

High court rules in favor of abortion protesters

Justices vote 8-0 against using racketeering laws to restrict picketers outside clinics

By TONI LOCI
THE ASSOCIATED PRESS

WASHINGTON

A 20-year-old legal fight over protests outside abortion clinics ended Tuesday with the Supreme Court ruling that federal extortion and racketeering laws cannot be used against demonstrators.

The 8-0 decision was a setback for abortion clinics that were buoyed when the 7th U.S. Circuit Court of Appeals kept their case alive two years ago despite the high court's 2003 ruling that had cleared the way for lifting a nationwide injunction on anti-abortion leader Joseph Scheidler and others.

Justice Samuel Alito did not participate in the decision because he was not a member of the court when the case was argued.

Anti-abortion groups appealed to the justices after the lower court sought to determine whether the injunction could be



South Dakota Gov. Mike Rounds attends the National Governors Association meeting in Washington on Sunday. Rounds' state has passed a bill banning nearly all abortions.

supported by findings that protesters had made threats of violence.

In Tuesday's ruling, Justice Stephen Breyer said Congress did not create "a freestanding physical violence offense" in

the federal extortion law known as the Hobbs Act.

Instead, Breyer wrote, Congress addressed violence outside abortion clinics in 1994 by passing the Freedom of Access to Clinic

"It's a great day for pro-lifers."

Troy Newman
president of Operation Rescue on a ruling protecting abortion protests

Entrances Act, which allows for court injunctions to set limits for such protests.

"It's a great day for pro-lifers," said Troy Newman, president of Operation Rescue.

Kim Gandy, president of the National Organization for Women, said the decision was disappointing because the injunction had decreased violence outside clinics nationally.

She said the clinic access act is problematic because it requires abortion providers to seek injunctions city by city and turns back the clock to the late 1980s when NOW played cat and mouse with Operation Rescue in trying to anticipate the cities and clin-

ics that abortion protesters planned to target next.

Newman said his group and others have set their sights on the clinic access law, filing legal challenges they hope will lead courts, possibly even the Supreme Court, to overturn it.

Abortion opponents hope momentum is shifting in their favor: Last week, the high court decided to consider reinstating a federal ban on what opponents call partial-birth abortion, and the South Dakota legislature's passed a bill that would make it a crime for doctors to perform an abortion unless it was necessary to save the woman's life.

In the abortion protest case, social activists and the AFL-CIO had sided with the demonstrators out of concern that the federal extortion law could be used to thwart their efforts to change public policy or agitate for better wages and working conditions.

The legal battle began in 1986, when NOW filed a class-action

suit challenging tactics used by the Pro-Life Action Network to block women from entering abortion clinics.

NOW's legal strategy was novel at the time, relying on civil provisions of the 1970 Racketeer Influenced and Corrupt Organizations Act, which was used predominantly in criminal cases against organized crime. The lawsuit also relied on the Hobbs Act, a 55-year-old law banning extortion.

A federal judge issued a nationwide injunction against the anti-abortion protesters after a Chicago jury found in 1998 that demonstrators had engaged in a pattern of racketeering by interfering with clinic operations, menacing doctors, assaulting patients and damaging clinic property.

But the Supreme Court ruled in 2003 that the extortion law could not be used against the protesters because they had not illegally obtained property from women seeking to enter clinics to receive abortions.

Economy heads to firm footing in first quarter

By JEANNINE AVERSA
THE ASSOCIATED PRESS

WASHINGTON

The economy, which stumbled in the final quarter of 2005, is probably back on stronger ground in the opening quarter of this year despite a cooling housing market and somewhat skittish consumers.

After digesting the latest batch of economic reports, released Tuesday, analysts predicted that economic activity is rebounding nicely in the January-to-March quarter and will grow by at least a 4.5 percent rate. For all of 2006, the economy will log another year of solid, though slower, growth, they said.

The economy ended 2005 on wobbly footing, expanding at an annual rate of just 1.6 percent in the October-to-December quarter, the worst showing in three years, the Commerce Department said.

While slightly better than the first estimate of a 1.1 percent growth rate for the quarter, the new figure still showed a loss of

momentum from the third quarter's brisk 4.1 percent pace. The slowdown was blamed on lingering fallout from the Gulf Coast hurricanes and the toll of lofty energy prices.

Another report provided further evidence that the housing market, which posted record high-sales five years in a row, has lost its sizzle.

Sales of previously owned homes dropped 2.8 percent in January to a rate of 6.56 million units, the slowest pace in two years, according to the National Association of Realtors.

A third report showed consumers' confidence in the economy dipped in February to 101.7, from 106.8 in January, the Conference Board said. People are anxious about economic conditions over the next six months.

Other recent economic barometers, including retail sales and jobs, suggested the economy did start bouncing back at the beginning of this year. The nation's unemployment rate dropped to 4.7 percent in January, the lowest in 4½ years.

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