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Federal Court Hearing Scheduled in AFLC’s Challenge to D.C. Transit Authority’s Refusal to Run Anti-Jihad Advertisement

Washington, D.C. (September 24, 2012) — U.S. District Court Judge Rosemary M. Collyer has scheduled a hearing for October 4, 2012 on the American Freedom Law Center (AFLC)’s request for an injunction to halt the Washington Metropolitan Area Transit Authority (WMATA)’s censorship of a pro-Israel/anti-jihad bus advertisement. The hearing will take place at 2:00 p.m. EDT in Courtroom 8 at the U.S. District Court for the District of Columbia located at 333 Constitution Avenue, N.W., in Washington, D.C. The hearing is open to the media and the general public.

At issue in the lawsuit is the WMATA’s decision to delay running a pro-Israel/anti-jihad advertisement on its Metro system until some unknown “future date” due to alleged concerns about “the situations happening around the world” and the “security and safety” of its passengers. The WMATA’s decision was based upon current events in which Muslims are engaging in violent jihad in Egypt, Libya, and elsewhere in an alleged protest of free speech in the United States that is critical of Islam. As a result of the WMATA’s censorship of core political speech, AFLC, a national Judeo-Christian public interest law firm, filed a federal civil rights lawsuit on behalf of the sponsors of the advertisement, the Freedom Defense Initiative (FDI) and its executive directors, Pamela Geller and Robert Spencer. The lawsuit challenges the WMATA’s unconstitutional restriction on FDI’s right to engage in protected speech in a public forum.

AFLC Co-Founder and Senior Counsel Robert Muise commented: “This lawsuit represents a clash between our American values and the fundamental right to freedom of speech on the one hand and those values espoused by sharia-adherent Muslims who want to suppress speech through violence on the other. In direct contravention of our Constitution, the WMATA is

siding with the jihadists and silencing our clients' political speech. This is known as a 'heckler's veto,' which is impermissible under the First Amendment.”

The planned advertisement states, “In Any War Between the Civilized Man and the Savage, Support the Civilized Man. Support Israel. Defeat Jihad.”



This same advertisement is scheduled to run today in New York City as a result of a successful lawsuit filed by AFLC. AFLC sued the New York Metropolitan Transit Authority (MTA) after it refused to run the advertisement in September 2011, claiming that the ad violated the MTA's policy against displaying “images or information that demean an individual or group of individuals on account of race, color, religion, national origin, ancestry, gender, age, disability or sexual orientation.” On August 29, 2012, a New York federal judge struck down the MTA's “no-demeaning speech” restriction, permanently enjoined its enforcement, and ordered the MTA to display the bus advertisement.

AFLC Co-Founder and Senior Counsel David Yerushalmi commented, “As evidenced by our recent victory in New York, the WMATA is clearly violating the Constitution. We at AFLC refuse to allow sharia-adherent Muslims, foreign or domestic, to dictate what speech is protected under the First Amendment. What should be evident to every freedom loving American is that those individuals and organizations, such as the Council on American-Islamic Relations, who are calling for a ban on all speech that is critical of Islam are no friends to our Constitution. Indeed, their efforts are subverting our most fundamental freedoms and must be rejected.”

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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