

California Pro-Life Centers Score Victory Over Forced-Speech Law

A California state trial court issued a permanent injunction on Monday in *The Scharpen Foundation vs. Kamala Harris* against California's AB775, which imposes onerous notification and disclosure requirements on pro-life crisis pregnancy centers. Under this law, pro-life pregnancy centers are required to conspicuously post a message alerting all who enter that California offers free and low-cost abortions with a local phone number for more information. The Scharpen Foundation is represented by Bob Tyler.

All licensed and unlicensed pregnancy counseling centers in the state are required to post the following government-prescribed message in their facilities and in their online advertising or be fined \$500 for the first violation and \$1,000 for each additional violation:

"California has public programs that provide immediate free or low-cost access to comprehensive family planning services (including all FDA-approved methods of contraception), prenatal care and abortion for eligible women ..."

In Monday's decision, the Riverside County Superior Court permanently halted enforcement of the law, finding that it violates the right to free speech under the California state Constitution. This means that unless the decision is appealed and overturned, pro-life pregnancy centers do not have to comply with the unconstitutional law that forced them to speak a state-mandated message about abortion that is antithetical to their religious beliefs.

Liberty Counsel has challenged AB775 in federal court on behalf of three faith-based, pro-life pregnancy centers on the

grounds that the law violates the U.S. Constitution's guarantees of freedom of speech and free exercise of religion in the First Amendment. In that case, a federal district court judge and a three-judge panel of the Ninth Circuit Court of Appeals denied Liberty Counsel's request for a preliminary injunction, finding that it was not likely that the law violates the First Amendment. Liberty Counsel has asked the United States Supreme Court to review the case, and Liberty Counsel's petition is scheduled to be considered by the justices on November 9, 2017.

"To force pro-life crisis pregnancy centers to promote abortion is abhorrent," said Mat Staver, Founder and Chairman of Liberty Counsel. "This kind of government coercive speech is exactly what the First Amendment was designed to guard against. To force a pro-life speaker to encourage death to innocent children is inconceivable. It is refreshing to see a court reach a correct conclusion that goes to the heart of free-speech protections." {eo}

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