



Clearwater Sun

WEDNESDAY, August 22, 1984

# Metro/State

Clearwater, Florida

## Court puts solicitation law on hold

By HOWARD FRENCH  
Sun staff writer

The 11th District Court of Appeal in Atlanta has issued a temporary injunction against Clearwater's charitable-solicitation ordinance, at the request of the Church of Scientology. The order is expected to put the law on the shelf for at least four months.

The ruling came only three weeks after a lower federal court in Tampa refused to issue a restraining order against the ordinance, ruling that the city could begin enforcing at least a portion of it, even as the appeals process continued.

But the appellate court ruled Aug. 17

that the sect was justified in seeking a restraining order against the law, until arguments can be heard regarding its constitutionality. That appeals process could take another three or four months, a sect spokesman said Tuesday.

The ruling elated Scientologists but left city officials relatively unruffled.

"We're very pleased that the (court) has granted our motion for an injunction—it was the proper thing to do," said sect attorney Paul Johnson. "Regardless of what (the law) says on the face of it, we know it was designed as a weapon against Scientology."

Assistant City Attorney Frank

---

'We're very pleased that the (court) has granted our motion for an injunction—it was the proper thing to do.'

—Paul Johnson,  
Scientology attorney

---

Kowalski said he had not read the court order but was not surprised by news of the injunction.

"The court might very well think that the wrong done by allowing the enforce-

ment of an (allegedly) unconstitutional ordinance would outweigh the wrong done by not allowing it to be enforced," he said.

During an Aug. 2 hearing in Tampa, U.S. District Judge Elizabeth Kovachich refused to issue an injunction against the law. That ruling followed a July 13 hearing during which she ruled that the measure appeared to meet constitutional guidelines.

In a later session, she also said the city could begin enforcing at least a portion of the ordinance, giving the city attorney power to investigate non-profit groups with at least 10 complaints filed against

them. But she disallowed the enforcement of parts of the law requiring churches and other non-profit groups to register with the city and file financial reports.

City officials describe the law as a tool against fraud by any non-profit group, not as a singular weapon against Scientology.

But the law has drawn additional fire from religious groups not affiliated with the sect. Others joining the suit against the law include Americans United for Separation of Church and State, the National Council of Churches and about a dozen additional groups.