

**SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN MATEO ANNE-MARIE BERTOLUCCI, Plaintiff, vs. ANANDA CHURCH OF SELF REALIZATION, a California not-for-profit corporation; CRYSTAL CLARITY PUBLISHING, a California corporation; DANNY LEVIN, individually and as an employee of CRYSTAL CLARITY PUBLISHING and/or ANANDA CHURCH OF SELF REALIZATION; DONALD J. WALTERS, individually, and an employee of ANANDA CHURCH OF SELF REALIZATION and CRYSTAL CLARITY PUBLISHING; DOES 1 to 50;**

**No. 390 230**

**DECLARATION OF XXX IN SUPPORT OF PLAINTIFF'S OPPOSITION TO DEFENDENTS' MOTION FOR SUMMARY JUDGEMENT**

I, XXX, declare:

1. I am a former member of the Ananda spiritual community, which I believe later became the Ananda Church of Self-Realization ("Ananda"). I make this declaration of my own personal knowledge and if called upon to testify could and would do so competently.

2. I first came into contact with members of the Ananda spiritual community in May, 198X. I was twenty-two (22) years old. At that time, I was searching for a spiritual community to join and live in. To that end, I went to the Ananda community's house in San Francisco to meet some of its members and find out about the church and its spiritual community in rural northern California outside of Nevada City. After meeting with the San Francisco church members, I also spoke to various friends and associates in Los Angeles regarding their impressions of Ananda and its teachings. I also spent a weekend visiting the Ananda community, which included a "monastery" within its grounds. After about three (3) months, I decided to move to the community and join the apprentice program.

3. The Ananda Church teaches the philosophy enumerated by Paramahansa Yogananda, including a monastic lifestyle. At the time I joined the community, the role of its "spiritual leader," J. Donald Walters, was minimized to me. Mr. Walters called himself "Swami Kriyananda" and supposedly followed all the teachings of Yogananda, including the renunciation of all of the purely human desires, including sexual. To my knowledge, all of the male members of the Ananda community "monastery," including the "Swami," had taken vows of chastity, poverty and "cooperation." (Swami Kriyananda had replaced "obedience" with a vow of "cooperation.") The "nuns" of the community did not take vows.

4. The term "swami" is a term which describes a member priest of an Indian monastic order, attained after a series of steps within the religious order over a period of years. One who has become a member of the "swami" order has renounced worldly desires, including sexual.

5. "Swami" Kriyananda held himself out in the Ananda spiritual community as having successfully obtained a higher state of "being" through living by these vows merely by using the title "swami" within the community. His "inner circle!" reinforced this elevated, spiritual status through constant reinforcement that we (the disciples) were privileged to "serve" the "Swami" and that he was Yogananda's direct representative or "channel" for the community.

6. I personally discovered later on, however, that "Swami" repeatedly abused his position of power

within the church to convince young women in the church to satisfy his sexual desires while simultaneously convincing them it was to their spiritual benefit. I was not aware of his sexual interaction with young female church members until it happened to me.

7. During the first year that I lived in the Ananda spiritual community, I did not often come into contact with Swami Kriyananda apart from attending classes that he taught. I spent that period taking instruction in the various yoga teachings and methods, much of which included the basic tenets as taught by Paramahansa Yogananda. At that time, the "Swami's" role in the community was not emphasized to me and there appeared to be a relaxed atmosphere regarding that role. I also had a job at the community dairy farm which paid very little as a salary. However, I was happy to work there as part of my service to the community.

8. Sometime during that first year, however, I was speaking with one of the "nuns," Anandi, about my experiences within the community. When I told her I enjoyed being a part of the community and following the yoga teachings and methods, but I wasn't really "tuned in" to Swami Kriyananda, Anandi immediately informed me that it was a serious error in me. That it was necessary that I "tune in" to the "Swami" as the representative of Yogananda, and that I love him unconditionally without criticism or doubt. This was the beginning of the repeated emphasis to me that the community members were supposed to give the "Swami" "unconditional love" and to "serve" him and the community without thought of oneself. This "service" was emphasized both indirectly and directly within the community. I went to at least one "class" where the central topic was the extreme importance of church members to be "in tune with" the "Swami."

9. Members of the community were also taught to be "in tune with" Swami Kriyananda, to "move in his direction," and to look to his life as an example of a devotee leading life in the "right" way. When one parent complained that the young men were "mimicking" the "Swami," he responded that it was "natural," compared the young men and disciples! in general to Krishna's "soldiers," and told the oft repeated statement that "all Krishna's soldiers were like Krishna." In other words, Swami Kriyananda compared himself to Krishna. We were also taught by Swami Kriyananda and his close followers that he was the "master's direct disciple" and the "master's channel." Swami Kriyananda would also gather certain elders of the community at his home, myself included, and tell them they were important to him and were part of his "inner circle." To be closer to him, as Yogananda's representative, meant being closer to Yogananda. Thus, any extra attention from the "Swami" was supposed to bring that person greater spiritual growth.

10. One of the underpinnings of the teachings of the Ananda community and Swami Kriyananda was "unconditional love." The Ananda "teachings" greatly emphasized "tuning in" with the Swami, and not to criticize his instructions. "Unconditional love" given to the "Swami" was the message communicated to us. The "Swami" often told a story that his father purportedly told him of a man who criticized the company he was in. His father would say "that's not right" -- if you are in a company you shouldn't criticize it. You should leave if you feel critical of a company, then it is okay to criticize it from the outside."

11. After I had spent approximately one year or so as a member of the Ananda spiritual community, in or about May or June, 1981, I met Swami Kriyananda during lunch at a community dining area. The "Swami" had just begun to spend more time out of seclusion and associate more with members of the community on a daily basis. At the time I met him, someone mentioned to him that I was a trained masseuse. Within a week or two, "Swami" asked me to give him a massage. As he had been having problems with his shoulder. I was happy to help the church's spiritual leader and I agreed.

12. After a month or so, the "Swami" requested that he not use a towel to cover himself during the massage. Although his request was a little unusual, I didn't suspect any ulterior motive for his request, and I agreed. Notably, when I mentioned this to Seva, the head "nun" of the monastery, during a conversation, she told me "you should keep him covered with a towel." In hindsight, I believe she was warning me about the "Swami's" repeated sexual exploitation of young female community members. At the time, I believed I was safe as the "swami" purportedly lived under a vow of chastity.

13. After several months of giving "Swami" massages, including full body massages, he requested that both I and XXXXX give him a massage at the same time. Until this point, I had given him ordinary massages with no sexual nuances whatsoever. This time, however, it changed. The "Swami" was downstairs in the bedroom on the floor. As I massaged the "Swami's" neck, to my great surprise. XXXXX began to sexually stimulate his penis, from erection to ejaculation.

14. Although I was shocked, I accepted the sexual stimulation during the massage "service" as a disciple for the church "swami," as I had been taught by Ananda. Service to the "guru" without thought for oneself was highly emphasized in the Ananda spiritual community. Many community members talked about Swami being their "guru" and "salvation." Swami often told a story about Krishna's chief disciple, Radha, which taught the ideal of selfless service even where such selflessness appeared to be detrimental to a disciple's personal salvation.

15. Soon thereafter, the "Swami" again wanted a "massage." XXXXX removed her clothing to massage the "Swami." I also removed my clothes at the "Swami's" request; I had become very passive to the "Swami's" instructions. XXXXX again sexually stimulated him to ejaculation. When the "Swami" began to take my hand and place it on his genitals, I understood that he wanted me to provide "service" to him in that manner as well.

16. My "massage" routine with the "Swami" thus became a regular massage followed by sexual stimulation. At some point during the massage, the "Swami" would take my hand and put it on his genitals and fondle him until he ejaculated. I came to accept that as part of my "service" to him. The "Swami" repeatedly had me "massage" him, sometimes instructing me to remove my clothing.

17. After about six months of "massaging" the "Swami" whenever he wanted, in or about spring, 1982, I ran out of money to pay my rent. I returned to Los Angeles for a couple of months to earn and save money as a masseuse. While I was working in Los Angeles, Swami Kriyananda came down at times to give seminars. Whenever he was in Los Angeles, he would ask me to meet him and "massage" him. A "massage" almost always included sexual stimulation until the "Swami" ejaculated.

18. In or about May or June, 1982, I returned to the Ananda spiritual community in northern California for a brief period. I soon decided to move out of the community and into the Ananda house in San Francisco. I was able to earn money as a masseuse and to still live within the Ananda sphere. While I was in San Francisco, Swami Kriyananda visited me fairly frequently and asked to "massage" him.

19. At some later point while I was in San Francisco, the "Swami" asked me if I would like him "inside me." I acquiesced because I believed it was additional "service." He also asked me once "which way do you prefer?" I understood him to ask which of the various methods of sexual stimulation that I had used with him did I prefer. I told him it didn't matter since it was "for his pleasure, not mine. The addition of sexual intercourse, my interaction with the "Swami" was strangely non-sexual. I believed that it was a privilege to provide "service" to him as the "master's

representative" and that sexual gratification was just one of the services. While we were together he would tell me to "tune into his consciousness," meaning I should take advantage of my close contact with him and the spiritual benefits gained as a devotee. He thus minimized the physical aspect and emphasized the spiritual benefit I would gain. He also said to me at one point "don't take this personally," meaning the "services" I provided to him were only that.

20. He never looked at me or touched me in a sexual way, except for one incident. Although the "Swami" didn't react at the time to my comment that my "service" was for "his pleasure," very soon thereafter, he massaged my breasts to arouse me. When I responded to the stimulation, he then said "I thought you didn't get any pleasure." This was the only time he ever touched me beyond manipulating me for his own pleasure. During the entire time that we had sexual intercourse, I never once had an orgasm. For me, it was not a sexual experience but one of surrender of my preferences and "service" to the "Swami." At one point the "Swami" even asked me if I thought he was "using" me.

21. I lived in the Ananda house in San Francisco for approximately two years. While I was living in San Francisco, I became attracted to a community minister that I had known for years, Haridas. I asked the "Swami" if he thought it was a good idea if we started dating. Swami Kriyananda encouraged me, telling me that the relationship "would be good for Haridas." When I later returned to the Ananda community outside Nevada City, Seva, the head "nun" also encouraged me to pursue a relationship with Haridas. As a general rule, Ananda taught that romantic relationships with another person who followed the same spiritual "path" as we did would be easier than with one who did not.

22. I was asked to and did return to the community to replace the lady who was providing child care for various members of the Ananda community. I began to have more interaction with Haridas. After awhile, I wrote Haridas a letter asking if he shared the feelings I had for him and if he would like to start dating. I also mentioned at some point that Swami Kriyananda had encouraged a relationship. Haridas was very interested in that fact and agreed that we should start dating. We were romantically involved for about two years. Soon after I became involved with Haridas, the "Swami" stopped asking me for "massages". I was aware while I was in San Francisco that he had also been spending time with XXXXX and I believed that he was also using her for his sexual gratification.

23. While I was at the Ananda community shortly before I became involved with Haridas, Rick, a friend of mine said that he had talked to XXXXX who had told him about "many things." I understood the language "many things" to refer to XXXXX's and my sexual stimulation of the "Swami" as part of our "service" to him. Rick asked me if it was true and said to me that if it was true, the Ananda community would be "blown apart." I didn't respond to him but later wrote Rick a letter admitting that probably what XXXXX had told him was true, e.g., that Swami Kriyananda had used us for sexual gratification.

24. Before I gave the letter to Rick, however, I naively (in hindsight) showed the letter to Swami Kriyananda. To my surprise, the "Swami" immediately became agitated, with a shaking hand spilled coffee on my letter, and began talking to me in a very intense, loud voice. I was very shook up by his behavior.

Because there were other people in the room I had a hard time concentrating on our conversation. He suggested that we go to another room where there was some privacy and continue our talk. Once in private, his voice calmed and as we continued to talk he very calculatingly said, "you seduced me." That statement was like a knife through my heart because I knew he was lying and I had never heard him lie before. I now understood that he didn't want the truth about his sexual interaction with

me and the other young women in the community to be made public. I also understood that if I told the truth, he would lie and accuse me of being the aggressor. Up until that point, I had not realized that what the Swami had instructed me to do was "wrong" and that I was not supposed to talk to anyone, including Rick, about it.

25. At the time. I rationalized his behavior as conduct the "Swami" felt was necessary in order to protect "his" community, that preservation of the community was the most important issue, no matter what lies about his own personal failings were required.

26. Several teachings also helped me to rationalize his lie and accept his behavior. Swami Kriyananda would often compare himself and others to a stained-glass window. He always prided himself on his very high "energy." He thus told a story in which he explained that where there was not a lot of light or "energy," a stained-glass window would not show very much of it's colors, whether or good or bad.

Similarly, the "Swami" said, a person whose life is very "dynamic" or "energized," such as the "Swami's" own life, the good was very strong and the bad was very strong. I now realize that this "strong bad" theory was probably intended to smooth questions anyone might have regarding the "Swami's" "bad," e.g., human, behavior or failings.

27. Because the "Swami" reacted so negatively and I had reached the point where I could rationalize even his lying about the sexual relations, I didn't give Rick the letter that I had written. I also never really responded to his question and basically went along with the "Swami's" sweeping it under the rug.

28. About two years after the relationship with Haridas ended, I moved away from the Nevada City community to the San Francisco Ananda house. I began attending school in San Francisco to finish an undergraduate science degree, began working part-time in a laboratory, and began preparing to leave the Ananda community altogether.

29. Even at that point. after I had made the decision to leave, a member of the Ananda community, Greg Seigmeister, came to me and tried to talk me out of leaving. During that conversation, he told me that I was making a mistake, that Swami Kriyananda was my "guru," and that Swami Kriyananda was my "salvation." When I graduated in June, 1985, however, I left the Ananda community as I intended.