

PRESS RELEASE

THE CENTER FOR BIO-ETHICAL REFORM

January 14, 2010

LOS ANGELES COUNTY SCHOOLS AND SHERIFF'S DEPARTMENT FORCED TO PAY MORE THAN A QUARTER-MILLION DOLLARS IN CENTER FOR BIO-ETHICAL REFORM (CBR) ATTORNEY FEES

Pursuant to a unanimous ruling issued in favor of The Center For Bio-Ethical Reform (CBR) by the U.S. Court of Appeals for the Ninth Circuit, the Los Angeles County Sheriff's Department, several of its deputies, and a middle school official in the Los Angeles County School District were forced to pay \$260,000 in costs and fees for infringing on CBR's constitutional right to demonstrate with graphic abortion images on the public streets in California. CBR attorneys at The Thomas More Law Center yesterday announced the processing of the Los Angeles County attorney fee award payment.

In deciding this appeal, the Ninth Circuit ruled that, "There is . . . no precedent for a 'minor' exception to the prohibition on banning speech because of listeners' reaction to its content. It would therefore be an unprecedented departure from bedrock First Amendment principles to allow the government to restrict speech based on listener reaction simply because the listeners are children."

Not content to mislead its students by covering-up the horror of abortion in the classroom, Los Angeles County tried to extend their cover-up to the public streets outside the classroom.

Ironically, while the Los Angeles County schools were wasting taxpayer money interfering with CBR's First Amendment right to expose the horror of abortion, *The Los Angeles Times* yesterday reported a story headlined, "L.A. schools paid \$200 million more in salaries than budgeted" with a sub-headline which read "The payments occurred despite the layoffs of 2,000 teachers and hundreds of other employees."

Ironically, while the Los Angeles County Sheriff's Department was wasting taxpayer money interfering with CBR's First Amendment right to expose the horror of abortion, NBCLosAngeles.com yesterday reported a story headlined, "County Budget: A Crisis of Gargantuan Proportions."

Ironically, while the Los Angeles County Schools argue that its students are old enough to obtain abortion without parental consent, school officials argue that its students are not old enough to see abortions without parental consent.

Ironically, while the Los Angeles County Schools are supposed to be teaching students to respect the Constitution, school officials are being rebuked by the Federal Appeals Courts for flagrantly violating CBR's constitutional rights.

Ironically, while the Los Angeles County Sheriff's Department is sworn to uphold and defend the Constitution, Sheriff's deputies are being rebuked by the Federal Appeals Courts for flagrantly violating CBR's constitutional rights.

In addition to CBR being threatened with arrest for showing students the truth about abortion, CBR volunteer James Pullion was recently shot and killed for showing students abortion photos outside a public school in Michigan. CBR is serving notice on would-be shooters that we are contracting with licensed, armed, security personnel who will protect our staff while displaying abortion photos in public.

CBR is also serving notice on law enforcement departments and other agencies of government which attempt to intimidate us with improper threats of arrest, that such abuses will result in CBR lawsuits which you will lose, along with the loss of hundreds of thousands in wasted tax dollars.

For interviews or further statements contact:

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Please see The Thomas More Center announcement on the following page:



January 14, 2010

Gregg Cunningham
Center for Bio-Ethical Reform, Inc.
P.O. Box 219
Lake Forest, California 92609

Re: *Center for Bio-Ethical Reform, Inc. et al. v. Los Angeles County Sheriff's Department, et al.*

Dear Gregg:

Congratulations on yet another great legal victory for the pro-life cause. As always, it was a pleasure representing CBR in this case.

The unanimous ruling issued in your favor by the U.S. Court of Appeals for the Ninth Circuit, the most liberal court in the United States, should send a clear message to law enforcement officers, government officials, and abortion supporters across the country that they should not tread on CBR. As a result of this precedent-setting ruling, the offenders in this case—the Los Angeles County Sheriff's Department, several of its deputies, and a middle school official in the Los Angeles County School District—paid \$260,000 in costs and fees for infringing your constitutional right to demonstrate with graphic abortion images on the public streets in California. If the Constitution is not sufficient to deter would-be offenders from interfering with your First Amendment activities, then perhaps the incredible cost of doing so will.

In its unanimous decision *reversing* the district court's adverse ruling, the Ninth Circuit held that the order from the deputies and the school official that your vehicles displaying graphic images leave the area around the Dodson Middle School violated your First Amendment rights. In reaching this conclusion, the Ninth Circuit had this to say about the often invoked argument that CBR's abortion photos should be suppressed because they are too disturbing to minors: "There is . . . no precedent for a 'minor' exception to the prohibition on banning speech because of listeners' reaction to its content. It would therefore be an unprecedented departure from bedrock First Amendment principles to allow the government to restrict speech based on listener reaction simply because the listeners are children."

In addition to prevailing on the freedom of speech claim, the Ninth Circuit also ruled in CBR's favor on its Fourth Amendment seizure claim. Specifically, the court held that the deputy sheriffs violated CBR's and its volunteers' right to be free from unreasonable seizures by detaining them at the scene for seventy-five minutes while the officers tried to determine which law they would cite to force CBR to leave the area.

In the final analysis, this is a great victory for CBR, pro-life demonstrators, and the U.S. Constitution. The lesson learned from this is simple and straightforward: If government officials want to side with abortion supporters to silence your speech, they will pay dearly for doing so.

In conclusion, please know that your efforts are not only helping to shape public opinion against abortion, they are helping to shape the law in ways that protect those who publicly oppose abortion. This is critical in light of the culture of death that the current administration is creating with its unprecedented pro-abortion policies.

Keep up the fight for life!

Sincerely,

THOMAS MORE LAW CENTER



Robert J. Muise