

Over the Moon

By Reg P. Wydeven
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Last month marked the 40th anniversary of the release of ‘Star Wars,’ my favorite movie. After taking me to see it, my parents also generously got me several Star Wars books so I could learn more about the saga. One was ‘The Star Wars Question and Answer Book about Space.’ I read it dozens of times and C-3PO and R2-D2 taught me all about black holes, the planets, the sun and the moon. The droids also chronicled the lunar space landing of Apollo 11 and Neil Armstrong’s first moon walk.

Armstrong and the moon landing are not only beloved by Sci-Fi fans, but by all Americans. Star Wars memorabilia can cost big bucks, with some action figures fetching tens of thousands of dollars. But even Star Wars collectibles pale in comparison to the value of lunar souvenirs. Mementos from the moon landing draw lots of attention from collectors...and the federal government.

NASA keeps extremely tight reins on moonrocks, and very few left their custody. So those that show up on the black market are either typically fake or stolen by NASA employees. So it is not illegal to own lunar material so long as they were obtained legally.

One such person was Robert Davis, an engineer who worked for North American Rockwell as manager of NASA’s Apollo 11 program. After he left the project, Neil Armstrong gave Davis two paperweights in recognition of his service to NASA: one “contained a rice-grain-sized fragment of lunar material, or ‘moonrock;’ the other contained a small piece of the Apollo 11 heat shield.”

Davis died in 1986 and his widow, Joann, later remarried but fell on hard times. In 2011, her son fell ill and required over 20 surgeries. Her youngest daughter died, and in her 70s, she had to raise several grandchildren. In desperation, she tried selling the paperweights, but no auction houses were interested.

She then reached out to NASA to help find her a buyer. Her request was passed on to the office of NASA’s Inspector General at the Kennedy Space Center in Florida. Assuming Davis was trying to fence stolen goods, Norman Conley of the IG’s office launched an investigation.

They set up a sting, setting up a buy at a Denny’s in Lake Elsinore, California, with an agent posing as a broker. Despite several communications between the agent and Davis, in which she repeated she wanted “to do things legally” because she was “just not an illegal person,” three armed federal agents and three undercover Riverside County Sheriff’s officers arrested Davis when she produced the paperweights.

Davis, who is 4-foot-11, was pulled from her booth, frisked and escorted to the parking lot for questioning by four officers. During her interrogation, which lasted almost two hours, she wet her pants.

The investigators referred the case to the U.S. attorney in Orlando. However, because Davis obtained the artifacts legally, they dropped the case.

In 2013, though, Davis sued the government and Conley, seeking damages for violating her constitutional rights. Conley, however, asked that the lawsuit be dismissed, citing the fact that federal agents are granted qualified immunity from lawsuits for their actions in the line of duty unless they violate “clearly established” constitutional rights.

The U.S. Court of Appeals for the Ninth Circuit in Pasadena rejected his argument, claiming he violated Davis’s Fourth Amendment right against unreasonable search and seizure. The court held that Davis’ detention was “unreasonable ... unreasonably prolonged and unnecessarily degrading.”

Apparently they tried to open a Denny’s on the moon, but it closed because it didn’t have any atmosphere.

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