

Virginia city silences voice for unborn children

■ AFA Law Center defends jailed minister

While criminals convicted of assault, robbery and drug dealing received no jail time, a judge in Lynchburg, Virginia, slapped an overly harsh sentence on protesters who peacefully handed out pro-life literature outside a local high school.

On February 17, 1998, Rev. Philip "Flip" Benham, Director of Operation Rescue National, and John Reyes, President of a pro-life organization from Liberty University in Lynchburg, were sentenced for trespassing by Circuit Court Judge Richard Miller to the maximum jail sentence allowed by law (one year in jail with six months suspended) and fined \$500. A third, Jeffrey L. Brown, a student at Liberty who was interviewed

on television and mentioned his own name, was sentenced to six months in jail, with all but 15 days suspended. He was also fined \$200. An appeal has been filed.

The convictions resulted from the protest organized by Benham and Reyes on November 10, 1997, outside E.C. Glass High School, also located in Lynchburg. Expecting 10 or 15 students from Liberty to join them, the two were surprised when 150-300 volunteered for the evangelistic effort before classes began. The protesters stood in groups around the park-like campus, sang Christian songs, held up pro-life signs, distributed gospel tracts, and prayed.

Some high school students, however, claimed that entrance into the school was blocked by the protesters, and that some of the Liberty students also entered

the high school building.

No one was arrested or cited by one of the 45 police officers who were at the scene of the November 10 demonstration. In fact, when Benham was convinced by law enforcement officers that the protest was being conducted on



property that was not public, Benham received permission from the police to gather the students and politely removed them from the area after a prayer. At trial, the police testified that Benham was cooperative, cordial and polite.

SENDING A MESSAGE

Lynchburg officials nevertheless indicted the three men. The day after Benham's conviction and sentencing, Assistant Commonwealth

Attorney Ethan Onjes told the local newspaper that prosecutors "wanted to send a message" to those who might have similar plans.

Benham's attorney, AFA Law Center General Counsel Bruce Green, said, "I've never seen such a heavy-handed treatment of individuals convicted of a misdemeanor. I think they were try-



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ing to send a message that this kind of speech is not acceptable in the city of Lynchburg. This is not a felony – no one was shot, mugged or raped."

In obtaining public records at the Lynchburg City Clerk's office, Operation

Rescue inspected Judge Miller's past sentences in order to compare them with the severity of the sentence given to Benham. The records showed: some defendants convicted of burglary and felony robbery received probation with no jail time; a conviction for felony possession of cocaine resulted in a sentence of three years but no jail time; a sentence of only 30 days in jail was handed out for assault with a knife; a grand larceny felony conviction drew a one-year sentence but no jail time; and a conviction for felony hit and run led to a nine month sentence, reduced to only three months in jail.

A statement released by Operation Rescue complained, "These statistics clearly show that Judge Miller's sentence of Rev. Benham was unjust and showed a complete disregard for the First Amendment and religious liberty. Not one of these convicted felons, violent criminals, drug dealers, or thieves will spend as much time behind bars as Rev. Flip Benham."

GOD IS GOING BACK TO SCHOOL

The demonstration at E.C. Glass High School was part of a nationwide campaign by Operation Rescue to confront high school students with the truth about abortion. Entitled "God is Going Back to School," the demonstrations target high schools in over 120 cities.

Operation Rescue is attempting to reach some of the 300,000 teens who have abortions each year. The strategy involves showing teenagers signs and placards bearing graphic depictions of real-life babies torn into pieces through the abortion process. "Our nation's children need to know that the choices they make and the actions they take have lasting consequences," Benham said.

Benham said pro-abortion adults don't want kids to see the graphic signs of dismembered babies because such imagery allows teens to see through

the charade of pro-abortion arguments. "Our children do not have any problem distinguishing the fact that the child in the picture is a baby and not a 'blob of tissue,'" he said.

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