



FACT SHEET

City of Overland Park v. Kafka

ABOUT City of Overland Park v. Kafka

Nearly every Friday and Saturday for several years, without incident, pro-life advocates have stood on a public sidewalk next to a Planned Parenthood parking lot to share information with women seeking or considering abortions when they pulled into the driveway. Carrie Kafka has participated personally on a monthly basis for over a year. Being careful not to trespass or obstruct traffic from entering or exiting the clinic, Kafka peacefully offered pregnant women educational material to help them make an informed choice--only sharing with those willfully stopping their cars in the driveway and inviting dialogue. In March, Kafka was arrested without warning by Overland Park Police for criminal trespass, even though she never entered onto Planned Parenthood property. Because of this fact, the charge was quickly changed to allege that Kafka obstructed vehicles entering and leaving the parking lot. Security video from the scene shows that Kafka never entered private property and that she never prevented vehicles from entering or exiting the clinic, but in fact encouraged drivers to move on when vehicles approached from behind. Alliance Defense Fund attorneys representing Kafka filed a motion to dismiss in June, arguing that not only is the city's obstruction ordinance unconstitutionally vague, but that officers should not have arrested Kafka because she never violated the ordinance and, before citing and arresting her, they failed to first order Kafka to cease her conduct and leave as the ordinance requires.

CURRENT STATUS OF City of Overland Park v. Kafka AS OF 8/11/09

In March 2009, the City of Overland Park charged Kafka with violating an ordinance prohibiting the obstruction of incoming and outgoing vehicular traffic to and from a Planned Parenthood parking lot. ADF attorneys filed a motion to dismiss the suit in June, and ADF Litigation Counsel Daniel Blomberg will be Kafka's defense counsel at her trial on Aug. 12 at the Overland Park Municipal Court.

FOCUS OF TRIAL – WHAT IS AT STAKE?

This trial will determine whether Overland Park Police will be allowed to deny the free speech rights of pro-life advocates through the improper enforcement of city ordinances.

CONTACT

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ABOUT ADF

ADF is a legal alliance of Christian attorneys and like-minded organizations defending the right of people to freely live out their faith. Launched in 1994, ADF employs a unique combination of [strategy, training, funding, and litigation](#) to protect and preserve religious liberty, the sanctity of life, marriage, and the family.

ABOUT Daniel Blomberg

Daniel Blomberg serves as litigation counsel with the Alliance Defense Fund at its Kansas City Regional Service Center in Kansas. Blomberg joined ADF in 2008 and is admitted to the Kansas Bar and the District of Kansas Bar. He earned his J.D. from the University of South Carolina School of Law, graduating *magna cum laude*.