

FOR IMMEDIATE RELEASE:

FLORIDA COURT DENIES PETITION FROM THE CHURCH OF SCIENTOLOGY FOR UNCONSTITUTIONAL RESTRAINING ORDER AGAINST ANONYMOUS

CLEARWATER, FLORIDA. March 12, 2008 — Facing the second worldwide protest in as many months, the Church of Scientology and its associates in Clearwater (Florida) have petitioned for a restraining order against a nameless, faceless group of peaceful protesters. A cover sheet and a civil complaint were filed, and the case docket [1] is available online. The injunction was titled "Petition for Injunction for Protection Against Repeat Violence" and is available to download in PDF form from the St. Petersburg Times [2]. Today, that petition was denied.

The petition was submitted by Roger Akiyama and Paul Kellerhals (officials of the Church of Scientology Flag Service Organization) with Rev Heber Jentsch - the President of the Church of Scientology International. The document is considered a sworn statement, but contains evidence whose origin and context is heavily disputed. One member of Anonymous was of the opinion that "It is clear from this statement that high ranking officials within the Church of Scientology are prepared to perjure themselves in order to silence their critics".

If passed, this injunction would have violated both the Florida and US Constitution. Analysts said that the attempted restraining order was unlikely to be accepted by a judge because of overwhelming Federal and State precedents. For example, Talley v. California (Supreme Court, 1960, case 362) struck down a Los Angeles city ordinance that made it a crime to distribute anonymous pamphlets. In addition, the Florida Constitution guarantees citizens "the right peaceably to assemble, to instruct their representatives, and to petition for redress of grievances."

The aggressive legal stance adopted by Church of Scientology is typical of their "fair game" policy [3] as described in a 1967 letter by Church founder and supreme authority L. Ron Hubbard. The policy states that enemies "may be deprived of property or injured by any means by any Scientologist without any discipline," or "tricked, sued or lied to or destroyed". In practice, the policy results in personal and litigious harassment of critics or other enemies of the organization.

A petition for a restraining order in Florida must have the full name, current address and phone number of the person to be served [4]. However, the petition filed by Scientology identifies as its target "an association of people known as Anonymous." According to the US Constitution, the Federal Government may not pass any laws "abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble..." The Fourteenth Amendment applies this prohibition to all State Governments as well.

The Church of Scientology is attempting to suppress the unalienable rights of United States citizens. In this case, the right to peaceful assembly is under attack via subversion of the Constitution through an illegitimate use of public courts. This demonstrates yet again that Church of Scientology leaders do not wish to operate in an environment where free speech is permitted.

The first Anonymous protest on February 10th drew over 9000 people in more than 100 cities across the globe to demonstrate peacefully in front of their local Scientology centers. This was the largest demonstration against the Church of Scientology to date. It should come as no surprise, therefore, that the Church of Scientology is once again using strategic nuisance litigation to silence its newest critics.

Linda R Allan, Circuit Judge of the Circuit Court for the Sixth Judicial Circuit in and for Pinellas County, Florida ruled on March 12th:

"The amended petition for injunction for Protection Against Repeat Violence is DENIED WITH PREJUDICE as to the Church of Scientology Flag Service Organization." [5]

The ruling denies the petition to the Church of Scientology on the grounds that it can not, as a corporate entity, petition for a restraining order based on Florida statute that is designed to protect individuals from crimes of assault and battery. Individual petitioners were instructed by the Court to refile petitions separately, and individually, if they so choose, with individual allegations as required by the law. Independent analysis indicates that such filings can not pass the legal requirements unless associates of the Church name specific persons and actions in their allegations related to Anonymous. Such allegations themselves would have to be contrived or perjurous, as no instance of illegal action by the protesters is known at this time and illegal action is frowned upon by the consensus of Anonymous.

The petitioners identified certain individuals as "leaders" of Anonymous, a statement that is inherently false in its nature. Anonymous does not rely on the promotion of individual persons into positions of power or leadership, and attempts to establish such leadership are immediately and openly rejected by public consensus. This restriction is rooted deeply in the nature of Anonymous. Thus, the concept of leadership can not be applied to the movement except as an artifact of ignorance, a matter of absurd, or a deliberate attempt to misguide an otherwise uninformed person.

A video condemning Anonymous has recently been released on YouTube. Its distinctive style and high production value mark it as originating from Church of Scientology production studios. The video was initially posted on the YouTube channel AnonymousFact with comments and rating disabled in order to prevent criticism. Entitled "Anonymous - Hate Crimes & Terrorism Directed at Scientology", it is the latest clear example of Scientology propaganda containing little truth. The video has been mirrored on the channel AnonymousFiction to enable comments and ratings from viewers [6].

In the video posted on YouTube.com, and in the "evidence" submitted to the court on Tuesday the 11th of March - much is made of the "white powder resembling anthrax" which the Church of Scientology call an "act of terrorism" attributed to Anonymous. The LA Times stated that "Authorities said there was no evidence that Wednesday's mailings were connected (to Anonymous)" [7]. It is not unlikely that the Church of Scientology itself has orchestrated this false act of terrorism. It has attempted to do similar things in the past during "Operation Freakout", where Scientology operatives planned to silence a critic by making forged bomb threats in her name [8].

The remaining charges made by the petitioners to show their cause rely on statements published online without clear or traceable association with Anonymous, and represent acts of individuals completely unrelated to this collective. Most of the offending videos are believed to have been produced by Church of Scientology itself as a part of its "Black PR" campaign. Such smear tactics appear to be a standard practice of this organization. Despite their harsh accusations and alleged concerns, the petitioners were unable to show any relationship between the perceived threats and the consensus of Anonymous. Furthermore, they have failed to demonstrate any actual relevant acts of violence or endangerment of life, whether or not specifically related to the activities of Anonymous or to those of other individuals.

References:

- [1] http://pubtitled.co.pinellas.fl.us/servlet/civil.docket.KEAD?CS_CASE=08003568CI&CS_RESULTS_KNT=10
- [2] <http://www.sptimes.com/2008/03/12/images/Scientologyinjunction.pdf>
- [3] [http://en.wikipedia.org/wiki/Fair_Game_\(Scientology\)](http://en.wikipedia.org/wiki/Fair_Game_(Scientology))
- [4] http://www.associatedcontent.com/article/449435/how_to_get_a_restraining_order_in_florida.html
- [5] <http://www.tampabays10.com/images/pdfs/scientology-anonymous1.pdf>
- [6] "Anonymous - Hate Crimes & Terrorism Directed at Scientology" ---- <http://www.youtube.com/watch?v=mGEuGsO9cCA>
- [7] <http://www.latimes.com/news/local/la-me-threat31jan31,1,6115546.story>
- [8] http://en.wikipedia.org/wiki/Operation_Freakout

Copy of the restraining order docket:

<http://img1.anonbw.com/press/Restraining-Order-Docket.JPG>

Scientology and the Legal System:

http://en.wikipedia.org/wiki/Scientology_and_the_legal_system

Scientology and the Internet:

http://en.wikipedia.org/wiki/Scientology_and_the_Internet

Project Chanology:

http://en.wikipedia.org/wiki/Project_Chanology

<http://www.WhyWeProtest.net>

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<http://img1.anonbw.com/press/March12th.pdf>