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State Supreme Court right to side with Tent City in Woodinville case

The Washington Supreme Court ruled correctly that the city of Woodinville could not use a permit moratorium to block Tent City from staying at the Northshore United Church of Christ.

THE Washington state Supreme Court reached the right decision in a case regarding Tent City. It supported the constitutional right of the Northshore United Church of Christ to host the homeless encampment without being blocked arbitrarily by the city of Woodinville.

This page is not a supporter of Tent City. We see political motives in it — that it is an attempt to create a self-governing homeless encampment for political purposes. For that reason, Tent City should not be allowed on public property — and under zoning rules, it should not be allowed on most private property.

The question in the case that came down Thursday is not whether Tent City is a good way to respond to homelessness. It's about the rights of a church that decides God commands it to serve the poor, no matter what the organizers' worldly purposes are.

And churches do have special rights. Since 1889, the Washington constitution has guaranteed the people "absolute freedom of conscience in all matters of religious sentiment, belief and worship" except for "acts of licentiousness" and "practices inconsistent with the peace and safety of the state."

In other words, if you accept that temporarily hosting the poor is a matter of religious practice — and Woodinville didn't contest that — a church, temple or mosque can host Tent City.

The people living in the tents have no special rights: They are there at the church's sufferance, and they have to behave themselves.

Justice Jim Johnson, writing for the court, said cities have legitimate concerns about "safety, noise, and crime," and can insist on reasonable measures. But the city can't just say no, without considering the facts.

That is what Woodinville did, in a bureaucratic way. It required that the church have a permit, then said it was issuing no permits for six months, later extended to a year, so that its employees could make an environmental study. The city told the court its moratorium was "narrowly tailored to achieve a compelling government purpose" — the usual thing governments say when they're stepping on your rights.

All the justices of the state Supreme Court saw through this smoke screen. Good for them.

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