

BREAKING NEWS: Federal Court strikes down Baltimore pregnancy center sign law

Major news out of Baltimore. A federal court just struck down a Baltimore law that required the posting of specific signs at pro-life pregnancy centers .

Here's a clip from a story I just finished for The Catholic Review:

U.S. District Court Judge Marvin J. Garbis ruled Jan. 28 in Baltimore that it is unconstitutional to require pro-life pregnancy centers to post signs with language mandated by the government.

The ruling was a major victory for the Archdiocese of Baltimore, which had challenged a Baltimore City law passed in 2009 requiring the posting of signs at pro-life pregnancy centers stating that they do not provide abortion and birth control.

The archdiocese argued that such signs were a violation of First Amendment rights and that the law unfairly targeted pro-life pregnancy centers while no such signs were required of pro-choice centers indicating which services they don't provide.

"The Court holds that the Ordinance violates the Freedom of Speech Clause of Article I of the Constitution of the United States and is unenforceable," Judge Garbis wrote. "Whether a provider of pregnancy-related services is 'pro-life' or 'pro-choice,' it is for the provider – not the government – to decide when and how to discuss abortion and birth-control methods."

Judge Garbis said the government cannot, consistent with the First Amendment, "require a 'pro life' pregnancy-related service center to post a sign as would be required by the Ordinance."

Archbishop Edwin F. O'Brien, who had actively campaigned against the law when

it was being considered by the Baltimore City Council, called the ruling a “clear victory both for pregnant women in need of assistance and for First Amendment principles we treasure in a free society.”

In a written statement following the ruling, the archbishop said crisis pregnancy centers were an “integral part” of the archdiocese’s efforts to help women looking for help carrying their babies to term.

“In Baltimore, these centers assist thousands of women every year who are trying to embrace the gift of life in their unborn children,” Archbishop O’Brien said. “And this ruling allows the important and compassionate work of these pro-life pregnancy centers to continue without interference from Baltimore City which sought to target these centers because they are pro-life.”

The archbishop added that “The ruling also upholds the constitutional rights under the First Amendment that protect private citizens such as those who work and volunteer in pregnancy centers from having to convey a government-mandated message.”

David W. Kinkopf, an attorney with Gallagher, Evelius and Jones who represented Archbishop O’Brien at an Aug. 4 hearing in Baltimore on the issue, said the ruling was a “great victory” for pro-life pregnancy centers and the Freedom of Speech.

Kinkopf noted that the ruling holds that because the city was regulating “core-protected speech” and not merely “commercial speech,” there was heightened scrutiny under the First Amendment.

“We think the judge got it right when he basically said there’s no place for the government to single specific speakers out for unfair speech regulation,” Kinkopf said. “The kind of speech these pregnancy centers are engaged in is not commercial speech -it’s deeply personal, moral and very important speech that deserves the full protection of the First Amendment.”

Click [here](#) to read the rest. The Catholic Review will have much more on this story.