

GUILTY PLEA AGREEMENT

It is hereby agreed between the State of Oregon, by and through William F. Gary, Deputy Attorney General of Oregon, and H. Robert Hamilton and Byron Chatfield, Assistant Attorneys General for the State of Oregon, and the defendant, Ma Anand Sheela, individually and by her attorney, Stephen A. Houze, as follows:

I

Ma Anand Sheela agrees to plead guilty to State charges as described herein. The defendant acknowledges her criminal culpability and, by her guilty pleas, accepts full responsibility for the consequences of her conduct. The defendant agrees to plead guilty per North Carolina v. Alford, 400 US 25 (1970), to include defendant's statement of culpability, to the following charges:

1. Attempted Murder (ORS 163.115; ORS 161.405) contained in Count I of Wasco County Circuit Court Case No. CR 85-270, a Class A felony, punishable by 20 years imprisonment and a fine of \$100,000;
2. Arson in the First Degree (ORS 164.325) contained in Count II of Wasco County Circuit Court Case No. CR 85-292, a Class A felony, punishable by 20 years imprisonment and a fine of \$100,000;
3. Assault in the First Degree (ORS 163.185) contained in Count II of Wasco County Circuit Court Case No. CR 85-288, a Class A felony, punishable by 20 years imprisonment and a fine of \$100,000; and

4. Assault in the Second Degree (ORS 163.175) contained in Count IV of Wasco County Circuit Court Case No. CR 85-288, a Class B felony, punishable by 10 years imprisonment and a fine of \$100,000.

II

A

The State of Oregon will make the following recommendations to the court at the time of the defendant's sentencing:

1. On Count I of Case No. CR 85-270, Attempted Murder, the State will recommend that the court impose the maximum sentence of confinement of 20 years and the maximum fine of \$100,000;
2. On Count II of Case No. CR 85-292, Arson in the First Degree, the State will recommend that the court impose the maximum sentence of confinement of 20 years and the maximum fine of \$100,000. Furthermore, the State will recommend that the court order the defendant to make full and complete restitution in the amount of \$69,353.31; and
3. On Count II of Case No. CR 85-288, Assault in the First Degree, the State will recommend that the court impose the maximum sentence of confinement of 20 years and the maximum fine of \$100,000.

B

The State of Oregon will further recommend to the court at the time of sentencing that each of the 20 year sentences for

Attempted Murder, Arson in the First Degree and Assault in the First Degree, as referred to above in part IIA, be served concurrently with each other and with any federal sentences which the defendant receives in connection with federal charges currently pending against her. The parties acknowledge that the State matrix system is substantially equivalent to the federal sentencing guidelines and, therefore, the State will recommend to the Oregon State Board of Parole that the Parole Board lodge no detainer beyond her federal incarceration, however, the defendant understands that the ultimate decision lies with the Oregon State Board of Parole. Furthermore, the State of Oregon will recommend that any sentence of confinement the defendant receives on these three State convictions be served at a federal correctional institution concurrently with any sentence of confinement she receives on the federal convictions.

III

In addition to the recommendations in part II of this agreement, the State of Oregon will further recommend to the court at the time of sentencing that on Count IV of Case No. 85-288, Assault in the Second Degree, the court impose the maximum sentence of confinement of 10 years and the maximum fine of \$100,000; that the court suspend execution of the confinement portion of the sentence and place the defendant on probation on the condition that the defendant submit to a sworn debtor's examination and a polygraph examination as described and set forth in part VII of this agreement.

IV

The State of Oregon reserves the right to advise the sentencing court fully of the facts underlying the above charges.

V

The State of Oregon agrees to move to dismiss the pending companion State charges against the defendant which are part of the same acts and transactions as the charges to which the defendant is pleading guilty. More specifically, the State of Oregon will move to dismiss the charges against the defendant contained in Counts II and III of Wasco County Circuit Court Case No. CR 85-270, Counts I and III of Wasco County Circuit Court Case No. CR 85-288 and Counts I and III of Wasco County Circuit Court Case No. 85-292. Similarly, the State will move to dismiss the indictment in Wasco County Circuit Court Case No. 85-290.

VI

The State of Oregon and the defendant agree to the following terms and conditions regarding the payment of fines and restitution:

The defendant acknowledges that certain financial resources have been made available to her in the amount of \$200,000 for the immediate payment of fines. The defendant also acknowledges that she has the ability to earn and acquire income. The defendant agrees to submit to the court's imposition of fines and restitution in the amount of \$469,353.31. By consenting to the court's imposition of the said fines and restitution, the defendant makes no representation as to her present financial condition, but hereby waives any of her rights under ORS 161.645 and ORS 137.106. The defendant further agrees to immediately pay at the time of sentencing the sum of \$200,000 to be applied toward the fines imposed. The defendant further agrees to the court entering an order requiring the balance of the fines and restitution to be

paid forthwith. The balance of the fines and restitution ordered to be paid by the court shall be enforceable as a civil judgment rather than as a condition of probation or suspension of sentence. The State of Oregon agrees that the means by which it will seek recovery of the balance of the fines and restitution ordered by the court will be by any means authorized by law for the enforcement of a civil judgment and as set forth in part VII of this agreement. The defendant has no objection and hereby concedes that the State may levy execution to enforce collection of the balance of the fines and restitution as a civil judgment during the period of the defendant's imprisonment. The defendant agrees to waive, and does hereby waive, any right, statutory or otherwise, that the payment of the balance of the fines and restitution as ordered is not enforceable during the period of her imprisonment. Furthermore, the defendant understands and agrees that the State of Oregon may levy execution to enforce collection of the balance of the fines and restitution as a civil judgment beyond the period of the defendant's imprisonment and is not limited to the period of her incarceration.

VII

The defendant agrees to submit to a full and complete polygraph examination and a sworn debtor's examination on the issue of the defendant's payment of the balance of any fines and restitution ordered by the court. Defendant further agrees to submit to the examination at such time or times as may be designated by the State and agrees to fully cooperate with the State in each examination. The scope of each examination is to be determined by the State of Oregon. The defendant expressly understands that any

false statements knowingly made in her debtor's examination will expose her to prosecution for perjury which carries a maximum penalty of five (5) years imprisonment and a fine of \$100,000, which penalties the State is free to seek above and beyond any sentence imposed under this agreement.

VIII

The defendant agrees to give a full and detailed sworn statement to State authorities of all information which she possesses pertaining to any and all organizations and entities which exist or existed at Rancho Rajneesh and Rajneeshpuram, Oregon, or are related to the Rajneesh movement as well as the location and extent of any and all assets owned, belonging to, or controlled by these organizations and entities. The defendant expressly understands that any false statements knowingly made in her sworn statement are subject to appropriate criminal sanctions and will expose her to criminal prosecution beyond any sentence imposed under this agreement. The State agrees that it will not use any of the information provided by the defendant in her sworn statement, nor any of the fruits thereof, in any criminal or civil proceeding against the defendant. The defendant further agrees to recommend to and encourage Ma Prem Savita, aka Sally Anne Croft, to fully cooperate with State authorities by providing any and all information possessed by the said Ma Prem Savita pertaining to the entities and organizations described in part VIII, as well as the location and extent of any and all assets owned, belonging to, or controlled by these organizations and entities.

IX

It is understood between the parties that this agreement does not prevent the State of Oregon from fully pursuing any and all criminal and civil remedies against the defendant based upon credible evidence of her involvement in any criminal homicide or attempted criminal homicide. The State of Oregon further agrees not to prosecute her for any uncharged offenses which may have been committed by the defendant between June, 1981 and the date of this agreement with the exception of any said criminal homicide or attempted criminal homicide.

X

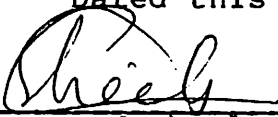
The parties acknowledge that a separately negotiated agreement between the United States government and the defendant is part of the consideration to this agreement. The separately negotiated federal plea agreement includes, as one of its terms, the defendant's agreement that she will surrender her permanent resident status in the United States to authorities of the United States Government and upon completion of any prison term will depart the country forthwith and will not seek to re-enter during the period of probation without the express permission of the U.S. Attorney General.

XI

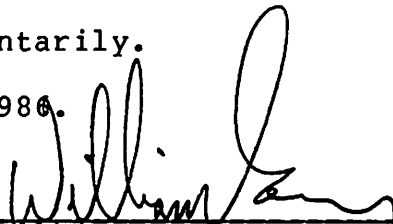
The defendant will consent to and otherwise expedite the request of the State of Oregon and the United States Government that the Federal Republic of Germany expand the previous extradition order to permit prosecution of her in the State of Oregon for the offenses contained in Wasco County Circuit Court Case Nos. CR 85-270, CR 85-288, CR 85-290 and CR 85-292.

Ma Anand Sheela fully understands and agrees that there are no other promises, representations, or agreements between the parties, express or implied, other than those contained in this agreement, and further that no promises outside this agreement and the separately negotiated agreement between the United States government and the defendant have been made to her by any officer, agent or employe of the government and the defendant is entering into this agreement freely and voluntarily.

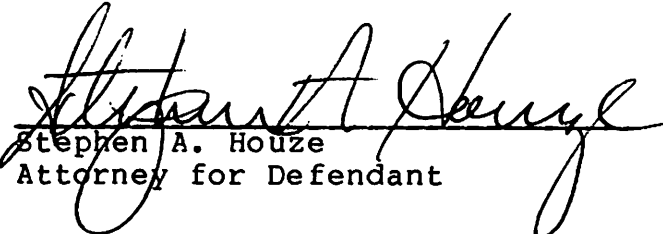
Dated this 9th day of April, 1986.



Ma Anand Sheela




William F. Gary
Deputy Attorney General



Stephen A. Houze
Attorney for Defendant



H. Robert Hamilton
Assistant Attorney General



Byron Chatfield
Assistant Attorney General

FACTUAL STATEMENT OF THE STATE'S EVIDENCE

SILVERMAN'S GUILTY PLEA TO DEVARAJ ATTEMPTED MURDER

The State of Oregon would produce evidence that in 1984 a power struggle developed between two separate factions at Rajneeshpuram, Wasco County, Oregon. One faction was headed by the defendant, Sheela Silverman, and included other residents of an area in Rajneeshpuram known as Jesus Grove. The other faction consisted of members of the personal staff and household of Lao Tzu, the personal residence of Bhagwan Shree Rajneesh, and of a group which was commonly referred to as the "Hollywood Group." George Alexander Stowell Wynne-Aubrey Meredith, also known as Dr. Swami Devaraj, was a member of this latter faction and was also the personal physician of Bhagwan Shree Rajneesh.

In 1984, the defendant wanted Devaraj removed as Bhagwan Shree Rajneesh's physician. Among the various reasons for wanting Devaraj removed was the defendant's belief that he was not a competent physician and was experimenting on Bhagwan Shree Rajneesh. One plan evolved wherein Devaraj was to be made ill long enough to allow the defendant, who was personal secretary to Bhagwan Shree Rajneesh, to replace him with a physician of her own choosing. Beverages consumed by Devaraj were contaminated by various persons from Jesus Grove. After becoming ill and while as a patient, Devaraj was administered an I.V. which was contaminated with a substance by Diane Ivonne Onang, also known as Ma Anand Puja, another resident of Jesus Grove. Although Devaraj became extremely ill, the defendant was unsuccessful in replacing Devaraj as the personal physician to Bhagwan Shree Rajneesh. The State would produce further evidence that this same sort of animosity continued toward Devaraj and other members of the competing faction.

In June, 1985, the defendant held meetings with other various Jesus Grove residents. During these meetings, there were discussions and "brainstorming" sessions about ways in which to kill Devaraj. These particular discussions and "brainstorming" sessions stem from what the defendant believed to be the threat he posed to Bhagwan Shree Rajneesh and the commune. Several plans to kill Devaraj in June, 1985, were unsuccessful for various reasons.

The State would produce further evidence that another meeting was held on or about July 3, 1985, in the defendant's room with other various Jesus Grove residents. An alleged conversation between Bhagwan Shree Rajneesh and Devaraj was disclosed at the meeting wherein Rajneesh desired to die gracefully when the time came and that Devaraj would accomplish this through a series of injections. The defendant and others assumed from this conversation that Bhagwan Shree Rajneesh's death may be imminent.

Factual State of Evidence

March 18, 1986

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Further evidence produced by the State would establish that the defendant held another meeting on July 5, 1985, in defendant's room at Jesus Grove. A plan was developed between those present wherein Devaraj would be injected with a lethal substance on the following day at the end of a morning celebration known as Satsang. Puja, one of the persons present during the meeting, suggested the injection of a highly concentrated amount of adrenalin with the use of a syringe because it would be nontraceable and was a substance which would cause death. Puja ultimately provided both the adrenalin substance and also the syringe. The defendant selected another person present during the meeting, Catherine Jane Elsea, also known as Ma Shanti Bhadra, to inject Devaraj. Others present were given various assignments including the disposal of the syringe and delaying medical attention for Devaraj.

The State would produce further evidence that on the morning of July 6, 1985, when Satsang was brought to its loud and tumultuous climax, Shanti Bhadra injected Devaraj in the left buttock area with the small syringe as was planned the previous day. The incident occurred in Rajneesh Mandir, an auditorium-type facility located in Rajneeshpuram, Wasco County, Oregon. Devaraj became extremely ill upon receiving the injection. He was ultimately assisted at the scene by several people, including a physician. Devaraj showed the injection mark to persons at the scene and he disclosed to them what had occurred. Devaraj was taken to a medical clinic located at Rancho Rajneesh where he was eventually stabilized and transported by plane to St. Charles Hospital, Bend, Oregon. While at the medical clinic, Puja interfered with Devaraj's medical treatment and caused a substantial delay in transporting him from Rajneeshpuram to St. Charles Hospital.

The State would further produce expert medical testimony that Devaraj was in very serious condition and there was a substantial risk of death. His diagnosis at St. Charles included acute toxic exposure. Further expert medical evidence would establish that adrenalin in a highly concentrated amount and injected into the body is a substance which is readily capable of causing death and is consistent with the symptoms exhibited by Devaraj.

Shortly after Devaraj's injection, Shanti Bhadra briefed the defendant in the presence of others at Jesus Grove concerning what occurred in carrying out their plan. A couple of other participants in the plan went to the medical clinic; one participant gave the defendant updates on Devaraj's condition. The robe worn by Devaraj when he was injected was taken and washed. When a "shoe check safety pin" was discovered in Devaraj's robe, the defendant seized upon the opportunity to use it as a means to convince others at Rajneeshpuram that Devaraj was "crazy" about his claim of being injected by Shanti Bhadra and that the safety pin accounted for the needle mark on his body. With minor exception, persons at Rajneeshpuram at the time simply discounted Devaraj's accusations.

Factual Statement of State's Evidence

Silverman and Onang's Guilty Plea to Assault I (Hulse) Assault II (Matthew)

On Wednesday, August 29, 1984, Wasco County Judge William Hulse, Wasco County Commissioner Raymond Mathew, and Wasco County Commissioner Virgil Ellet traveled to Rajneeshpuram on an inspection tour. The inspection related to a festival that had recently been held at Rajneeshpuram and was to ensure that certain temporary facilities that had been permitted by the county while the festival was underway were, in fact, dismantled or being dismantled.

The Rajneesh community had established itself in Wasco County several years before and antagonisms over a variety of matters had developed between the Rajneeshees and Judge Hulse and Commissioner Mathew. Judge Hulse and Commissioner Mathew were not viewed by the Rajneesh community as "friends." Commissioner Ellet was viewed in a much less hostile manner by the Rajneeshees.

On the trip to Rajneeshpuram on August 29, Judge Hulse and the two commissioners stopped for lunch at Zorba the Buddha Restaurant in Antelope. While at the restaurant, Ava Avalos (a Sannyasin and resident of Rajneeshpuram), at the direction of Sheela Silverman and Diane Ivonne Onang, intentionally provided contaminated water to Hulse. The water was contaminated with a substance believed to be salmonella typhamurium. After lunch, Judge Hulse, Commissioner Matthew and Commissioner Ellet went on to Rajneeshpuram. Upon arrival there, the officials were met by Ma Prem Isabel and other Sannyasins who convinced them to take the tour in a vehicle provided by the Rajneesh community, rather than in Commissioner Ellet's vehicle in which they had traveled to the ranch. The tour then followed, conducted by Isabel. During the tour, the group encountered Sheela Silverman. In conversation Ms. Silverman referred to Judge Hulse and Commissioner Mathew as "snakes," and additionally made an obscene gesture at them.

Upon the completion of the tour, the officials were returned to the Ellet vehicle which was parked in proximity to the Rajneeshpuram Chamber of Commerce located in the Mirdad building at Rajneeshpuram. At that time it was discovered that Commissioner Ellet's vehicle had a flat tire and the departure of the group was delayed while the tire was repaired.

During the delay, water contaminated with salmonella typhamurium was given to Judge Hulse and Commissioner Mathew by Diane Ivonne Onang. Commissioner Ellet received non-contaminated water from Onang. These poisonings of Judge Hulse and Commissioner Mathew by Diane Ivonne Onang were solicited and directed by

Sheela Silverman. The poisonings were motivated by a desire to make Judge Hulse and Commissioner Mathew sick so that they would not be concerned about activities at Rancho Rajneesh and Rajneeshpuram.

Within 12 hours of the poisonings Judge Hulse became ill and was later hospitalized. Within 48 hours Commissioner Mathew became ill with symptoms similar to those of Judge Hulse, although not as severe. Because of the poisonings, Judge Hulse experienced a life threatening situation, while Commissioner Mathews suffered impairment of his physical condition. Both Judge Hulse and Commissioner Mathew fully recovered from their illnesses.

bj

SUMMARY OF PLEA AGREEMENTS

Sheela Silverman (Ma Anand Sheela)

Synopsis

Sheela pleaded guilty to attempted murder, arson and two counts of assault, and was sentenced to three concurrent 20-year sentences, \$400,000 in fines and \$69,353.31 in restitution to Wasco County. She will serve her prison sentence in a federal institution. Prosecutors will recommend to the state Board of Parole that her state sentence not exceed the time served under her federal sentence. She will submit to a sworn debtor's statement and polygraph examination and provide a full statement on her knowledge of the operation and assets of all Rajneesh-related organizations.

<u>Incident</u>	<u>Charge</u>	<u>Maximum Penalty</u>
1. June, 1984: assault on Dr. Swami Devaraj via syringe injection.	Conspiracy/Assault Assault I	20yrs./\$100,000 20yrs./\$100,000
2. Aug. 29, 1984: poisoning of Wasco County Commissioner Raymond Matthew.	Conspiracy/Assault Assault II	10yrs./\$100,000 10yrs./\$100,000
3. Aug. 29, 1984: poisoning of Wasco County Judge William Hulse.	Conspiracy/Assault Assault I	20yrs./\$100,000 20yrs./\$100,000
4. Jan. 14, 1985: break-in and arson of Wasco County Planning Office.	Conspiracy/Arson Arson I Burglary II	20yrs./\$100,000 20yrs./\$100,000 5yrs./\$100,000
5. July 6, 1985: attempted murder of Dr. Swami Devaraj via syringe injection.	Attempted Murder Assault I Conspiracy/Murder	20yrs./\$100,000 20yrs./\$100,000 20yrs./\$100,000

Plea Agreement

Sheela pleads guilty to:

Attempted Murder (incident #5)	20yrs./\$100,000
Arson I (incident #4)	20yrs./\$100,000
Assault I (incident #3)	20yrs./\$100,000
Assault II (incident #2)	10yrs./\$100,000

- State recommends maximum penalty for each of the pleaded crimes, plus \$69,353.31 in restitution to Wasco County for arson damages. Sheela will pay \$200,000 in fines immediately.
- State recommends confinement portion of Assault II sentence be suspended and that Sheela be put on probation, contingent upon her submission and cooperation in sworn debtor's statement and polygraph test.
- State recommends that the three 20-year confinement sentences run concurrently with each other and with any federal sentences, and recommend to the Oregon Board of Parole that it not impose any prison time beyond what is imposed by the federal matrix.
- State recommends that all prison time be served in a federal institution.
- State dismisses outstanding charges from above indictments and limit any future prosecution to charges involving homicide, attempted homicide, or perjury charges resulting from debtor's exam or statements regarding the operation of Rajneesh organizations and their assets.
- Sheela will surrender her resident status in the U.S. and will not be able to return to the U.S. during her probation without express consent of the U.S. Attorney General.
- Sheela agrees to expedite the expansion of the grant of extradition from West Germany.
- Sheela agrees to make a full and complete statement about the operation and assets of Rajneesh-related organizations.

Diane Ivonne Onang (Ma Anand Puja)

Synopsis

Puja pleaded guilty to attempted murder and two counts of assault. She was sentenced to two 15-year sentences and one 7 1/2-year sentence, to be served concurrently with each other and with her federal sentences. She will serve her prison sentence in a federal institution, and prosecutors will recommend

to the state Board of Parole that her state sentence not exceed her federal sentence. She will receive credit for jail time served since her arrest in Germany.

<u>Incident</u>	<u>Charge</u>	<u>Maximum Penalty</u>
1. June, 1984: assault on Dr. Swami Devaraj via syringe injection.	Conspiracy/Assault Assault I	20yrs./\$100,000 20yrs./\$100,000
2. Aug. 29, 1984: poisoning of Wasco County Commissioner Raymond Matthew.	Conspiracy/Assault Assault II	10yrs./\$100,000 10yrs./\$100,000
3. Aug. 29, 1984: poisoning of Wasco County Judge William Hulse.	Conspiracy/Assault Assault I	20yrs./\$100,000 20yrs./\$100,000
4. July 6, 1985: attempted murder of Dr. Swami Devaraj via syringe injection.	Attempted Murder Assault I Conspiracy/Murder	20yrs./\$100,000 20yrs./\$100,000 20yrs./\$100,000

Plea Agreement

Puja pleads guilty to:

Attempted Murder (incident #4)	20yrs./\$100,000
Assault I (incident #3)	20yrs./\$100,000
Assault II (incident #2)	10yrs./\$100,000

- State recommends 15-year sentences on Attempted Murder and Assault I, recommends a 7 1/2-year sentence on Assault II.
- State dismisses other charges, limit additional prosecution to any homicide or attempted homicide.
- State recommends that sentences be served concurrently with each other and with any federal sentence, that incarceration be in a federal institution, that state charges not result in a longer sentence than her federal charges.
- Puja will receive credit for jail time served since her arrest in Germany on October 28, 1985.

- Puja will expedite the expansion of grant of extradition from Germany.

Catherine Jane Elsea (Ma Shanti Bhadra)

Synopsis

Elsea will plead guilty to attempted murder. The state will recommend a 10-year sentence, to be served at a federal institution. State will dismiss other charges, and limit future prosecution to homicide or attempted homicide. State will recommend Elsea be rated at the low end of the parole matrix. Elsea agrees to leave the country after her incarceration.

<u>Incident</u>	<u>Charge</u>	<u>Maximum Penalty</u>
4. July 6, 1985: attempted murder of Dr. Swami Devaraj via syringe injection.	Attempted Murder	20yrs./\$100,000
	Assault I	20yrs./\$100,000
	Conspiracy/Murder	20yrs./\$100,000

Plea Agreement

Elsea pleads guilty to attempted murder.

- State recommends a 10-year sentence, to be served at a federal institution.
- State dismisses other pending charges and limit future prosecution to homicide, attempted homicide.
- State recommends that Elsea be placed at the low end of the parole matrix.
- Elsea will receive credit for jail time served since her October 28, 1985 arrest in West Germany.
- Elsea agrees to leave the country after completion of her term of incarceration.

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November 14, 1985 Bhagwan Shree Rajneesh pleads guilty to federal felony immigration charges, leaves the United States.

November 18, 1985 State grand jury issues additional indictments against Sheela and Puja for the assaults on Hulse and Matthew, assault on Devaraj. Sheela also is charged with burglary, arson and conspiracy related to the Wasco County Planning Office fire.

November 22, 1985 Swami Krishna Deva pleads guilty to state racketeering charges based on illegal interception of communications.

December 5, 1985 State files RICO (racketeering action) against 26 Rajneesh corporations and organizations.

January 31, 1986 West Germany approves extradition of Sheela, Puja and Shanti Bhadra on charges of attempted murder, assault and conspiracy re Devaraj.

February 6, 1986 Sheela, Puja and Shanti Bhadra returned to Oregon.

February 7, 1986 Puja and Shanti Bhadra arraigned in Wasco County.

April 9, 1986 Sheela signs plea agreement.

April 24, 1986 Puja signs plea agreement.

June 6, 1986 Shanti Bhadra signs plea agreement.

July 16, 1986 West German government expands grant of extradition of Sheela and Puja for Hulse/Matthew poisonings, Devaraj assault and planning office arson and burglary.