



WHERE THE SPIRIT OF THE LORD IS,
THERE IS LIBERTY.

—2 CORINTHIANS 3:17



GIVE TODAY

The Overturning of *Roe v. Wade*

After working tirelessly for 33 years, Liberty Counsel witnessed history when, on June 24, 2022, the Supreme Court voted 5-4 to overturn the 1973 *Roe v. Wade* and 1992 *Planned Parenthood of Southeastern Pennsylvania v. Casey* abortion decisions.

Since its inception, Liberty Counsel has been unshakably dedicated to protecting and defending human life, from the moment of conception until natural death. Over the decades, the legal ministry has filed numerous briefs to protect the unborn and to show the inherent value in human life. In fact, the first case Mat Staver argued before the U.S. Supreme Court was in 1994 in defense of pro-life sidewalk counselors.

Furthermore, Liberty Counsel was directly involved in *Dobbs v. Jackson Women's Health Organization*, the case at the epicenter of *Roe's* demise. On July 26, 2021, Liberty Counsel [filed](#) an amicus brief on behalf of a diverse group of organizations, churches, religious leaders and individuals — including 70,000 African American and Hispanic churches — asking the Supreme Court to overturn *Roe v. Wade* because, among other reasons, legalized abortion supports racist eugenics and violates the right to life. "Abortion is rooted in racism and eugenics to eliminate certain races and people," Staver says. "Planned Parenthood continues Margaret Sanger's legacy of eliminating unborn children based on their race."

When the Supreme Court issued its 79-page opinion on *Dobbs*, Justice Samuel Alito wrote, "We hold that *Roe* and *Casey* must be overruled. ... *Roe* was egregiously wrong from the start. ... It is time to heed the Constitution and return the issue of abortion to the people's elected representatives."

Staver and Liberty Counsel were overjoyed with this historic overturn.

"Even as we celebrate the immense victory of the High Court overturning *Roe v. Wade*, Liberty Counsel's work is not done," Staver says. "We now turn our attention and efforts to the states where the battle over preborn life rages on. We will not rest until the womb is a safe place for the unborn." **LC**

Liberty Counsel Makes History in 2022 With Extraordinary Wins for Free Speech, Religious Freedom and Life

The year 2022 was one of reaping after decades of sowing. Since our founding in 1989, Liberty Counsel has worked tirelessly to advance religious freedom, protect the sanctity of human life, defend free speech and strengthen the family through strategic nationwide litigation. Throughout our 33-year history, we have won numerous court victories ranging from churches' right to assemble (even in a pandemic), sidewalk counselors' right to free speech outside abortion clinics and faith-based clubs' right to meet on public school grounds — to name a few. But 2022 catapulted Liberty Counsel to the next level with multiple, monumental legal breakthroughs that established national precedent.

Tenacious efforts over the last three decades culminated in a cascade of court victories at every federal level: district, appellate and the U.S. Supreme Court. Even as attacks on free speech, religious liberty and the sanctity of human life have intensified, decisive court opinions in strategic cases have raised a standard to stem the incoming tide of moral decay and erosion of constitutional rights.

Unanimous *Shurtleff Decision* Sets National Precedent

After Liberty Counsel Founder and Chairman Mat Staver argued on behalf of Hal Shurtleff and Camp Constitution before the U.S. Supreme Court on January 18, 2022, the High Court [ruled](#) 9-0 on May 2, 2022, in favor of Shurtleff. It stated that the City of Boston violated the Constitution by censoring Camp Constitution's private flag in a public forum open to "all applicants" merely because the application referred to it as a "Christian flag." Contrary to the City of Boston's position that flying the Christian flag violated the Establishment Clause, the Supreme Court ruled that censoring the Christian flag was, in fact, religious viewpoint discrimination and violated the First Amendment.

Months before the High Court issued its unanimous decision, Staver predicted the favorable outcome: "There is a crucial difference between government endorsement of religion and private speech. Censoring religious viewpoints in a public forum where secular viewpoints are permitted is unconstitutional. This case will set national precedent."

[continued>>](#)

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Indeed, it did. Besides triggering review of local and state government flag-flying policies nationwide, the *Shurtleff* decision was cited in the 6-3 SCOTUS [ruling](#) in favor of high school football coach Joe Kennedy, who was fired for silently praying on the field after games. In the opinion, the High Court finally buried the court-made "Lemon test," citing Liberty Counsel's 9-0 *Shurtleff v. City of Boston* decision.

Building on the 9-0 win in *Shurtleff*, the Supreme Court overturned a terrible 51-year-old precedent going back to a 1971 case known as *Lemon v. Kurtzman*. The so-called "Lemon test" had been used to censor religious words, symbols, images and displays. The dreadful Lemon test is now no more. The *Shurtleff* decision combined with the Coach Kennedy ruling set a new standard that provides greater protections for Christian viewpoints.

Victories in Vax Mandate Battles

When COVID vaccine mandates began their march across America in 2021, tens of thousands of Americans found themselves surrounded by no-way-out "jab-or-job" ultimatums. From employees of large corporations to service members in the military, these noncompliant individuals were forced to decide whether to be injected with an experimental drug or violate their sincerely held beliefs protected under the Constitution of the United States.

Making matters worse, across multiple sectors such as health care, military, education, government and business, religious accommodation requests were being denied left and right. *Real* people were losing *real* jobs over an experimental shot that used aborted fetal cell lines in the research and development phase.

This is where Liberty Counsel stepped in when others shied away. We filed multiple cases nationwide, representing plaintiffs who were denied religious accommodation requests to COVID-19 shots while assisting thousands of others to obtain religious exemptions. Several cases yielded precedent-setting results.

In October 2021, Liberty Counsel sent a demand letter to NorthShore University HealthSystem in Illinois on behalf of numerous health care workers who had sincere religious objections to NorthShore's "Mandatory COVID-19 Vaccination Policy." If NorthShore had agreed then to follow the law and grant religious exemptions, the matter would have been quickly resolved and would have cost the hospital system nothing. But, when NorthShore refused to follow the

law, instead denying all religious exemption and accommodation requests for employees working in its facilities, Liberty Counsel filed a class action lawsuit along with a motion for a temporary restraining order and injunction.

Far from costing nothing, the lawsuit forced NorthShore to pay [\\$10,337,500](#). On July 29, 2022, Liberty Counsel settled the class action lawsuit on behalf of more than 500 current and former health care workers. The settlement was the first of its kind against a private employer who unlawfully denied hundreds of religious exemption requests from the COVID shot mandate.

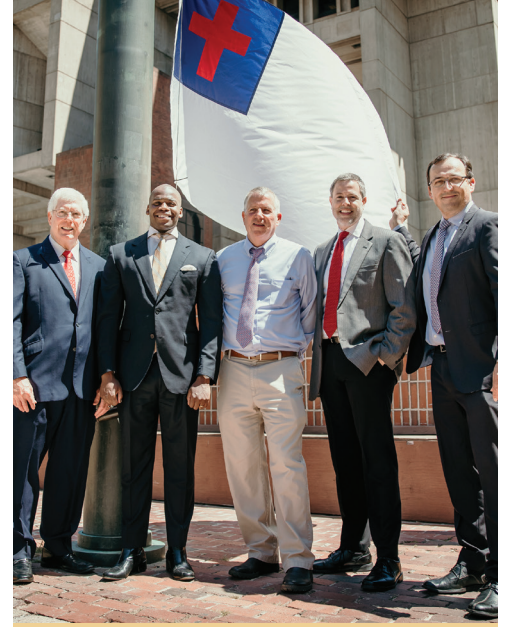
"This settlement should be a wake-up call to every employer that did not accommodate or exempt employees who opposed the COVID shots for religious reasons," Staver says. "Let this case be a warning to employers that violated Title VII."

In addition to compensating plaintiffs and members of the class, NorthShore will also change its unlawful "no religious accommodations" policy to make it consistent with the law and to provide religious accommodations in every position across its numerous facilities.

In another historic lawsuit, on October 15, 2021, Liberty Counsel [sued](#) the Biden administration on behalf of members of all branches of the military, federal employees and federal contractors denied religious accommodations from the COVID shot mandate. Since that date, Liberty Counsel has secured temporary restraining orders (TRO) and preliminary injunctions on behalf of a [U.S. Marine Corps Lieutenant Colonel and U.S. Navy Command Surface Warfare Officer](#), a preliminary injunction on behalf of a [U.S. Marine Corps Captain](#), a TRO on behalf of a [U.S. Air Force Academy cadet](#) and a [U.S. Marine Corps First Lieutenant](#) who was threatened with administrative separation and eviction from his home with only two days' notice.

Besides securing these individual victories, on August 18, 2022, Judge Steven Merryday issued a classwide preliminary injunction from the unlawful federal COVID shot mandate on behalf of those who are in active or reserve service in the United States Marine Corps. The trial date is set for January 23, 2023, at the U.S. District Court Middle District of Florida in Tampa. As we argued before the judge, the military is subject to abide by the religious freedom protection in the Religious Freedom Restoration Act (RFRA).

Thus far, there are classwide injunctions protecting members of the Navy, Air Force, Space Force, and Marines. Liberty Counsel



Left to right: Mat Staver, Jonathan Alexandre, Hal Shurtleff, Roger Gannam and Harry Mihet.

is now actively working to secure a classwide preliminary injunction on behalf of the [U.S. Coast Guard](#). "Time is of the essence to obtain class certification and protection for every branch of the military from the unlawful shot mandate," Staver says. "Our honorable men and women are under tremendous pressure and are being terribly abused. We will not leave anyone behind. We will not stop until every service member is protected and the Constitution and federal law is upheld. These honorable and brave service members fight for our freedom. We will continue to fight for them."

Free Speech Win at the Eleventh Circuit

After five years of litigation, another 2022 free speech victory was given to licensed counselors in *Otto, et al., v. City of Boca Raton, FL, et al.* This is the first Court of Appeals win in the nation against these counseling bans. Now the Southern District Court of Florida has [issued](#) the preliminary injunction at the order of the Eleventh Circuit Court of Appeals to allow licensed therapists to provide counseling to minors who desire to conform their attractions, behaviors and gender identities to their sincerely held religious beliefs.

Before that, the City of Boca Raton and Palm Beach County prohibited licensed counselors from providing biblically based counseling to minors struggling with same-sex attraction and gender confusion.

"Our licensed therapists are free of political censorship from government ideologues in their counseling rooms, and their clients have the freedom to choose the counsel of their choice," Staver says.

Free speech and victory over religious viewpoint discrimination was secured yet again. **LC**