

January 22, 2005

Julie White
P.O. Box 8575
Missoula, MT 59807

Re: HB 324

Members of the House Judiciary Committee,

I am the volunteer escort coordinator at the Blue Mountain Clinic in Missoula. Each year, the Blue Mountain Clinic handles over 11,000 patient visits. The clinic offers full-spectrum health care, including abortion services, acupuncture and mental health counseling. Because abortions are available at our clinic, anti-choice protesters started picketing outside our driveway entrance in September of 2003 and have not missed a week since then.

As an escort and employee of the clinic, I have personally experienced being yelled at, called names and told to get another job. One of the protesters, who has an arrest record from across the country for protesting at other health care facilities, has attempted to find out my name from other escorts. I am concerned about what she would do when she does learn who I am. Will she try to call me or come to my house, or worse? In September of 2003, this protester called out the Blue Mountain Clinic's Executive Director, Raquel Castellanos, that she knew that she lived in Arlee and she was going to come to her neighborhood and tell all of her neighbors that she works at a clinic where they kill babies. Ms. Castellanos, who has two small children at home, was extremely concerned.

Approximately a year ago, I escorted a family of five, a mother, father and three young boys (none over the age of five) into the clinic. When we reached the front door, one of the protesters yelled out, "They kill children in there!" One of the young boys heard this, looked confused and asked his mother why she had said that. His mother quickly rushed him inside, clearly upset. This kind of behavior could traumatize a child from ever feeling safe going to a doctor's office. How is this okay?

On January 9th of this year, a clinic in Olympia, Washington was burned down. The cause of the fire has been determined to be arson. The Blue Mountain Clinic was also firebombed back in 1993, and it burned to the ground. Thankfully nobody was injured or killed. This arsonist was caught and convicted but has since been released from prison. Patients and employees of health care facilities like the Blue Mountain Clinic are well aware of the kind of violence that has been occurring around the country at the hands of anti-choice zealots.

We must keep in mind that HB 324 is not about abortion; it is about law, public health and safety, individual liberties and civil behavior. The passage of this bill would help health care facilities by not removing protesters' rights to free speech but by keeping

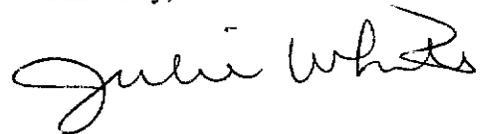
them farther away from clinic entrances and patients so that they could feel and be safer when accessing health care.

In Missoula, one of the other main health care providers, the Western Montana Clinic, is no longer accepting Medicaid patients for pediatric or family practice. This makes the Blue Mountain Clinic's role in providing access to health care vital to our community, but having protesters harass our patients while they exercise their right to choose where they seek their health care is despicable.

The state of Montana has a constitutional commitment to protect individual citizens' privacy – a value which is held high in this state. When protesters verbally accost people as they try to access their personal and private medical care, their actions go against our basic Montana values. The protesters at the Blue Mountain Clinic have taken photographs of employees, patients and their license plates. Clearly this is an infringement on anyone's privacy and thoroughly invasive and uncivil conduct. The passage of HB 324 will uphold the values of our citizens by giving patients better access to privacy in seeking health care by placing the protesters farther away. This would strike a balance between the public's right to access the health care of their choice while continuing to allow protesters to exercise their rights to free speech.

I strongly urge this committee to pass HB 324 for the safety and security of the citizen of Montana.

Sincerely,

A handwritten signature in cursive script that reads "Julie White". The signature is written in dark ink and is positioned to the right of the typed name.

Julie White

MONTANA STATE HOUSE JUDICIARY COMMITTEE

RE: House Bill No. 324 - Clinic Safety Act

I would like to encourage you to support House Bill No. 324. I have worked as the business manager at Blue Mountain Clinic since 1989, during that time I have had personal experience with anti-choice protesters, two Operation Rescues and a fire bombing that destroyed the Clinic.

I would like to tell you about one incident and how it has affected me over the years.. On November 23, 1991 an Operation Rescue took place at Blue Mountain Clinic, I was an escort that day. I was stationed at the back door of the office and was supposed to help patients get in past the protesters and try to keep the protesters out. I stood outside with the other escorts with the protesters standing within 1 to 3 feet of us. At one point the back door opened and the protesters rushed the Clinic, I was pushed backwards and onto the ground under a crowd of about 15 people. The only thing that kept me from being pushed through a plate glass door was that the door opened in an outward direction instead of inward. I suffered multiple bruises from being buried under this crowd of people. Beyond the bruising it is hard to explain the terror I felt at that time. These protesters were there to do anything they could to prevent our patients from getting into the clinic and now I was laying at the bottom of a pile of people that had no concern about hurting someone in order to meet their objective.

It is now 13 years later and Blue Mountain Clinic is again being picketed by anti-choice protesters. One of the protesters is known to have worked for Operation Rescue and has been arrested for blockading clinics in other states several times. Our parking spaces at the Clinic are usually reserved for patients so I normally park on the street. In order to get to the Clinic I have to walk through the protesters. It is terrifying to walk through a crowd of people that are saying hateful things, wondering if this will be the day that they decide to go beyond talking.

I still escort on occasion, walking patients from their cars to the door. The protesters stand next to the driveway and yell at the patients from the time they drive up until they are safely inside the clinic.. The protesters don't care if the person is a small child, a young adult or elderly patient. They scream their hateful and misleading chants. Our patients have no privacy when seeking their health care. The employees are yelled at and harassed and all we can do is ignore the taunts. A buffer zone would make it so that our patients and my fellow employees would be able to access the Clinic with some privacy and a sense of safety.

Thank you for taking time to read my letter and consider this bill.



Cherie Garcelon
Business Manager

January 20, 2005

2005 Montana Legislature
House Judiciary Committee

To Whom It May Concern:

This is in response to the proposed Clinic Safety Bill, HB 324. I am a Family Nurse Practitioner working at Blue Mountain Clinic in Missoula, Montana. I serve all types of clients included in a full family practice. This clinic is one of the few in Missoula still delivering health care to new Medicaid clients, including the pediatric and prenatal population. My professional focus in this clinic is with prenatal patients, infants and children.

There have been instances in the past year where abortion protestors have verbally harassed clients at close range (at the entrance) coming to the clinic for their health care. Specific events reiterated to me by my patients have included:

1. A 19 year old female bringing her 4 month old son for a well child exam being told that "we can save your baby". The mother stated that she had her baby, it was well and it was in her arms.
2. A 15 year old female coming to the clinic for abdominal pain being told not to kill her baby.
3. A pregnant female of 8 months gestation coming for her prenatal visit being told not to kill her baby.

I feel that it is the right of all American citizens to protest and I do not wish that right to be taken away. It is what our democracy is built upon. However, I do take offense and feel that it is NOT right to have protestors make it emotionally and physically difficult to access health care which is a private issue and not to be assumed by protestors what that health care visit entails.

Therefore, I am in support of HB 324 which would allow access for people "to obtain medical counseling and treatment" and that it is "necessary to enact legislation prohibiting a person from knowingly obstructing another person's entry into or exit from a health care facility".

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Laura Marx".

Laura Marx RN, MSN, APRN

January 23, 2005

Mindy Opper
1635 S. 12th West
Missoula, Mt. 59801

House Judiciary Committee
Montana State Legislature
Helena, Mt.

Dear committee members,

My name is Mindy Opper. I am a family practice physician assistant at Blue Mountain Clinic in Missoula. I am writing and testifying regarding HB324 which would prohibit protesters from blocking access to health care facilities.

In recent months, the abortion protesters outside of our clinic have become increasingly bold and aggressive in their harassment of our patients. Blue Mountain Clinic is a full family practice clinic seeing patients covering the entire life cycle. Abortion happens to be one service we offer. Two months or so ago, one of my patients was blocked from entering the clinic for her annual exam and contraceptive services. Some of our young pediatric patients have been unnecessarily upset by the protesters yelling that we kill babies in there. Some of our elderly patients have been concerned for their safety when they come for their appointments. Every week on Wednesdays, I am harassed by name when I arrive at work. Our protesters line up at the border of our entrance driveway and make it difficult for cars to safely access our parking lot. Many of our patients no longer wish to have appointments on Wednesdays in order to avoid being harassed.

I believe every citizen of the US has the right and privilege to protest against ideas and activities they find themselves opposed to and for those that they support. This is a fundamental right granted to us in the constitution. I believe HB324 would strike a balance of allowing protest to continue and yet give our patients and employees a little more security by creating a buffer zone around the clinic entrance. I know there are other health care facilities in Montana experiencing the same problem. Other states have enacted buffer legislation, in fact 15 have done so. Multiple Supreme Court rulings have upheld buffer legislation acts based on the federal FACE law and other courts have ruled that buffer zones do not infringe on our right to protest.

It is imperative that we protect our right to access health care without threat, intimidation or harassment. This bill would provide a safe space for patients to access their health care facility. It would also allow employees of health care facilities to feel that the state upholds our right to go to our jobs without fearing for our safety. By creating a buffer zone around facility entrances the state would show support for patients' rights to access and enter their doctor's offices safely.

I would encourage the committee to vote yes on this bill. Thank you for your time in this matter.

Sincerely,
Mindy Opper PA-C



January 23, 2005

TO: Montana Legislators
FROM: Seth Quackenbush (Arlee, MT)

Dear Legislators,

I am writing in support of the House Bill 324. Both my wife and myself are volunteers at Blue Mountain Clinic, escorting patients past abortion protesters and into the clinic once a month, and as such have a firsthand perspective on why this bill would be a valuable step towards insuring the safety of patients, clinic staff and escorts. I'll write briefly about the volatility and irrationality of the protesters themselves, then about the very real threat of violence, and why this bill would insulate those seeking legal medical attention while protecting the speech of those speaking out against abortion.

Protesters at the clinic mercilessly hammer everyone walking in with a deluge of insults, threats or heavenly intimidation. They've called my wife a "partner in death" and "accomplice to murder," and have attacked me for "not being a real man." They've threatened "they kill babies in there" on numerous occasions, including to families with children obviously on their way in for a routine checkup or other non-abortion service. Their relationship with God is apparently superior to the rest of us, as they claim to speak for Him when saying such things as "God doesn't want you to do this." Not knowing who is going in for an abortion and who isn't, they employ a shotgun approach, targeting everyone who goes into the clinic. On one occasion, a young woman who had just walked from her car through the verbal gauntlet of the protesters chuckled and said "It's funny because I'm trying to GET pregnant." Finally, protesters suggest that those choosing to get an abortion do so flippantly and as a form of birth control. This assumption, more than any of the other things protesters say, illustrates to me their tenuous grip on reality.

To state the obvious, the abortion debate has fueled deep passions on both sides, though these passions have escalated to the level of violence among the anti-abortion crowd. Every time I go to volunteer at the clinic, the thought of being exposed to physical, lethal violence enters my mind. Given the history of contention around this issue and the actions of anti-abortion activists in Montana and across the country, I don't think this feeling can be dismissed as paranoia. This bill would not alleviate this threat, though it would help.

As unpleasant as the barrage of anti-abortion insults and fears of violence are, the protesters are certainly entitled by the first amendment to speak their minds. However, it is also the patients' right to access legal medical services safely. This bill would balance these rights by allowing the protesters to be heard within a reasonable distance of the clinic while providing a larger buffer of psychological and physical space to those entering the clinic.

Please support House Bill 324.

Thank you,



Seth Quackenbush and Jennifer Savage

3480 McClure Rd.
Arlee, MT 59821

**Bernadette L. Kneefe, MSW
2445 Mullan Road
Missoula, Montana 59808**

January 23, 2005

Dear Committee Chair and committee members of HB 324,

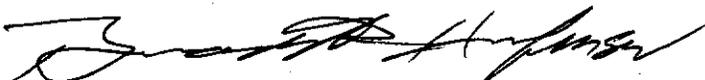
I would like to express my personal experiences while being a volunteer escort for patients at Blue Mountain Clinic in Missoula. First of all, I would like to question the fact that "escorts" are even needed for patients coming to the clinic. This is a health care clinic that sees individuals of every age, race and gender, yet on Wednesday's, individuals entering the clinic are exposed to protesters. Many of these patients coming to the clinic have to walk through the protesters to enter the clinic. They are exposed to threatening glares and vicious comments. These protesters not only hold signs, they yell cruel comments to patients as they enter the clinic. For example, "blood thirsty woman," "evil woman," "baby killer," "you're not a real man," and other demeaning, hurtful words. They shout at ALL individuals entering the clinic, even employees. Protesting is their right. It is also the right of individuals attempting to obtain health care to be able to access it without having to "run the gauntlet" to enter the clinic.

A few months ago, when I was escorting people who arrived at the clinic, these protesters were blocking the driveway, making it difficult for individuals to enter the parking lot. The police were called and a report was made, yet nothing was done to prevent the protesters from this behavior.

In light of the recent bombing at a clinic in Olympia, WA., escorts now have to be even more vigilant, watching the protesters to see if any new faces appear. Since protesters are allowed so close to the clinic, it makes it even more ominous for employees of the clinic, individuals who serve as escorts, and individuals coming to the clinic. It is imperative this bill is passed to guarantee safety for everyone on, or attempting to enter, the clinics grounds.

I implore you to pass HB 324 to keep protesters at a safe distance, away from individuals entering the clinic. It is the right of individuals to expect to enter their clinic free from interference of others to receive health care.

Sincerely,



Bernadette L. Kneefe, MSW

January 23, 2005

House Judiciary Committee Members,

RE: HB 324

Dear Legislators,

I am writing to urge you to support HB 324, which would make it a crime to obstruct health care facilities. This piece of legislation is not about abortion or reproductive health it is about the rights of all individuals to be able to seek and receive their health care in an environment free from harassment from other threatening individuals.

I have been an advocate and voice for choice for over 35 years and in my capacity as a volunteer clinic escort, I routinely hear such statements as "there are better jobs out there that you could have", "there is blood on your hands and "you will be sorry for this for the rest of your life." As an advocate I am not surprised at the harassment and have come willingly to escort but this past week a young woman, heard the last statement I mentioned above and said, "I didn't think they(protesters) would be so loud." She did not need that harassment in this very difficult time.

On that same day, a woman, my age, mid 50's, came in and was harassed with the "blood on your hands" statement. She looked a bit upset as she was at the clinic for a routine health appointment. She was upset also because she had driven a 30 minute drive through inclement weather to her health provider and was greeted in the early morning with the above statement.

Creating a 36 foot buffer zone around clinic entrances will allow all people, whatever their business, to receive their health care free from harassment, intimidation and harm.

Whenever violence against reproductive clinics occurs there lies serious concern for the general population, and the individuals that utilize the medical services at clinics, such as Blue Mountain Clinic in Missoula. With the recent burning down of a clinic in Olympia, Washington, I worry about the individuals, women with reproductive health needs, men with basic health needs, individuals with Mental Health issues, and children with well child needs, that utilize this health provider because of the professional commitment and service that this health clinic provides.

With the creation of the 36-foot buffer zone, the First Amendment rights of protesters will still be intact and the protection from harassment will then be available to the varied population that utilize these health clinics.

I would rest easier as a Montanan, knowing my neighbors are safer from intimidation, which could lead to serious violence. So I again urge you to support HB 324.

Sincerely,


Sheryl Stassi-Lampman

1/5/05
Jo York
1512 42nd Ave.
Missoula, MT 59804
721-5769

To Whom it May Concern:

I was peacefully seeking my regular healthcare at Blue Mtn. Clinic when I was yelled at by bystanders, expressing their sentiments against abortion. This was very unsettling for me. Blue Mountain provides intimate care needs for women in this town to a far greater degree than any other clinic or Dr. Taking full responsibility for one's health and healthcare is extremely important to me, and Blue Mountain practitioners do this in a cooperative and service-oriented way. Women come in here for everything from A to Z, and to have our right to privacy in so doing, as well as having the right to seek out this care without harassment, psychological or otherwise, is an important part of helping women like me prevent unwanted pregnancies. To interfere with this process is only adding instability to an already delicate process. Please protect our rights to have our healthcare needs met privately and peaceably. Jo York

Wally and Cindy Christina
4310 Brickyard Lane
Missoula, Montana 59802



406-549-7946
endluhu@msn.com

January 20, 2005

TO: Members of the House Judiciary Committee

RE: House Bill No. 324

I am writing to urge you to support and approve House Bill No. 324. This bill is an important step in assuring that every Montanan has access to healthcare at the clinic of their choice without fear of harassment or abuse.

I am a self-employed medical transcriptionist. Due to the nature of my work, I visit Blue Mountain Clinic every day. In the six and a half years I have been doing this work I have had many unwanted and unwelcome encounters with the group of people who tend to stand out in the driveway, protesting the fact that women in America have the right to make their own decisions regarding their health and well-being.

While I know it is possible to rise above the yelling, the signs, the taunting and the accusations, it can be very difficult to ignore someone when they are in your face. Many people come to the clinic for all kinds of healthcare and the protesters hassle everyone.

I had an incident happen where my husband, teenage daughter and I drove up to the clinic in our pickup. There were no parking spaces inside so we parked right outside the near the driveway. The protesters were there that morning and they immediately walked up the passenger-side window. This one woman leaned into the open truck window and, assuming I was there for an abortion, asked if their presence had stopped us from going in. I didn't respond except to chuckle and say I was certainly not pregnant. Then they started in on my daughter. They assumed she must be the one having the abortion. Did we know that abortion causes cancer?? Did we know that the doctor rips the baby out of you and you never get to talk to any nurses or counselors again for any kind of follow-up?? I found their conduct offensive, obnoxious and disgusting. We asked them to back away from the truck and we left. I returned later to take care of my daily business with the clinic.

I feel people should have the right to have unobstructed access to all healthcare environments without fear of harassment, abuse and accusations being thrown in our faces. Please consider the importance of House Bill 324 and how badly it is needed, not only for women but for all Montanans.

Cindy Christina

Dearest Congressmen,

I remember the first time I saw the protestors outside the clinic. Anger, panic, fear, and injustice filled my being all at once. How could this be..what about the face act..they're passing out pamphlets and trying to do "sidewalk counseling"? My mind raced.. how could these people be outside of our clinic? At first they were quiet, but as the weeks progressed they began to say so many hate full things, and behind all those statements were untruths and misconceptions designed to do nothing more than scare people.

I realized after several weeks of them being around that they were not going to go away. I began to constantly watch out of my rear view mirror as I was either on my way home or on my way to work. I had fantasies of waking up one morning and they would be standing outside my house on the sidewalk. I would come home or meet with friends and try to vent, because I felt I had vented so much at work that the people I worked with would become tired of me talking about it all the time. People would respond with an "ooohhh", or "uh huh" and then we would move on to the next topic. There is no way to put into words what walking through a wall of hatred like that can do to your sole unless you've been through it. When Marilyn is standing outside the gate of your workplace only 2 feet away from you as you lock the gate for the night and spewing hatred like "Baby Killer", it takes everything within you to not respond.

Eventually I came to accept it. Something else then began to surface for me, and that was a concern for our patients.

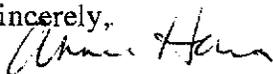
I believe that sometimes people may forget that if it were not for our patients, our clinic would not be. They are the true heroes. But is it just that they should have to walk through this wall of hate to exercise something that is their constitutional right....to seek a legal abortion? These could be your granddaughters, your daughters, your wives, sisters, nieces or best friends of any of them. What about those not seeking an abortion? What about the patients who come for a sick visit, therapy, prenatal care, or the child who comes with their mother because he/she has had a fever for 3 days?

This could be you or your son, brother, father, grandson, coming for a general physical or merely to get some acupuncture.

Please understand that it is not my intent to take away the right of these people to protest, because we all know that to take away that right for one is to remove it for all, and I am a firm believer in our right to free speech. Our Forefathers knew what they were doing!

My intent here is to allow you a moment of my time within this letter to see if we can at least move the wall of hatred over a bit so our 4 year old patients coming in for their well child exam do not have to hear "Hey they kill babies in there!"

Sincerely,



Annie Hansen

Proud Employee of Blue Mountain Clinic

January 22, 2005

Dear Legislators and/or House Judiciary Members,

As a volunteer escort at the Blue Mountain Clinic in Missoula, I am writing to ask you to support HB 324, which would make it a crime to obstruct health care facilities.

I am a retired public school teacher, a "little old lady" in my middle 60's. I feel strongly that legal, safe medical practices should be available in non-threatening circumstances. It is difficult for women and their families to make careful, rational, personal medical decisions, and when their private business must be conducted to jeers, personal insults, cat-calls, shouted misinformation, this particularly private event becomes a charade----humiliating and potentially dangerous.

On more than one occasion, I have strongly advised those who are accompanying their companions into the clinic NOT to respond, not to yell back, not to go punch somebody, not to act in any way that might allow a potentially fiery situation to explode; to exhibit more dignity, self control and personal character than those who are screaming at them while they are trying to quietly walk from their car into a clinic. I understand and approve of the concept of free speech, but this horrible behavior exceeds mere speech.

One time when I was escorting, the 'protestors' screamed so much at me for being there, calling me a murderer, etc, that a woman who worked nearby and was walking from her car to her job, attempted to defend me--("do you think that elderly woman is here for an abortion?" "No, but she's here to help the baby killers, etc. I did not enter into this argument-----) but the police were called, not by the clinic, to come and investigate this altercation. It did not make me feel particularly safe to be in the middle of a screaming match full of insults and accusations.

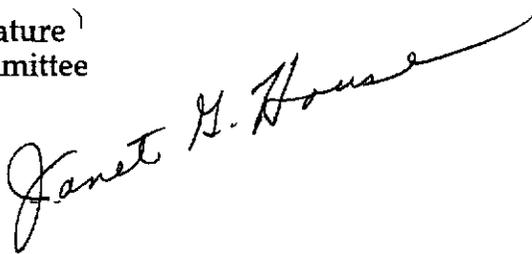
Please support HB 324 and help prevent these potential dangerous situations before, not after, they begin.

Yours truly,

Nan Bovington

To: Montana State Legislature
House Judiciary Committee

Fr: Janet G. House
21620 Polette Pl.
Florence, Mt. 59833
406-456-8856



Re: House Bill 324 regarding obstructing access to health care facilities

Dt: Jan. 20, 2005

After thinking about this bill for a long time, I have decided to write this letter to ask you to support creating a buffer zone of at least 36 feet from the entrance or exit of a health care facility as described in House Bill 324.

I had to think about this for a long time because, at first glance, it could appear to be an infringement of free speech, the most important right free people have. But on a careful reading, it is obvious, this bill provides a fair balance between rights.

I will not repeat the data that you know or will become aware of in this hearing about how unrestricted demonstrating at a health care facility can obstruct a person's right to obtain counseling and medical care of his/her choice. I want to tell you about a typical experience I had while working as a volunteer escort at a health care facility.

A group of people gathered on the sidewalk outside the clinic. They were carrying signs, calling out to people as they drove or walked in, calling clients, health care providers and volunteers murderers or accomplices to murder. My job as an escort is to walk out to the clients' cars and ask if they want company as they enter the building. A car drove slowly into the lot; no one made any move to come out. As I approached, the client lowered the window and said with hesitation: "Is this -----clinic? What's going on? I've never been here before." The client was frightened. If I had not been there to tell her she was at the right place, she would have left without the opportunity to see her health care provider.

Perhaps this is a small thing to some of you. This client could go somewhere else, you say. We don't know that. We don't know why this client chose the place she did or what service she was seeking. It is not our business to know. But it is our business to protect the right of all our citizens to seek medical care at a licensed and certified facility of their choice. The clinic where I volunteer, and others like it, serves thousands of Montanans and is the sole health-care provider for many low-income families. We don't know how many men, women and children have been denied health care by the intimidating actions of protesters.

This bill helps to protect access to health care while still allowing others to protest as they exercise their right of free speech. It is a fair and balanced bill and the courts have upheld bills like the one you are considering. I urge your support for House Bill 324.