### THOMAS R. CALTAGIRONE, MEMBER HOUSE POST OFFICE BOX 209 ROOM 106, SOUTH OFFICE BUILDING HARRISBURG, PENNSYLVANIA 17120-0028 PHONE: (717) 787-3525

127 SOUTH 10TH STREET READING, PENNSYLVANIA 19602 PHONE: (215) 376-1529



## **COMMITTEES**

JUDICIARY, CHAIRMAN MAJORITY POLICY COMMITTEE

# House of Representatives

COMMONWEALTH OF PENNSYLVANIA HARRISBURG

PUBLIC HEARING on HB 1658
Reporting Anti-abortion and Anticontraception Violence

May 27, 1992

Room 140 Main Capitol 10:00 AM

Representative Ruth C. Rudy, Prime Sponsor

Linda Wharton, Esq.
Attorney for Women's Law Project

Marty Tornblom
Escort - Hillcrest Clinic

Barbara Thomas, Esq.
Volunteer-Northeast Women's Center

Annette Kolski-Andreaco
Executive Director,
Women's Health Services, Inc.

# Judge Judge convicts 4 abortion protesters

By Jim Cuddy Jr.

# The Pittsburgh Press

have been convicted of causing as much as \$20,000 damage to a Downtown abortion clinic by spilling road tar in a hallway last fall.

Common Pleas Judge Donna Jo McDániel yesterday convicted the protesters of misdemeanor offenses of criminal mischief and conspiracy and a summary offense of defiant trespass.

McDaniel presided over a nonjury trial after defense attorneys and Assistant District Attorney Thomas Swan agreed to reduce the criminal mischief charge from a felony to a summary offense.

The agreement came just before the lawyers were to begin jury selection for the trial, which had been expected to last about a week.

Convicted were Mark Nelson, 19, of Shaler; Susan Ferguson, 23, of Steubenville, Ohio; Michael Schmiedicke, 22, of Steubenville; and his brother, Andrew Schmiedicke, 23, of Forest Hills.

A fifth defendant, Karen Ranson, 23; of Steubenville, pleaded no contest to defiant trespass and was sentenced to 90 days of probation as part of a plea bargain.

Swan said the protesters entered the Women's Health Services third-floor hallway in the Fulton Building on Sept. 30 by jumping onto a security elevator.

The protesters then stepped into five-gallon buckets of tar. Police said the protesters slid down the hall, toppling the buckets, when officers arrived.

The protesters testified yesterday that police knocked over the buckets.

Swan said the protesters caused \$25,226 in damage to the clinic, which had to replace carpeting and tile.

The clinic's insurance carrier paid all but \$1,800 of the costs.

By reducing the criminal mischief charge to a misdemeanor, the prosecution alleged each defendant caused between \$1,000 and \$5,000 in damage.

The protestors face maximum jail entences of two to four years. No entencing date was set.

McDaniel permitted the defendants to remain free on their own recognizance pending sentencing as long as they abstain from future protests. i ( o ti

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# **National Abortion Federation**

1436 U Street, N.W., Suite 103, Washington, DC 20009, (202) 667-5881, FAX (202) 667-5890

# **SUMMARY OF EXTREME VIOLENCE - 1991**

ATTEMPTED ARSON/BOMBING ARSON	 	 	 . ½	 •	. 8
(see reverse)  TOTAL # OF EXTREME INCIDENTS		 		 	16

# **REPORTED ARSON AND BOMBING INCIDENTS - 1991**

FACILITY	CITY/STATE	DATE	INCIDENT ES	TIMATED DAMAGE
Planned Parenthood of Central Ohio	Columbus, OH	2/91	1 Arson	\$ 75,000
Capital Care Women's Center	Columbus, OH	2/91	1 Arson	250,000
Piedmont Carolina Medical Clinic	Greensboro, NC	3/91	1 Arson	100,000
Women's Pavillion	Greensboro, NC	3/91	1 Arson	0
Medical Care Center at Woodbridge	Woodbridge, NJ	4/91	1 Arson	500,000
Founder's Women's Health Center	Columbus, OH	4/91	1 Attempted Bombing	0
Bay City Women's Medical Center	Mobile, AL	5/91	1 Arson	80,000

- over -

# NAF 16th Annual Meeting, April 12-14, 1992, San Diego

Executive Director Barbara Radford

President Nicki Nichols Gamble, Ed D

President-Elect Adele Hughey Board Members
James H. Armstrong, M.D.
Rachei Atkuns, P.A.
Peter Bours, M.D.
Charles H. Bowers, Jr., M.D.
Curtis Boyd, M.D.
Joan S. Coombs
Stanley K. Henshaw, Ph.D.
Rev. Marvin G. Lutz

Rachael Pine, Esq. Suzanne T. Poppema, M.D. Gary T. Prohasika, M.D. Lynne Randall Robin Rothrock A. Verne Tjarks, Jr., Esq. Anta Wilson Rosann Wisman Paul C. Wright, M.D.

Planned Parenthood Liaison Louise B. Tyrer, M.D.

Advisory Board
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Glenna Haivorson-Boyd, Ph D
Michael S, Burnhill, M.D., D.M. Sc
Rachel Benson Gold

David A. Grimes, M.D. Warren M. Hern, M.D., Ph.D. Kaye McIntosh, R.N. William F. Peterson, M.D. Michael S. Policar, M.D., M.P.H.



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# INCIDENTS OF VIOLENCE & DISRUPTION AGAINST ABORTION PROVIDERS

VIOLENCE:	1977-83	1984	1985	1986	1987	1988	1989	1990	1991	TOTAL
(# of Incident	(S)									
BOMBING	8	18	4	2	0	0	2	0	0	34
ARSON	13	6 `	8	7	4	4	6	4	8	60
ATTEMPTED BOM OR ARSON	BING 5	6	10	5	8	3	2	4	1	44
INVASION	68	34	47	53	14	6	25	19	25	291
VANDALISM	35	35	49	43	29	29	24	25	40	309
SAULT & BAT	TERY 11	7	7	11	5	5	12	6	5	69
DEATH THREAT	4	23	22	7	5	4	5	7	3	80
KIDNAPPING	2	0	0	0	, <b>0</b>	0	0	0	0	2
BURGLARY	3	2	2	5	· 7	1	0	2	1	23
TOTAL #INCIDE REPORTED	NTS 149	131	149	133	72	52	76	67	83	912

NOTE: Statistics represent incidents reported to NAF: actual number may be higher.

(OVER)

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# INCIDENTS OF VIOLENCE & DISRUPTION AGAINST ABORTION PROVIDERS (cont.)

DISRUPTION:	1977-83	1984	1985	1986	1987	1988	1989	1990	1991	TOTAL
(# of Clinics)*										
HATE MAIL & HARASSING CALLS	9	17	32	53	32	19	30	21	99	
BOMB THREATS	9	32	75	<b>51</b>	28	21	21	11	14	<b></b>
PICKETING	107	160	139	141	77	151	72	45	275	
CLINIC BLOCKADE # Clinics # Inciden # Arrests	ts 0	0 O O	0 0	0 0 0	2 2 290	138 182 11732	103 201 12358	21 34 1363	24 29 3490	448 29233

- \* NOTE: Due to clinic duplication, totals for "# Clinics" are not applicable. Statistics represent incidents reported to NAF: actual number may be higher. Also, an increase in numbers of incidents for 1991 does not necessarily indicate a rise in incidents; NAF's tracking and recording system was computerized mid-1991 which may account for seemingl inflated numbers.
- \*\* "CLINIC BLOCKADES" are protests during which groups of demonstrators physically block the doors to reproductive healthcare facilities to prevent patient access. Despite claims to be nonviolent, many "blockaders" are arrested for assault, trespass and invasion.
  NOTE: The "# Arrests" represents the total number of arrests, not the total number of persons arrested -- many blockaders are arrested repeatedly.

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There are 90 abortion providers regulated by the Pennsylvania State Department of Health, 39 non-hospital and 51 hospital. The number of providers has decreased 19% since 1985, although the rate of women seeking abortion services has remained the same.

Ninety percent of abortions are obtained in non-hospital settings: 64% are obtained at free-standing clinics that specialize in abortion service; 22% are obtained at clinics that also provide other health services; 4% are obtained from doctors in their private offices. Ten percent of abortions are obtained in hospitals.

Clinics cannot always serve the women who obtain hospital abortion services, particularly if the women have high risk medical conditions. Pennsylvania hospitals providing abortion service have declined from 60 in 1986 to 51 in 1990.

Women's access to abortion services rests on the existence of a relatively small number of urban clinics providing this specific type of health care. Although women from every Pennsylvania county have unintended pregnancies and choose abortion each year, they can only obtain abortion services in 24 of Pennsylvania's 67 counties. The great majority of women are served by facilities in 8 counties. Ninety-seven percent of women living in rural counties have no abortion providers at all.

Nearly half of all abortion providers experience anti-choice harassment. Clinics that serve large numbers of women

are the most likely targets, with 88% of them reporting at least one type of harassment during the last survey year.

Anti-choice activity includes legal picketing, which has never been challenged by abortion providers. The right to peaceful protest is a Constitutional right.

Anti-choice activity also includes many illegal activities. such as vandalism, bombs and bomb threats, blocking or threatening patients and clinic staff, invading clinics, jamming telephone lines, tracing patients by their license plates and harassing them at home, and making death threats to clinic staff. (See Table 1)

Anti-choice harassment of abortion providers hurts the patients, staff, clinics, surrounding communities, and taxpaying public.

Women entering clinics as patients are insulted, frightened and upset by anti-choice harassment. The harassment does not change women's minds about choosing abortion, but only adds additional trauma to a crisis pregnancy.

Clinic staff are angered, frightened and demoralized by the harassment. In no other U.S. setting are health care workers likely to be threatened for providing services that are legal.

As a result of harassment and violence, clinics spend more money for security and legal services, are threatened with loss of leases or insurance coverage, and face staff morale problems and turnover. In a national survey of non-hospital providers, 44% incurred increased legal expenses as a result of anti-choice harassment; 32% had

Nationwide Incidents of Violence	e and Hara	essment Aga	inst Abortion	Providers					
	1977-83	1984	1985	1986	1987	1988	1989	1996	Total
**************************************	8	18	4	2	0	0	2	0	34
Bombing	13	8	8	7	4	4	6	4	52
Arson	13 E	6	10	5	8	3	2	4	43
Attempted Bombing or Arson	CO OO	34	47	53	14	6	25	19	266
Invasion	68	3 <del>4</del> 35	49	43	29	29	24	25	269
Vandalism	35	33 3	7	11	5	5	12	6	64
Assault & Battery	11	~	22	. '1	5	ă	5	7	77
Death Threat	4	23	22	<b>,</b>	0	n	n a	0	2
Kidnapping	2	0	Ü	U	7	1	U.	2	22
Burglary	3	2	2	5	70	53	76	67	829
Total Incidents Reported	149	131	149	133	72	52	70	37	020
HARASSMENT (# of clinics)						40	20	21	
Hate Mail & Harassing Calls	9	17	32	53	32	19	30		
Bomb Threats	9	32	75	51	28	21	21	11	
Picketing	107	160	<b>≁13</b> 9	141	77	151	72	45	
Clinic Blockades No. of Clinics	0	0	· O	0	2	138	103	21	
No. of Incidents	ň	Ô	0	0	2	182	201	34	419
No. of Arrests	0	ň	n	0	290	11,732	12,358	1,363	26,357

NOTE: Statistics represent incidents reported to the National Abortion Federation; actual numbers may be higher.

Due to clinic duplication, totals for No. of Clinics are not applicable.

SOURCE: National Abortion Federation, Washington, D.C.

to employ security personnel; 21% had their fire and casualty insurance cancelled.

The costs of anti-choice violence can be great. In 1989, Allegheny Reproductive Health Center in Pittsburgh was firebombed. No one was injured, but damages reached \$20,000. In 1990, the same clinic suffered extensive roof and water damage resulting in repair costs of \$50,000. Also in 1990, Philadelphia's Northeast Women's Center lost \$1,500 when the safety glass of the front door was broken.

Communities where clinics are located also suffer from anti-choice assaults. Neighboring businesses have lost customers and suffered damage to their buildings. Uninvolved passers-by have been harassed. Public safety costs and concerns are heightened when anti-choice tactics require that paramedics, fire fighters and police be called.

Anti-choice harassment costs taxpayers. Police protection at anti-choice protests cost the city of Pittsburgh more than \$55,000 in 1988-89, and the city of Philadelphia more than \$25,000. The largest expenses were in lost-time salary payments and medical costs for police officers injured at anti-choice demonstrations. In 1989, 47 Pittsburgh police officers were injured at these demonstrations.

Eighty-five jailed anti-choice protesters cost Allegheny county \$6,000 each day of their confinement in 1989. Arrests are similarly expensive to taxpayers in other communities.

More than 3,000 anti-choice protesters were arrested following demonstrations across Pennsylvania in 1988-90: over 1,065 in Philadelphia; 1,788 in Pittsburgh; and over 200 in other counties. Charges have included reckless endangerment, failure to disperse, assault and criminal trespassing.

Some counties now provide regular police protection to clinics that are targeted for anti-choice activity. It costs Pittsburgh taxpayers \$1,100 per week to station police officers at two clinics every Saturday.

In spite of the illegality and cost of anti-choice activity, some counties have been reluctant to prosecute offenders or to give fines or sentences. (See Figure 1) There have

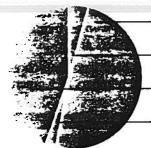
been some improvements in police and prosecutorial response over the past year, largely as a result of public outcry.

Abortion providers have overcome anti-choice harassment, and have continued to provide this needed health care. The threat of violence and the frequent harassment have made such service provision more difficult, however, and the clinics have relied on trained volunteers to provide escort to patients.

Legal recourse for clinics has included civil suits for damages and injunctive relief, and criminal prosecutions. Important decisions include the holding of the United States Court of Appeals for the Third Circuit in Roe v. Operation Rescue that harassment and blockades by anti-choice demonstrators violate state trespass law and law prohibiting intentional interference with contractual relations. Describing the protests as a "well-orchestrated-campaign to disrupt and shut down abortion clinics throughout the nation," the appellate court upheld a permanent civil injunction prohibiting the blockading of clinics in the Philadelphia area. In the same case, the court upheld a \$20,000 contempt fine imposed against a leader of anti-choice blockades in the Philadelphia area.

# Figure 1

Summary of Disposition of Criminal Cases
Against Anti-choice Demonstrators in Philadelphia



582 defendants: guilty, no jail or fine, \$25 court cost waived by the judge

53 defendants: guilty, no jail or fine, \$25 court cost assessed

393 defendants: guilty, \$25 fine plus \$25 court cost

37 defendants: not guilty

DATES: 4/1/88; 9/6/88; 10/29/88; 3/24/89; 6/10/89; 7/1/89; 2/3/90 Information not available for 9/30/89 or 3/28/90 SOURCE: Women's Law Project, Philadelphia, Pennsylvania

## Sources:

"The Geographic Distribution of U.S. Hospitals with Abortion Facilities" Raymond Tatalovich and Byron W. Daynes, Family Planning Perspectives, Vol.21, No. 2, March 1989; "The Harassment of U.S. Abortion Providers" Jacqueline Darroch Forrest and Stanley K. Henshaw, Family Planning Perspectives, Vol.19, No. 1, Jan.1987; "Incidence of Violence and Disruption Against Abortion Providers" National Abortion Federation; "Summary of Disposition of Cases" Women's Law Project; "Jailed Protesters Cost County \$6,000 Each Day," Pittsburgh Post Gazette, 11/3/89; "City Officials Ready for Anti-abortion Protest" Pittsburgh Post-Gazette, 4/27/89. Additional references available from the Duvall Education Fund.

## For More Information:

The Clara Bell Duvall Education Fund 1218 Chestnut Street, Suite 1007 Philadelphia, Pennsylvania 19107 (215) 629-0111



305 Wood Street Pittsburgh, Pennsylvania 15222 (412) 471-9110





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# AN OVERVIEW OF LEGISLATION ATTEMPTING TO PREVENT CLINIC VIOLENCE

# AGGRESSIVE PROTEST ACTIVITY OUTSIDE MEDICAL FACILITY BOULDER, COLORADO ORDINANCE

Boulder passed an ordinance in 1987, <u>Too Close For Comfort: Protesting Outside Medical Facilities</u>, establishing a one hundred-foot buffer zone around every entrance to a licensed medical facility and an eight foot "bubble" around a patient.

Violators are subject to a maximum fine of three hundred dollars (\$300), a maximum jail sentence of ninety days, or both.

Protesters seeking to pass leaflets, handbills, display signs, or engage in oral protest, education, or counseling in the public way or sidewalk are confined to a radius of one hundred feet from any entrance door to a health care facility and prohibited from approaching closer than eight feet to a patient, unless the patient gives express oral consent to do so. Persons accompanying the patient or escorts cannot invoke the bubble around the patient for them. Only those specifically addressed can force a protester to remain eight feet away.

Immediately upon request by the patient to do so, the protester must withdraw to at least eight feet or discontinue all efforts. The following "imperative statements without limitation shall be sufficient to constitute a request (to withdraw): " stop," "withdraw," "back off," "get away," or "leave me alone."

# NORTHEAST WOMEN'S CENTER PERMANENT INJUNCTION AGAINST PROTESTERS

In Northeast Women's Center v. Michael McMonagle, et al. Philadelphia, the Third Circuit Court of Appeals affirmed a jury award of \$42,088 in actual damages for claims under state trespass laws and trebled an \$887 award in accordance with the RICCO statue, also affirming an award of \$65,000 in attorney's fees.

Final injunctive relief prohibits demonstrators from entering or obstructing the premises; limits the hours and days when demonstrators may sing, chant, shout or use amplification devices within earshot of the health facility when surgery is done; limits the manner and times when and the area where "sidewalk counseling" may be conducted; limits manner and number of picketers and areas where picketing may take place, requires picketers be clearly visually designated, and prohibits demonstrating in any manner near clinic employees' residences.

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The court authorized penalties of incarceration or fines of up to \$5,000 for each violation.

# PLANNED PARENTHOOD SOUTHEASTERN PENNSYLVANIA JANE ROE, ET AL. V. OPERATION RESCUE ET AL.

United States District Court permanently enjoined and restrained Randall Terry, Michael McMonagle, Joseph Foreman, Tina Krail, and Operation Rescue from trespassing on. blocking, obstructing ingress or egress; physically abusing or tortiously harassing persons entering, leaving, working at, or using any services at any facility at which abortions are performed in Philadelphia, Allentown, Pa. and Cherry Hill, N.J.

The injunction allowed for reasonably quiet, non-threatening "sidewalk counseling" conducted by not more than two people for each person; required no one to accept or listen to "sidewalk counseling" affirming that person's absolute right to walk away without harassment. Injunction affirmed right of Police Department or U.S. Marshal to "maintain public order by reasonably necessary rules and regulations as they decide are necessary at any particular demonstration site."

Violators are subject to a \$5,000 fine for the current violation and additional fines as stipulated in previous court orders.

# INTERFERENCE WITH ACCESS TO A MEDICAL FACILITY MARYLAND LEGISLATION

Planned Parenthood Association of Maryland, in coalition with Marylanders for the Right to Choose, facilitated the passage of a law prohibiting "interference with access to a Medical Facility," passed on May 25, 1989. The first of its kind in the nation, this law does not infringe upon the rights of freedom of speech and assembly.

The law states that "a person may not act alone, or in concert with others, with the intent to prevent an individual from entering or exiting a medical facility by physically detaining, obstructing, impeding or hindering the individual's passage."

Violators are guilty of a misdemeanor and are subject to a \$1,000 fine or up to 90 days in jail, or both.

# CHERRY HILL, N.J.- AN ORDINANCE PROHIBITING THE OBSTRUCTION OF ACCESS INTO AND OUT OF HEALTH CARE FACILITIES

Ordinance 89, passed by the Township Council of the Township of Cherry Hill, N.J., Camden County, ordains that no person shall block the doorway of any health care facility used by the public.

Violators for a first offense pay a \$500 fine together with costs of prosecution. Previously convicted offenders (within the past year) are fined \$1,000,00 for each offense, together with the costs of prosecution.



1144 Locust Street • Philadelphia, PA 19107-5740 • (215) 351-5500 • FAX (215) 351-5595

# CLINIC VIOLENCE & HARASSMENT PLANNED PARENTHOOD AFFILIATES 1990 VS 1991

INCIDENT	<u>1991</u>	<u>1990</u>	% CHANGE
Picketing	2363	3003	(-) 21%
Direct Confrontation	234	367	(-) 36%
Hate Mail	519	753	(-) 31%
Harassing Phone Calls	338	559	(-) 39%
Trespass	32	92	(-) 65%
Clinic Invasion	6	10	(-) 40%
Vandalism	98	85	(÷) 15%
Bomb Threat	18	30	(-) 40%
Death Threat	2	1	(÷) 50%
Assault/Battery	11	6	(÷) 83%
Burglary	13	16	(-) 19%
Kidnapping	0	0	
Attempted Arson/Bombing		5	(-) 100%
Arson	6	4	(÷) 50%
Bombing	0	0 -	
Law Suits/Criminal Charges	3 <sub>24</sub>	24	(-) 87%

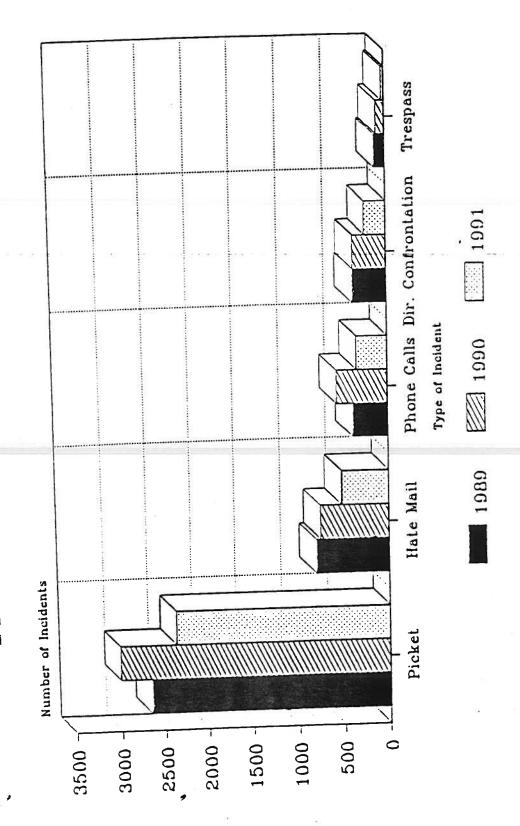
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Planned Parenthood Federation of America

810 Seventh Avenue New York, NY 10019

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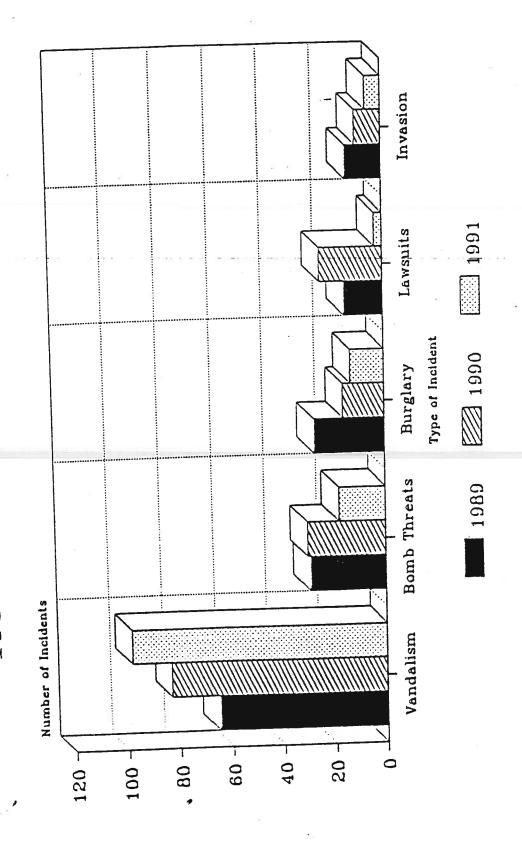
# PPFA Affiliate Violence Statistics 1989-1991 Totals: All Regions



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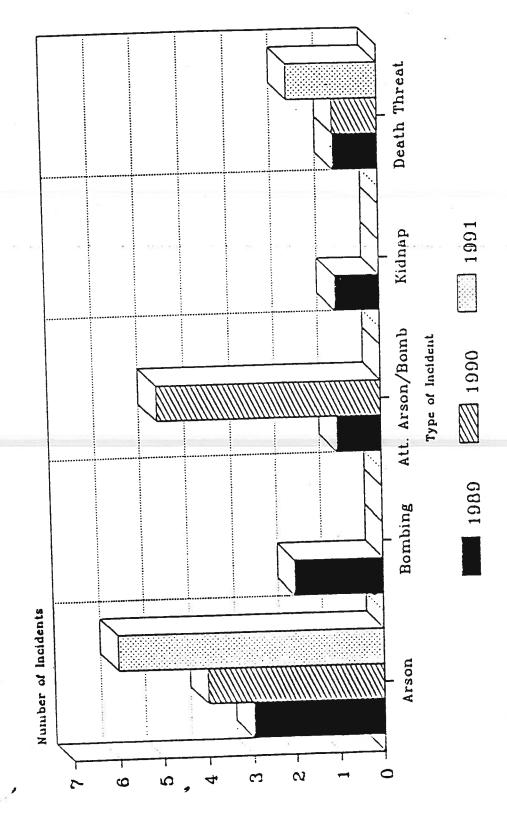
PPFA Affiliate Violence Statistics

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# PPFA Affiliate Violence Statistics 1989-1991 Totals: All Regions





# PLACE THIS CARD UNDER YOUR TELEPHONE

# QUESTIONS TO ASK:

- 1 When is bomb going to explode?
- 2. Where is it right now?
- 3. What does it look like?
- 4. What kind of bomb is it?
- 5. What will cause it to explode?
- 6 Did you place the bomb?
- 7 Why?
- 8. What is your address?
- 9. What is your name?

A Planted a bomb
in your facility
and I'm not
going to say when
it will go off
or where it is.

Sex of caller; T Race: White.
Age: 14/f Length of call 30 SEC.
Number at which call is received:
5621900
Time 8,20 Date: 5123190



CALLER'S VOICE:	
Calm	Nasal
Angry	Stutter
Excited	Lisp
Slow	Raspy
Rapid	Deep
Soft	Ragged
Loud ·	Clearing throat
Laughter	Deep breathing
@rying	Cracking voice
Normal	Disguised
Distinct	Accent
Slurred	Familiar
l voice is familiar, wh	no did it sound like?
BACKGROUND SO	UNDS:
Street	Factory .
noises	machinery
Crockery	Knimal noises
Voices	Clear
PA System	Static
Music	Local
House	Long distance
noises	Booth
Motor	Other
Office	
machinery	
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(educated)	Taped
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Women entering clinics as patients are insulted, frightened and upset by anti-choice harassment. The harassment does not change women's minds about choosing abortion, but only adds additional trauma to a crisis pregnancy.

Clinic staff are angered, frightened and demoralized by the harassment. In no other U.S. setting are health care workers likely to be threatened for providing services that are legal.

As a result of harassment and violence, clinics spend more money for security and legal services, are threatened with loss of leases or insurance coverage, and face staff morale problems and turnover. In a national survey of non-hospital providers, 44% incurred increased legal expenses as a result of anti-choice harassment; 32% had

Nationwide Incidents of Violence	e and Hara	essment Aga	inst Abortion	Providers					
	1977-83	1984	1985	1986	1987	1988	1989	1996	Total
**************************************	8	18	4	2	0	0	2	0	34
Bombing	13	8	8	7	4	4	6	4	52
Arson	13 E	6	10	5	8	3	2	4	43
Attempted Bombing or Arson	CO OO	34	47	53	14	6	25	19	266
Invasion	68	3 <del>4</del> 35	49	43	29	29	24	25	269
Vandalism	35	33 3	7	11	5	5	12	6	64
Assault & Battery	11	~	22	. '1	5	ă	5	7	77
Death Threat	4	23	22	<b>,</b>	0	n	n a	0	2
Kidnapping	2	0	Ü	U	7	1	U.	2	22
Burglary	3	2	2	5	70	53	76	67	829
Total Incidents Reported	149	131	149	133	72	52	70	37	020
HARASSMENT (# of clinics)						40	20	21	
Hate Mail & Harassing Calls	9	17	32	53	32	19	30		
Bomb Threats	9	32	75	51	28	21	21	11	
Picketing	107	160	<b>≁13</b> 9	141	77	151	72	45	
Clinic Blockades No. of Clinics	0	0	· O	0	2	138	103	21	
No. of Incidents	ň	Ô	0	0	2	182	201	34	419
No. of Arrests	0	ň	n	0	290	11,732	12,358	1,363	26,357

NOTE: Statistics represent incidents reported to the National Abortion Federation; actual numbers may be higher.

Due to clinic duplication, totals for No. of Clinics are not applicable.

SOURCE: National Abortion Federation, Washington, D.C.

to employ security personnel; 21% had their fire and casualty insurance cancelled.

The costs of anti-choice violence can be great. In 1989, Allegheny Reproductive Health Center in Pittsburgh was firebombed. No one was injured, but damages reached \$20,000. In 1990, the same clinic suffered extensive roof and water damage resulting in repair costs of \$50,000. Also in 1990, Philadelphia's Northeast Women's Center lost \$1,500 when the safety glass of the front door was broken.

Communities where clinics are located also suffer from anti-choice assaults. Neighboring businesses have lost customers and suffered damage to their buildings. Uninvolved passers-by have been harassed. Public safety costs and concerns are heightened when anti-choice tactics require that paramedics, fire fighters and police be called.

Anti-choice harassment costs taxpayers. Police protection at anti-choice protests cost the city of Pittsburgh more than \$55,000 in 1988-89, and the city of Philadelphia more than \$25,000. The largest expenses were in lost-time salary payments and medical costs for police officers injured at anti-choice demonstrations. In 1989, 47 Pittsburgh police officers were injured at these demonstrations.

Eighty-five jailed anti-choice protesters cost Allegheny county \$6,000 each day of their confinement in 1989. Arrests are similarly expensive to taxpayers in other communities.

More than 3,000 anti-choice protesters were arrested following demonstrations across Pennsylvania in 1988-90: over 1,065 in Philadelphia; 1,788 in Pittsburgh; and over 200 in other counties. Charges have included reckless endangerment, failure to disperse, assault and criminal trespassing.

Some counties now provide regular police protection to clinics that are targeted for anti-choice activity. It costs Pittsburgh taxpayers \$1,100 per week to station police officers at two clinics every Saturday.

In spite of the illegality and cost of anti-choice activity, some counties have been reluctant to prosecute offenders or to give fines or sentences. (See Figure 1) There have

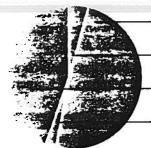
been some improvements in police and prosecutorial response over the past year, largely as a result of public outcry.

Abortion providers have overcome anti-choice harassment, and have continued to provide this needed health care. The threat of violence and the frequent harassment have made such service provision more difficult, however, and the clinics have relied on trained volunteers to provide escort to patients.

Legal recourse for clinics has included civil suits for damages and injunctive relief, and criminal prosecutions. Important decisions include the holding of the United States Court of Appeals for the Third Circuit in Roe v. Operation Rescue that harassment and blockades by anti-choice demonstrators violate state trespass law and law prohibiting intentional interference with contractual relations. Describing the protests as a "well-orchestrated-campaign to disrupt and shut down abortion clinics throughout the nation," the appellate court upheld a permanent civil injunction prohibiting the blockading of clinics in the Philadelphia area. In the same case, the court upheld a \$20,000 contempt fine imposed against a leader of anti-choice blockades in the Philadelphia area.

# Figure 1

Summary of Disposition of Criminal Cases
Against Anti-choice Demonstrators in Philadelphia



582 defendants: guilty, no jail or fine, \$25 court cost waived by the judge

53 defendants: guilty, no jail or fine, \$25 court cost assessed

393 defendants: guilty, \$25 fine plus \$25 court cost

37 defendants: not guilty

DATES: 4/1/88; 9/6/88; 10/29/88; 3/24/89; 6/10/89; 7/1/89; 2/3/90 Information not available for 9/30/89 or 3/28/90 SOURCE: Women's Law Project, Philadelphia, Pennsylvania

## Sources:

"The Geographic Distribution of U.S. Hospitals with Abortion Facilities" Raymond Tatalovich and Byron W. Daynes, Family Planning Perspectives, Vol.21, No. 2, March 1989; "The Harassment of U.S. Abortion Providers" Jacqueline Darroch Forrest and Stanley K. Henshaw, Family Planning Perspectives, Vol.19, No. 1, Jan.1987; "Incidence of Violence and Disruption Against Abortion Providers" National Abortion Federation; "Summary of Disposition of Cases" Women's Law Project; "Jailed Protesters Cost County \$6,000 Each Day," Pittsburgh Post Gazette, 11/3/89; "City Officials Ready for Anti-abortion Protest" Pittsburgh Post-Gazette, 4/27/89. Additional references available from the Duvall Education Fund.

## For More Information:

The Clara Bell Duvall Education Fund 1218 Chestnut Street, Suite 1007 Philadelphia, Pennsylvania 19107 (215) 629-0111



305 Wood Street Pittsburgh, Pennsylvania 15222 (412) 471-9110





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# AN OVERVIEW OF LEGISLATION ATTEMPTING TO PREVENT CLINIC VIOLENCE

# AGGRESSIVE PROTEST ACTIVITY OUTSIDE MEDICAL FACILITY BOULDER, COLORADO ORDINANCE

Boulder passed an ordinance in 1987, <u>Too Close For Comfort: Protesting Outside Medical Facilities</u>, establishing a one hundred-foot buffer zone around every entrance to a licensed medical facility and an eight foot "bubble" around a patient.

Violators are subject to a maximum fine of three hundred dollars (\$300), a maximum jail sentence of ninety days, or both.

Protesters seeking to pass leaflets, handbills, display signs, or engage in oral protest, education, or counseling in the public way or sidewalk are confined to a radius of one hundred feet from any entrance door to a health care facility and prohibited from approaching closer than eight feet to a patient, unless the patient gives express oral consent to do so. Persons accompanying the patient or escorts cannot invoke the bubble around the patient for them. Only those specifically addressed can force a protester to remain eight feet away.

Immediately upon request by the patient to do so, the protester must withdraw to at least eight feet or discontinue all efforts. The following "imperative statements without limitation shall be sufficient to constitute a request (to withdraw): " stop," "withdraw," "back off," "get away," or "leave me alone."

# NORTHEAST WOMEN'S CENTER PERMANENT INJUNCTION AGAINST PROTESTERS

In Northeast Women's Center v. Michael McMonagle, et al. Philadelphia, the Third Circuit Court of Appeals affirmed a jury award of \$42,088 in actual damages for claims under state trespass laws and trebled an \$887 award in accordance with the RICCO statue, also affirming an award of \$65,000 in attorney's fees.

Final injunctive relief prohibits demonstrators from entering or obstructing the premises; limits the hours and days when demonstrators may sing, chant, shout or use amplification devices within earshot of the health facility when surgery is done; limits the manner and times when and the area where "sidewalk counseling" may be conducted; limits manner and number of picketers and areas where picketing may take place, requires picketers be clearly visually designated, and prohibits demonstrating in any manner near clinic employees' residences.

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The court authorized penalties of incarceration or fines of up to \$5,000 for each violation.

# PLANNED PARENTHOOD SOUTHEASTERN PENNSYLVANIA JANE ROE, ET AL. V. OPERATION RESCUE ET AL.

United States District Court permanently enjoined and restrained Randall Terry, Michael McMonagle, Joseph Foreman, Tina Krail, and Operation Rescue from trespassing on. blocking, obstructing ingress or egress; physically abusing or tortiously harassing persons entering, leaving, working at, or using any services at any facility at which abortions are performed in Philadelphia, Allentown, Pa. and Cherry Hill, N.J.

The injunction allowed for reasonably quiet, non-threatening "sidewalk counseling" conducted by not more than two people for each person; required no one to accept or listen to "sidewalk counseling" affirming that person's absolute right to walk away without harassment. Injunction affirmed right of Police Department or U.S. Marshal to "maintain public order by reasonably necessary rules and regulations as they decide are necessary at any particular demonstration site."

Violators are subject to a \$5,000 fine for the current violation and additional fines as stipulated in previous court orders.

# INTERFERENCE WITH ACCESS TO A MEDICAL FACILITY MARYLAND LEGISLATION

Planned Parenthood Association of Maryland, in coalition with Marylanders for the Right to Choose, facilitated the passage of a law prohibiting "interference with access to a Medical Facility," passed on May 25, 1989. The first of its kind in the nation, this law does not infringe upon the rights of freedom of speech and assembly.

The law states that "a person may not act alone, or in concert with others, with the intent to prevent an individual from entering or exiting a medical facility by physically detaining, obstructing, impeding or hindering the individual's passage."

Violators are guilty of a misdemeanor and are subject to a \$1,000 fine or up to 90 days in jail, or both.

# CHERRY HILL, N.J.- AN ORDINANCE PROHIBITING THE OBSTRUCTION OF ACCESS INTO AND OUT OF HEALTH CARE FACILITIES

Ordinance 89, passed by the Township Council of the Township of Cherry Hill, N.J., Camden County, ordains that no person shall block the doorway of any health care facility used by the public.

Violators for a first offense pay a \$500 fine together with costs of prosecution. Previously convicted offenders (within the past year) are fined \$1,000,00 for each offense, together with the costs of prosecution.



1144 Locust Street • Philadelphia, PA 19107-5740 • (215) 351-5500 • FAX (215) 351-5595

# CLINIC VIOLENCE & HARASSMENT PLANNED PARENTHOOD AFFILIATES 1990 VS 1991

INCIDENT	<u>1991</u>	<u>1990</u>	% CHANGE
Picketing	2363	3003	(-) 21%
Direct Confrontation	234	367	(-) 36%
Hate Mail	519	753	(-) 31%
Harassing Phone Calls	338	559	(-) 39%
Trespass	32	92	(-) 65%
Clinic Invasion	6	10	(-) 40%
Vandalism	98	85	(÷) 15%
Bomb Threat	18	30	(-) 40%
Death Threat	2	1	(÷) 50%
Assault/Battery	11	6	(÷) 83%
Burglary	13	16	(-) 19%
Kidnapping	0	0	
Attempted Arson/Bombing		5	(-) 100%
Arson	6	4	(÷) 50%
Bombing	0	0 -	
Law Suits/Criminal Charges	3 <sub>24</sub>	24	(-) 87%

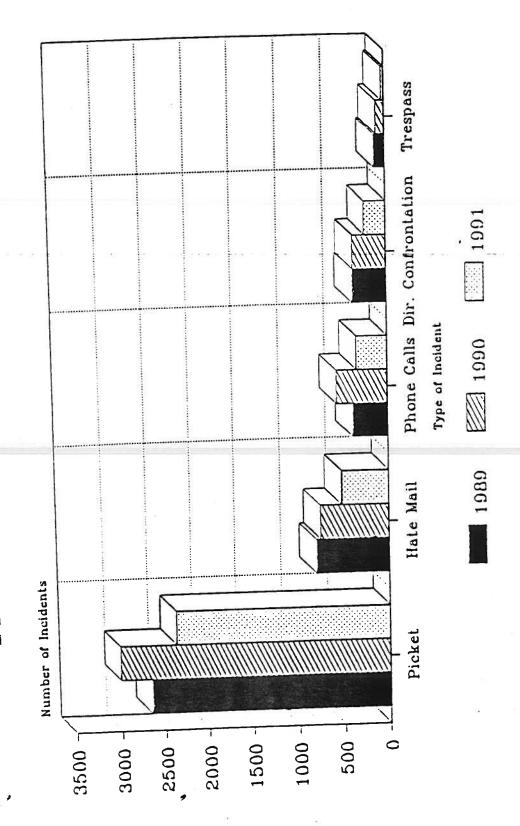
Soutce:

Planned Parenthood Federation of America

810 Seventh Avenue New York, NY 10019

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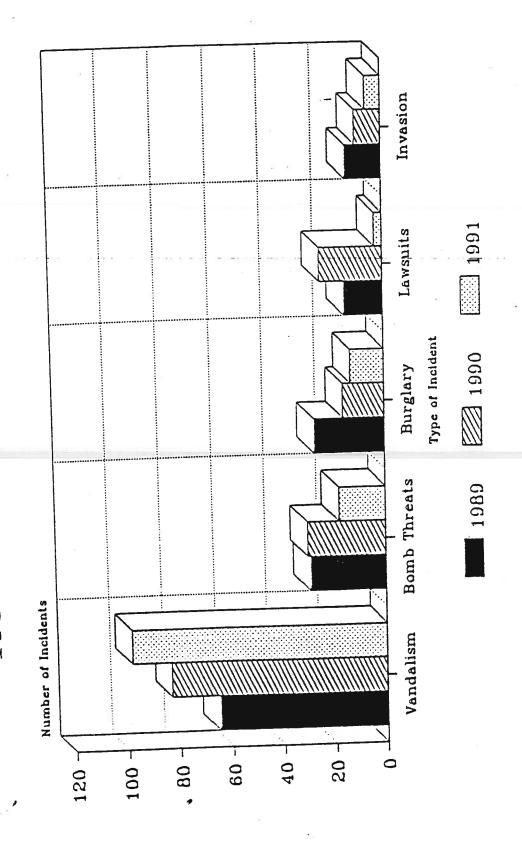
# PPFA Affiliate Violence Statistics 1989-1991 Totals: All Regions



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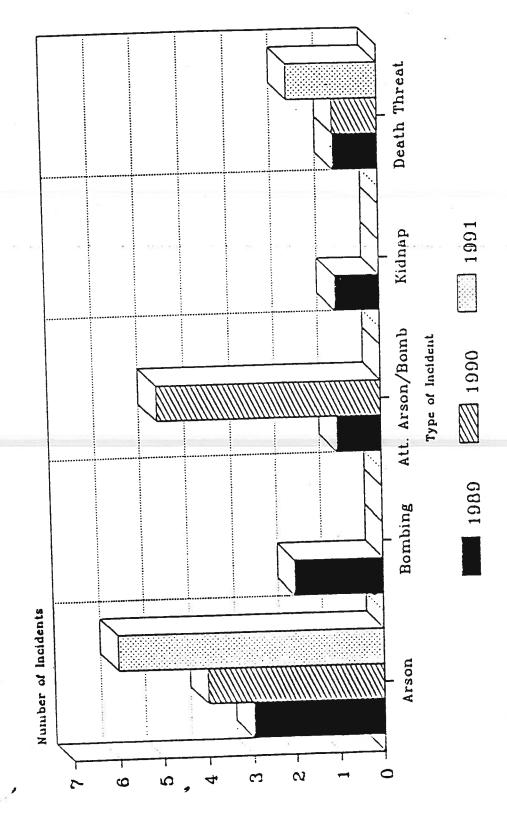
PPFA Affiliate Violence Statistics

PPFA Affiliate Violence Statistics 1989-1991 Totals: All Regions



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# PPFA Affiliate Violence Statistics 1989-1991 Totals: All Regions





# PLACE THIS CARD UNDER YOUR TELEPHONE

# QUESTIONS TO ASK:

- 1 When is bomb going to explode?
- 2. Where is it right now?
- 3. What does it look like?
- 4. What kind of bomb is it?
- 5. What will cause it to explode?
- 6 Did you place the bomb?
- 7 Why?
- 8. What is your address?
- 9. What is your name?

A Planted a bomb
in your facility
and I'm not
going to say when
it will go off
or where it is.

Sex of caller; T Race: White.
Age: 14/f Length of call 30 SEC.
Number at which call is received:
5621900
Time 8,20 Date: 5123190



CALLER'S VOICE:	
Calm	Nasal
Angry	Stutter
Excited	Lisp
Slow	Raspy
Rapid	Deep
Soft	Ragged
Loud ·	Clearing throat
Laughter	Deep breathing
@rying	Cracking voice
Normal	Disguised
Distinct	Accent
Slurred	Familiar
l voice is familiar, wh	no did it sound like?
BACKGROUND SO	UNDS:
Street	Factory .
noises	machinery
Crockery	Knimal noises
Voices	Clear
PA System	Static
Music	Local
House	Long distance
noises	Booth
Motor	Other
Office	
machinery	
HREAT LANGUAG	E:
✓ Well spoken	Incoherent
(educated)	Taped
Foul	Message read
Irrational	by threat maker
EMARKS:	18
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# **National Abortion Federation**

1436 U Street, N.W., Suite 103, Washington, DC 20009, (202) 667-5881, FAX (202) 667-5890

# **SUMMARY OF EXTREME VIOLENCE - 1991**

ATTEMPTED ARSON/BOMBING ARSON	 	 	 . ½	 •	. 8
(see reverse)  TOTAL # OF EXTREME INCIDENTS	 	 		 	16

# **REPORTED ARSON AND BOMBING INCIDENTS - 1991**

FACILITY	CITY/STATE	DATE	INCIDENT ES	TIMATED DAMAGE
Planned Parenthood of Central Ohio	Columbus, OH	2/91	1 Arson	\$ 75,000
Capital Care Women's Center	Columbus, OH	2/91	1 Arson	250,000
Piedmont Carolina Medical Clinic	Greensboro, NC	3/91	1 Arson	100,000
Women's Pavillion	Greensboro, NC	3/91	1 Arson	0
Medical Care Center at Woodbridge	Woodbridge, NJ	4/91	1 Arson	500,000
Founder's Women's Health Center	Columbus, OH	4/91	1 Attempted Bombing	0
Bay City Women's Medical Center	Mobile, AL	5/91	1 Arson	80,000

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# NAF 16th Annual Meeting, April 12-14, 1992, San Diego

Executive Director Barbara Radford

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Peter Bours, M.D.
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Planned Parenthood Liaison Louise B. Tyrer, M.D.

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# INCIDENTS OF VIOLENCE & DISRUPTION AGAINST ABORTION PROVIDERS

VIOLENCE:	1977-83	1984	1985	1986	1987	1988	1989	1990	1991	TOTAL
(# of Incidents)										
BOMBING	8	18	4	2	0	0	2	0	0	34
ARSON	13	6 `	8	7	4	4	6	4	8	60
ATTEMPTED BOM OR ARSON	BING 5	6	10	5	8	3	2	4	1	44
INVASION	68	34	47	53	14	6	25	19	25	291
VANDALISM	35	35	49	43	29	29	24	25	40	309
SAULT & BAT	TERY 11	7	7	11	5	5	12	6	5	69
DEATH THREAT	4	23	22	7	5	4	5	7	3	80
KIDNAPPING	2	0	0	0	, <b>0</b>	0	0	0	0	2
BURGLARY	3	2	2	5	· 7	1	0	2	1	23
TOTAL #INCIDE REPORTED	NTS 149	131	149	133	72	52	76	67	83	912

NOTE: Statistics represent incidents reported to NAF: actual number may be higher.

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# INCIDENTS OF VIOLENCE & DISRUPTION AGAINST ABORTION PROVIDERS (cont.)

DISRUPTION:	1977-83	1984	1985	1986	1987	1988	1989	1990	1991	TOTAL
(# of Clinics)*										
HATE MAIL & HARASSING CALLS	9	17	32	53	32	19	30	21	99	
BOMB THREATS	9	32	75	<b>51</b>	28	21	21	11	14	<b></b>
PICKETING	107	160	139	141	77	151	72	45	275	
CLINIC BLOCKADE # Clinics # Inciden # Arrests	ts 0	0 O O	0 0	0 0 0	2 2 290	138 182 11732	103 201 12358	21 34 1363	24 29 3490	448 29233

- \* NOTE: Due to clinic duplication, totals for "# Clinics" are not applicable. Statistics represent incidents reported to NAF: actual number may be higher. Also, an increase in numbers of incidents for 1991 does not necessarily indicate a rise in incidents; NAF's tracking and recording system was computerized mid-1991 which may account for seemingl inflated numbers.
- \*\* "CLINIC BLOCKADES" are protests during which groups of demonstrators physically block the doors to reproductive healthcare facilities to prevent patient access. Despite claims to be nonviolent, many "blockaders" are arrested for assault, trespass and invasion.
  NOTE: The "# Arrests" represents the total number of arrests, not the total number of persons arrested -- many blockaders are arrested repeatedly.



# National Abortion Federation

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# INCIDENTS OF VIOLENCE & DISRUPTION AGAINST ABORTION PROVIDERS

VIOLENCE: (# of Incident	1977-84 s)	1985	1986	1987	1988	1989	1990	1991	1992	TOTAL
BOMBING	26	4	2	0	0	2	0	0	3	37
ARSON	19	8	7	4	4	6	4	9	3	64
ATTEMPTED BOMB	TNG									
OR ARSON	11	10	5	8	3	2	4	1	3	47
INVASION	102	47	53	14	6	25	19	29	4	299
VANDALISM	70	49	43	29	29	24	26	44	22	336
ASSAULT & BATT	ERY 18	7	11	5	5	12	6	6	3	73
DEATH THREAT	27	22	7	5	4	5	7	3	1	81
KIDNAPPING	2	0	0	0	0	0	0	0	0	2
BURGLARY	5	2	v 5	7	1	0	2	1	0	23
TOTAL #INCIDENT	TS 280	149	133	72	52	76	68	93	39	961

NOTE: Statistics represent incidents reported to NAF: actual number may be higher.

(OVER)

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