

DC Court Vindicates Pro-Life Advocates' Opposition to Planned Parenthood's Outreach to School Children

Pro-life advocates in the nation's capital have been vindicated by the D.C. Court of Appeals, which unanimously ruled in their favor yesterday in a lawsuit brought by a public charter school that took offense at the group's campaign to stop a Planned Parenthood from opening next door.

Stephen Crampton, senior counsel for Thomas More Society and lead counsel in the case, said: "This is a tremendous victory, not only for Ruby Nicdao, but for all who face persecution for sharing their viewpoint and speaking truth to an unsympathetic audience."

"However, even though this was a baseless lawsuit, it still took seven years to win," he continued. "During those seven years, Ruby and other innocent pro-life advocates had to carry on with a dark cloud of suspicion following them everywhere they went. It should not have taken so long to exonerate Ruby and her cohorts."

Two Rivers Public Charter School and its board of trustees filed suit in December 2015 alleging harassment and intimidation of students and seeking to have the group prohibited from its efforts against the abortion giant. Thomas More Society attorneys stepped in to defend the First Amendment rights of Ruby Nicdao, a longtime pro-life activist seeking to educate the community, including parents, about Planned Parenthood's plans to erect an abortion mega-facility in the shadow of their children's school.

"Ruby and other life advocates were concerned that parents

were unaware of the mammoth 26,000 square foot abortion facility being constructed right next to and across the street from their children's schools," Crampton explained. "Planned Parenthood of Metropolitan Washington, D.C., was going to be performing abortions mere yards from these elementary and middle school students, one serving children as young as 3 years old," he said. "When Ruby and others peacefully attempted to pass out literature and speak to parents, they were met with harassment and much hostility, which led the school—not Planned Parenthood—to sue, purportedly on behalf of the parents and students as well as on behalf of the school itself."

Nicdao and others filed a motion to dismiss, arguing that the case was a thinly disguised effort to censor their pro-life message. The Superior Court denied the motion, but a three-judge panel at District of Columbia Court of Appeals reversed, finding that the school had no standing to sue for the claimed "intentional infliction of emotional distress" of parents and children and that it was not likely to succeed on claims of private nuisance and conspiracy to create a private nuisance.

"Rather than protect students from Planned Parenthood's propaganda and access to abortion, Two Rivers attacked Ruby and others who were only trying to share truth and truly protect these innocent students," Crampton added. "Parents should take note of whose interests these public schools are really seeking to serve." {eo}

Read the decision issued June 9, 2022, in the District of Columbia Court of Appeals by Associate Judge Stephen Glickman, and Senior Judges Eric Washington and John Fisher in *Nicdao, et al. v. Two Rivers Public Charter School, Inc.* here.

The Thomas More Society is a national not-for-profit law firm dedicated to restoring respect in law for life, family, religious liberty and election integrity. Headquartered in Chicago and with offices across the country, the Thomas More

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