USA Today OpEd: Court Sends Chilling Message

This case should not be regarded as a victory of any sort by First Amendment advocates

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By Richard L. Eubank USA Today OpEd

Wednesday's 8-1 decision by the U.S. Supreme Court to uphold the free speech rights of the Westboro Baptist Church should send a chilling message across America, because it will only embolden the Rev. Fred W. Phelps Sr. and his followers to protest any funeral for whatever reason — and without legal recourse for the bereaved.

This case should not be regarded as a victory of any sort by First Amendment advocates; it is just another extreme test of the high court's tolerance and its interpretation of the U.S. Constitution. What everyone should worry about is, what challenge comes next?

The case decided Wednesday, *Snyder v. Phelps*, is about a grieving family who buried their son, 20-year-old Marine Corps Lance Cpl. Matthew Snyder, on March 10, 2006. Just as they had done at other military funerals across the country, Westboro protesters came armed with a message of hate and signs that read "You're Going to Hell" and "Thank God for Dead Soldiers."

Matthew's father sued and was awarded $11 million in damages, a decision that was later reversed, along with a ruling for the family to repay Westboro thousands of dollars in court costs.

Even though the Supreme Court ruled in favor of Westboro, the majority did acknowledge, "Speech is powerful. It can stir people to action, move them to tears of both joy and sorrow, and — as it did here — inflict great pain."

The Veterans of Foreign Wars of the United States now urges all state legislatures to further strengthen their laws to help protect military families from future protests and great emotional pain that can be just as debilitating as any physical injury.

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Funerals are about remembrance and respect for the fallen and their families. Westboro is not invited.

Richard L. Eubank is national commander of the Veterans of Foreign Wars of the United States.

USA Today's View: **Yes, hateful funeral protests are free speech**

Westboro free-speech ruling has its limits