DEPARTMENT OF JUSTICE

CRIMINAL JUSTICE DIVISION

REPORT OF INTERVIEW

CASE/FILE NO.:	137-001 CJ-OC-AS003-85
PERSON INTERVIEWED:	OLEXA, Joseph Manager/One-Stop Licensing Program 428 Labor and Industries Building Salem, Oregon Telephone: 378-4538
OTHERS PRESENT:	None
DATE/TIME/PLACE OF INTERVIEW:	January 16, 1986/1:00 p.m./Office of Joe OLEXA Salem, Oregon
INVESTIGATOR:	Robert D. Greene, Jr.
DATE DICTATED:	January 16, 1986

On January 16, 1986, at 1:00 p.m., Joe OLEXA was interviewed in his office concerning his attendance at proceedings involving the Rajneesh appeal of state fines for violations of electrical codes at Rajneeshpuram.

OLEXA advised that he attended both the depositions in April of 1985, and the hearings in May of 1985. OLEXA states the depositions he attended were conducted in the Oregon State Justice Building, and the hearings were held in the state library (during the first week) and the Department of Transportation (during the second week).

OLEXA stated that during both the depositions and hearings, the Rajneesh brought their own food and beverages. They did not offer anything to anyone else other than the stenographers.

At the depositions, persons representing the state's case, drank coffee and water from styrofoam cups which were kept on the conference table where the depositions were being given. Their coffee was drawn from a "Mr. Coffee" type of coffee maker belonging to the Justice Department, located just outside the room.

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OLEXA does not recall anyone becoming ill at the depositions, but believes the proceedings may have been delayed from an earlier date because attorney Karen GREEN was ill. OLEXA commented that he had a cough during the depositions, but he attributed this to having a dry throat.

OLEXA states there probably were times at which breaks were taken during the depositions in which the styrofoam cups belonging to state people were left unattended at the conference table. The Rajneesh also ate their lunch in the conference room while state people left and went elsewhere for lunch. Once again, the styrofoam cups they drank coffee and water from were left unattended at the conference table.

OLEXA states that the Rajneesh also brought their own food and beverages to the hearings in May of 1985. During the first week of the hearings (which were held at the state library) OLEXA states that Pat FITZGERALD obtained water for the state people a couple of times and he (OLEXA) obtained it most of the time thereafter. FITZGERALD had obtained water pitchers for the state people, which were normally filled at the water fountains in the hallway. OLEXA recalls being present when GREEN became ill during the hearing held on May 23, 1985. OLEXA believed GREEN had been cross-examining Swami SUGITO, but review of the transcripts determined it had been Don IRVING that she had been cross-examining. The Rajneesh that OLEXA recalls being present at the hearings were Swami Prem SUKH, Swami VEDANANDA, Swami SUGITO, and several others who he did not recall the names of.

OLEXA recalls GREEN complaining that she could not talk and also of pain in her jaw. OLEXA states a recess was called by the hearings officer (Judge Arno DENECKE). GREEN left the room and OLEXA followed her into the hallway. GREEN was observed holding her jaw. OLEXA tried to console GREEN and states that it appeared she had a cramp in her jaw and had to talk through her teeth with her jaw closed. OLEXA states that the actual cramping of GREEN's jaw appeared to last only a couple of months. Shortly after that, the hearing was resumed. This occurred late in the afternoon and the proceedings were recessed shortly after until the next day. OLEXA was not certain as to why, but states the hearing on the next day (May 24, 1985) was not held.

OLEXA states he knew of no one other than GREEN who became ill during the hearings. OLEXA had no further information to provide.

Robert D. Greene, Jr.
Investigator

bj

MEMORANDUM TO THE FILE

TO: 137-001 AS0003-85

FROM: Robert D. Greene, Jr.
Investigator

DATE: January 16, 1986

SUBJECT: Additional Information Received From Attorney Karen Green

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Karen GREEN was recontacted on January 10, 1986, to obtain additional information concerning circumstances surrounding her sudden illness during the May 1985 electrical board hearings. GREEN is presently employed by the Deschutes County Counsel's office in Bend, Oregon.

GREEN advised that she was not the only person involved in the electrical board proceedings to become ill. During depositions held in April 1985, at the Justice Building in Salem, in The Dalles and in Redmond, two other persons also became ill, causing postponement of the depositions. Those persons were Dan SMITH and Joe OLEXA of the building codes division of the Oregon Department of Commerce. GREEN also points out that she was not the only person to become ill during the May 1985 electrical board hearings. She indicated that Greg STROMBECK, Oregon States Chief Electrician, also became ill.

GREEN stated additional hearings were held in July 1984 concerning the Rajneesh Electrical Board appeal, and yet another person became ill during that period. GREEN stated Oregon State Assistant Attorney General Michael WEIRICH filled in for her (GREEN) during the July hearings. GREEN stated WEIRICH also became ill either during or shortly after the July hearing.

GREEN recalls that the Rajneesh normally brought their own water in Coleman-like coolers to both the depositions and hearings. They also brought food in large "Tupperware" plastic containers. The Rajneesh present during those proceedings drank only from their own cups and water containers. During the depositions, non-Rajneesh persons filled styrofoam cups at water fountains outside the hearing room. GREEN states that there were times when breaks in the proceedings occurred and cups of water were left unattended in the hearings room. The depositions were conducted in the state's Justice Building conference room, The Dalles, and in Redmond, Oregon.

During the hearings in May 1985, the Rajneesh again brought their own water and food. Non-Rajneesh had plastic cups and a water jug. The water jug was normally filled by Joe OLEXA at either water fountains in the hall or faucets in the bathroom.

GREEN recalled that the following members of the Rajneesh commune were present during the depositions and hearings: Attorney PREMSUKH, Ma VENU, Swami VEDANANDA, Ma VIDYA, Ma DOLMA, Ma PADMA, possibly Ma PUJA, and a couple of other persons operating video equipment and taking care of the Rajneesh food and water. GREEN pointed out that the Rajneesh video taped the depositions, but did not video tape the hearings.

GREEN attempted to obtain copies of the video tapes of the depositions from the Rajneesh and they did agree to provide them. GREEN adds, however, that she did not follow up in obtaining them and this was not done. GREEN commented that there was some news media coverage during the first couple of days of the hearing in May 1985. As indicated in GREEN's earlier statement to the Department of Justice, she first became ill during the evening of May 21, 1985, and continued to feel ill through the 23rd of May. GREEN stated that on May 23, 1985, the symptoms of her illness became so severe that a recess in the hearing had to be taken. (That recess is documented in the transcripts of the hearing). GREEN commented that it was as if her jaw had froze and she could not talk. GREEN indicated it felt like she had a cramp in her tongue or jaw. GREEN stated that the recess in the proceedings lasted for approximately 10-15 minutes, during which she left the room and went into the hall where she experienced intense cramps. GREEN returned to the hearing and continued for a short period of time and shortly thereafter the proceedings were concluded and were to be continued on the next day. GREEN was told by the hearings officer, Judge Arno DENECKE, that if she did not feel well enough to continue the hearing the next day, to contact him and he would postpone it. GREEN walked back to her office from the state library after the hearing. She indicated that it took her a great deal of time and said that the two block walk took her nearly one-half hour. Upon returning to her office, she had conversation with a friend, attorney Malinda BRUCE, who recommended that she go to the hospital at once. BRUCE then took GREEN to the emergency room at Salem Memorial Hospital where she was examined and treated by Dr. MESSER. GREEN states that she either contacted Judge DENECKE that same evening (the night of May 23, 1985) or the following morning to advise him that she did not feel well enough to continue with the hearing on May 24, 1985. GREEN stated Judge DENECKE continued the proceedings until May 28, 1985. GREEN pointed out that Monday, May 27, 1985, was a holiday.

GREEN states her illness reached its worst point on May 23, 1985, and reduced in severity thereafter. GREEN commented that her illness continued after May 23rd, but gradually reduced in severity.

GREEN recalled that one of the Rajneesh women testifying at the hearing refused to drink water which was supplied by non-Rajneesh persons at the hearing. GREEN thinks that it was Ma DOLMA who suddenly began coughing as she was testifying and someone, possibly Judge DENECKE, offered DOLMA the water, but DOLMA refused, indicating that she preferred to drink water provided by her Rajneesh associates. GREEN advises that this would have occurred during the first week of the hearings which were held in the old LUBA courtroom in the state library.

GREEN was asked if any of the Rajneesh appeared to be exceptionally concerned about her illness and/or welfare. GREEN commented that she was not aware of any expression of concern by any of the Rajneesh present at the hearings. GREEN also commented that during the depositions one Rajneesh in particular, Ma VENU, was extremely unpleasant. VENU was argumentative and, at one point, after the depositions had concluded, followed GREEN back to her office. GREEN states VENU refused to leave the office and she (GREEN) had to threaten VENU with arrest in order to get her to leave. GREEN states that an Oregon State Police officer was present at the time.

GREEN was advised that medical releases were going to be supplied to her for signature, to enable the Department of Justice to interview physicians that treated her illness.

Robert D. Greene, Jr.
Investigator

bj

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DEPARTMENT OF JUSTICE

CRIMINAL JUSTICE DIVISION

REPORT OF INTERVIEW

CASE/FILE NO.:	CJ-DA-85-13
PERSON INTERVIEWED:	Dr. Frederick COOK Family Practice Physician 2475 Center NE Salem, Oregon Telephone: 363-1665
OTHERS PRESENT:	None
DATE/TIME/PLACE OF INTERVIEW:	January 27, 1986; 11:45 a.m. Dr. COOK'S office, Salem, Oregon
INVESTIGATOR:	Robert D. Greene, Jr.
DATE DICTATED:	January 28, 1986

On the above-listed date and time, Dr. Frederick COOK was interviewed at his office concerning his medical treatment of Oregon Assistant Attorney General Karen GREEN on May 28, 1985.

Dr. COOK indicated that GREEN had been his patient for approximately three years and first came to him in January of 1982. Dr. COOK reviewed his notes from his examination of GREEN on May 28, 1985, and advised that he did recall that examination of GREEN. Dr. COOK stated that GREEN initially felt that the symptoms she was having were stress-related. Dr. COOK recalled a twitching of the tongue, pain in her left side, and headaches. Dr. COOK was reluctant at the time of the examination of GREEN to attribute her illness and symptoms to stress. According to Dr. COOK, GREEN had never displayed any such symptoms before, during the three years he had been treating her. Dr. COOK felt that her illness, and the suddenness of it, might be attributed to a neurological problem or possibly the onset of migraine headaches. Dr. COOK felt that something was not right and told GREEN that if the symptoms did not go away additional tests (neurological) would be conducted.

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A short time ago (Dr. COOK did not recall exactly when) he was recontacted by GREEN and advised that she may have been given Haldol or strychnine and that this may have been the cause of her illness. Dr. COOK stated that the symptoms which GREEN displayed would be compatible (in his opinion) with the symptoms of someone reacting to Haldal or strychnine.

Dr. COOK states that arsenic was also discussed as a possible substance which might have been given to GREEN. In Dr. COOK'S opinion, arsenic would not have been compatible with the symptoms he observed in GREEN'S illness. Dr. COOK pointed out that the side effects of someone receiving doseges of Haldal or strychnine are individually unpredictable.

Robert D. Greene, Jr.
Investigator

bk