

Federal court to hear appeal on pregnancy center ruling

(Courtesy Archdiocese of Baltimore)

A three-judge panel of the U.S. Court of Appeals for the Fourth Circuit will hear oral arguments in Richmond, Va., on March 23, in the appeal of a lower court's ruling in the case of Archbishop Edwin F. O'Brien and the Greater Baltimore Center for Pregnancy Concerns, Inc. (GBCPC) v. Baltimore City. The lawsuit stems from a Baltimore City Ordinance passed by Baltimore City Council in November 2009 that sought to require city-based pro-life pregnancy centers to post a sign stating the centers do not provide or refer for abortions or birth control.

In January 2011, a U.S. District Court in Baltimore ruled in favor of Archbishop O'Brien and GBCPC, finding that the Baltimore City ordinance violated the pro-life pregnancy centers' first amendment rights by requiring the posting of the sign.

Both sides will have 20 minutes to argue their case Friday.

The centers, which provide material and counseling support to women in crisis pregnancies, are independently located throughout the Baltimore metro area, including at St. Brigid's Catholic Church in Canton.

At the time of the filing of the original lawsuit, Archbishop O'Brien called the Ordinance "a clear violation of these centers' constitutional rights to free speech and their free exercise of religion. It is based on their moral and religious beliefs that these centers do not provide or refer for abortions."

The U.S. District Court also agreed with the argument that the City Ordinance improperly discriminated based on viewpoint, since the Ordinance applies only to pro-life pregnancy centers and not to facilities that provide abortion services.

This will be the first appellate court in the country to rule on the free speech issues raised by local ordinances that require pro-life pregnancy centers to post government signs in their lobbies.

The Center for Pregnancy Concerns provides free services to 1,000 pregnant women in Baltimore City annually, and handles approximately 8,000 calls to their 24-hour hotline.