



Oakland Officials Will Change Abortion Protest Law After Lawsuit Filed

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Oakland, CA (LifeNews.com) -- In the face of a lawsuit brought by a pro-life law firm against the city of Oakland, officials there have decided not to enforce its new ordinance restricting speech outside abortion centers. The city council approved the expanded 8-foot bubble zone on Tuesday that pro-life advocates further away from abortion centers.

The new ordinance makes it unlawful, and punishable by up to one year in jail, to go within that distance of an abortion business unless heading there for an abortion.

It applies to protesters as well as sidewalk counselors who help women with alternatives.

The Life Legal Defense Foundation filed suit on behalf of pro-life advocate Walter B. Hoye II to keep the city from enforcing the law.

On Thursday, in a telephone conference before Judge Charles Breyer of the Northern District, the City agreed not to enforce the ordinance. Judge Breyer advised the city on how to make the law conform with prior Supreme Court rulings.

City Attorney John Russo told the Alameda Times Star that the city will rework the law.

"What we're going to do is follow the judge's direction and go back to the council with an amended ordinance on Jan. 15," he said.

Until then, Oakland Police Department Chief Wayne Tucker wrote a letter to pro-life attorneys on Thursday saying it would not enforce the law until a new one is in place.

Bay area attorney Mike Millen, who filed the lawsuit in conjunction with LLDF, told LifeNews.com that "The City of Oakland was warned that its unconstitutional ordinance restricted free speech and did nothing to protect women."

"After a very brief conference with a federal judge, the City apparently agrees," he said.

Millen said local pro-life residents "need to admonish their city leaders to spend more time dealing with the City's budget deficit and crime problems rather than expending city resources on feel-good laws to please special interests."

Amy Moy, associate vice president for public affairs at Planned Parenthood Golden Gate, which gave Holly Patterson the dangerous abortion drug that ultimately killed her, told the Alameda newspaper that the law was needed because of pro-life people harassing abortion center staff and customers.

"The buffer ordinance is necessary because there is extreme harassment and intimidation in the city of Oakland," she claimed.

However, Hoye regularly engages in pro-life counseling and leafleting at the Family Planning Specialists abortion center in Oakland. Two elderly women from his church often join him.

Hoye told the Oakland City Council that "We are not a threat to public safety and these women aren't even capable of harassing clinic clients."

Their activities include handing out leaflets, education about abortion and holding signs with a pro-life message. All of these activities occur on the public sidewalk.

LLDF's suit maintains that the ordinance is a content and viewpoint-based restriction of speech and is unconstitutional.

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