



Written by [Dave Bohon](#) on February 7, 2011

Police Officer Disciplined for Defending Christian Group's Rights

A police officer who was disciplined by a Pennsylvania university for refusing to forcibly remove a group of Christians sharing their faith on the school's campus has taken his case to the U.S. Court of Appeals for the Third Circuit, with the help of the Alliance Defense Fund (ADF), a conservative legal advocacy group.

In April 2007 Steven Armbruster, a campus police officer for Pennsylvania's Kutztown University, was on duty when 15 members of the Philadelphia-based Christian group Repent America came to campus for part of its peaceful "Pro-Life Evangelism Tour," during which the ministry visited several venues to engage in dialogue with students and others concerning abortion and other important cultural issues.



"Our tour travels through Pennsylvania to educate students about the realities of abortion and to preach the gospel of Jesus Christ," the group's director, Michael Marcavage, told [World Net Daily](#) (WND). "We talk to students and display signs."

Marcavage recalled that as the group was setting up "we were immediately met by some aggressive students who were acting very irrationally." What the members of Repent America did not realize was that they had chosen the same day to be at Kutztown University as the school had chosen to observe a pro-homosexual "day of silence."

When the crowd caught sight of the Repent America group, all homosexual silence went out the window as "about 300 protesters from several organizations and clubs appeared on the scene and loudly opposed the message," according the ADF, prompting the university's president, as well as the campus chief of police William Mioskie, to order the Repent America group to leave the campus.

As the behavior of the pro-homosexual mob turned uglier and the incident began to escalate out of control, the officers arrested one of the members of the Christian group, followed by Mioskie's order for them to "push" some members of the group off the campus for "disorderly conduct," the ADF recounted. "Armbruster understood that this would involve arresting or threatening to arrest the rest of the group upon whom the protesters had descended, though he saw no evidence of disorderly conduct among the members of the Christian group," continued the ADF report.

But when Armbruster explained to his chief that what he was ordering would violate the group's civil rights, "Mioskie immediately relieved Armbruster of his duties and told him to leave the scene while other officers executed his orders."



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Ultimately, a court dismissed the charges against members of the Christian group who had been arrested.

Unfortunately, however, Armbruster was suspended without pay for five working days and warned that he could be fired from his job if he refused to obey an order in the future — even if the order was unlawful. Additionally, a disciplinary letter placed in Armbruster’s file jeopardizes future job promotions.

Marcavage told WND that Armbruster “stood up for our right to speak freely in a public forum on a public campus. It takes an honorable man to do such things, to stand for our right to speak in spite of what his supervisor, the chief of police, was trying to do. I’m greatly blessed and thankful that we have men willing to stand for our right to preach the gospel.”

In March 2009, the ADF filed a lawsuit on Armbruster’s behalf, which a federal court dismissed, prompting the ADF to take the case before the U.S. Court of Appeals for the Third Circuit, which heard testimony in late January.

Randall Wenger, an attorney who is representing the case with the ADF, noted that Officer Armbruster “understood that police officers are called on to acknowledge and respect” the constitutional guarantees of American citizens, “including Christian pro-life advocates, who have the same First Amendment-protected rights to express their beliefs as everyone else. He should be commended for holding to his duty as a civil servant to protect — not violate — the free speech rights of the group he was told to arrest.”

Tom Marcelle, senior counsel for the ADF, predicted a favorable decision from the Third Circuit Court within 60 days. “Placing an officer on unpaid leave, putting a disciplinary letter in his file jeopardizing his promotion to sergeant, and threatening him with termination is the wrong response to upholding his oath as a law enforcement official to obey the Constitution,” said Marcelle. “This case should never have been dismissed, and we’re optimistic that the 3rd Circuit will agree.”

He emphasized that the ADF is prepared to take the case all the way to the U.S. Supreme Court if necessary.



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