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# Call on Congress and conscience

Walter B. Hoye II

I am a black clergyman who recently served time in jail for "prohibited harassment of individuals seeking access to health care facilities."

My offense, however, was not a crime before Jan. 15, 2008 (Martin Luther King's birthday) and is still not a crime 101 feet away from an abortion clinic.

You see, in Oakland, Calif., we have a law that redefines "harassment" in such a way that "education" or "counseling" people seeking access to, passage from or services within a reproductive health care facility (i.e., abortion clinic) in a "public way" or on a "sidewalk area" within 100 feet of the entrance of such a facility is a crime.

This new law redefines "counseling" as engaging in conversation with, displaying signs to and/or distributing literature to individuals seeking access to, passage from, or services within such a facility. The law has a "Mother may I" provision that requires the consent of a person seeking the facility's services to approach that person closer than eight feet.

The law does not apply to everyone. It allows for "protected classes," to include doctors, nurses, employees of a facility and even volunteers who have the facility's consent to escort patients into the abortion clinic.



On May 13, 2008, I was standing on a public sidewalk within 100 feet of an abortion clinic. I held a sign that proclaimed: "Jesus [God] loves you and your baby, let us help you." I also held literature sharing information about alternatives to abortion.

I said, "Good morning, may I talk to you about alternatives to the clinic" as I sought consent to speak with those seeking the services of an abortion clinic. And I was arrested, handcuffed and put into the back seat of a police car. Fortunately, all my actions were recorded on four hours of video.

While under oath, the abortion clinic escorts testified that they have never seen nor heard of me using force or threats of force or physically obstructing anyone from entering the clinic. One of the clinic escorts even testified that I was "nice" and that my voice was "so low" it "implied an intimacy that was reserved only for her husband."

Fortunately, our video impeached the testimony of the abortion clinic's executive director. Not one woman testified that I had, in any way, used force or threat of force or physically obstructed her from accessing the clinic.

In other words, there was no victim accusing me of anything. The only testimony against me came from the employees and the volunteers (i.e., the "protected class of citizenship" within the new law) of the abortion clinic.

Fortunately, while waiting to be sentenced, facing two years in jail and \$4,000 in fines, I was able to fly to the District to visit Rep. Barbara Lee, California Democrat and chairman of the Congressional Black Caucus. I hoped to share my story with her and secure her aid.

Specifically, I hoped caucus members would see the injustice of a black man being railroaded into jail for standing on a public sidewalk holding a sign, handing out literature and having a conversation on a public sidewalk in front of an abortion clinic.

I was hoping Ms. Lee and the caucus would be sensitive to the plight of a black man whose First Amendment rights were being horribly violated by white abortion clinic escorts, as recorded on those four hours of video. I also hoped Ms. Lee and her colleagues would fight for the life, liberty and happiness of black babies inside the wombs of their mothers.

I was hoping they already would know that a black baby is aborted every 72 seconds in this

country; that a black baby today has less than a 50-50 chance of being born; and that according to the 2006 U.S. Census, black Americans are no longer replacing themselves.

I was hoping they recognized that since 1973, abortion has eliminated more than 50 percent of black America, their own constituents, and that at this rate, the entire black community in the United States could be wiped out by the year 2100. I was hoping they understood that black American women alone accounted for 37 percent of all abortions in the United States.

I was hoping Ms. Lee and the caucus understood that abortion is not just another surgical or medical procedure that is hygienic and safe, but that abortion is an intrinsically evil act that gravely violates the dignity of an innocent human being by taking his or her life and gravely wounds the dignity of those who support it. It leaves those who commit it in profound psychological and moral trauma.

I was hoping Ms. Lee and the caucus saw that abortion is the lie that promises to improve the "quality of life" at the expense of life and that embracing abortion as a necessary social policy to guarantee life would result ultimately in the end of life. I hoped they would share my opinion that the road to prosperity is not paved by sacrificing our posterity.

I also hoped they were aware that Planned Parenthood's annual report in April showed a 5.3 percent rise in its abortion business and increased taxpayer funding. I hoped they would agree that forcing taxpayers to fund abortion (an elective procedure) was objectionable, that removing conscience protections from citizens who believed the overwhelming biological evidence for the humanity of the unborn child and that "momma was pregnant with child" was an abomination.

Apparently, I was hoping against hope itself.

Neither Ms. Lee nor the Congressional Black Caucus has responded to my request for help in rescuing the lives of women and unborn children.

Ultimately, I was convicted of two counts of prohibited harassment of individuals seeking access to health care facilities (i.e., abortion clinic) as I had stood on a public sidewalk, within 100 feet of an abortion clinic, holding a sign and literature and talking to people. For this I served 19 days in jail.

Today I no longer hope that Ms. Lee and the Congressional Black Caucus will respond to the cries

of unborn children and their mothers, who are suffering profound psychological and moral trauma from the prenatal murder of their own children. No.

Today I demand that Ms. Lee and the caucus respond to the cries of unborn children by electing to stop taking money from Planned Parenthood and hold hearings on the organization's targeting of minority communities.

Won't you join me?

*The Rev. Walter B. Hoyer II is founder and president of the Issues4Life Foundation.*

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