psychological pressures that
20 subverted control of their thinking, behavior, emotions, and decisions. It is noteworthy that
21 although this type of control can and did lead to pathological behavior and thinking, much of it is
22 an extension of “normal” psychology – the common tactics of persuasion and influence that occur
23 in non-pathological, everyday life settings. The differences between everyday persuasion and
24 extreme control concern intensity and intent. In instances of totalistic control – as in the case of
25 the Headleys – the psychological techniques are taken to extremes. Levine, 2003, *supra*. The
26 techniques are also often manipulative – a term that, in a psychological context, refers to

1 persuading or influencing people “in such a way that the manipulator tries to get what he or she
2 wants or makes a person believe something in a calculating, indirect and somewhat dishonest way.”

3 Myers, David, *Social Psychology* (10th 3d., New York: McGraw-Hill, 2009). The end product of
4 the control I have described is pathological. However, the normalcy of the techniques, when
5 applies with skill and subtlety, make it difficult for the victim to recognize just how pathological
6 the coercive forces are until they are removed from the situation. Levine, 2003, *supra*. In my
7 opinion, this was the case of the Headleys under Scientology.

8 99. The Headleys were motivated by fear. This fear, however, was not simply
9 based on the threat of physical harm. If it were, I am of the opinion that, at some earlier point in
10 time, both would have found a way to escape their situation. The more critical psychological and
11 social manipulations, however, created pressures that they internalized. Once pressures are
12 internalized, they become inescapable. Levine, 2003, *supra*. Leaving scientology, if it were
13 possible, would have allowed the Headleys to be removed from their physical abuse. But the
14 psychological and social coercion they experienced served to exponentially escalate the perceived
15 personal cost of physically leaving. Most critically, this fear was internalized which resulted in its
16 being chronic; once instilled, it no longer required the direct physical presence of anyone from
17 Scientology. These tactics, I believe, were a function of intentional manipulation by the people in
18 Scientology that controlled the Headleys.

19 100. I have presented my analysis of how the Headleys were manipulated and
20 socialized by Scientology to the point where they lost their ability to make clear, independent
21 decisions. Whether or not the Headleys sincerely believed in the tenets of Scientology, the
22 pressures upon them made it extremely difficult to express their grievances and even more difficult
23 for them to leave the organization. Again, this is not to say it was impossible for them to leave.
24 Psychologists understand that, even under the most intense pressures, individuals react on a normal
25 curve, meaning there are always outliers who defy the pressures. Given the intensity of the
26 coercion to which the Headleys were subjected, in this case, however, I conclude with confidence

that an average person would not have been capable of walking away. Furthermore, upon reading the depositions of the Headleys, I am convinced that very few individuals experiencing the series of pressures to which the Headleys were subjected would have been capable of clearly weighing the issues, costs and benefits that would enable them to make rational decisions.

101. In their depositions, the examiner repeatedly asks the Headleys why, if conditions were so terrible in Scientology, they didn't simply get up and leave? When one considers their bad fortune to have been born into the organization, along with the totality of the coercive, manipulative, often abusive manipulations – physical, psychological and social – they encountered in Scientology, and the sense of helplessness this all created, it is my conclusion that they were no longer in control of making rational decisions and that their treatment under Scientology was the cause of this inability. Scientology had, through the totality of its coercions and abuse, deprived the Headleys of the ability to exercise free will in their decision making. The vast majority of “normal” people would have reacted just as the Headleys did. Levine, 2003, *supra*.

102. In conclusion, it is my opinion to a reasonable degree of probability, that their experience in Scientology deprived the Headleys from making clearly thought out, rational decisions that might have been in their best interests in the long-term, i.e. to leave their lives inside Scientology much earlier than they did.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed June ____, 2010, at Fresno, California.

Robert V. Levine, Ph.D.
PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 401 East Ocean Blvd., #800, Long Beach, CA 90802.

On *, I served the foregoing document, described as: * on the parties to this action as follows:

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 X (BY MAIL) I caused copies of such document, enclosed in sealed envelopes, to be deposited in the mail at Long Beach, California with postage thereon fully prepaid to the persons and addresses indicated on the attached list. I am "readily familiar" with the firm's practice of collecting and processing correspondence for mailing. It is deposited with U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of any party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing set forth in this affidavit.

 (BY FACSIMILE) I served the foregoing document by faxing true copies thereof from facsimile number (562) 436-1561, to the facsimile numbers indicated on the attached list. Said document was transmitted by facsimile transmission, which was reported complete and without error.

 (BY PERSONAL SERVICE) I caused to be delivered such document by hand to the firms listed on the attached list where personal service is indicated.

 (BY E-MAIL) I delivered such document by electronic mail to the firms listed on the attached list.

 (BY OVERNIGHT MAIL) I caused such document to be delivered to the firms indicated on the attached list by Express Mail or by another express service carrier, by placing the document in an envelope designated by the carrier and addressed as indicated on the attached list, with the delivery fees provided for, and depositing same in a box or facility regularly maintained by that carrier or by delivering same to an authorized courier or driver authorized by the carrier to receive documents.

 (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

 X (FEDERAL) I declare that I am employed in the offices of a member of this court, at whose direction service was made.

Executed on *, at Long Beach, California.

*, Declarant

PROOF OF SERVICE

Marc Headley vs. Church of Scientology, Case No. CV09-3986 DSF (MANx)
and
Claire Headley vs. Church of Scientology, Case No. CV09-3987 DSF (MANx)

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(Updated January 21, 2010 kk)