



Written by [Michael Tennant](#) on January 20, 2011

Arrested, Strip-searched Pro-lifers Score Another Victory in Court

Prior to their arrest, the protestors had been demonstrating peacefully along a Harford County road. Their signs, which graphically depict the mutilated bodies of aborted babies, offended some passersby, who called 911 to complain. State troopers were dispatched to the scene, where they told the Defend Life members that they would have to obtain a permit to protest in the county.



The protestors then moved a short distance away until they were within the Bel Air town limits; Bel Air does not require a permit for demonstrations. Nevertheless, state troopers, county sheriff's deputies, and town police turned up shortly thereafter and arrested them without explanation. Three young women were strip-searched in the police station parking lot, in full view of men and women alike. The arrestees were then transported to the Harford County Detention Center, where the women were again strip-searched in a bathroom whose door was partially open.

The pro-lifers were jailed overnight, after which they were finally told on what charges they were being held: loitering, failure to obey a lawful order, and disorderly conduct. It helped, of course, that the cops had been afforded the entire night to concoct these charges in an effort to justify their conduct — charges that were so obviously baseless that the state dropped them a week later. [LifeNews.com](#) adds that “none of the participants were ever charged with any sort of permit violation,” either.

Defend Life filed suit against Harford County, the superintendent of the Maryland State Police, the state troopers, Bel Air police officers, and the town of Bel Air. The plaintiffs are being represented by the Thomas More Society, a pro-life public-interest law firm based in Chicago, which is working with other lawyers in the case, including the Alliance Defense Fund, Chris Ferrara of the American Catholic Lawyers Association, and Matt Paavola, former president of Maryland's Christian Legal Society.

Harford County agreed to settle with most of the plaintiffs in December. The terms of the settlement remain undisclosed, and the case is still pending.

Meanwhile, the remaining defendants have sought to have the case dismissed. Their first motion was denied in May 2009, whereupon, [according to the Thomas More Society](#), “some of the defendants filed an immediate appeal, arguing that police acted in good faith and were therefore immune from suit.” That appeal was then dismissed on January 13, on the grounds that “material questions of fact were



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presented as to whether the police defendants acted in good faith,” said the Society, which elaborated:

Indeed, plaintiffs already adduced compelling evidence of bad faith, including legally baseless arrests followed by failure to prosecute belated criminal charges, needless strip searches of fully peaceable, nonviolent demonstrators, and 911 tapes and police recordings showing the police enforced a “heckler’s veto” (acting on phone calls objecting to the content of protest signs) in making the arrests, and showing deep police bias (“...they can sit in a cell for an hour ... or three or four and rot”).

Whether or not one agrees with Defend Life’s choice of protest materials — the [signs](#) they hold up are gruesome but accurate in their depiction of the results of abortion — one can surely agree that government agents have no business arresting and strip-searching people for displaying such images, particularly when they are violating no laws. Both the U.S. and Maryland constitutions protect freedom of speech; and, says Defend Life, “courts throughout the nation have upheld the rights of pro-life people to show these disturbing images.”

Those who cherish freedom, as well as those who abhor abortion, should therefore celebrate the court’s latest decision. They should also pray, along with the Thomas More Society’s chief counsel, Tom Brejcha, that the unjustly arrested protestors are now able to “press this case until justice is done, finally and completely.”



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