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Sect lawyer calls hearings 'a Roman Circus,' walks out

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Calling Clearwater's public hearings on the Church of Scientology a "Roman Circus," the sect's lawyer walked out on the proceedings Monday.

"The Church of Scientology has been embarrassed and scandalized," said Tampa attorney Paul B. Johnson before leaving.

In a brief presentation as Monday's session began, Johnson chastised city commissioners for what he said was their lack of objectivity. He also questioned the selection of Boston attorney Michael Flynn as the city's consultant and the credibility of "handpicked" witnesses Flynn provided.

Commissioners, however, gave Flynn a vote of confidence and directed him to write a legal analysis of the hearings. They said they will consider the analysis

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as they decide whether to pass ordinances aimed at stopping Scientology's practices.

With the Scientologists refusing to use the four days set aside for its presentation, the public hearings ended early.

Johnson prefaced his remarks by saying, "Much of what I have to say is too late to be of much use to you," referring to his attempts to address the Commission prior to the hearings.

He criticized the ground rules set up for the hearings, which allowed only city commissioners, City Manager Anthony Shoemaker and City Attorney Tom Bustin to question witnesses. Johnson said he would have suggested an "objec-

tive ombudsman" be selected to interview witnesses to "get to the heart of the testimony."

Noting Saturday testimony by Lavenda Van Schaick, who broke into tears when discussing her Scientologist brother-in-law's suicide, Johnson said objective questioning "would have helped you find out if her brother-in-law had been under psychiatric care and had previous suicide attempts."

Johnson also contended that Ronald Edward DeWolf, son of sect founder L. Ron Hubbard, had recanted testimony he had made in an Internal Revenue Service suit against Scientology. In hearings testimony, DeWolf said his father had fabricated his background used in church publications.

The lawyer said witness David Ray, who testified about alleged poor living and health conditions, had signed docu-

ments admitting he had stolen from the church.

Johnson contended the hearings were not the proper forum for the issues they addressed. He said the church would defend itself against the charges in a court of law, "where the evidence will be presented in a proper way."

He said alleged violations of federal, state and county laws should be directed to the State Attorney and that fraud allegations are being tried in Flynn's lawsuits. He contended Flynn's participation is a conflict of interest because he is involved in 27 suits against the church.

The Commission and the hearings, Johnson said, have "unwittingly helped Mr. Flynn in giving widespread publicity to his allegations against the Church of Scientology."

(* See HEARINGS, next page)

* Hearings called a 'circus'

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Johnson said the church had not been afforded "due process" and had been presumed guilty. Accusing commissioners of prejudice against the church, the lawyer said, "I don't plan to submit myself or my client to be tried in an atmosphere of this kind."

In the hall outside Commission chambers, Johnson and Edward Walters, an ex-Scientologist who testified Wednesday, got into an argument about where the attorney obtained information to which he referred in his statements about other witnesses.

Back inside commission chambers, Flynn said that Johnson's reference to

the information had strengthened indirectly his allegations against the church. Flynn alleged sect staff members are deceived into signing waivers and confessions routinely to protect the church.

Flynn said Ray would have signed the confession for no other organization than the church "and then the church came in here and told you about it."

Johnson's presentation to the commission, Flynn said, was indicative of church "fair game" and "attack the attacker" policies, which sect officials have said were canceled 14 years ago.

"In a small way, you have just seen their representatives employ those two policies against me," he said.

City officials expressed disappointment that the Church of Scientology declined to participate in the hearings.

Reacting to Johnson's statement about Flynn's income potential from his various lawsuits, Commissioner Rita Garvey said Johnson was no doubt being paid by the church.

"I would presume that's a personal financial interest," she said.

Answering Johnson's criticism about the structure and guidelines of the hearings, City Attorney Bustin said they were conducted like a congressional hearing.

"You cannot confuse the function of a legislative body with a trial," he said. "No way can a legislative body function under the same rules as a courtroom."

Flynn argued that an ombudsman would have prevented commissioners "from asking questions the people of Clearwater elected them to ask."

He contended the Church of Scientology could not produce witnesses who could rebut the testimony of his own witnesses.

"They did what they've always done," Flynn asserted, "started a public rela-

tions campaign designed to deceive."

In his summation, Flynn reviewed the testimony, documents and affidavits that went on the record during the four days of hearings. He said taken as a whole, they showed a consistent policy throughout Scientology.

"The key to the hearings is deception and what the city can do about deception," he said later.

He said the most important testimony for the city's case came Wednesday and Thursday. On Wednesday, Walters told of the technical basis for Scientology's internal policies.

"The kids followed (the next day) and said that, 'Yeah, we were duped by those policies,'" Flynn said.

Bustin recommended, based on the evidence submitted, that commissioners direct Flynn to write the legal analysis of the proceedings. He also asked that a transcript of the hearings be submitted to a "constitutional scholar" for perusal.

"This is only the beginning and hopefully will start a ripple effect," said Commissioner Garvey.