

Anti-Abortion Activist On Trial For 'Wanted' Posters

by KATHY LOHR



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Marianne Todd/Getty Images

Philip "Flip" Benham of Concord, N.C., the director of Operation Save America, leads an anti-abortion protest in Mississippi in 2006. Benham is currently charged with stalking and violating a North Carolina law against residential picketing for distributing "wanted" posters that target doctors who perform abortions.

November 8, 2010

text size **A A A**

In North Carolina on Monday, anti-abortion activist Flip Benham, who is charged with stalking and violating a new state law against residential picketing, goes to court.

He and his group, Operation Save America, put up Old West-style "wanted" posters targeting doctors who perform abortions. The group calls it free speech. Abortion rights activists say it's a threat.

Targeted Picketing

Benham is a longtime anti-abortion activist. The posters he distributed earlier this year included the names, addresses and photos of four Charlotte, N.C., doctors who perform abortions.

Benham and his group took the posters to the doctors' offices and to their neighborhoods. They placed the posters on cars and tacked them up on doors.

Detective Milton Harris with the Charlotte Mecklenburg Police Department says this violated the state's new law against targeting an individual at his home.

"By them handing out the flyers with doctors' photos on it, it was an indication to us that they were actually singling those doctors out within that residential neighborhood to protest," Harris says.

He also says that this is the first prosecution under the new law.

"Wanted" Posters

More posters, which are similar to the ones Flip Benham and his group, Operation Save America, have distributed.

"The purpose of the law is to protect that person's identity against basically a lone-wolf assailant coming in there and possibly doing harm to that individual or that family," Harris says.

A History Of Violence

One of the doctors targeted in the posters said he fears for his life. He did not want his name used because of what he has seen happen to other abortion providers. He cites the murder of Dr. George Tiller in Wichita, Kan., last year and says he is now taking extra security precautions.

[David LaMond Gunn](#)

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Benham denies the posters are a threat and says they're a tool to inform the community about doctors who are performing abortions — an act Benham considers murder.

"What we put on the poster were their pictures and then, 'Wanted by Jesus to stop killing babies,'" he says.

Benham says the city is just trying to silence those who oppose abortion.

"We still live in America, and we do have First Amendment rights and, as we call them, responsibilities to speak for those who cannot speak for themselves," he says.

But abortion rights advocates say there's a clear history of violence against doctors featured in "wanted" posters. They're concerned because they haven't seen these posters circulated since the late 1990s, when several doctors were murdered.

"This is not free speech," says Kathy Spillar, who is with the Feminist Majority Foundation — a group that tracks violence against abortion providers. "This is the equivalent of yelling fire in a crowded theater. These wanted posters are communicating a threat to these abortion providers, and essentially they become targets of anti-abortion extremists willing to kill."

A 'Difficult Legal Case To Make'

In a similar case back in 2002, a federal appeals court found abortion protestors did violate a federal law that makes it a crime to use force or the threat of force to prevent people from accessing clinics. The court found that "wanted" posters were not free speech but a "true threat".

██████████ The U.S. Supreme Court declined to hear the case, which means the question is not resolved.

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"Whether the historical context of [a] wanted poster and subsequent act of violence by someone else other than group putting out the wanted poster — whether that is enough to meet the very strict legal test for a threat — is a very difficult legal case to make," says Lucinda Finley, a law professor at the State University of New York at Buffalo.

In this case, Benham is on trial for violating state and city laws — charges that are easier to prove. He faces just a couple of months in jail. But abortion-rights groups say they're pushing for federal criminal and civil charges that carry much stiffer penalties.

comments

Discussions for this story are now closed. Please see the [Community FAQ](#) for more information.

Recent First 

Charles Stiebing (JPII) wrote:



Re: human sexuality, contraception, population control. Believing that more contraception will reduce unplanned pregnancies is like trying to douse a fire with gasoline. The only acceptable birth control is self control.

Sunday, November 14, 2010 10:38:24 AM

[Recommend \(0\)](#)

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Charles Stiebing (JP11) wrote:

I will only talk honestly about what abortion is: the killing, murdering, dismemberment, and decapitation of an unborn human person at various stages of development. I am afraid that when others talk about everything else except what abortion is (i.e. facts or beliefs, science and biology, mother vs. unborn child, personal freedom), then I must conclude that no one wants to talk honestly about abortion. The truth about the dignity of the human person cuts thru science, religion, politics, ideology, and philosophy.

Thursday, November 11, 2010 9:03:46 PM

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K P (lumberjacklane) wrote:

Charles, I'm afraid I must conclude you have no idea what you are talking about and are being purposefully obstinate in your posts. It has been asserted time and again that science has NOT concluded that life begins at conception, and yet you continue to claim it like a child grasping a toy screaming "Mine! Mine!". "Science tells us that we are created from the majestic flying pink unicorn". See? I can do it too....

Thursday, November 11, 2010 8:28:32 PM

[Recommend \(8\)](#)

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Charles Stiebing (JP11) wrote:

The difference between pro-lifers and pro-aborts is the understanding of mother and unborn child: pro-aborts believe that they can be separated and thereby choosing one or the other; pro-lifers believe that mother and unborn child cannot be separated. Science tells us that life begins at conception. The question is: When does love begin? Can't we love them both? Love is AND and BOTH not EITHER OR.

Thursday, November 11, 2010 7:17:44 PM

[Recommend \(2\)](#)

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Michael Langdon (science1) wrote:

The belief that life starts at conception has no basis in reality because that alleged life cannot sustain itself on its own and is completely dependent on the health and well being of another human - the mother. I find it sad that she is completely decapitated and dismembered from this discussion. Almost as though her life and motivations are unimportant.

Thursday, November 11, 2010 9:12:51 AM

[Recommend \(3\)](#)

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Charles Stiebing (JP11) wrote:

I accept that some people feel as though life is not worth living which is a fact and a belief. The statement also speaks about the dignity of the human person from conception to natural death. Thank you for being honest.

Thursday, November 11, 2010 8:07:08 AM

[Recommend \(2\)](#)

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Lynn S (fact_or_belief) wrote:

Charles Stiebing wrote:

"What else can an unborn human person [sic] become?"

To call it "an unborn person" is begging the question (i.e., it assumes your conclusion). A zygote may develop into a person, or it may die -- either through miscarriage or abortion -- before developing into a person.

"abortion (i.e. the dismemberment and decapitation of an unborn human being)"

Abortion sometimes involves dismemberment and decapitation, and sometimes it doesn't. For ex., if a woman takes an abortifacient, there is no dismemberment or decapitation; the zygote/embryo is expelled intact (and may not even have a head or limbs).

"Be honest: are you glad to be alive?"

Sometimes I am, and sometimes I'm not. It would be fine w/ me had I been aborted. Are you willing to accept my honest answers?

"Does Tiller and others have the right to kill unborn children [sic]?"

Yes, as long as the abortion is legal and they're licensed. Tiller was not, as you claim, "a murderer," because murder is the *unlawful* premeditated taking of a person's life by another person, and abortion is neither illegal, nor is a zygote/embryo/fetus a person.

Your unwillingness to attend to whether your claims are true or false is disheartening.

Thursday, November 11, 2010 6:58:47 AM

[Recommend \(3\)](#)

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Jared Abbott (xECLIPSEx) wrote:

It doesn't matter what you believe about abortion, the article is about an anti-abortion rights activist that has obviously placed the doctors in danger by their actions. And the doctors families. That is ridiculous and anyone with a brain should realize it. Abortion is legal in this country and they have a right to operate their businesses. I'm not saying it should be legal, but I am saying this guy sounds like a nut case over it.

Wednesday, November 10, 2010 9:57:02 PM

[Recommend \(3\)](#)

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Charles Stiebing (JP11) wrote:

Whoever believes that abortion is safe medical procedure is being dishonest about what abortion really is: the dismemberment and decapitation of an unborn human baby. Regardless of what you "believe", the "fact" is that abortion leaves one dead baby and one wounded woman.

Wednesday, November 10, 2010 9:11:24 PM

[Recommend \(2\)](#)

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Charles Stiebing (JP11) wrote:

George Tiller is a killer and a murderer. Any other conclusion is dishonest. Did Tiller deserve to be murdered? No. Does Tiller and others have the right to kill unborn children? No.

Wednesday, November 10, 2010 9:00:18 PM

[Recommend \(2\)](#)

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