

The *Right to Life of Central California* Case

Case Name: *Right to Life of Central California v. Bonta*

Status: Case filed on October 13, 2021. Temporary restraining order granted on October 30th, 2021.

Significance: Whether the government can restrict speech based on content.



Background: On October 8, 2021, California Governor Newsom signed SB 742 into law, which unconstitutionally restricts speech based on content by creating 30-foot buffer zones within a 100-foot radius outside any facility that provides any type of vaccine. This law applies to any facility providing vaccinations—even if it doesn’t provide the COVID-19 vaccine. This includes the Planned Parenthood facility in Fresno and other abortion facilities – even hundreds if not thousands of drug stores and supermarkets throughout the entire state. As a result of the law, Right to Life of Central California’s pro-life speech is severely restricted on the public sidewalk, the street outside its own building, and even on its own parking lot, limiting its ability to peaceably offer the life-affirming, charitable services it provides to women in need outside of a Planned Parenthood abortion facility. The law doesn’t allow anyone to speak freely, even about subjects unrelated to vaccines, in the zone unless they are picketing as part of a labor demonstration. Alliance Defending Freedom filed a federal lawsuit on behalf of Right to Life to continue their life-saving work and to prevent the government from silencing speakers just because it doesn’t like what they say.

Key Points

- The government cannot pick and choose which speech to allow.
- The government can’t carve out space on the public sidewalk and declare that certain topics are off limits.
- Peaceful pro-life citizens should be free to share their message with a mother seeking to make an irreversible choice about her pregnancy.

Key Facts

- The Supreme Court unanimously ruled in *McCullen v. Coakley* that a similar buffer zone placed too great a burden on First Amendment rights.
- The law also restricts animal rights protests in front of a drug store that sells animal-tested products and activists registering voters in front of a Walmart.
- A *pro-vaccine* demonstrator also [filed suit to challenge this law](#) because it infringes on his ability to promote the COVID-19 vaccine.
- Unions can picket a hospital even about employee COVID-19 vaccine mandates, but other speech is severely restricted.

The Bottom Line: The right to free speech is for everyone—not just those in power; the government can’t silence speakers just because it doesn’t like what they say.