

1 **DECLARATION OF DONALD J. MYERS**

2 I, **DONALD J. MYERS**, declare as follows:

3 1. I am the Defendant herein. I am over the age of eighteen. I have personal knowledge of the
4 matters set forth herein and, if called upon to do so, I believe I could competently testify thereto
5 and under oath as follows:

6
7 2. I am employed in Los Angeles as a feature film animator. In that regard, I was on the
8 Emmy winning team of HBO's "The Pacific" working for Steven Spielberg and Tom Hanks.

9 **AUTHENTICATION AND DESCRIPTION OF EXHIBITS**

10 3. Attached hereto and marked with alphabetical letters as follows are true and correct copies
11 of the following documents and video-tape:

12 A. Criminal Protective Order filed April 27, 2018, in Case Number 6CJ06496
13 (*People v. Donald James Myers*). This was handed to me by the court Bailiff at the
14 conclusion of the April 27, 2016, hearing herein.

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16 B. Copy of Google Maps showing (in the color pink) the street known as L. Ron
17 Hubbard Way between Sunset Boulevard at the top and Fountain Avenue at the
18 bottom, and being the area affected by the Protective Order. The area shaded green
19 are the Church of Scientology properties. N Catalina Street and N New Hampshire
20 Avenue are to each side of the page. They were excluded from the Court's April
21 27, 2016, Protective Order.

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23 C. Upper half of page: A "screen shot" of the document shown me by Odo Huber on
24 07-22-2017, and a transcription of the operative words on the document is at the
25 top. The lower half of the page, by way of contrast, is most pertinent portion of
26 the Court's order of April 27, 2016, that was given me April 27, 2016 (Exh. A).

1 **D. Criminal Case Summary, and Past Events**, herein (as of 6_23_18). It has no
2 mention of any subsequent hearing or “updated” order as alleged on 07_22_2017
3 and 11_05_2017, and again in the subsequent criminal complaint to the Los
4 Angeles City Attorney’s Office (Exhibit E), by Ken Long and the Scientology
5 Organization. Even if it had, neither myself nor my attorney received notice of any
6 such subsequent proceeding, or of any “updated” order made at any subsequent
7 proceeding to which we did not receive notice.
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9 **E. May 17, 2018 Los Angeles City Attorney Notice to Appear for a City Attorney**
10 office hearing on June 5, 2018, in connection with a report stating I had violated
11 Penal Code Section “273.6 (a), Viol. of protective/restraining order, on November
12 5, 2017.”
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14 **F. On line media, radaronline.com, report dated June 22, 2018**, and entitled
15 “Cowardly Scientologists Call Cops on Leah Remini.” This mirrors what has been
16 happening to me when I am on a side-walk adjacent to or opposite Scientology
17 facilities, as is permitted by law.
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19 **G. May 4, 2018, letter by my attorney to the FBI**, requesting an investigation of a
20 massive six billion plus DDOS hack attack upon one of my websites that
21 documents such things as Scientology human, civil rights and physical abuses,
22 other unlawful conduct, and anti-Scientology pickets.
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24 **H. Photographs of some of the visual and audio (night and day) cameras and**
25 **microphones, and cell phone signal snooper, and card license plate readers**, that are
26 located around the Scientology properties adjacent to L. Ron Hubbard Way and
27 which enable the Scientology Security Control room to have advance notice of my
28 arrival on the streets adjacent to L. Ron Hubbard Way and to arrange guards such

1 as Odo Huber to confront me upon my arrival nearby notwithstanding my first
2 amendment rights.

3 **I. The Scientology organizations “Fair Game” Policy Letter of 18 October 1967**

4 which, among other things, provides that an “Enemy-SP Order. Fair Game. May be
5 deprived of property or injured by any means by any Scientologist without any
6 discipline of the Scientologist. May be tricked, sued or lied to or destroyed.”

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8 **J. Envelope containing computer thumb drive with video of the three confrontations**
9 between Odo Huber and myself, regarding the matters at issue herein (See
10 paragraphs 17-26 below).

11 **BACKGROUND INFORMATION**

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13 **4.** In early 2008 I became aware of the Internet protest group known as ‘Anonymous’ calling
14 for world-wide public demonstrations against the Church of Scientology for engaging in a wide
15 spread effort to take down a church video featuring the actor Tom Cruise. These demonstrations
16 were initially about freedom of speech but quickly evolved into demonstrations against alleged
17 Scientology violations of human rights, civil rights, child abuse, forced abortions, etc.

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19 **5.** Consequently, beginning in late January/early February 2008, I engaged in monthly and
20 other global ‘Anonymous’ protests against Scientology crime and abuse. These occurred at
21 similar times in over 110 cities in over 42 countries around the planet. More recently, on a
22 number of occasions I have been part of smaller groups, and sometimes on my own, protesting
23 alleged Scientology forced labor, human trafficking, homophobia, violence, unlawful
24 imprisonment and other abuses at various Scientology locations including the “Big Blue” former
25 Cedars of Lebanon Hospital buildings located along L. Ron Hubbard Way.

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1 6. Among other activities conducted at 'Big Blue' is the Los Angeles location of the
2 'Rehabilitation Project Force' (the 'RPF') of CSI's para-military and pseudo-naval Sea
3 Organization headed by Scientology leader Captain David Miscavige who himself has been
4 accused of many violent physical assaults by many of his former subordinate officers as a
5 Google search of "David Miscavige" will disclose. The RPF has been compared by many former
6 high level Scientologists to a dangerous gulag where there is a tyranny of violence and other
7 human and civil rights abuses. At any-one time there may be as many as 150-200 RPFer's
8 confined in one of the Big Blue buildings; crammed like sardines in small rooms, with little hope
9 of escaping a fire because even the fire escapes are locked shut.

11 7. Because of my First Amendment activities directed at Scientology abuse in various
12 forms I believe I have been deemed to be a "Suppressive Person" (an "SP") by the
13 Scientologists. The Church of Scientology International, has a number of copyrighted policy
14 letters and practices for the "Handling of Suppressive Persons" who are persons, among other
15 things, who are critical of Scientology.™ These copyrighted policy letters and practices for the
16 "Handling of Suppressive Persons" are loosely referred to as the "Fair Game" policies.
17 Scientology disingenuously claims that it cancelled "Fair Game" because "it causes bad public
18 relations" but experts have opined in litigation that it was cancelled in name only and is still
19 carried out by the organization. In a 1967 Scientology Policy Letter titled "Penalties for Lower
20 Conditions" the organization decrees, among other things, "Enemy: SP Order. Fair Game. May
21 be deprived of property or injured by any means by any Scientologist without any discipline of
22 the Scientologist. May be tricked, sued, or lied to or destroyed." A copy of that document is
23 attached hereto as **Exhibit I**.

26 8. Indeed, I am informed and believe that the Scientology organization relatively recently
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1 admitted to [Fair Game] harassment and intimidation of a former senior scientology executive
2 (“Marty Rathbun”) and his non-Scientology wife in Florida litigation and contended that this
3 harassment was protected first amendment expression. However, the judge and appellate court
4 apparently rejected Scientology’s argument that this harassment was protected first amendment
5 activity. The court also ruled that Scientology was engaged in the conduct of a business when it
6 denied a ‘SLAPP’ motion in the same litigation.
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8 **9.** As part of the Anonymous protests against the Scientology organization, I used the
9 moniker the ‘Angry Gay Pope’ and protested with a Bishop’s Miter and an “Anonymous” mask
10 (from the movie “V for Vendetta”). Scientology used private investigators and off-duty LAPD
11 officers to try and prevent the protests of these many hundreds, sometimes nearly nine thousand,
12 of Anonymous picketers who included myself. They picketed and protested anonymously (with
13 masks) because of the well-known Scientology “Fair Game” policies and practices.
14 Notwithstanding the anonymity, CSI still located these many of these protestors, thereafter
15 harassing their parents and others associated with them. I was one such person. I was followed
16 by private investigators in mid-2008 for two days in West Hollywood, CA.
17

18 **10.** At these protests in Los Angeles the Scientology organization often employed off-duty
19 LAPD Officers, their police motor cycles and their police vehicles, to restrict and chill the first
20 amendment activity. On duty police were frequently called to warn away protestors, and
21 sometimes to arrest them on what the arrestees complained were false complaints and charges. I
22 was one such person. Allegations were made of improper Scientology “street closing/filming
23 permits,” enforced by certain LAPD officers being directed by Scientology executives such as
24 Scientology executive Ken Long and his attorney herein, Mr. Kendrick Moxon. Scientology
25 “handlers’ such as various bicycle riding ‘security’ officers and executives, such as Ken Long
26 and lawyer Kendrick Moxon, frequently interacted with myself and others, and were often
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1 photographed and video-taped doing so. Indeed, over the past ten years, I have become one of
2 the anti-Scientology-abuse protestors that Scientology has surveilled, harassed, prosecuted and
3 libeled most viciously and continuously. Similarly, the prosecution herein was merely a
4 continuation of a long and continuing first amendment tussle between myself, the Scientology
5 organization, it's attorney Kendrick L. Moxon and mid- level Sea Organization staffer Ken
6 Long who was often dispatched to try and convince police officers to disperse anti-Scientology
7 protestors such as myself. Usually, the police took no action.

9 **11.** Another very recent example, within the past two weeks, illustrates this point. It
10 involves ex-Scientists Leah Remini and Mike Rinder. Mr. Rinder was brought up in
11 Scientology, was the commanding officer of the Office of Special Affairs for nearly 20 years,
12 and its national spokesperson. Ms. Remini and Mr. Rinder are now hosting season 3 of an Emmy
13 winning A&E series on Church of Scientology abuses. Mr. Bunker is editing a documentary
14 movie on Scientology abuses. The illustrative media report is attached hereto as **Exhibit F**.

16 **THE CURRENT CASE AND PROTECTIVE ORDER**

17 **12.** On November 7, 2015, I had engaged in a solo protest at the Big Blue complex and had
18 stepped inside an open lobby to verbally convey my first amendment message, intended to create
19 cognitive dissonance, to those inside. Ken Long and Scientology security officers aggressively
20 man-handled me out of the lobby and onto the side-walk. I reacted by reaching around Ken Long
21 and lightly slapping him on the buttocks.

23 **13.** I believe that the current case prosecution was the product of a deceptive police report
24 and private persons arrest by Ken Long, a person with a history of malice towards me. As a
25 result, I was subjected to three days and nights of confinement in various jails. My health
26 deteriorated and my blood pressure rose. I was moved from the LAPD jail to the Twin Towers
27 which had superior medical facilities. My condition deteriorated further until the Twin Towers
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1 jail infirmary told me I was being released due to a medical condition they diagnosed as
2 “Polycythemia.” The single [false] charge of sexual battery was dismissed and I was released
3 with no charges pending. The alleged sexual battery (recorded on security camera-see Exhibit H)
4 was similar to the conduct claimed by the pornstar Stormy Daniels, who said she tapped Donald
5 J. Trump on the buttocks with a folded newspaper. Nearly four weeks later the three charges
6 herein were filed. Two were later dismissed. The idea that this was sexual battery to me was
7 ludicrous. That was not my intention. I have frequently interacted with Ken Long over the years.
8 I have never engaged in such conduct towards him or would be likely to. On this occasion it was
9 merely one single light slap on the derriere as I was being physically man-handled and dragged
10 along by Ken Long and Scientology security guards. I do not participate in violence. This was a
11 reaction to being dragged along by this group of Scientologists. It was not for any purpose of
12 sexual gratification or sexual abuse.
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15 **14.** During the sentencing proceeding my attorney (who has represented many persons
16 against the Scientology organization) expressed his concern that the Scientology organization
17 might abuse a Protective Order herein by using it to interfere with my lawful protests against
18 Scientology abuse. He told the Court that in the past the church had used the ‘protected person’
19 as a floating weapon, putting him or her out on the street where they need not be in order to chill
20 and interrupt otherwise lawful First Amendment activity. I recall the Court informing my
21 attorney that if this happened he could bring the matter back before the Court.
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23 **THE EVENTS PROMPTING THE MOTION BEFORE THE COURT**

24 **15.** Thereafter, on April 27, 2016, my attorney Graham E. Berry and the Los Angeles City
25 Attorney’s office, through Deputy City Attorney Carlos J. Ramirez, negotiated a resolution of the
26 case upon terms that included time served, and a stipulated Criminal Protective Order that
27 expressly stipulated I must not come “within 100 feet of Ken Long” and to stay away from the
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1 camera man who took video footage excerpted onto the thumb-drive that has been placed in an
2 envelope attached hereto as **Exhibit J**.

3 **19.** As the video Exhibit J evidences, in an ordinary manner I walked down North Catalina
4 Street on the side of the street opposite the Scientology administration buildings. Suddenly Odo
5 Huber crossed the street towards me. We have interacted on numerous occasions since mid-2008.
6 Odo Huber is a Church of Scientology Security Guard. He has been in the Scientology Sea
7 Organization since his early teenage years when his Scientologist parents emigrated here from
8 Austria, probably on Scientology sponsored R1 religious worker visas. Odo was dressed as a
9 security guard and was holding up a video camera as if he were recording me. I spoke first:

11 Myers: “Hi Odo.”

12 Odo: “Ken Long told me that you are violating your TRO once again.”

13 Myers: “No I am not violating. I’ve got it right here.”

14 *Odo then approaches to about 2 feet in front of me and holds his video camera at eye level*
15 *to record me.*

16 Myers: “It says I shouldn’t be on L. Ron Hubbard Way. Right here. [Showing him a copy
17 of the Court’s April 27, 201 order (attached as **Exhibit B**).] You see what that says.
18 Church of Scientology at L. Ron Hubbard Way between Fountain Avenue and Sunset
19 Boulevard which is not where we are. Must not come within a 100 feet of the protected
20 person named above.”

21 Odo: “Not where he works, his work facility. You know that.”

22 Myers: “No I don’t know that. And he’s not here.”

23 Odo: “Well now you know.”

24 Myers: “ He’s not here Odo. He’s not here Odo. And if he comes out to bother me that’s
25 stalking. That’s following and stalking like he already did.”
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1 Odo: “It’s right there.”

2 Myers: ‘Well my piece of paper as you saw says it only pertains to L. Ron Hubbard Way
3 and Ken Long who is not here.’

4 Odo: “That’s the old one.”

5 Myers: What do you mean that’s the old one?”

6 Odo: “That’s the old one. This is the update that came after that.”

7 Myers: “There was no update to myself or my lawyer. And the Church [of Scientology]
8 has a reputation for faking things.”

9 Odo: “We are going to have the police sort it out.”

10 Myers: ‘Yes.’

11
12 **The June 5, 2018, L. A. City Attorney’s Office Hearing**

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14 **23.** On or about May 19, 2018, I received a notice to appear (dated May 17, 2018, from the
15 Los Angeles City Attorney’s Office, a true and correct copy is attached hereto as **Exhibit E**.

16 **24.** At 8.00 AM on Tuesday, June 5, 2018, my attorney Graham E. Berry and I appeared at the
17 Los Angeles City Attorney’s Office before Hearing Officer Ms. Susan Choi Kang. We were
18 informed that the matter involved a complaint that on November 5, 2018, I had violated the
19 Criminal Protective Order issued against me on April 27, 2018. (See, **Exhibit A**). The document
20 the Hearing Officer had been provided was a copy of the document attached hereto as **Exhibit C**
21 (upper half of document) and referred to by me in paragraphs 19-21 above. After consulting her
22 computer, the Hearing Officer was perplexed. The Court docket sheet did not reflect any
23 subsequent hearing or order as suggested to me by Odo Huber. The document Odo and the
24 Hearing Officer had (See, **Exhibit C**, upper half of document) was significantly different to the
25 Court stamped order signed by Hon. Kerry Bensinger on April 27, 2016. (See, **Exhibit A**, and
26 lower half of **Exhibit C**). The document the Hearing Officer had been provided with was a copy
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1 of the upper half of the document attached hereto as **Exhibit C**. Apparently, the Hearing Officer
2 could not find any record of **Exhibit C** (upper half of document) in any of the Court's records
3 (**Exhibit D**) or the City Attorney's Office records. She even left the Hearing Room for a time to
4 apparently investigate further. She expressed visible concern at the discrepancies and said she
5 wanted to know what had happened. My attorney advised the Hearing Officer that he was
6 intending to file a motion with the Court in order to clarify the situation, and to deal with what
7 appeared to be a fraudulent document (**Exhibit C**, (upper half of document)) The Hearing Officer
8 finally asked my attorney to keep her updated with regard to the filing of the motion to clarify and
9 as to how the discrepancy happened. She wanted him to help clarify the origin of the discrepancy
10 between the documents reflected by **Exhibits A & C** hereto.

12 **25.** It was curious interest to me that the Scientologists had not filed a complaint in connection
13 with the earlier two visits to North Catalina Street. They had only complained of my visit on
14 November 5, 2017, when I was advised of the mystery "updated" order. See paras. 17-21 above.

16 **26.** Upon information and belief, my attorney Graham E. Berry was not advised of any
17 hearing date in connection with the seeking of any "updated" or different order to the one I
18 stipulated to on April 27, 2016. Neither was I. Similarly, upon information and belief, my
19 attorney has not been mailed or served with any "updated" or different order to the one I stipulated
20 to on April 27, 2016. Neither have I. In addition, there are no additional hearings or "updated"
21 orders listed on the Court's Docket Sheet herein. See, **Exhibit D** hereto.

23 **THE CENSORING OF MY INTERNET PRESENCE BY SCIENTOLOGY**

24 **27.** The events described above are not the only ways in which the Scientology organization
25 and it's stooges is directing its Fair Game 'War against Critics' against me personally. Attached
26 hereto as **Exhibit G** is a copy of a May 4, 2018, letter from my attorney to the FBI relating to the
27 criminal destruction of my large anti- Scientology website (www.angrygaypope.com), by a
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1 coordinated Distributed Denial of Service attack believe to be the work of foreign ‘cut-outs’ for
2 Scientology’s Office of Special Affairs (it’s intelligence, public relations and legal bureau). I have
3 largely ‘back-tracked’ and rebuilt my website at considerable time and expense. However, the
4 electronic attacks, and the church’s spurious complaints to various Internet Service Providers, etc.,
5 continue to occur as my site is probed daily from virus infected technology in foreign countries
6 which include Ukraine, China and the Czech Republic. The church also had my YouTube channel
7 deleted along with 10 years of content. It made spurious take-down complaints regarding videos
8 that had been there for 10 years in some instances.

10 **28.** Upon information and belief, it is my understanding that the Church of Scientology is
11 engaging in the above conduct against me at this particular time because it is losing staffers and
12 members because of public protests and adverse Internet coverage, and because it is
13 simultaneously trying to attract viewers to its new Scientology Media Productions cable TV and
14 Internet presence.

16 **29.** I believe that to date I have fully complied with all of the terms of the Court’s April 27,
17 2018, sentence which included a period of probation and a Criminal Protective Order.

18 I declare under penalty of perjury according to the laws of the State of California that the
19 foregoing is true and correct.

20 Executed this 1st day of July, 2018, at Los Angeles, California.

23 _____
24 Donald J. Myers