



Written by [Michael Tennant](#) on March 17, 2023

Pro-life Students Hounded Out of Smithsonian Score Legal Victory

A group of students who were [harassed and told to leave](#) the Smithsonian National Air and Space Museum (NASM) because of their “pro-life” hats achieved a legal victory Monday when the Smithsonian accepted a [consent decree](#) stating that visitors may wear clothing with religious and political statements.

On January 20, a group of students from Our Lady of the Rosary School in Greenville, S.C., who had traveled to Washington, D.C., to attend the National March for Life, also visited the NASM. The students were wearing blue knit caps with the words “Rosary” and “Pro-life” on them.



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According to the [lawsuit](#) the students filed against the Smithsonian, they were all told to remove their hats when passing through security, and they complied, thinking it was a standard part of security screening. Later, after they had put their hats back on, they were subjected to verbal harassment by security personnel throughout the museum. Some simply told them to remove their hats. Others, talking to fellow officers within earshot of the students, spoke of them derisively and with profanity. One “approached the students and had a big grin on his face and was rubbing his hands together as he said, ‘Y’all are about to make my day.’” He then told them they needed to remove their hats or else leave the building.

Inquiring as to why others were permitted to wear, e.g., “Pride” masks while they were being forced to remove their pro-life hats, the students were allegedly told by a security officer that their hats were “political statements” and that they were “not promoting equality.” When students pointed out that since the Smithsonian is a federally funded institution, they had a First Amendment right to free expression within its confines, the same officer allegedly said, “I’m not taking away your First Amendment rights” because the museum is a “neutral zone.” When he finally succeeded in hounding them out of the museum, the officer is said to have “clapped his hands together in a dismissive clapping and shooing manner.”

Informed of the students’ allegations, the Smithsonian immediately responded with a statement that such harassment “is not in keeping with our policies and protocols” and that management had taken steps to ensure that such an incident would not recur.

The students, represented by the American Center for Law and Justice (ACLJ), sued nonetheless, and the Smithsonian accepted the consent decree issued by U.S. District Judge Amy Berman Jackson. In the order, the Smithsonian said it “regrets the events of January 20, 2023, and will remind all security officers stationed at NASM of the rights of visitors and of the policy” that visitors may wear “hats or other types of clothing with messages, including religious and political speech.”



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The order also includes a preliminary injunction prohibiting the Smithsonian from restricting visitors' attire with religious and political messages.

The Smithsonian was not alone in harassing pro-lifers on January 20. The National Archives — which houses, among other things, the Constitution and the Bill of Rights — also got into the act that day, with security guards telling visitors, including students and a grandmother, that they must remove or cover up their pro-life attire even as “pro-choice” clothing was permitted. One of the mistreated visitors told a friend via Snapchat that the guard “told me to take off my pro-life pin as I was standing next to the constitution that literally says Freedom of Speech on it.”

Those visitors, also with the ACLJ's assistance, [sued the National Archives](#), which then accepted a consent decree similar to the Smithsonian's.

“While we are pleased to announce this victory for our clients, this case is far from over,” ACLJ Executive Director Jordan Sekulow wrote in a [press release](#) concerning the Smithsonian order. “As with our lawsuit against the National Archives, we will enter a period of mediation with the Smithsonian National Air and Space Museum to see if we can get to the bottom of why our clients were targeted. This is just one of many coordinated efforts to harass and abuse pro-lifers in federally funded institutions. That directive came from someone, and whoever it was must be held accountable, and we're going to do the work necessary to hold them accountable.”



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