

Court OKs 'Bubble Law' Blocking Protests From Abortion Clinics

A federal appeals court upheld Oakland's so-called "bubble" law prohibiting protestors from coming within eight feet of abortion clinics or anyone entering abortion clinics.

The 9th Circuit Court of Appeals, however, ordered the city to revise its policing policy, saying the enforcement of the law is unconstitutional. The court said the city erred when it let supporters offer words of encouragement to women entering a clinic but banned opponents trying to dissuade patients from having abortions.

The Oakland City Council first created "medical safety zones" around abortion clinics in 2007.

The appeals court ordered a trial judge to help Oakland craft an enforcement policy that bars all advocacy, both for and against abortions, within the eight-foot bubble.

The unanimous three-judge panel's Thursday ruling was on a lawsuit filed against the city by the Rev. Walter Hoye, 52, of Union City, who calls himself a "sidewalk counselor."

Hoye has served time behind bars for violating abortion clinics' restraining orders and violating the bubble law. Hoye approached women as they tried to enter Family Planning Specialists Medical Group in Oakland.

Hoye unsuccessfully argued that the bubble law violates his right to free speech.

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