

VI. CONCLUSIONS AND RECOMMENDATIONS

The provable facts relating to Hubbard's background, the creation, operation, policies and activities of Scientology, the findings made by formal inquiries and courts of both foreign nations and the United States, as well as the serious implications - financial, mental, emotional, and societal, for Scientology's victims, all suggest that it is necessary, and legally permissible for the community of Clearwater, where Scientology maintains worldwide headquarters, to take appropriate action. This action must be reasonably related to legitimate public interests and it must be narrowly defined in order to avoid interference with the beliefs or doctrine of Scientology. Such beliefs, although ostensibly fanciful, dangerous or absurd, arguably fall within the domain of "religious beliefs", as that term is most broadly interpreted by American Courts.

In the final chapter of her work, "The Nazis and the Occult", the author draws many parallels between the Nazis, Hitler, Sun Myung Moon, Hubbard, and Scientology. Quoting from Sravepalli Radha Krishnan who stated, "If we believe absurdities, we shall commit atrocities", the author traces the development of irrational doctrines being enhanced by presumably sane and rational youth such as the "Hitler youth", leading to the abandonment of individual conscience, loss of objectivity and pathologically anti-social activity. Scientology's "OT III level" material, for which proselytes tens of thousands of dollars, and which represents for some the culmination of Scientology dogma, suggests that Hubbard is leading his followers into belief of "absurdities". OT III

material states that a Scientologist is a specially chosen "Thetan" from a civilization on the planet Helatrobos destroyed 40 trillion years ago by evil forces; and that Hubbard has united them on Earth where he is destroying evil through his "technology". Hubbard's "technology" exhorts his followers to do anything against an "enemy" of Scientology including destruction. These and similar doctrines are employed in a sufficiently rational and enticing sales technique to enlist the support of many rootless, unstable and troubled people. Many of these people, although not having yet committed atrocities akin to Jonestown or to Auschwitz, have engaged in a pattern of widespread and prolonged criminal activity challenging the fundamental precepts of our society, laws, and our government.

It is certain that the City of Clearwater cannot seek to prohibit or regulate Scientology beliefs or doctrine, including OTIII, R-2-45, or "Fair Game", however fanciful and dangerous such doctrines may be. However, "The Constitution is not a suicide pact" and the First Amendment "embraces two concepts, - freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be." Cantwell v. Connecticut.

Where Scientology belief culminates in activities which are fraudulent, mentally, emotionally, and physically destructive, and violative of recognized civil and criminal law, then the City of Clearwater is free to act in order to protect its

citizenry. For example, if Scientology "scientifically guarantees" the cure of physical and mental ailments, which it does on a daily basis in order to make money, then such a representation is secular, not religious, and the City may prohibit or regulate such a fraudulent misrepresentation. See United States v. Article or Device, discussed herein. Or if Scientology employs the "disconnect" policy, or the "Freeloaders Debt" policy, or the "Attack the Attacker", or "Fair Game", in the face of representations that it is a religious, educational, charitable, non-profit organization, promoting family unity, etc. then the City may regulate or prohibit such activity. Or if Scientology violates the educational laws, the fire code, etc. then the City may investigate and regulate.

In the past, Scientology, under Hubbard's direction, has demonstrated flagrant disregard for the laws of our Society. It has instilled and encouraged this disregard in its followers. Although Scientology may eventually evolve to the point where it accepts traditional societal tenets and laws, Hubbard's "tech" is fanatically adhered to by many, including those who currently run the organization, and the "tech" absolutely forbids acceptance of "wog" or societal rules. A fervent Scientologist views himself, Hubbard, and the "tech", each as a law unto itself.

For example, one defector, who was "imprisoned" in the "R.P.F." in the Cedars of Lebanon complex in Los Angeles describes the following frightening sequence:

I walked and walked through tunnels I had never been in. Then I heard it. Inhuman screaming and ranting. It was coming from my right. There were four doors and someone was pounding on one of them. I ran over and tried to open the door. It was locked. I yelled, "Are you alright?" and got more screams. Suddenly someone touched my shoulder. I turned and looked at a man in clean overalls. "Hello", he said, "I'm the Ethics Officer for the RPF". "What are you doing to her?" I said. "Oh, she's just blowing off charge. When someone flips out on the RPF, we lock them up for a couple of hours. They calm down after a while." He smiled. I was stunned. "You lock them up in here?" "Sure, you know the tech. The tech always works." I looked at him. Totally triumphant, with Scientology tech on his side. I felt sick to my stomach, the corridor started spinning around me. So this was it. The final answer. Cold, calculated, step by step, at progression to stamp out anyone who questioned, rebelled, criticized, disliked Scientology. Break them, all of us."

It is apparent that the Clearwater community has a legitimate public interest in prohibiting activity such as that described above and cited throughout this Report. The authors of this Report have been involved in the investigation of Scientology for approximately two years and have collected thousands of documents proving that anti-social, criminal and tortious activity has been a daily event within Scientology. Although Scientology may claim that the perspective of the authors of this Report is biased and prejudiced, it is submitted that any sane, rational, human being, adhering to fundamental values, would be both repelled and "biased" upon having hundreds of individuals and parents relate facts describing how Scientology "processing" encompasses a type of patently commercial fraud, causes severe mental illness occasionally resulting in institutionalization and death, and fosters a pattern of criminal activity to destroy all those seeking to investigate it.

Based on the foregoing perspective, and the facts and analyses set forth in this Report, as documented in the Appendices, the authors recommend the following to the City Commission:

- (1) The Report should be submitted to 3 practising attorneys within the Tampa-St. Petersburg area who are deemed to have respective "expertise" in the areas of constitutional, tax and municipal law. The attorneys should be practitioners as opposed to strict academicians. They should be chosen by the Commission without influence from either the Church of Scientology or the public at large. They should be neither "liberal" nor "conservative" but should be chosen on their ability to analyze objectively existing case and statutory law in the three areas suggested. The Commission should request a short opinion of less than 5 pages from each attorney. It should conduct a public hearing on the matters, recommendations and proposals set forth in this Report and should weigh in its deliberations the contents of the Report as well as the opinions of the three independent attorneys.

- (2) The City Commission should anticipate that the Church of Scientology will litigate every aspect of this Report, their deliberations, the decision and the subsequent enforcement of ordinances and legal proceedings. The Church of Scientology will seek to delay, obstruct, and interfere with every decision made by the City Commission. It will "attack", "manufacture threat", and pursue a "black PR campaign" pursuant to its written policy, seeking to discredit the authors of the Report, the City of Clearwater, and all public officials involved. The Church of Scientology will seek to exploit the judicial system to "harass and discourage rather than to win", in accordance with its written policy, and will cause the City to expend large sums of money in order to deal with the problems it has created. It will immediately sue the authors of this Report as well as City officials pursuant to the aforesaid policy.

- (3) The City should proceed to the drafting and implementation of the ordinances proposed, should conduct public investigations and hearings pursuant to those ordinances and then institute appropriate legal proceedings in court to enforce the ordinances.
- (4) The City Commission should allocate at least \$300,000 to finance the anticipated legal costs necessary to develop, implement, enforce, and defend its action.
- (5) The City Commission should retain experienced trial lawyers, knowledgeable in Scientology litigation to present evidence at the recommended public hearings and to prosecute and defend anticipated litigation.
- (6) The residents of Clearwater should anticipate a costly and vituperative legal battle between the City government and the Church of Scientology during which the Church will utilize every conceivable technicality to delay, obstruct, and interfere with the judicial process as well as every weapon to attack and discredit City officials, its attorneys, and any residents who actively support the City.
- (7) The City should expect to be successful in the legal proceedings it institutes, and these proceedings should effectively prohibit the fraudulent practices and abuses cited in this Report. The evidence accumulated in such proceedings should result in a forfeiture of Scientology's tax-exempt status, in the appropriate tax proceedings, and the tax revenues generated should exceed the costs of any and all litigation.