



Pro-Life Pastor Hoye Gets 30 Days in Jail for Helping Women at Abortion Center

by **Steven Ertelt**

LifeNews.com Editor

February 19, 2009

[Email](#) [RSS](#) [Print](#)

Oakland, CA (LifeNews.com) -- A pro-life African-American pastor has been sentenced to 30 days in jail for sharing a pro-life message outside local abortion centers. Walter Hoye was previously found guilty of violating what pro-life attorneys call an unconstitutional city law designed specifically to target him.

Oakland officials had enacted the law, which has been heavily criticized as an unconstitutional limit on free speech.

The ordinance prohibits contact within eight feet of women entering abortion businesses without their consent.

Today, Hoye was sentenced by Judge Hing of the Alameda Superior Court to serve 30 days in county jail. The court will allow Hoye to serve his time by an alternative method such as community service.

However, Hoye will be forced to pay a \$1,130 fine and has been ordered to stay away from the abortion business and no longer help women find abortion alternatives.

Allison Aranda, a staff attorney with the Life Legal Defense Foundation, a pro-life law firm representing Hoye in the case, says an appeal is forthcoming.

"It is absolutely incredible that in America an individual can be sentenced to jail for engaging in peaceful free speech activity on a public sidewalk," she told LifeNews.com Thursday afternoon. "We will appeal."

The firm is also challenging the constitutionality of the ordinance in a lawsuit asking it to be struck down.

Hoye is an African-American pastor who feels a special calling to work for the end of abortion because abortion centers specifically target the black community.

As part of his efforts, he stands in front of an abortion center in Oakland with leaflets offering abortion alternatives and a sign reading, "Jesus loves you and your baby. Let us help."

According to 2004 statistics from the National Center for Health Statistics, about 37 percent of pregnancies among black women end in abortion, compared with 12 percent for non-Hispanic white women and 19 percent for Hispanic women.

Aranda previously told LifeNews.com that the jury convicted Hoye despite a video tape the defense presented at trial showing that prosecution witnesses conjured up phantom patients whom Hoye had allegedly harassed.

The tape also showed that Hoye had not threatened two abortion facility escorts or its director, as had been alleged.

"This is a miscarriage of justice and we will appeal this verdict," Aranda said.

"After speaking with several jurors after the verdict was read, it is clear that the court's failure and outright refusal to instruct the jury regarding the key elements of the crime led to the erroneous conviction of Rev. Hoye," she added.

LLDF attorneys say the "clinic escorts" are upset by Hoye's presence and they surround him to impede his movement,

block his sign with large sheets of blank cardboard, and make raucous noise to drown out his quiet offers of assistance.

Because their actions didn't deter Hoye, the Oakland city council approved the new law. The penalty for illegally approaching a person to talk or hand out a leaflet is one year in jail and/or a \$2,000 fine.

At the pre-trial hearing, Hoye's LLDF attorneys cross-examined the victims.

The escorts admitted that Hoye never used force against them, threatened them, or blocked them. They proudly testified that they routinely block Hoye to prevent women from seeing his sign.

Related web sites:

Life Legal Defense Foundation - <http://www.lldf.org>

Printed from: <http://www.lifenews.com/state3877.html>

Copyright © 2003-2006 LifeNews.com. All rights reserved. For free daily/weekly pro-life news, email us at news@LifeNews.com.