

Christian Preacher Scores Big Win for Religious Liberty

The Supreme Court gave Christian street preacher Gabriel Olivier of Mississippi the green light to proceed with a federal lawsuit after he was arrested for violating a city ordinance preventing him from ministering outside a public amphitheater.

This is a massive win for advocates of the First Amendment and religious liberty.

The 9-0 opinion, announced Friday, was authored by Justice Elena Kagan, an appointee of former Democratic President Barack Obama.

A unanimous opinion about religious freedom, written by a liberal justice? That should tell you everything.

In a world where the tentacles of partisan politics constantly creep into America's courtrooms, this is a surprising outcome.

Olivier was arrested back in 2021 in Brandon, Mississippi, for preaching about his religious beliefs outside the city's amphitheater during a scheduled event, according to Kagan's opinion.

The ordinance requires groups that are engaging in "protests" or "demonstrations" to remain in designated areas.



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He pleaded no contest in municipal court, was fined \$304 fine, and received one year of probation.

In addition, he was instructed that he would be imprisoned for

10 days if he violated the ordinance during his probationary period. Olivier chose not to appeal, paid the fine, and served no prison time.

He still wanted to preach near the amphitheater, however, so he filed suit against the city in federal court, claiming his First Amendment rights were being trampled.

The preacher also wanted a legal declaration stating the ordinance is unconstitutional and sought an injunction against the city to prevent it from ever enforcing the measure again.

Olivier did not seek financial compensation and did not ask for his prior conviction to be overturned. Lower courts dismissed his case, citing Supreme Court precedent from the 1994 case of *Heck v. Humphrey*.

Kagan's opinion reversed that ruling, however, and held that this precedent does not apply because Olivier is not attempting to reverse his conviction, obtain any financial damages, or secure release from prison.

"Heck's purpose is to prevent improper collateral attacks on criminal judgments through civil suits, but prospective injunctions pose no such risk," *Just The News* reported.

"The ruling resolves a circuit split and preserves federal court access for constitutional challenges focused on preventing future enforcement of allegedly unlawful laws," the article continued. "The case now returns to lower courts to consider the merits of Olivier's First Amendment claim."

Olivier gave a statement following the ruling, saying that people with "deeply held Christian religious beliefs" who are called to preach the Gospel are now free to do so in the public square, according to *The Hill*.

"My goal from the beginning was to be granted my rights as an American citizen under our great Constitution," he proclaimed.

Though Olivier is not guaranteed to win his lawsuit, this was an important signal from the high court.

It showed that no matter how divided the justices might be on certain issues, First Amendment questions are always entitled to a thorough examination and must be strictly scrutinized to protect the rights of U.S. citizens.

There's a reason why America's Founders tackled freedom of religion, speech, press, assembly, and petition as top priorities in the Bill of Rights.

They are the most important elements in building a successful, civil, and free society. They are also the foundation of true liberty.

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