

David Benham Sues City of Charlotte After Arrest Outside Abortion Clinic

David Benham and other pro-life advocates are suing the city of Charlotte after what they consider an unlawful arrest outside an abortion clinic.

A video posted on the Benham Brothers' Facebook page shows the police telling Benham to leave and arresting him when he refused to comply.

"We are within our rights to be here," Benham told the officers.

Benham was arrested April 4 when he and other sidewalk counselors with Cities4Life and Love Life Charlotte were ministering outside A Preferred Women's Health Center on Latrobe Drive. He was released later that day.

Police reportedly arrested a total of eight pro-life advocates for violating North Carolina's ban on mass gatherings. In a statement, police said around 50 protesters gathered outside the abortion clinic, violating the stay-at-home order. Officers asked all those gathered to leave, 12 of whom refused.

But Benham claims the group was not violating any orders.

"Many have labeled him a fake Christian and claimed that he was endangering lives by being out today," the Benham Brothers' Facebook post reads. "This couldn't be further from the truth. David practiced social distancing and exercised every necessary precaution in light of COVID-19. Thank you for all the prayer and support so far."

After the arrest, Sen. Ted Cruz came to Benham's defense,

saying:

"My friend David Benham was unconstitutionally arrested today in NC for peacefully providing pregnancy counseling outside an abortion clinic. If NC deems abortion 'essential,' then pregnancy care services are as well. This is WRONG; Governor Cooper should be ashamed. ... This is an unconstitutional arrest. @BenhamBrothers exercising core First Amendment rights. PEACEFULLY. In a way fully consistent w/ public safety. Because elected Dems are pro-abortion, they are abusing their power—in a one-sided way—to silence pregnancy counselors."

Benham, president and chairman of Cities4Life, says in the lawsuit against Charlotte that the pro-life group that day adhered to social distancing guidelines. They even marked 6 feet with chalk on the sidewalk so as to ensure they maintained proper distance.

Meanwhile, he says in the lawsuit, the abortion clinic violated the state's COVID-19 guidelines.

"While the abortion clinic began filling up with clients and numerous people roamed the parks and sidewalks for recreation and exercise, government officials targeted the selfless individuals from Cities4Life and Love Life, who were praying on the sidewalk, maintaining a safe distance from one-another and others, and helping women interested in the important charitable services they offered," he says.