No. 17-689

In the Supreme Court of the United States

ANDREW MARCH,

Petitioner,

v.

JANET T. MILLS, Individually and in Her Official Capacity as Attorney General of Maine, *et al.*,

Respondents.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the First Circuit

BRIEF OF THE JUSTICE FOUNDATION AND OPERATION OUTCRY AS *AMICI CURIAE* SUPPORTING PETITIONER

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QUESTION PRESENTED

The question presented by the Petition is:

Does a noise provision that restricts speech based on the purpose the speaker has in making the noise constitute a content-based restriction on speech under this Court's ruling in *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (2015)?

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STATEMENT OF IDENTITY AND INTERESTS OF THE *AMICI CURIAE*

Pursuant to Supreme Court Rule 37, *Amici Curiae*, the Justice Foundation and Operation Outcry, respectfully submit this brief. *Amici Curiae* urge this Court to protect the free speech guarantees enshrined in the First Amendment of the United States Constitution.[1]

The Justice Foundation is a non-profit organization, founded by Allan Parker and others, to protect the fundamental freedoms and rights essential to preserve American society. The Justice Foundation advocates for the protection of women's health, represents clients on a *pro bono* basis, litigates cases, and provides education. The Justice Foundation serves at the forefront of protecting women from unsafe abortion practices and providing women with a voice. This Court has previously cited the Justice Foundation's *Amicus Curiae* Brief of Sandra Cano, who is also known as "Doe" of *Doe v. Bolton,* 410 U.S. 179 (1973). *See, e.g., Gonzales v. Carhart*, 550 U.S. 124, 129 (2007). A full description of its landmark cases and mission

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[1] Petitioner granted blanket consent for the filing of *amicus curiae* briefs. *Amici Curiae* obtained consent from all Respondents for the filing of this brief. Pursuant to Rule 37(a), *Amici curiae* provided 10-days' notice of their intent to file this brief to all counsel. *Amici curiae* further state that no counsel for any party authored this brief in whole or in part, and no counsel or party made a monetary contribution intended to fund the preparation or submission of this brief. No person other than *Amici curiae*, its members, or its counsel made a monetary contribution to the preparation or submission of this brief.

can be found at http://thejusticefoundation.org, last visited Dec. 8, 2017.

Operation Outcry is a project of the Justice Foundation. Operation Outcry, led by Cindy Collins, exists to expose the truth about abortion and the pain women experience caused by abortion. Operation Outcry has collected over 4,500 legally admissible written testimonies of women hurt by abortion. *Amici Curiae* attach a sampling of these powerful testimonies as an appendix to this brief.

Amici Curiae hold special knowledge helpful to this Court on matters pertaining to sidewalk counseling, abortion, and post-abortive women derived from firsthand knowledge, their discussions and testimonies with post-abortive women, and their extensive involvement with educating the public and protecting the health of women and their unborn children. The women of Operation Outcry testify that they would have benefited greatly if a sidewalk counselor had been available to help them by presenting them with resources, information, and options other than abortion. More information about Operation Outcry can be found at http://www.operationoutcry.org, last visited Dec. 8, 2017.[2]

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[2] The Justice Foundation is involved in the drafting and circulating of a petition, spearheaded by Melinda Thybault and the Moral Outcry, to declare abortion a crime against humanity. As of October 3, 2017, the Petition has garnered 57,725 signatures. *See* https://www.dropbox.com/s/pnyaaec4rkkhbfb/Appendix%20to%20TMO%20Petition.pdf?dl=0, last visited Dec. 8, 2017.

Amici Curiae, the Justice Foundation and Operation Outcry, have a strong interest in preserving free speech. *Amici Curiae* oppose the opinion of the First Circuit Court of Appeals because it unlawfully violates the constitutionally protected rights of Petitioner Andrew March, and the protected rights of all pro-life individuals across the country to act, speak, and live out their ministries to provide options and counseling for women seeking abortion. *Amici Curiae* believe that the First Circuit Court of Appeals has incorrectly truncated the protections of the First Amendment to eliminate pro-life speech on the public sidewalks near abortion clinics based on its content and viewpoint.

BACKGROUND

The case presents a facial challenge to the Maine Civil Rights Act that prohibits "intentionally making noise that can be heard within a building and with the further intent . . . [t]o interfere with the safe and effective delivery of [health] services within the building." 5 M.R.S. § 4684-B(2)(D).

The lower court described the Maine Civil Rights Act as,

> prohibiting all loud, raucous, or unreasonably disturbing noise outside of facilities providing medical care[,] . . . prohibit[ing] all noise made within a certain proximity to such facilities that has the effect of disrupting the safe and effective delivery of health care[,] . . . [or] limit[ing] all noise outside of buildings offering health services if the noise exceeds a certain decibel level.

App. at 11. The statute hinges on the intent articulated by the speaker's message and whether that message disturbs or protests against the activities or other services performed within a building.

As the District Court stated,

> Outside a health care facility that performs abortions, a pro-life protester's activity would be treated differently under the [Maine Civil Rights Acts] than a pro-choice protester's activity. Conversely, outside a crisis pregnancy counseling center, a pro-choice protester's noise would be treated differently than a pro-life protester's noise. The difference in treatment is based on the message expressed.

App. 72.

Consequently, that disparate treatment, unavoidable pursuant to the language of the Maine Civil Rights Act, is exactly what gives rise to Petitioner Andrew March's First Amendment free speech claim. Officers of the City of Portland Police Department affirm that the statute allows for regulations of speech based upon the message of the speaker, and not objective criteria such as volume of the noise created by the speaker. On three separate occasions, officers have prohibited Petitioner Andrew March from spreading his Pro-life message on the sidewalk outside of Planned Parenthood in the City of Portland due to the viewpoint of his speech. *See* Pet. at 3-5 (quoting officers' admissions that the Maine Civil Rights Act restricts speech based on its content). One officer even affirmed that no matter how quietly Petitioner Andrew March shares his pro-life message, the content of his speech

will still pose a problem under the statute because his speech discourages women from aborting their children and gives women alternatives to abortion. *See* Pet. at 5. In order to determine whether a noise is prohibited under the Maine Civil Rights Act, (*i.e.,* carries the "intent" to "interfere" with abortion services), the arresting officer invariably has to make reference to its content.

The District Court enjoined the Maine Civil Rights Act, finding that the statute unconstitutionally restricts speech based upon its content. App. at 3. The First Circuit reversed, and Petitioner Andrew March now petitions for a writ of certiorari from this Honorable Court. App. at 14.

SUMMARY OF THE ARGUMENT

This case presents a clear conflict in what is and is not protected under the First Amendment by a state's generalized noise restriction. The decision below is directly at odds with the recent holding of this Court in *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (2015), as addressed in the Petition, that bars content-based speech regulation. The decision also conflicts with this Court's First Amendment jurisprudence, as addressed in this brief of *Amici Curiae*, established in its landmark decisions, such as *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U.S. 819 (1995); *Terminiello v. City of Chicago*, 337 U.S. 1 (1949); *Edwards v. South Carolina*, 372 U.S. 229 (1963); *Cox v. Louisiana*, 379 U.S. 536, 551-52 (1965); and *McCullen v. Coakley*, 134 S. Ct. 2518 (2014).

Left unresolved, courts will lack clear direction as to the scope and tailoring of key regulations that could unconstitutionally restrict free speech, and states, local governments, and local law enforcement officers will be left without guidance as to their responsibilities under the First Amendment. This Court needs to act to provide clarity on what is a constitutionally allowable generalized noise restriction and when, if ever, a state may restrict speech based on its content or viewpoint.

ARGUMENT

Free speech lies at the very heart of a free society. *Election Comm'n v. Nat'l Right to Work Comm.*, 459 U.S. 197, 207–08 (1982). Restrictions on free speech based upon the speaker's viewpoint fail to justify state action. Instead, such restrictions create unconstitutional content and viewpoint discrimination, so baneful and antithetical to the principle of freedom of speech. *See, e.g., Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U.S. 819, 829 (1995) ("When the government targets . . . particular views taken by speakers on a subject, the violation of the First Amendment is . . . blatant."). The Maine Civil Rights Act restricts free speech uttered on the public sidewalk based on the speaker's viewpoint.

This Honorable Court should grant a writ of certiorari in this case for two reasons. First, the First Circuit's misinterpretation of this Court's First Amendment jurisprudence must not stand. Second, the First Circuit's opinion conflicts with rulings made in other courts, causing confusion amongst the circuits.

I. The First Circuit's Analysis Conflicts with This Court's Precedent.

The First Amendment protects a person's right to have his viewpoint voiced and heard. And this right is at its zenith when it involves speech on a controversial public issue, such as abortion, on a public sidewalk. As stated by this Court, "[S]peech on public issues occupies the 'highest rung of the hierarchy of First Amendment values,' and is entitled to special protection." *Connick v. Myers*, 461 U.S. 138, 145 (1983) (citations omitted). Petitioner Andrew March's pro-life speech is entitled to protection under the First Amendment, not prosecution under an unconstitutionally vague and overbroad statute.

Petitioner Andrew March's chosen forum (a public sidewalk) is indisputably a traditional public forum. *Frisby v. Schultz*, 487 U.S. 474, 480-81 (1988) ("[A]ll public streets are held in the public trust and are properly considered traditional public fora.") (internal citation omitted). There is no exception for public sidewalks adjacent to abortion clinics. *McCullen v. Coakley*, 134 S. Ct. 2518, 2529 (2014) (striking down on First Amendment grounds 35-foot buffer zone restrictions around abortion clinics).

Indeed, "[T]he streets are natural and proper places for the dissemination of information and opinion, and one is not to have the exercise of his liberty of expression in appropriate places abridged on the plea that it may be exercised in some other place." *Schneider v. New Jersey*, 308 U.S. 147, 163 (1939); *Am.-Arab Anti-Discrimination Comm. v. City of Dearborn*, 418 F.3d 600, 605 (6th Cir. 2005) (striking down a city ordinance and stating, "Constitutional concerns are

heightened further where, as here, the [challenged regulation] restricts the public's use of streets and sidewalks for political speech"); *Perry Educ. Ass'n v. Perry Local Educators*, 460 U.S. 37, 55 (1983) ("In a public forum . . . all parties have a constitutional right of access . . . .").

The Maine Civil Rights Act may no further restrict Petitioner Andrew March's speech on the public sidewalk than can it silence his speech because its pro-life message upsets or "interferes" with the services of Planned Parenthood. In *Terminiello v. City of Chicago*, 337 U.S. 1 (1949), this Court reversed the criminal convictions of defendants charged with breaching the peace due to exercising free speech "if it stirs the public to anger, invites dispute, brings about a condition of unrest, or creates a disturbance, or if it molests the inhabitants in the enjoyment of peace and quiet by arousing alarm." *Id.* at 3. In finding such a position unconstitutional, this Court memorably stated,

> [A] function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech . . . is . . . protected against censorship or punishment. . . . There is no room under our Constitution for a more restrictive view.

Id. at 4; *see also Texas v. Johnson*, 491 U.S. 397 (1989) (reversing conviction of protestor who burned an American flag while fellow protestors shouted, "America, the red, white, and blue, we spit on you"); *Edwards v. South Carolina,* 372 U.S. 229 (1963) (reversing convictions for breach of the peace where the police advised the petitioners that they would be arrested if they did not disperse within 15 minutes, and instead of dispersing, the petitioners engaged in what the City Manager described as "boisterous," "loud," and "flamboyant" conduct, which consisted of listening to a "religious harangue" by one of their leaders, and loudly singing "The Star Spangled Banner" and other patriotic and religious songs, while stamping their feet and clapping their hands); *Sandul v. Larion*, 119 F.3d 1250 (6th Cir. 1997) (holding that the plaintiff's conduct, which included shouting "f--k you" and extending his middle finger to a group of abortion protestors, was constitutionally protected speech and could not serve as a basis for a violation of the city's disorderly conduct ordinance).

Additionally, the Maine Civil Rights Act is unconstitutionally vague and overbroad on its face. "[T]he void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement." *Kolender v. Lawson*, 461 U.S. 352, 357 (1983). "A clear and precise enactment may nevertheless be 'overbroad' if in its reach it prohibits constitutionally protected conduct. The crucial question, then, is whether the statute sweeps within its prohibitions what may not be punished under the First and Fourteenth

Amendments." *Grayned v. City of Rockford*, 408 U.S. 104, 114-15 (1972); *see also Lewis v. New Orleans*, 415 U.S. 130, 134 (1974) (stating that because the challenged ordinance "is susceptible of application to protected speech, the section is constitutionally overbroad and therefore is facially invalid").

As this Court stated in *Grayned*:

> It is a basic principle of due process that an enactment is void for vagueness if its prohibitions are not clearly defined. Vague laws offend several important values. First, because we assume that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to be prevented, laws must provide *explicit standards* for those who apply them. A vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application. Third, but related, where a vague statute abuts upon sensitive areas of basic First Amendment freedoms, it operates to inhibit the exercise of those freedoms. Uncertain meanings inevitably lead citizens to steer far wider of the unlawful zone than if the boundaries of the forbidden areas were clearly marked.

Id. at 108-09 (internal punctuation and quotations omitted) (emphasis added); *see Cox v. Louisiana*, 379 U.S. 536, 551-52 (1965) (holding that the breach of the peace statute was unconstitutionally vague in its overly broad scope, for Louisiana defined "breach of the peace" as "to agitate, to arouse from a state of repose, to molest, to interrupt, to hinder, to disquiet"; yet one of the very functions of free speech "is to invite dispute") (quoting *Terminiello*, 337 U.S. at 4-5); *Coates v. City of Cincinnati*, 402 U.S. 611, 614 (1971) ("In our opinion this ordinance is unconstitutionally vague because it subjects the exercise of the right of assembly to an unascertainable standard, and unconstitutionally broad because it authorizes the punishment of constitutionally protected conduct. . . ."); *Dombrowski v. Pfister*, 380 U.S. 479 (1965) (striking down a provision of a state law defining subversive organizations because the language was unduly vague, uncertain, and broad and thereby inhibited protected expression).

This Court in *Grayned* ultimately upheld the anti-noise ordinance against a facial challenge. However, its factual record and this Court's reasons for doing so readily distinguish that ordinance from the vague statute at issue here. In *Grayned*, the city ordinance prudently stated,

> A person commits disorderly conduct when he knowingly:
>
> Pickets or demonstrates on a public way within 150 feet of any primary or secondary school building while the school is in session and one-half hour before the school is in session and one-half hour after the school session has been

> concluded, provided that this subsection does not prohibit the peaceful picketing of any school involved in a labor dispute.

Grayned, 408 U.S. at 107 (internal quotations and citations omitted). In *Grayned*, the speech at issue was a 200-person demonstration in which the officers arrested 40 participants for substantially and materially disturbing the activities of a primary and secondary school, *id.* at 106, —a far cry from the speech at issue here: the lone and unamplified voice of Petitioner Andrew March trying to preach the Gospel and counsel women about abortion.

Per the Court in *Grayned*:

> We do not have here a vague, general "breach of the peace" ordinance, but a statute written *specifically for the school context*, where the prohibited disturbances are *easily measured by their impact on the normal activities of the school*. Given this ***particular*** context, the ordinance gives fair notice to those to whom it is directed.

Grayned, 408 U.S. at 112 (internal quotations and punctuation omitted) (emphasis added). Here, the Maine Civil Rights Act is vague and wholly reliant upon the subjectively of local law enforcement and biased abortion providers.

Madsen v. Women's Health Center, Inc., 512 U.S. 753 (1994) and *Hill v. Colorado*, 530 U.S. 703 (2000), are also readily distinguishable. The First Circuit's reliance on these cases is misplaced.

In *Madsen*, the Court upheld various provisions of an injunction (and struck down others), not a generalized state-wide statute,[3] issued by a state court that addressed specific and localized harm related to the activity of certain demonstrators outside of various abortion clinics located in central Florida. As the Court noted,

> An injunction, by its very nature, applies only to a particular group (or individuals) and regulates the activities, and perhaps the speech, of that group. It does so, however, because of the group's past actions in the context of a specific dispute between real parties. The parties seeking the injunction assert a violation of their rights; the court hearing the action is charged with fashioning a remedy for a specific deprivation, not with the drafting of a statute addressed to the general public.

Id. at 762. There is no narrowly tailored injunction at issue here. And in *Hill v. Colorado*, 530 U.S. 703 (2000), the Court rejected a facial challenge to an ordinance which made it unlawful within 100 feet of a health care facility's entrance for any person to knowingly approach *within eight feet of another person*, without that person's consent, to pass a leaflet or handbill to, display a sign to, or engage in oral protest, education, or counseling with such other person. The

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[3] In *Madsen*, this Court noted that "There are obvious differences, however, between an injunction and a generally applicable ordinance," and that a generalized speech restriction in this context would be subject to strict scrutiny. *Madsen*, 512 U.S. at 764.

Court upheld the statute, concluding that it was narrowly tailored to address a specific harm. *See id*. However, there is nothing "narrowly tailored" about punishing via a general "noise" statute pro-life speech that can be heard from any distance on a noisy public sidewalk outside of an abortion clinic.

And fourteen years after *Hill*, this Court, in *McCullen v. Coakley*, 134 S. Ct. 2518 (2014), struck down on First Amendment grounds a content-neutral restriction (a 35-foot buffer zone) around abortion clinics because the statute was not narrowly tailored and the 35-foot buffer zone compromised pro-lifers' abilities to engage in speech activity. If this Court wished for its holding in *McCullen* to have been limited by *Grayned*, *Madsen*, or *Hill*, it would have presumably articulated this limitation in its holding.

Instead, this Court has consistently struck down vague and constitutionally infirm generalized state regulations. In the First Amendment context, "[p]recision of regulation must be the touchstone in an area so closely touching our most precious freedoms." *NAACP v. Button*, 371 U.S. 415, 438 (1963). The Maine Civil Rights Act fails to provide the necessary precision to withstand Petitioner Andrew March's constitutional challenge.

II. The First Circuit's Decision Creates Conflict Amongst the Lower Courts.

The decision below will cause real confusion for states, local governments, and local law officials as to what speech may be restricted under the First Amendment and what speech is protected.

In *Tanner v. City of Virginia Beach*, 277 Va. 432 (2009), the Virginia Supreme Court struck down on federal constitutional grounds a city noise ordinance that poses substantively similar issues to the Maine Civil Rights Act. Per the court:

> The ordinance before us prohibits any "unreasonably loud, disturbing and unnecessary noise," noise of "such character, intensity and duration as to be detrimental to the life or health of persons of reasonable sensitivity," or noise that "disturb[s] or annoy[s] the quiet, comfort or repose of reasonable persons." The ordinance also describes various acts that constitute per se violations.
>
> We conclude that these provisions fail to give "fair notice" to citizens as required by the Due Process Clause, because the provisions do not contain ascertainable standards. Instead, the reach of these general descriptive terms depends in each case on the subjective tolerances, perceptions, and sensibilities of the listener.
>
> Noise that one person may consider "loud, disturbing and unnecessary" may not disturb the sensibilities of another listener. As employed in this context, such adjectives are inherently vague because they require persons of average intelligence to guess at the meaning of those words.

Id. at 440.

Relying principally on this Court's precedent, the court in *Tanner* observed that the determinations set forth in the challenged ordinance "invite[] arbitrary

enforcement." *Id*. at 441. Thus, the court concluded, "Because these determinations required by the ordinance can only be made by police officers on a subjective basis, we hold that the language of the ordinance is impermissibly vague." *Id*. (citing *Grayned*, 408 U.S. at 108-09); *see also Jim Crockett Promotion, Inc. v. City of Charlotte,* 706 F.2d 486, 489 (4th Cir. 1983) (finding phrase "unnecessary noise" unconstitutionally vague); *Dupres v. City of Newport, R.I.,* 978 F. Supp. 429, 433–34 (D.R.I. 1997) (stating that "noise which . . . annoys, disturbs, injures, or endangers the comfort, repose, peace, or safety of any individual" is vague); *Dae Woo Kim v. City of New York,* 774 F. Supp. 164, 170 (S.D.N.Y. 1991) (same); *Norfolk 302, LLC v. Vassar,* 524 F. Supp. 2d 728, 740 (E.D. Va. 2007) (holding prohibition on "noisy conduct" impermissibly vague); *see also Deegan v. City of Ithaca*, 444 F.3d 135, 143 (2d Cir. 2006) (holding that it is unreasonable to restrict speech that could be heard from 25 feet away in a public square because it would prohibit "the sounds that typify the [area] and the activities it is meant to facilitate"); *United States v. Doe*, 968 F.2d 86, 91 (D.C. Cir. 1992) (holding that it is unreasonable to restrict noise exceeding 60 decibels at 50 feet in a park).

The same is true here. The Maine Civil Rights Act is hopelessly vague and overbroad, content-based, and as this case demonstrates, it invites arbitrary enforcement and allows a police officer to make a subjective determination as to what is or is not "intentional interference" with abortion. To ensure the ongoing viability of First Amendment protections, this Court should review this facial challenge posed by the Maine Civil Rights Act. It would be a mistake to allow

this issue to percolate further given the importance of the free speech rights at issue and the rare opportunity for the Court to provide clarity on its holding in *Reed v. Town of Gilbert* as it pertains to state and local noise restrictions.

CONCLUSION

For the foregoing reasons, *Amici Curiae* respectfully ask this Court to grant the Writ of Certiorari.

Respectfully submitted,

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December 11, 2017

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APPENDIX

TESTIMONIES OF *AMICI CURIAE* OPERATION OUTCRY WOMEN HURT BY ABORTION

Those who stand on the sidewalks have helped many women who did not know there was help to have their baby or that anyone cared. Young women who are forced by their parents or held in sex trafficking by pimps have found help and rescue through sidewalk counselors who are often the hand of hope, referring to Pregnancy Centers, law enforcement, and community agencies...offering a way to new life for both mother and child. It might have saved me years of suffering depression, guilt, miscarriage, medical problems conceiving. I carried trauma into my marriage relationship.

Cynthia Collins

****

I regret my abortion. I wish there had been someone to counsel me prior to entering Planned Parenthood. My abortion immediately led to hopelessness, promiscuity, and drinking binges. I could not escape the pain and guilt. I've been through 19 years of intermittent counseling. I had trouble bonding with my baby after he was born. I've dealt with anxiety, depression, anger and insomnia and have been prescribed as many as ten different psychotropic medications.

Carol Rowe

****

If I had had access to a sidewalk counselor at age 16, I may not have had an abortion (I had NO ONE telling me not to abort at that time, though I had internal misgivings). My abortion deepened my conviction of the meaninglessness of life and wrongly elevated my sense of empowerment. Along with drug use and high school stress, the abortion very likely contributed to the bi-polar episode I experienced several months later.

Rochelle Beckemeyer

****

I am post abortive. I often wonder if I would have changed my mind if there had been someone pro-life there to talk with. I was never given that opportunity. I wish I had been.

Gentle, loving sidewalk counselors can help. If I were there, I would tell a woman, based on my experience, your pregnancy may seem like a problem now, but an abortion will only make your life worse-much worse.

Susan Swander

****

I wish I had had someone talk to me before my abortion. My abortion caused me to have guilt, shame, grief, anger, rage, suicidal ideation, panic attacks, anxiety, fear, sexual dysfunction, drug and alcohol abuse, bonding issues with living children, relationship disorders, stress issues, difficulty in making decisions, emotional trauma, nightmares, flashbacks, anniversary syndrome, difficult pregnancies and deliveries,

debilitating depression during holidays and family gatherings, break in trust of the medical profession.

Molly White

****

I had an abortion when I was 15 years old and at that time, no one gave me other options or facts about after effects of abortion. As a result of that abortion at 15, I was never able to have children, but instead had five miscarriages, three of them tubal pregnancies requiring emergency surgery and very near death experiences. If someone had stopped me entering that abortion clinic with my sister and Mom and told us the impact of abortion complications, risk factors and fetal development and gave us other options, I would never have chosen abortion or suffered so much pain and grief of losing six babies. I completely support sidewalk counseling in front of abortion clinics.

Nona Ellington

****

If someone had talked to me outside the abortion clinic I would have made a different decision. But there was no one out there. I encourage and endorse sidewalk counselors. One would have saved my baby's life. After my abortion I lived in hell. Suicidal ideations, severe depression, turned to drugs. I couldn't sleep. I think I really should have been in a hospital. I could not see a

diaper commercial without crying hysterically. I could not control my emotions. It took me over ten years to finally be free from the guilt and shame.

Kathy Jones

****

Since January 1973, millions of women like myself have come to regret their abortions.

How I wish there had been someone to counsel me before the appointment to abort. To speak the truth in love about the life in my womb and the truth of the harm of abortion to myself that I would experience because of an abortion: emotional, mental pain because of grief, guilt and shame; physical damage resulting in a hysterectomy shortly afterwards; difficulty in my relationship with my husband. Few marriages survive abortion, tearing apart families.

Myra Jean Myers

****

Sidewalk counselors are needed to help women make a fully informed decision on whether they should have an abortion. I had two abortions and as a result of the abortions, I have been childless. I am haunted by the thought of having killed my own children. I am sure these children would have been a blessing to me, my family and all of society.

Betty Underwood

****

Had there been a side walk counselor outside the abortion facility in Atlanta, GA in 1981 I would not be post abortive today! In 1981, had I been given an opportunity to talk with a sidewalk counselor, learn about options other than abortion, I would not have chosen death but life for my baby. My abortion caused alcohol abuse, low self-esteem, shame, guilt. I became workaholic, I could hear a baby's voice calling "Mother" outside my window. I suffered from poor relationships in marriage, and multiple marriages.

Andrea Sosebee

****

I represent the post-abortive women who were hurt by abortion and have nine years' experience as a sidewalk counselor. I have multiple journals of documentation of what happens on the sidewalk. As a result of my abortion, I suffered a nervous breakdown and spent about six weeks in a mental hospital. I had two miscarriages after my abortion. I felt shame and struggled with depression. I felt dirty on the inside. I believed that people would reject me if they knew I had an abortion. I had deep emotional pain and was not allowed to grieve the loss of my child.

Karen Bodle