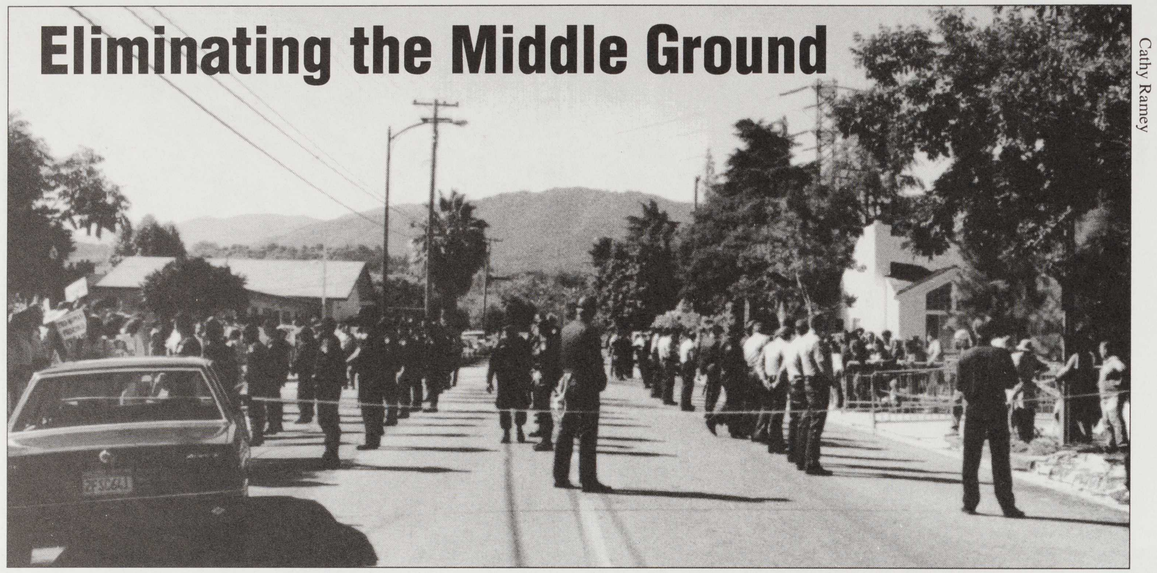
Eliminating the Middle Ground



Cathy Ramey

by Cathy Ramey

Set to coincide with ORN's Cities of Refuge campaign, city, county and state law-makers across the country invested heavily in a campaign of their own, this one to eliminate any public debate over killing children.

From Philadelphia to Mississippi, from Cleveland to Dallas, in every city threatened by the national campaign to expose abortionists, and even in cities where no threat existed, laws have been created in order to intimidate pro-lifers from engaging in protest activity. Chanting pro-death rhetoric, elected officials have trimmed free speech rights in order to placate the baby-killing lobby that pays so well. We'll look at California as a prime example of how far the liberal abortion-lovers will go in order to squash public debate on the right to kill.

While the city of San Jose was ORN's target city for west coast activists, the entire state of California responded to the notion of an increase in public protest by implementing draconian laws which even pro-abortion zealots assume will be over-turned. The integrity of the laws under question are secondary to stopping the debate over killing. Concerns that bad law will eventually effect even the most prized and liberal of causes (except for child-killing} were dismissed in the stampede to "Stop Operation Rescue."

In May, the city of Santa Barbara crafted its own "bubble zone" ordinance. Persons opposed to abortion were prohibited from going within 100 feet from mill entrances, within eight feet of a driveway leading into an abortuary, and within eight feet from a suspected abortuary clients. The zone, which clearly seeks only to eliminate picketing, leafleting and sidewalk counseling at abortion facilities includes the claim that the law applies to "places of worship" too. The addendum was added in order to give the law a veneer of legality for those concerned about selective prosecution of persons opposed to abortion.

Between June 18 and July 3 twelve pro-life sidewalk counselors were arrested for distributing literature around a Santa Barbara Planned Parenthood. All were cited with infraction offenses and fined something over $100.00 apiece. However, police who were called to a church after the ordinance was inacted simply drove by without even approaching the anti-God demonstrators who were violating the new law and harassing church-goers.

On the state level, there is Assembly Bill 600. AB 600 would "make it a crime" to block access to mills, as though there are not already other laws under which California pro-lifers have been penalized. Under AB 600 there has been an effort to shift California civil code definitions to allow for "individual privacy" so that pro-life defendants arrested under the law would lose the constitutional right to be confronted with their accusers. Abortion profiteers and zealots who file complaints would be given pseudonyms to protect their identity and privacy.

In addition, the law specifies that the defendant may be found guilty under AB 600 if he has been guilty of "expressing malice," "fraud," or "oppression." A final codicil stating that the law "shall not be construed to impair any constitutionally protected activity" makes something of a mockery out of the constitution in general. The law in that form is seen as vague and only subjectively enforceable.

In San Jose and the surrounding environs, there is also a "bubble zone" law, this one crafted to prevent neighborhood picketing of those who kill babies for a living. Part of the ORN campaign after all was specifically to educate in residential areas. The theory that would lead an activist into a neighborhood is that many abortionists hide under the respectability of a medical title. Those who live nearby often are completely unaware that the so-called "doctor" makes a living by destroying other people.

San Jose's own particular bubble zone fetish means that demonstrations may not occur — without risking arrest — less than 300 feet from the killer's home. In a court challenge, asking for a restraining order to prevent the law from being enforced until its legality can be fully established (something that quite likely won't happen), Judge Jeremy Fogel declined to render his decision in open court. He later ruled against ORN's request for a restraining order.

A similar law against neighborhood picketing was rejected in Sacramento after liberals and labor union officials claimed the ordinance would also limit their free speech.

Not to be outdone by Santa Barbara or the State, San Jose has also implemented the eight foot zone around mothers who are paying to have a child killed. Sidewalk counselors are restrained from getting information to them which might encourage a change of heart. Only days after the Cities of Refuge project began, fifteen picketers were arrested for demonstrating outside the home of a California killer. ■

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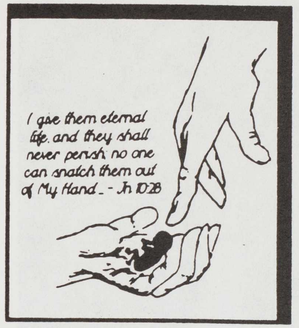

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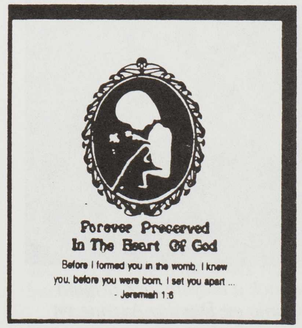

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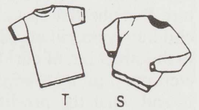

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