

LA WEEKLY

JANUARY 5-JANUARY 11, 1996 LA WEEKLY 19



Culture

The Tournament of Roses

Smiling girls rode bright, ridiculous floats. Venerable WASP Henry Cabot summed up infatuation with the tourney by praising the way it casts a "favorable picture to the world of the American way of life." Then-actor Ronald Reagan was a CBS commentator, Ike grand-marshaled, and Nixon took Pat to the parade on their first date.

Venice Boardwalk

Abbot Kinney built "the Coney Island of the Pacific" in 1905, complete with roller coaster. Incorporation into L.A. in 1946 shut the show down. Beatniks came in the '50s for the cheap rent, and it just kept getting weirder. When the city built a bike path in '72, Harry Parry strapped on his skates, turban and guitar, and, along with the bodybuilders and seaside freak show, brought the tourists back.

Melrose Avenue

Called "the Sunset Strip of the '80s" and a "new wave Rodeo Drive," Melrose had humble beginnings as a strip of liquor stores and Laundromats. In the '70s, Melrose's cheap storefronts began luring boho types, and by '79, with Hollywood Boulevard on the decline, Melrose had taken over as the trendy hot spot.

Gangs

In the '30s and '40s, Mexican youth gangs were fairly harmless, but in the '70s gangs exploded violently in East L.A. As early as '72, African-Americans, fueled by anti-police sentiment lingering from the Watts riots, started banding together. (One group that walked with canes became known as the Crips.) When drugs entered the picture, money, power and violence skyrocketed. In '88, police spent millions sweeping South-Central for gang members, making a lot of noise but succeeding only in upping gangs' visibility. After the '92 Rodney King riots, battling Bloods and Crips called a truce.

California Cuisine

America delivered the hamburger, but California invented the Pacific Northwest striped bass gently nestled in a banana leaf and splashed with chili-shalot lime vinaigrette. Joachim Splichal of Patina, Michel Richard of Citrus and Wolfgang Puck of Spago helped create a culinary trend that has permanently changed American menus.

Scientology

Of all the cults to emerge from Los Angeles, L. Ron Hubbard's self-help church may be the most institutionally sound and insidiously frightening. According to the *L.A. Times*, Scientologists intimidated a judge into stepping down and actually put the IRS on the defensive during battles over the church's tax-exempt status. Hubbard wrote that anyone impeding Scientology "may be tricked, sued or lied to, or destroyed." Dianetics keeps packing in the celebrities, though, including John Travolta and Lisa Marie Presley. (Scientologist rumor: they sold Lisa Marie to the Gloved One.)

Landmarks

Ballerina Clown; Rose Avenue at Main Street, Venice.

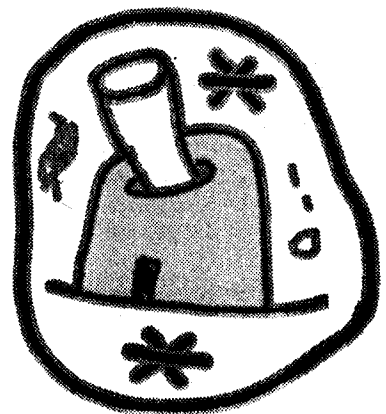
Stranded on the corner of Johannes Van Tilburg's Renaissance Building is Jonathan Borofsky's 1990 kinetic-sculptural rendition of Venice Beach: a bearded clown in drag, dancing forever sadly by the sea.

Church of Scientology Celebrity Center International; 5930 Franklin Ave., Hollywood.

Where the Dianetically bedazzled famous folks stay for a fix of L. Ron's fine science fiction. A lovely old turreted mansion built in 1929, not to be confused with COSI's Hollywood Boulevard location. ("Excuse me, sir. Would you like to learn how you can start getting the most out of your life?" You mean like standing on a sidewalk in Hollywood passing out fliers?)

Forest Lawn Memorial Park; 1712 S. Glendale Ave., Glendale.

In 1912, planner Hubert Eaton envisioned "a place where lovers new and old shall love to stroll." With the help of landscape architect Fred Hansen and a bunch of dead people cleverly disguised as real estate, this huge li'l graveyard park opened for business in 1917. The stately Tudor administration building went up in 1930, followed by more dead people and buildings, among them Chico Marx, Nat "King" Cole and the cathedral/auditorium.



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German Official Calls for Security Surveillance of Scientologists

By ALAN COWELL

BONN, Jan. 10 — In the long-running duel between the German authorities and the Church of Scientology, a senior Government official urged today that it be placed under surveillance by the same internal security agency that tracks terrorists and political extremists.

The official, Claudia Nolte, the Minister for Family Policy, described the church as "one of the most aggressive groups in our society" and said she would "oppose the Scientology organization with all the means at my disposal."

The Church of Scientology was founded by the American science-fiction writer L. Ron Hubbard in 1954 and is based in Los Angeles. German authorities have long sought to strip the church of Constitution protections it receives as a religion in this country. One state, Bavaria, is considering banning it outright while

Germany's leading political parties, fearing infiltration, bar their members from becoming Scientologists. Some German officials say the organization, which surfaced here around 1970, seeks worldwide dominance.

According to its literature, Scientology's aim is "to bring an individual to an understanding of himself and his life as a spiritual being." Global membership is variously estimated at 50,000 to eight million.

The Government maintains that the church is no more than an unscrupulous commercial concern, but its supporters see a deeper collision between Scientologists and a form of religious discrimination they compare to the anti-Semitic practices of Nazi Germany.

Sabine Weber, a spokeswoman for the Scientology organization in Hamburg, said: "The accusation of seeking world dominance has been made

against new and aspiring movements for centuries, and was misused particularly in the Third Reich to persecute people of different opinions. The methods are comparable to those that were used in the early 1930's."

While the church has reported a membership of only 30,000 in Germany, its activities have elicited a tough response from the authorities, leading to legal battles over whether it is a religious organization or simply a front for money-making.

"Under the cloak of a religious community hides an organization which unscrupulously and unabashedly engages in dubious activities and whose ideology bears totalitarian characteristics," Mrs. Nolte said at a news conference to introduce a pamphlet warning Germans to avoid the church.

She said it would be "very sensible" for the domestic intelligence

agency to place the organization under surveillance to glean "better information about the inner workings of the organization."

The authorities have thus far shied away from placing the church under surveillance by the Office for the Protection of the Constitution, the domestic intelligence agency, which usually monitors political extremism. Last December, the interior ministers of the 16 German states failed to agree on such measures after the federal Interior Minister, Manfred Kanther, voiced legal concerns about the idea. Aides to Mrs. Nolte said surveillance could only be ordered against organizations with anti-constitutional political aims.

Were it to come under surveillance, the organization would be subject to such intelligence-gathering techniques as telephone taps, postal intercepts and the clandestine observation of its members.

The Outlook

Jackson

FROM PAGE A1

cynics in a much-hyped "PrimeTime Live" interview last year. "I'm not going to marry somebody for any reason other than the fact that I fall in love with them, period, period. And they can eat it if they want to think anything different," Presley snapped.

She also defended Jackson's penchant for allowing young boys into his bed.

"I've seen these children. They don't let him out of their sight. So when he jumps in the bed, I'm even out, you know? They jump in the bed with him," she said.

Two months later, according to reports, Presley told "Jacko" to beat it after learning he had flown to Europe with two young boys. In denying the story, her publicist, Paul Bloch, insisted "she's very happily married."

Hollywood observers said recent rumors had Jackson pressing for a divorce.

"My reaction is what took so long? This was inevitable from the beginning," said Mary Ann Norborn, Los Angeles bureau chief of *The Globe*, a tabloid that has tracked the bizarre alliance. "Michael was looking to repair his career and she wanted him in Scientology... none of them got what they wanted."

The marriage was the first for Jackson and the second for Presley. She divorced her first husband, musician Danny Keough, after six years. They have two small children.

Jackson became the target of a child-molestation investigation in August 1993 after a then-13-year-old boy claimed the pop superstar had sex with him. Jackson reached a multimillion-dollar, out-of-court settlement with the youth. After the boy refused to testify, prosecutors declined to file criminal charges.

In the three-page divorce petition, Presley said "the nature and extent of the community property, if any, has not been ascertained."

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Presley is divorcing Jackson

By Norma Meyer
COPLEY NEWS SERVICE

The slew of skeptics were right: Hollywood's weirdest union couldn't last.

After months of rumors that their marriage was a sham, Lisa Marie Presley filed for divorce from Michael Jackson on Thursday, citing "irreconcilable differences."

A boilerplate petition filed in Los Angeles Superior Court also disclosed Elvis' only child has been separated from the King of Pop since Dec. 10, four days after his on-stage

collapse during a television rehearsal.

So far, the parting of Graceland and Neverland appears civil. Presley's attorney, John Coale, said the divorce will be "very simple and clean." His client, after all, isn't hurting for money with a \$100 million inheritance.

Jackson's publicist, Lee Solters, said the couple "mutually agreed to go their separate ways" and remain "good friends."

The breakup has been anticipated since the day Presley, 27, announced

she and the 37-year-old Gloved One had secretly wed in the Dominican Republic on May 26, 1994. Speculation mounted that it was all a publicity stunt to boost Jackson's image in the midst of a child-molestation probe and breathe new life into Presley's failed singing career.

There was also talk that matrimony was a plot devised to get Jackson and his money into the controversial Church of Scientology, to which Presley belongs.

The couple, however, ripped the

JACKSON/A5



Michael Jackson and Lisa Marie Presley, here in a 1995 photo, have denied for months that their marriage is a sham. Her divorce filing cites "irreconcilable differences."

FILE PHOTO

The New York Times

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SATURDAY, JANUARY 20, 1996

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A Posting On Internet Is Ruled To Be Illegal

By PETER H. LEWIS

A Federal judge ruled yesterday that a Virginia man violated the copyrights of the Church of Scientology by posting confidential church documents on the Internet, even though the material was obtained from public court records.

The Religious Technology Center, which owns the trademarks and copyrights of the Church of Scientology International, had sued Arnaldo P. Lerma of Arlington, Va., for posting several dozen pages of secret church documents about the Scientology philosophy on the Internet, the global computer network.

In making her ruling, Judge Leonie M. Brinkema of the United States District Court in Alexandria, Va., affirmed that the church holds a copyright on the documents and that Mr. Lerma infringed on the copyright by posting church documents without comment, criticism or other significant changes that would constitute fair use. She said the church was entitled to statutory damages and legal fees, which will be determined later.

"They were trying to argue that different rules applied for the fair use of copyrighted material on the Internet, and the judge ruled otherwise," said Helena K. Kobrin, a lawyer for the Religious Technology Center in Los Angeles.

Attempts to reach Mr. Lerma by telephone and electronic mail last night were unsuccessful.

Mr. Lerma was the sole remaining defendant in the lawsuit, which arose from postings to a news group in August. After Mr. Lerma refused a church demand that he stop publishing the documents electronically, Federal marshals and church officials raided Mr. Lerma's home on Aug. 12, 1995, and seized Mr. Lerma's computer equipment.

The church had also sued The Washington Post and two of its reporters for reprinting portions of the secret documents in news accounts of the lawsuit and the seizure of Mr. Lerma's computer equipment. But Judge Brinkema, calling the church's lawsuit against the newspaper "reprehensible," ruled in November that The Post used the information fairly.

The ruling yesterday was the latest twist in a series of legal battles between the Church of Scientology International, founded by L. Ron Hubbard, and its critics on the Internet. Two other lawsuits concerned with the electronic copying of confidential church documents — one in California and one in Colorado — are pending.

The judge ruled yesterday on a motion for summary judgment by the church, which claimed the facts of the case were so compelling there was no need to go to trial.

The copyrighted material in question, known as the "Operating Thetan scriptures," were obtained by Mr. Lerma and The Washington Post from public court documents filed in an earlier dispute between the church and a former member in California.

The church contends that the documents are trade secrets that deal with the training of Scientologists who have reached the highest levels of understanding of its philosophies.

Judge Brinkema ruled last year that the documents were not trade secrets but could be copyrighted.

Los Angeles Times

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SATURDAY, JANUARY 20, 1996 ★

BRIEFLY

TECHNOLOGY

Court Rules on Internet Copyright Case: The Church of Scientology won a summary judgment in the first of three lawsuits against disgruntled former members who used the Internet to disseminate church writings worldwide. A federal judge in Alexandria, Va., ruled that Arnaldo Lerma, who posted writings by Scientology founder L. Ron Hubbard on the worldwide computer network, had violated copyright laws. Lerma had argued that the documents were publicly available. However, Lerma's Internet access provider, Digital Gateway Systems, which had been named in the case, settled out of court prior to Friday's ruling. Thus the case will not address the hotly disputed question of whether Internet companies can be held liable for the actions of their subscribers.

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Daily Appellate Report Summaries

absolute, and do not depend upon a further balancing of harm to the public." Some information that qualified as trade secrets was mistakenly disclosed by public agencies to environmental organizations, but the mistaken disclosure did not constitute a waiver of the right to claim trade secret protection. In the unpublished portion of the opinion, the requirements of an undertaking as a condition to injunctive relief was proper.

Masonite Corp., et al. County of Mendocino Air Quality Management District (Citizens for A Healthy Ukiah), CA 1st No. A070403, Feb. 1, 1996, by Swager, J.

The full text of this case appears in the Daily Appellate Report on page 1153.

Civil Procedure

■ Anti-SLAPP provision applies to any cause of action arising from petition activity, not only tort actions.

The CA 2nd has held that a plaintiff's action was properly subjected to dismissal under an anti-Strategic Lawsuit Against Public Participation (SLAPP) suit provision and the defendant was entitled to attorney fees in both the prior action and on appeal.

The Church of Scientology of California brought an action against Lawrence Wollersheim seeking to set aside the judgment of a previous action while the previous action was pending before the California Supreme Court. The complaint alleged that the trial judge in the prior action harbored actual malice and prejudice against the Church at the time of the trial and might have conveyed prejudicial information to the jury either directly or indirectly. The Church alleged that the information passed on to the jury resulted in the jury being as biased as the judge. Wollersheim filed a special motion to strike pursuant to Code of Civil Procedure Section 425.16, arguing that such a motion was authorized by that provision and that

the Church could not demonstrate a probability that it would prevail on its claims. Wollersheim contended that the Church could not meet his affirmative defenses of laches, unclean hands, and collateral estoppel. The trial court granted the motion to strike and dismissed the action with prejudice. The trial court also granted Wollersheim's motion for an award of attorney fees, pursuant to Section 425.16(g). The Church argued that Section 425.16 did not apply because its action was not an attack on Wollersheim personally and would not interfere with his right to pursue his claims against the Church.

The CA 2nd affirmed and remanded. The Church's action was properly subjected to a Section 425.16 motion to strike because it was a cause of action arising from Wollersheim's litigation activity. The language of Section 425.16 provided that it applies to any direct attack on the judgment in the prior action, which resulted from Wollersheim's petition activity. The trial

court was correct in considering the litigation histories of the parties in determining whether to apply Section 425.16. The Church's action clearly fell within the scope of Section 425.16, because the Church engaged in a pattern of conduct employing every means, regardless of merit, to frustrate or undermine Wollersheim's petition activity. Section 425.16 is not limited to issues of public interest, or only to tort actions, as there are many types of claims that could achieve the objective of a SLAPP suit. The Church's inability to produce evidence to demonstrate its claim caused it to fail to show a probability that it would prevail on its claim. Wollersheim was entitled to attorney fees in both the previous action, and on appeal. The case was remanded for determination of the amount of the fees.

Church of Scientology of California v. Wollersheim, CA 2nd, Nos. B084686 and B086063, Feb. 1, 1996, by Aldrich, J.

The full text of this case appears in the Please turn to Page 11

Survey Shows Christians Held in High Esteem, Atheists Low

GLENDALE—In a national survey of the public image of different religions, most respondents said they view Christians, Jews and, on balance, Mormons as good influences on U.S. society. But more than 30% viewed Muslims, Buddhists and Scientologists as negative influences.

However, even those religions with a smaller U.S. following fared better than atheists: 60% said that nonbelievers have a negative effect on the nation's culture, according to findings released this week by pollster George Barna of Glendale.

"While many Americans are not practicing Christians, they retain some identity with the Christian faith and remain protective of it," said Barna, noting that 85% gave Christians a positive evaluation and only 4% thought they were a bad influence. Although 83% of Americans say they are Christian, Barna's polls have found that only half are weekly churchgoers.

Christians, he said, "are suspicious of other faith groups because they are unknown but different, and we are generally uncomfortable with those who are not just like us.

"Diversity may be a rallying cry for the politically correct, but for the average American, the acceptance of diversity in religion, as in politics and race, is not a widely embraced notion," said Barna, who specializes in opinion polls on religious issues and has written 20 books for the evangelical Christian market.

Nevertheless, the findings of a random telephone survey of 1,007 adults in July appear to mitigate concerns among U.S. Muslims that their faith has a poor public image because of distorted media coverage and the unfair association of Islam with radical or violent activities.

Buddhism—a low-profile faith rarely in the news—was rated virtually the same as Islam. Muslims were seen as a positive influence by 28% and a negative influence by 32%, nearly the same as the 29% positive and 33% negative assessments of Buddhists. (More than one-third of those polled had no opinion of either group.)

Although the survey confirmed Muslims' relatively negative image, the comparison with Buddhists was somewhat encouraging, said Salam Al-Marayati, director of the Muslim Public Affairs Council in Los Angeles.

"The public at large apparently has a different impression of Muslims than opinions you find in major media and in Washington political circles," said Al-Marayati. "Perhaps many know of Muslims at work or in their neighborhoods who alleviate misapprehensions they might otherwise have."

About half the "born-again Christians"—theologically conservative believers—surveyed said they view Muslims and Buddhists as negative influences in America, whereas only about 15% viewed them positively.

"That's a pretty significant dif-

Rating Religions

A random telephone survey of 1,007 adults in July by pollster George Barna of Glendale ranked religions according to their influence on American society.

Question: "For each major faith group I mention, please tell me if you think that group has a positive or negative influence on American society. Overall, do you think that (these religions) have a positive or negative influence on American society today?"

THE RESULTS:	Positive	Negative	Both	Don't know
■ Christians	85%	4%	4%	6%
■ Jews	58	15	4	23
■ Muslims	28	32	4	35
■ Mormons	43	27	5	26
■ Scientologists	21	39	3	38
■ Buddhists	29	33	2	35
■ Atheists	14	61	4	22

Note: Figures were rounded to the nearest number.

Los Angeles Times.

ference," said Al-Marayati. "In that case, houses of worship are creating more divisions rather than positive relations out of their faith."

Other results of the survey, which Barna estimates is accurate within plus or minus 3%:

- Only 15% believed that Jews had a negative influence and 58% said their influence is good—a finding that one Los Angeles Jewish official called "very heartening."

- Mormons—adherents of the Utah-based church that was widely attacked by other American Christians in the 19th and early 20th centuries—were seen as a positive force by 43% and a negative one by 27%.

- Scientologists were rated by 39% as negative influences and 21% as positive forces, but nearly four of 10 respondents had no opinion on the 41-year-old religious group.

- Atheists not only received the highest negative rating, 61%, but the lowest positive evaluation, 14%.

That came as no surprise to organized nonbelievers. "We certainly don't have a good reputation among believers," said Kenneth Bonnell of Eagle Rock, co-president of Atheists United. "We would rather that the figures were the other way around."

Bonnell attributed the negative view of atheists to the "religious texture of the United States" and to conservative Christians who often blame atheists for opposing school prayer even though many Jewish and Christian bodies also advocate strict church-state separation.

David Lehrer, regional director of the Anti-Defamation League in Los Angeles, said he was heartened by the large number who regard Jews as positive influences in U.S. society. At the same time, he said, "it clearly indicates there's a lot of work yet to be done in terms of acceptance and understanding of nontraditional religions in this country."

Buddhist leader Henry Shinn of Redlands said that the 33% nega-

tive evaluation of Buddhist influence in this country "is because [people] don't know much about Buddhism."

"As students learn more about the basic teachings of Buddhism, we will have better opinions expressed in the future," said Shinn, who is one of five co-presidents of the American Buddhist Congress, a pan-Buddhist group headquartered in Los Angeles.

Likewise, with 26% saying they did not know if Mormons are a positive or negative influence, the poll "demonstrates there is still a large part of the population that do not know us," said Keith Atkinson, the California public affairs representative for the Church of Jesus Christ of Latter-day Saints, the formal name for the Mormons.

Church spokesman Don Lefevre of Salt Lake City added: "We're happy that our positive influence was seen as higher than a negative influence, but we are disappointed that the survey was crafted in a way that implied [we] are other than Christian."

The worldwide Mormon church body recently launched a public relations effort to discourage nonmembers from identifying it primarily as "the Mormon Church." The church also announced that "Jesus Christ" will be printed in larger letters in its name on written materials and eventually on its church buildings.

The Church of Scientology, which is headquartered in Hollywood but has a presence in 122 countries, also has struggled with its public image after years of news-making clashes with government agencies and critics who question its claim to be a religion.

Spokeswoman Wendy Beccacini took the survey results as a challenge.

"It tells us that we need to concentrate on the 40% of the population who don't yet know about the many benefits and positive effects Scientology creates in society," she said, noting that the Internal Revenue Service certified Scientology as a religious, tax-exempt body in 1993.