

Liberty Counsel Challenges Outlandish Speech Buffer Zone

Liberty Counsel filed an amicus brief in *Bruni v. Pittsburgh* in the Third Circuit Court of Appeals regarding sidewalk counselors who are challenging an anti-speech abortion facility buffer zone regulation in the City of Pittsburgh.

The brief was filed on behalf of Liberty Counsel clients Colleen Reilly and Becky Biter who have regularly engaged in peaceful sidewalk counseling in Harrisburg, Pennsylvania, to encourage women to protect the life of their unborn children. Reilly and Biter are also challenging an anti-speech abortion facility buffer zone regulation in the City of Harrisburg.

The Harrisburg buffer zone prohibits pro-life speech on public sidewalks up to 70 feet outside a Planned Parenthood abortion center. The ordinance was drafted by Planned Parenthood and passed without any debate or serious discussion by Planned Parenthood's pro-abortion allies on the Harrisburg City Council.

Because Harrisburg is also in the Third Circuit, Reilly and Biter's amicus brief addresses issues in the *Bruni* appeal that are common to both cases, to ensure that the court is well-informed on this unconstitutional violation of free speech. The trial court's ruling in *Bruni*, which upheld the Pittsburgh buffer zone, is wrong. It ignores Supreme Court rulings regarding the need to protect free speech activities on streets and sidewalks by requiring that regulations such as these be rigorously reviewed and be very narrowly drafted.

The *Bruni* trial court's ruling reflects a longstanding and widespread error of assigning abortion a status that trumps other rights, including free speech and freedom of religion.

For example, the brief states, "When is speaking and

leafletting, the quintessential activity protected by the First Amendment, conducted in the quintessential public forum of a public sidewalk not entitled to the most robust First Amendment protection available? According to the district court, when that leafletting and speaking on a public sidewalk involves telling women that there are alternatives to abortion for an unplanned pregnancy. In that case, the court essentially says, the preeminent right of freedom of speech must yield to the even more pre-eminent right of abortion.”

“The City of Pittsburgh has a constitutional mandate to protect the free speech rights of all people in its jurisdiction, and it has no authority to discriminate on the basis of pro-life viewpoints,” said Mat Staver, Founder and Chairman of Liberty Counsel. “Public sidewalks and parks have always been protected as places where people can gather to participate in the marketplace of ideas.

“The city blatantly ignored the First Amendment to appease the abortion industry by trying to silence all pro-life speech. Abandoning core constitutional requirements represents a dangerous precedent and cannot survive decades of First Amendment law.” {eo}

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