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Contact: David Yerushalmi, Esq. For Immediate Release: March 10, 2014
(646) 262-0500
dyerushalmi@aflc.us

Appeal to Ninth Circuit Filed after Federal Court in Seattle Upholds Censorship of Anti-Terrorism Advertisement

San Francisco, California (March 10, 2014) — The American Freedom Law Center (AFLC), a national nonprofit Judeo-Christian law firm, filed its opening brief on Friday in the U.S. Court of Appeals for the Ninth Circuit, appealing a lower federal court ruling that denied AFLC’s motion for a preliminary injunction. AFLC’s motion requested that the court order the King County, Washington, transit authority to display an anti-terrorism bus advertisement that it had refused to display.

The proposed advertisement (directly below), which was submitted by the American Freedom Defense Initiative (AFDI) and its executive directors, Pamela Geller and Robert Spencer, included pictures, names, and a similar message from an earlier anti-terrorism advertisement sponsored by the U.S. State Department, which was accepted for display on King County buses. The State Department advertisement depicted the “Faces of Global Terrorism” in an effort to “stop a terrorist” and “save lives.” In addition, the advertisement offered an “up to \$25 million reward” for helping to capture one of the FBI’s most wanted terrorists.



[AFDI Advertisement]



[State Department Advertisement]

Moreover, in the State Department advertisement (directly above), thirty out of the thirty-two listed terrorists had Muslim names or are wanted for terrorism related to organizations conducting terrorist acts in the name of Islam. After complaints from a Washington State politician and two Muslim-American advocacy groups that claimed the list of wanted global terrorists appeared to include only Muslim terrorists, the federal government terminated its “Faces of Global Terrorism” advertisement campaign.

In response to the government’s decision to remove its advertisement, AFDI created its own, similar advertisement to replace it. Despite originally accepting the government’s advertisement, King County rejected AFDI’s ad, claiming that it was offensive to Muslims.

On January 27, 2014, David Yerushalmi, AFLC Co-Founder and Senior Counsel, presented oral argument before Federal Judge Richard A. Jones, sitting in the United States District Court for the Western District of Washington. [[See video of oral argument here.](#)] Yerushalmi argued that King County’s refusal to run the advertisement was an unconstitutional prior restraint on free speech and therefore the court should order the agency to display the advertisement immediately.

Nevertheless, Judge Jones ruled that King County’s decision to reject the advertisement was “reasonable,” specifically noting that displaying pictures of Muslim and Arab terrorists and labeling them jihadis is offensive to Muslims.

David Yerushalmi, AFLC Co-Founder and Senior Counsel, commented: “We are confident that the Ninth Circuit will reverse this decision. The trial court sacrificed Free Speech for political correctness.”

AFLC Co-Founder and Senior Counsel Robert Muisse commented: “Simply put, the government’s position is inconsistent with reality – namely, sharia-adherent jihadists pose a significant threat to our national security. This case is a classic articulation of political correctness as a form of tyranny, which violates our fundamental right to freedom speech guaranteed by the First Amendment.

The *American Freedom Law Center* is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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