

Faith-Based Pregnancy Centers Launch Legal Assault on Forced Abortion Speech Law

Liberty Counsel is filing a petition to the U.S. Supreme Court on behalf of three California faith-based, crisis pregnancy centers that are forced to advertise an offer of “immediate free or low-cost ...abortion” to their clients according to state law. This law forces Liberty Counsel’s clients to speak a message that is profoundly at odds with their religious beliefs and directly contradicts what they actually want to say.

This law, which was co-sponsored by the National Abortion Rights Action League (NARAL), demands unlicensed crisis pregnancy centers post a notice advertising abortions and abortifacients in 48 size font (which covers two 8.5” x 11” pages) in each language required (up to 11 languages and 22 pages) at both the entrance to their clinic and a visible location within the waiting area. In addition, it also must be included on their websites and in every promotional material they publish with a font size and/or color that draws more attention to it than the other words on the page. The required notice reads:

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.

Furthermore, the law charges a cumulative fine of \$1,000 for every repeated instance that the notice is not communicated to a client. This law sabotages freedom of speech by forcing organizations to encourage actions that are in direct opposition to their religious beliefs and counter the mission

and purpose of their organizations.

“This law is like forcing the Sierra Club to advocate for oil spills or demanding St. Jude expose their patients to lead poisoning,” said Mat Staver, Founder and Chairman of Liberty Counsel. “However, this law is actually much more repulsive. While those situations might cause unintended harm, abortion is intended—even specifically designed—to kill. The organizations we represent believe that unborn children are human beings who are much more sensitive to pain. These children deserve life and the opportunity to pursue happiness. It is the deepest over reach of the local government to demand that someone participate in murder by promoting the opposite of what they believe to vulnerable mothers who are facing a life altering decision. This government overreach should shake every freedom-loving person to the core,” Staver said.

Surprisingly, the law provides an exemption for clinics that already sell more expensive abortion services. They are not required to advertise this free or low-cost option. Its sponsors either believe naïvely that employees will advertise direct competition to their company’s financial gain or they wish to give greater protections for a company’s bottom line than for a person’s constitutionally guaranteed freedoms.

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