

Supreme Court Makes Major Move in Street Preacher Case—What It Means for Free Speech

The Supreme Court moved to allow a Mississippi street preacher's First Amendment claim to proceed.

Justice Elena Kagan wrote for the unanimous opinion, "Given that Olivier asked for only a forward-looking remedy—an injunction stopping officials from enforcing the city ordinance in the future—his suit can proceed, notwithstanding his prior conviction."

"Olivier seeks neither the reversal of, nor compensation for, his prior conviction," Kagan wrote. "And Olivier has since made clear that he has no interest in using a favorable judgment in this suit to later get his record expunged or avoid his conviction's collateral effects. The suit is just meant to ensure that Olivier may return to the amphitheater to speak without fear of further punishment."



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Oliver's street preaching was silenced after Brandon, Missouri, implemented an ordinance preventing him from sharing his beliefs with others at a city park. After moving closer to crowds, violating the designated protest area boundaries, he was arrested.

"This is not only a win for the right to share your faith in public, but also a win for every American's right to have their day in court when their First Amendment rights are violated," said First Liberty Institute CEO Kelly Shackelford.

Oliver said in a statement that his “goal from the beginning was to be granted my rights as an American citizen under our great Constitution. Now all people with deeply held Christian religious beliefs who are called to share the good news can do so in the public arena.”

Lower courts dismissed Oliver’s case, a decision that was affirmed by the U.S. Court of Appeals for the Fifth Circuit. The Supreme Court’s move now aims to rectify the prior rulings.

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