



MONDAY, MAY 3, 1982

scientology

A confrontation of city vs. church scheduled this week

Second of two parts.

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CLEARWATER — After six and a half years of uneasy, often hostile coexistence, the city of Clearwater this week embarks on its first formal confrontation with the Church of Scientology.

In a series of hearings beginning Wednesday, the City Commission will conduct a public investigation of the controversial group.

The architect of the hearings — a brash Boston lawyer named Michael J. Flynn — says the proceedings will “demonstrate the fraudulent, commercial and criminal activities” of Scientology.

Church officials derisively predict a “witch hunt” and an “inquisition.”

It may be the greatest spectacle yet in a long-running story that has always contained elements of theater.

ABOUT 20 WITNESSES assembled by Flynn — including L. Ron Hubbard Jr., son and namesake of Scientology's reclusive founder — are expected to tell harrowing tales of Scientology abuses. Then the Scientologists, always combative in their own defense, will have a chance to respond.

City commissioners will listen, then question the witnesses, as an audience of their constituents looks on. The American Civil Liberties Union will be watching to make sure no one violates the church's constitutional rights.

It will all take place in Clearwater City Hall in front of television cameras and a gaggle of reporters.

“Just like a Watergate hearing,” says Charles LeCher, the husky, mustachioed fabric sales representative who is Clearwater's mayor.

After listening to the testimony, commissioners are to consider enacting ordinances governing charitable solicitations and consumer protection. Though Flynn acknowledges that much of the information to be presented is not new, he says it can be used to create a “legislative record” justifying the ordinances.

WHAT WILL happen if such ordinances are passed is unclear. There are existing state and county laws dealing with charitable solicitations and consumer protection, and none of them has resulted in a single prosecution against the church. And the church vows that additional regulation aimed at Scientology would be struck down in court on constitutional grounds.

See CONFRONTATION, 4-B

Hearing schedule

The hearings will be conducted in the City Commission chambers at Clearwater City Hall, 112 S. Osceola Ave. The current schedule calls for hearings May 5-8 for testimony from the city's witnesses, May 10-13 for testimony from the Church of Scientology's witnesses, and May 15 for concluding statements from each side and discussion by commissioners. All hearings will begin at 9 a.m. and end at 5 p.m., with a break for lunch between noon and 2 p.m.

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Confrontation from 1-B

But Flynn maintains that the ordinances would survive a court challenge. If they are enforced, he has predicted, they would eliminate fraud from Scientology and "dry up" its income. When Flynn's recommendations were released last September, Commissioner Jim Calderbank said they could eventually force the Scientologists to leave Clearwater.

This, the Scientologists complain, is precisely the point of the hearings.

They say the city is trying to run them out of town. Last week, they asked U.S. District Court Judge William J. Castagna to stop it.

Castagna refused.

The show will go on.

The controversy that has swirled continuously around Scientology has made it a staple of Clearwater politics.

"Other issues in the city seem to come and go," LeCher said in a recent interview, "and this one seems to remain."

The politicians have generally agreed on the subject — none of them likes Scientology — but there remained the question of where to go from there.

Karleen De Blaker, now Pinellas circuit court clerk, once served with LeCher on the City Commission. She remembers that her constituents wanted action.

"It was usually, 'Just do something,'" recalled De Blaker. "Why aren't you doing something?"

Trouble was, there didn't seem to be much the commission could do. Fighting the church over property taxes was Pinellas County's responsibility. Investigation of possible criminal violations was for Pinellas-Pasco State Attorney James T. Russell. Both Russell and the U.S. Attorney's Office in Tampa have been investigating church activities for some time, but neither has filed any charges.

AS FOR THE commission, "You don't have any power to drive somebody out of town," De Blaker said.

So commissioners settled on a few ineffectual gestures. They called for congressional investigations and proposed changes in state law to allow the church to be taxed. A city investigation into possible municipal code violations turned up nothing and was quickly abandoned, De Blaker said.

"The city really has had very few confrontations with them," LeCher agreed. "We frankly didn't know what to do with them."

Over the years, two commissioners have been especially strident in their denunciations of Scientology — and critical of their commission colleagues for not following them.

One is former Mayor Gabriel Cazares, now a county commissioner, who was the object of a Scientology smear campaign. The other is Richard Tenney, an enigmatic politician who was elected to the commission in 1978 at age 22.

Along with his partner, Alex Cornell, Tenney founded an anti-Scientology group that called itself Save Sparkling Clearwater. Tenney held rallies and asked motorists to honk their horns in protest as they drove past the church-owned Fort Harrison Hotel. He passed out bumper stickers



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— Michael Flynn

that said, "Stamp Out Scientology," and proposed that the city condemn the Fort Harrison for use as office space.

But Tenney fell from favor after winning re-election in 1980. Critics said he was only grabbing headlines with political grandstand plays.

"RICHARD WAS just not helping anything," recalled David Carley, president of the Bank of Clearwater.

Tenney was trounced when he challenged LeCher in the 1981 mayor's race.

That same election placed another young politician on the commission — 24-year-old Jim Calderbank. Like virtually every candidate in every Clearwater election of recent years, Calderbank had campaigned on an anti-Scientology platform.

But Calderbank had a new idea. He suggested that the city hire Flynn, who by then was known among Scientology buffs as the plaintiff's lawyer in a \$200-million class-action suit against the church. Flynn was to tell the city what it could do about Scientology.

He authored a 196-page report, delivered to commissioners in September, that denounced Scientology in the strongest terms.

"The Church of Scientology has engaged in a pattern of independent criminal activity, fraud and deceptive sales practices and vicious personal attack and abuse, all violative of fundamental human rights," he wrote.

Flynn charged that Scientology dupes and brainwashes its adherents into paying "exorbitant" prices for its "hocus-pocus" brand of psychotherapy. If members seek to leave Scientology and criticize the church, they are blackmailed by the church with personal information obtained in counseling sessions, Flynn alleged.

Clearwater is Scientology's "central communications link," he wrote, for a worldwide campaign of crime, including theft, burglary and smear efforts against critics such as Cazares.

Flynn's report outlined a plan. He recommended that commissioners hold hearings and enact ordinances, among other measures.

THE COMMISSION hired a local law firm to review Flynn's recommendations. The firm, McMullen, Everett, Logan, Marquardt & Cline, threw a bit of cold water on Flynn's report. It recommended seeking enforcement of the existing state and county laws before passing new ones.

Commissioners decided to follow Flynn's advice anyway. They agreed to hold hearings and hired Flynn — for a fee of \$80,000 — as their "consultant."

"We had to do this," Commissioner Rita Garvey explained, "or nothing at all."

Garvey believes the hearings mark a departure from the past empty gestures of the City Commission.

"We're finally feeling that there is an intelligent approach to take," she said, "as opposed to a lot of hoopla."

"We have tried street corner confrontations and politics in the past," added LeCher.

De Blaker, on the other hand, sees the hearings as more of the same.

"I don't think there will be any appreciable results out of it," she scoffed. "To me, it's a political gimmick."

UNDOUBTEDLY, THE hearings will produce widespread publicity for commissioners at a time when three of them have their eyes on higher elective office. LeCher, who will chair the proceedings, is running for Congress. Garvey has hinted she may run for mayor next year, and Calderbank has expressed interest in the Legislature.

The hearings will also produce much publicity for Flynn. The church charges that he is manipulating the commission, using the hearings to advance his legal battles with Scientology. Flynn stands to gain millions of dollars in fees if his clients win damages, the church says.

To those who predict a politically charged "witch hunt," LeCher promises to hold down speechmaking and keep the hearings firmly under control.

"I'm going to keep order and I'm going to run it right," the mayor said. "I want to avoid the so-called witch hunt at all costs."

The church is being offered equal time to respond to Flynn's witnesses. Church officials haven't said whether they will bother.

Church spokesman Hugh Wilhere did say, however, that there will be none of the theatrical demonstrations that the church has staged in the past — like the time church members picketed the *Clearwater Sun* wearing Nazi uniforms.

"All that went out with Tenney," he explained.

IN ANY CASE, Wilhere said, the hearings will have little effect at all on Scientology.

"We're going nowhere," Wilhere said flatly. "In the history of the church, (the hearings) will not even be remembered. These things have happened before in other places. They come and they go... they're forgotten. Just as these will."

LeCher isn't so sure.

"David slew Goliath, too," he said with a grin. "Things aren't impossible."