

DAVE FROHNMAYER

ATTORNEY GENERAL  
STATE OF OREGON



WILLIAM F. GARY  
DEPUTY ATTORNEY GENERAL

101-3

A handwritten signature in dark ink, appearing to read "W. F. Gary", is written over the typed name and title of the Deputy Attorney General.

**DEPARTMENT OF JUSTICE**

Justice Building  
Salem, Oregon 97310  
Telephone: (503) 378-4400

November 20, 1984

John G. Keane, Director  
Bureau of Census  
U.S. Department of Commerce  
Washington, D.C. 20233

**Attn: J. Patrick Heelan, Legal Advisor**

**Re: City of Rajneeshpuram**

Dear Mr. Keane:

On November 19, 1984, your legal advisor, Mr. Heelan, contacted the Oregon Department of Justice regarding the legal status of the City of Rajneeshpuram, a putative Oregon municipality. Mr. Heelan indicated that the Bureau of Census was reviewing the issue of Rajneeshpuram's entitlement to receive federal revenue sharing money and he asked me to provide information regarding the date on which the State of Oregon ceased to recognize Rajneeshpuram as a validly constituted municipality. This letter responds to Mr. Heelan's request.

The Attorney General of Oregon issued a formal legal opinion (No. 8148) regarding the status of Rajneeshpuram on October 6, 1983. A copy of the Attorney General's opinion is enclosed. The opinion concludes that, because of the interrelationship of religious and non-religious entities which own and control all of the real property in and around Rajneeshpuram, incorporation of the community as a city would violate the Establishment Clause of the First Amendment to the United States Constitution. It is our position that the City of Rajneeshpuram

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was never validly constituted as a municipal government. The State of Oregon has adhered to that position since the Attorney General's opinion was issued on October 6, 1983.

Yours very truly,

WILLIAM F. GARY  
Deputy Attorney General

WFG:cm

Enclosure

cc: The Honorable Norma Paulus

Robert Smith

bcc: Dave Frohnmayer

Gerry Thompson ✓

Bob Muir

Peggy Rabin

Larry Thomson