

African American Pastor Sent to Jail for Offering Abortion Alternatives on Public Sidewalk

On March 20 the Rev. Walter Hoyer of Berkeley, Calif., was ordered to serve 30 days in county jail by Judge Stuart Hing of the Alameda Superior Court. The Rev. Hoyer had been found guilty on Jan. 15, of unlawfully approaching two persons entering an abortion clinic in Oakland. Judge Hing had also ordered him to stay one hundred yards away from the abortion clinic for three years. However, Hoyer refused this term of probation and would not agree to a stay-away order. Therefore, the judge denied the defense motion to stay the sentence pending appeal. Hoyer was taken into custody from the courtroom.

At a hearing on Feb. 19, Judge Hing stated that he had not intended to impose any fine or jail time on Hoyer if he would agree to stay away from the abortion clinic. After Hoyer refused to agree not to offer alternatives to abortion-minded women, Judge Hing imposed a 30-day sentence and \$1,130 fine.

Dozens in the African-American and pro-life communities from around the nation who came out in support of Hoyer were outraged by the sentence. The consensus of these leaders is that it was a travesty that Rev. Hoyer was found guilty in the first place for standing in the gap for black children targeted by the abortion industry.

"It is absolutely incredible that in America an individual can be sentenced to jail for engaging in peaceful free speech activity on a public sidewalk," remarked Allison Aranda, Staff Counsel for Life Legal Defense Foundation. Aranda further

stated, "Rev. Hoyer is being singled out for particularly harsh punishment because he refused to agree not to offer help to women considering abortion. Where is the justice in that?"

Hoyer is an African-American pastor who feels a special calling to work for the end of the genocide-by-abortion taking place in the African-American community. As part of his efforts, he stands in front of an abortion clinic in Oakland with leaflets offering abortion alternatives and a sign reading, "Jesus loves you and your baby. Let us help." In response, the Oakland City Council passed an ordinance making it a crime to approach persons entering abortion clinics to offer alternatives to abortion. Approaching women to encourage them to enter the clinic is permitted, according to City policy.

According to 2004 statistics from the National Center for Health Statistics, about 37 percent of pregnancies of black women end in abortion, compared with 12 percent for non-Hispanic white women and 19 percent for Hispanic women.

LLDF Legal Director Catherine Short and attorney Mike Millen, who also represented Hoyer at trial, are currently challenging the constitutionality of the ordinance on Hoyer's behalf in federal court. They are hopeful the ordinance will be struck down and Hoyer vindicated.