



# NEWS RELEASE

## FOR IMMEDIATE RELEASE

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### U.S. COURT OF APPEALS AFFIRMS JUDGMENT FOR ST. CHARLES COUNTY IN FUNERAL LAW PROTEST CASE

**ST. CHARLES COUNTY, MO** – Today, the United States Court of Appeals for the Eighth Circuit affirmed the August 2013 decision of the United States District Court in St. Louis in upholding St. Charles County's ordinance prohibiting picketing one hour before and one hour after at or near funerals in unincorporated county. The ordinance was challenged by Shirley Phelps-Roper and Megan Phelps-Roper, members of the Westboro Baptist Church.

In the opinion, the Eighth Circuit Court affirmed the entry of summary judgment for St. Charles County given the similarity between the county's ordinance and a similar ordinance upheld in the City of Manchester, and affirmed the ordinance was permissible under the First and Fourteenth Amendments.

The members of Westboro filed the lawsuit challenging Ordinance 10-112 shortly after it was passed in Dec. 2010. The ordinance defines picketing at a funeral as "Protest activities engaged in by a person or persons located within three hundred (300) feet of the premises of a cemetery, mortuary, church or other place of worship or other location during, and which target, a funeral." Those who do not follow the ordinance will be charged with a misdemeanor. If convicted, the individual(s) will be charged with a maximum \$1,000 fine.

St. Charles County Councilman Joe Brazil was the original sponsor of the ordinance. "This is another victory for our community. Every individual deserves the right to mourn their loved ones in peace," said Brazil.

"Families not only deserve but need the time to honor their loved ones without having protest activities interrupt services or create negative memories," said County Executive Steve Ehlmann. "I am happy to see that the Court of Appeals upheld our ordinance and hope it helps set a precedent for other such ordinances throughout the country."

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