

Protecting Access to Clinics

BACKGROUND: While the handful of murders of abortion doctors and clinic staff have attracted much media attention, family planning clinics report that they frequently experience other serious forms of antiabortion violence. These include bombings, arson and vandalism, as well as violent protests and blockades. In 1994, the federal government enacted the Freedom of Access to Clinic Entrances (FACE) Act, which prohibits intentional property damage and the use of “force or threat of force or...physical obstruction” to “injure, intimidate or interfere with” someone entering a health care facility. States have taken two approaches designed to protect abortion providers. Some states prohibit specific activities, while others have created floating “bubble zones” of several feet around a person who is within a specific distance of a clinic; protesters are prohibited from crossing into that “bubble zone” without the person’s consent.

HIGHLIGHTS:

- 15 states and the District of Columbia prohibit certain specified actions aimed at abortion providers.
 - 11 of the states and the District of Columbia prohibit blocking the entrance to and egress from clinic facilities.
 - 5 of the states and the District of Columbia prohibit threatening or intimidating staff who provide reproductive health services and/or patients entering the clinic.
 - 3 of the states prohibit property damage to facilities providing reproductive health services.
 - 2 of the states and the District of Columbia prohibit telephone harassment of staff who provide reproductive health services.
 - 4 of the states and the District of Columbia prohibit other specified actions, such as creating excessive noise outside the clinic, possessing or having access to a weapon during a demonstration at a medical facility, trespassing, or releasing a substance that produces noxious odor on clinic premises.
 - 3 of the states have “bubble zones” to protect patients from protestors; 2 states require a protected “bubble zone” around a person within a specific distance of a clinic’s entrance or driveway; 1 state prohibits protestors from coming within a specific distance of the clinic.



Advancing sexual and reproductive health worldwide through research, policy analysis and public education.

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PROTECTING ACCESS TO CLINICS

| STATE | SPECIFIC PROHIBITED ACTIONS | | | | | PROTECTED "BUBBLE ZONE" |
|-------------------|-----------------------------|---------------|----------|----------------------|--------------------|---|
| | Obstruction | Threat | Damage | Telephone Harassment | Other | |
| California* | X | X | X | | | 8-ft. zone within 100 ft. of door |
| Colorado | | | | | | |
| Dist. of Columbia | X | X | | X | Noise, Trespassing | |
| Kansas | X | | | | | |
| Maine | X | | | X | Noise, Odor | |
| Maryland | X | | | | | |
| Massachusetts | | | | | | 35-ft. zone around entrances and walkways |
| Michigan | | X | | | | |
| Minnesota | X | | | | | |
| Montana | X | | | | | 8-ft. zone within 36 ft. of door |
| Nevada | X | | | | | |
| New York | X | X | X | | | |
| North Carolina | X | X | | | Weapon | |
| Oregon | X | | X | | | |
| Washington | X | X | | X | Noise, Trespassing | |
| Wisconsin | | | | | Trespassing | |
| TOTAL | 11 + DC | 5 + DC | 3 | 2 + DC | 4 + DC | 3 |

* Requires the collection and analysis of data by state attorney general's office and training for law enforcement officers by experts on clinic violence.

FOR MORE INFORMATION:

For information on state legislative and policy activity, click on Guttmacher's [Monthly State Update](#), for state-level policy information see Guttmacher's [State Policies in Brief](#) series, and for information and data on reproductive health issues, go to Guttmacher's [State Center](#). To see state-specific reproductive health information go to Guttmacher's [Data Center](#), and for abortion specific information click on [State Facts About Abortion](#). To keep up with new state relevant data and analysis sign up for the [State News Quarterly Listserv](#).

Lin V, [Anthrax threats, continued violence prompt renewed attention to clinic, client protection](#), *The Guttmacher Report on Public Policy*, 2001, 4(6):13-14.

The Alan Guttmacher Institute, [High court strikes down 'partial-birth' ban, upholds protections for clinic clients](#), *The Guttmacher Report on Public Policy*, 2000, 3(4):12.