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Scientists pleased with restraining order

By HOWARD FRENCH
Sun staff writer

Church of Scientology spokesman Richard Harworth said Wednesday he is pleased that a second restraining order was issued recently against the city's revised charitable solicitation law.

"Once again we have been joined by a coalition of religious groups" in the fight against the ordinance, he said, "and we are pleased they are in the (action) with us."

Only a week old, the ordinance became the target of a second restraining order from a federal judge Tuesday. U.S. District Court Judge William Terrell Hodges issued the order preventing the city from enforcing the law.

The ordinance, a revision of a similar measure struck down in March, seeks to regulate the way non-profit organizations collect funds, requiring registration with the city and record-keeping subject to city review. It also provides for the investigation of any group that collects more than 10 complaints about its operation.

City officials, including City Attorney Tom Bustin, continue to stand firmly behind the ordinance and its constitutionality.

But even at the time it was passed, the law already had one strike against it in the form of an April 21 restraining order from U.S. District Court Judge Elizabeth Kovachevich, in response to a complaint by Scientologists. But a coalition of other religious groups appealed for a second restraining

order applying specifically to their groups, fearing that the original order did not protect them.

The lead organization for the coalition of groups opposing the law is Americans United for Separation of Church and State. Also taking part in the action are the American Jewish Committee, Florida Council of Churches, National Council of Churches, American Baptist Churches in the U.S.A. and the Suncoast American Baptist Church of Clearwater.

The same groups successfully challenged the city's original charitable solicitation ordinance, which was ruled unconstitutional March 28. The solicitation ordinances stem from May 1982 hearings into the sect's activities in Clearwater.

Americans United spokesman Jim Buie said

Wednesday he saw the restraining orders as signs that the groups' cause will advance successfully through the courts. And he took a parting shot at the city of Clearwater.

"Any time a government, like the city of Clearwater, insists on pursuing grudges against religious groups, they are only punishing their taxpayers," he said.

The groups will seek a permanent injunction against the ordinance in a June 1 hearing. And similar arguments by the Scientologists have been scheduled for July 13.

In addition, two lawsuits challenging the constitutionality of the law are pending, and the city has appealed a lower court decision against the law to the U.S. Circuit Court in Atlanta.