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News Service of the Southern Baptist Convention

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**High Court Refuses
Scientology Claims**

By Stan Hasteley

WASHINGTON (BP)--Returning to the bench for the stretch run of its current term, the U. S. Supreme Court affirmed a lower federal court ruling that U. S. customs officials did not violate the rights of members of the Church of Scientology of California by opening and inspecting four boxes of church materials flown from London to Los Angeles International Airport.

In other actions, the high court refused to hear the appeal of an Indiana teacher who was fired for reading the Bible to his classes, denied a hearing to a Pennsylvania man who claimed he was denied real estate tax exemption because of religious beliefs, and ruled that a Lutheran campground facility in Pennsylvania is entitled only to fair market value indemnity.

The California Church of Scientology took the federal government to court over the inspection of church-related papers and documents even though they were returned to church officials after four days.

A U. S. customs agent at the airport became suspicious of the boxes' contents upon discovering references to the CIA, Interpol, and sabotage. He and his supervisor then determined that the documents should be detained and examined by a customs special agent.

The special agent, Michael Peel, reviewed the materials over a three-day period and determined that they contained potential evidence of tax fraud and possibly violations of other laws. His decision was quickly overruled by the Bureau of Customs, however, and the materials were handed over to church officials.

In appealing to the Supreme Court, church attorneys declared that a lower court decision against the church would, if allowed to stand, "signal that all written matter brought into the United States by any means other than by international mail will be subject to reading and detention...for any reason at all, or for no reason." The resulting "chilling effect on the exercise of First Amendment rights of speech and expression would be monumental," the argument continued.

The government, on the other hand, argued that federal customs officials must be permitted to open cartons coming into the country "without probable cause and without warrants" in order to detect violations of customs laws.

In the Indiana Bible reading case, the high court refused to hear the appeal of Max W. Lynch, an assistant mathematics professor at Indiana State University who was dismissed five years ago for insisting on reading the Bible to his classes.

Lynch, who taught high school-age young people at the University's Laboratory School in Terre Haute, was notified by school officials in the fall of 1973 that he was violating university policy. When he persisted with the readings, he was fired.

Lynch, who earlier lost an appeal to the Indiana Supreme Court, argued in a written brief that his dismissal violated his free exercise of religion. "The door of the free exercise clause stands tightly closed against any governmental regulation of religious beliefs as such," his attorneys declared.

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His "compelling religious beliefs caused Lynch to read his Bible" to his students, the brief continued. Furthermore, no one was required to remain in the room during the readings and no religious service as such was involved.

The university brief countered by citing previous Supreme Court decisions that merely allowing dissenting pupils to leave the classroom during such exercises is not a satisfactory solution. "The supervisory position of control occupied by the teacher over student grading and conduct, coupled with peer pressure and disapproval" would deprive the students of their constitutionally protected freedom to believe as they wish," the statement argued.

The justices also declined to hear the appeal of a Pennsylvania man, Robert B. Graham, an ordained "cardinal" in the universal life church, the mail-order ordination service headed by Kirby J. Hensley of California.

Graham took his case to the Bucks County Court of Common Pleas after the County Board of Assessments refused to exempt his house from real estate taxes. Hensley and his associate, Daniel J. Callahan, of the Holland Universal Life Church of Love, maintained that the church abides by the Golden Rule and the Ten Commandments, that they believe in a supreme being, that their church has a membership of 100, and that they hold regular services every Sunday.

None of those arguments convinced the county court or the Pennsylvania Supreme Court, which like the nation's high court, refused to hear the case.

In another Pennsylvania case, the justices ruled 8-0 that the Southeastern Pennsylvania Synod of the Lutheran Church in America is entitled only to the fair market value of a camping facility and not the cost of its replacement.

The synod took the government to court after condemnation proceedings were initiated to acquire land on which the synod operated summer camps. A federal district court held last year that the government was obligated to pay the fair market price for the property, but not the "substitute facilities" price which the synod claimed was due it.

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Court Avoids Challenge To State Funding of Abortions

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WASHINGTON (BP)--Advocates of public funding of abortion suffered a setback here when the U. S. Supreme Court declined to hear their appeal that states are under obligation to pay for abortions for indigent women.

The appeal to the high court is but one in a series of moves by abortion advocates to nullify the effect of the Hyde Amendment, first passed by Congress in December 1977 as an amendment to the Department of Health, Education, and Welfare appropriations bill.

Although the original Hyde Amendment forbade the use of HEW funds for abortions except to save the life of the mother, it was broadened last year to include abortions for victims of rape or incest and "in those instances where severe and long-lasting physical health damage to the mother would result..."

Last July the Massachusetts legislature, over the veto of Gov. Michael S. Dukakis, passed a law restricting state medicaid payments for abortions to cases involving danger to the mother's life or instances of rape or incest.

In January, the Court of Appeals for the First Circuit invalidated the Massachusetts law, holding that its limitations were unreasonable and inconsistent with the federal statute.

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At the same time, the Court of Appeals held against abortion advocates on another point, ruling that the federal medicaid law carries with it no requirement that states provide funding for all abortions deemed "medically necessary" by attending physicians.

But abortion advocates, unhappy with the split decision, took their arguments to the high court. Without comment, the justices declined to schedule the case for oral argument.

The high court heard arguments during February in another Massachusetts case challenging that state's law requiring young women who fail to obtain their parents' written permission for an abortion to secure permission from a superior court judge. The state supreme court has also held that abortion orders cannot be given without parents' knowledge.

Three years ago the U. S. Supreme Court invalidated a Missouri law requiring parental consent before an abortion could be performed on grounds that it violated the privacy rights of underage women. At the same time, it left open the door for some state regulation in such cases. The Massachusetts law was enacted after that decision.

The high court's decision in the Massachusetts test case is due before the justices adjourn the current term around June 30.

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Houston Transportation
Presents Difficulties

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HOUSTON, Texas (BP)--Messengers to the 134th Southern Baptist Convention in Houston, June 12-14, are being urged by local committee and convention planners to go the extra mile in cooperating despite difficult parking and transportation problems in Houston.

During the daytime, parking will not exist when messengers converge on the Summit for sessions on the morning and afternoon of Tuesday, June 12; the morning of Wednesday, June 13; and the morning and afternoon of Thursday, June 14.

"The local committee and the Southern Baptist Convention planners, who have been working hard to iron out as many difficulties as possible, urge messengers to show a cooperative spirit as we work together under God's leadership to make this a great convention despite the transportation problems," said Tim Hedquist, convention manager.

Hedquist, assistant to the treasurer of the SBC Executive Committee, said sheets of information will be available at check-in at 39 convention hotels to help messengers work out transportation.

He said the convention has established a hotline number in Houston--850-0735--for persons who get confused about travel and need help. The hotline will be open Monday, June 11, 1 p.m.-9p.m.; Tuesday, 7 a.m.-9p.m.; and Wednesday and Thursday, 8 a.m.-9p.m.

"The glut of Houston traffic allows absolutely no parking at the Summit before 6 p.m.," Hedquist said. He urges messengers to observe that regulation to avoid being towed by the city. He said buses will run continuously from 7:30 a.m. to 10:30 p.m. each day and will be numbered and color-coded for easy identification.

Messengers with cars are urged to drive during the day to the Rice Stadium Parking Lot, at University Blvd. and Greenbriar, and take a shuttle bus (Bus #4) to the Summit. Parking is \$1 per car. It also costs \$1 to ride the bus to the Summit and \$1 for the return trip. Messengers are urged to give rides to those without cars.

But the good news, Hedquist says, is that messengers may park free at the Summit for the Tuesday and Thursday evening sessions and may park at the Astrodome for the Wednesday evening session for \$2.

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Messengers without cars may ride to the Summit or the Astrodome from three locations-- The Hyatt Regency, Downtown Holiday Inn and the Rice Stadium Parking Lot during the day-- and also from the Shamrock Hilton at night. Feeder buses will take messengers at other convention hotels to the departure point of the shuttle bus.

Total cost from the hotel to the Summit or Astrodome is \$2. Bus tickets may be purchased at the Summit, various hotels or the bus at the hotel.

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Starr Miller Named President
Of Brewton-Parker College

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MT. VERNON, Ga. (BP)--W. Starr Miller, dean of school of education at Georgia Southern College in Statesboro, was elected president of Brewton-Parker College by the board of trustees.

Miller will succeed J. Theodore Phillips, who will retire at the end of the school year, June 30, after serving 22 years at the Baptist school.

Miller has been at Georgia Southern College since 1961, previously serving as dean and professor at Tift College, 1951-61.

A graduate of Duke University, Miller is chairman of the Education Commission of Georgia Baptist Convention and chairman of deans of the Association of Southern Baptist Colleges and Schools.

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Joggers Jubilee
Set For Houston

Baptist Press
5/16/79

HOUSTON, Texas (BP)--One of the Southern Baptist Convention's most unusual auxiliary meetings, the Joggers Jubilee, will be held at four locations 6:30 to 7:30 a.m., June 12, 13 and 14 in Houston.

Participants should convene ready to jog at either the Houston Baptist University track, the Rice University track, Memorial Park, or the Allen Parkway Running and Bike Track, said Eugene Greer, program planning director for the Texas Baptist state missions commission.

A certificate will be given to each participant by the Church Recreation Department of the Baptist Sunday School Board. Also a commemorative patch, "Life Abundant, SBC Joggers Jubilee, Houston, 1979" is available for \$2 from The Strider, 11317 Earlywood Drive, Dallas, Texas 75218. Any profits from the sale of patches will go for missions through the Cooperative Program.

"The Joggers Jubilee is for enjoyment and fellowship through walking, jogging and running to the praise of the Lord," said Greer, one of the directors for the event and editor of The Strider. Other directors are three Houston ministers of recreation, Tim Price of South Main Baptist Church; Al Pessarra of Tallowood Baptist, and Dean Finch of Westbury Baptist.

Thirty-eight persons participated last year in Atlanta and 125 people ran "in the spirit," said Greer. The "in the spirit bunch" included missionaries in many countries running at about the same time as the convention joggers.

The Joggers Jubilee is a part of the convention at which there are no motions, no agenda and no elections, said Greer. "The motions are made by the feet and seconded by the body. The elections are by anyone who chooses to run, and the agenda is as far as you want to go." Anyone wanting names and hotels of other joggers should contact Greer.

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