

Anti-abortionists found guilty under racketeering law

A federal jury found that 21 acts of extortion were used to shut down clinics

By Mike Robinson
The Associated Press

CHICAGO — In an unusual use of a racketeering law designed to fight the mob, a federal jury ruled Monday that anti-abortion protest organizers used threats and violence to shut down clinics — a verdict that could cost the movement millions.

Although the abortion foes were ordered to pay only about \$258,000, the class-action ruling opened the door for more claims by as many as 1,000 clinics across the country.

"This is the biggest courtroom defeat for the anti-abortion move-

ment ever," declared Fay Clayton, an attorney for the National Organization for Women, which filed the lawsuit in 1986.

Defense attorneys said they will appeal.

The jury found that anti-abortion activist Joseph Scheidler and two associates, Timothy Murphy and Andrew Scholberg, engaged in 21 acts of extortion to shut down clinics. The jury also found that two anti-abortion organizations, the Pro-Life Action League and Operation Rescue, were part of the scheme.

The jury ordered the three activists and two organizations to pay \$85,926.92 in damages, which will be tripled under the racketeering law.

The damages were awarded to abortion clinics in Milwau-

kee and Wilmington, Del., for security measures required after violence flared outside their doors. But a number of other clinics intend to file for class-action damages under the verdict.

"They want to bankrupt us — there's no question about that," said Scheidler, executive director of the Pro-Life Action League.

A turning point in the case came in 1994 when the U.S. Supreme Court reversed lower-court rulings and gave NOW permission to refile the lawsuit under the Racketeer Influenced and Corrupt Organizations Act. It was the first nationwide class-action lawsuit ever filed against the anti-abortion movement under RICO.

Congress passed the law in 1970 as a weapon against orga-

nized crime, but in recent years businesses have also become targets of its civil provisions.

Defense attorney Tom Brejcha said that RICO never should have been used in the case. "RICO is terribly flawed, vague and over broad," he said.

Abortion-rights forces won a lawsuit several years ago against blockade organizers under the RICO act in Philadelphia. But Clayton said that verdict was minor by comparison.

U.S. District Judge David Coar scheduled a hearing for Wednesday at which he is expected to discuss a court order to curb violence at clinics.

Coar barred abortion-rights attorneys from introducing evidence that they claimed would tie the defendants to more than a decade of bombings and ar-

sons at clinics around the country. But he allowed them to tell jurors of doctors and patients being grabbed, pushed, struck with protest signs and threatened.

Scheidler and his co-defendants denied encouraging violence, saying they couldn't help the excesses of a few individuals.

"We wanted to come out as a legitimate force in America and not as racketeers," Scheidler said. "There is no honor in being a racketeer and we're not racketeers."

Feminists were elated by the decision.

"A jury of six men and women saw through the thugs' shameless attempt to pervert the First Amendment," NOW President Patricia Ireland said.

Medical marijuana club closed down in San Francisco

A sheriff served the court-sanctioned order to shut down the club, but said he opposes it

By Richard Cole
The Associated Press

SAN FRANCISCO — A reluctant sheriff shut down San Francisco's largest medical marijuana club Monday, as organizers waited in the wings to reopen under another name.

San Francisco Sheriff Mike Hennessey served Cannabis Cultivators Club founder Dennis Peron with an order to close down the operation shortly after 1 p.m. and ordered the building vacated. Peron and his followers cooperated peacefully.

Hennessey made it clear he

personally opposed the court order initiated by state Attorney General Dan Lungren, whom Peron is opposing in a David vs. Goliath campaign in the Republican gubernatorial primary.

"I support the medicinal marijuana law in the state of California, and it does seem this is an attempt to thwart that law," Hennessey said.

The sheriff also said he would not move against the club's successor agency, the Cannabis Healing Center, which was opening under a new director at the same site.

"That has nothing to do with this court order," Hennessey said.

Peron started the club four years ago and was a prime mover

behind the successful 1996 drive for the state's medicinal marijuana initiative. Monday, he emerged from the club with his belongings — including a pot plant — packed in a cardboard box.

To shouts of "Peron! Peron!" from about 75 supporters, the sometimes emotional activist said it was time for him to move on.

"It's been an honor to lead you into a more loving and compassionate society, and it's very sad for me to have this moment in my life," Peron said.

Customers of the club were relieved that the new cannabis center was opening apparently unmolested but bitter about the attempt to shut it down.

"Dennis Peron helped me keep

17 people alive this year," said an angry Houston Broglin. "Pot makes AIDS patients eat. If you take this away, then you actually put a lot of people in the ground."

A client who identified himself as Billy emphasized the positive by noting that the new center was opening.

"All praise to God. It's still here," Billy said. "This is history in the making."

Peron noted that he had begun his involvement with the marijuana issue as an AIDS activist.

"I started it for AIDS patients, and then cancer patients came to me, and I said, 'Sure,'" Peron said. "Then glaucoma patients came to me, and then other sick people came to me, and I began

to realize this was a bigger problem."

The court order to close down the club was based on pot sales to providers, rather than directly to patients. Peron called the issue a technicality that Lungren had seized on, but took responsibility for the error.

"When I started this, there was no roadmap. Maybe I made some mistakes along the way. Who knew you couldn't sell to caregivers?" he said.

The new Cannabis Healing Center is run by Hazel Rodgers and is posted with notices that pot can be sold only to patients and not caregivers.

It's also covered with "Peron for Governor" posters, pins and bumper stickers.

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Summer 1998

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