



Oakland Still Wants to Stop Pro-Life Pastor Walter Hoye From Protesting Abortion

by **Steven Ertelt**

LifeNews.com Editor

July 28, 2009

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

Oakland, CA (LifeNews.com) -- Prosecutors for the city of Oakland are trying again to stop pro-life African-American pastor Walter Hoye from providing women with abortion alternatives. Hoye had appeared outside the Family Planning Specialists abortion center until the city passed a law prohibiting him.

Hoye [was sent to jail](#) following his conviction on a local ordinance that targets the free speech rights of pro-life advocates and he returned to the abortion center in June.

Hoye has been ordered by a local judge to stay 100 yards away from the abortion center, but he says he plans to provide abortion alternatives information to women anyway.

In response, an Alameda County prosecutor went back to court hoping to convince the judge to order an injunction using the new Oakland law, implemented specifically to target Hoye, which puts a "bubble zone" in place within eight feet of women entering any local abortion business.

At a hearing Monday before Alameda County Superior Court Judge Stuart Hing, deputy district attorney Masanao Morimoto revealed he wants to ban Hoye for life from appearing at the abortion center.

While the initial motion asked for a three year probation for Hoye from helping women outside the abortion center, the new papers the district attorney filed with Hing on Monday asked for a permanent ban.

According to the California Catholic, the district attorney acknowledged that Hoye has appeared outside the abortion center without breaking the law.

The official claimed Hoye's offers of help to women considering abortion put them at emotional distress because "the activities [Hoye] would like to believe are benign can cause significant psychological distress to an individual seeking assistance with often difficult family planning issues."

Catherine Short of the Life Legal Defense Foundation, which is representing Hoye, talked with the Catholic newspaper about the case.

"The district attorney is now arguing the standard pro-abort line," she said. "They are arguing that Rev. Hoye should be banned from ever going to the clinic because his mere presence could upset some women. They have abandoned any pretense of 'seeking justice,' which is the prosecutor's duty. This is now blatantly ideological."

"The district attorney's office has spent and is spending an unprecedented amount of time and effort on this," Short said. "Nobody over there is sitting around with time on his hands, wondering what to do today. So the question is: who decided that keeping Rev. Hoye from offering help to women was more important than prosecuting other cases? And why?"

During the hearing, Judge Hing decided to split the case into two with one determining whether his court has jurisdiction to decide the case since the criminal matter against Hoye has concluded.

The second part will determine whether a permanent injunction is appropriate.

The district attorney told the court he will appeal any ruling against the position of the city in defending its free speech limits.

Meanwhile, Hoyer's appeal of his conviction and of the law itself is still pending.

Related web sites:

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

Printed from: <http://www.lifenews.com/state4313.html>

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