



Blue Mountain Clinic

610 N. California Street Missoula, MT 59802 (406) 721-1646
FAX (406) 543-9890 Web Site: bluemountainclinic.com

Family Practice

7
3-10-05
+ 0 324

March 9, 2005

To Senate Judiciary Committee

Re: HB 324

Proponent statement

I am here today to urge you to vote in favor of HB 324 "AN ACT CREATING THE CRIME OF OBSTRUCTING HEALTH CARE FACILITY ACCESS."

My name is Raquel Castellanos; I serve as the Executive Director of Blue Mountain Clinic in Missoula, Montana. Blue Mountain Clinic is a full Family Practice Health Care clinic. And while we do provide access to abortion services, providing over 400 abortions for families in Montana last year, we also serve an important role by providing over 11,000 family practice visits per year.

Our practice encompasses the full range of family health care, including prenatal care, pediatric services, mental health services and patient care to all ages including youth to geriatric care. In Missoula, we serve a critical need in providing access to Medicaid patients as Western Montana Clinic has closed their practice to new pediatric and family practice patients that have Medicaid insurance. In the past two years, our Medicaid write offs have doubled.

I am here to urge you to vote in favor of HB 324, in order to protect the privacy of my staff and patients, who are harassed on a weekly basis by anti-choice picketers. While I affirm our constitutional freedom of speech, the level of personal harassment and attacks that our patients and staff have had to endure over the past 18 months, by the picketers, crosses all boundaries of civility and peaceful protest. In September of 2003, Marilyn Hatch, an anti-choice picketer, with over an 12 year history of anti-choice picketing activity, including a record of 3 arrests in 3 different states for obstructing clinic access, has conducted weekly picketing at the gates of our clinic, without missing a week. She has shown up with as few as 3 and has many as 25 picketers outside our clinic.

This morning you will hear a small fraction of the specific instances which our patients and staff have endured, which include, having their pictures taken, having their license plate numbers written down, and being approached in public places by picketers and told "I know who you are and what you do at Blue Mountain Clinic."

I am the single mother of two young children, ages 4 and 5. In September of 2003, Marilyn Hatch, personally threatened me stating "I know you where you live in Arlee, Montana, and I am coming to your home and will tell your neighbors that you kill babies." That attempt to intimidate and harass me, can hardly be considered peaceful protest.

Citizens of this country have the legal right to access both reproductive and abortion health care services. And while the right to protest should be protected in a free society, there are limits to freedom of speech. At the House hearing on this bill, Harris Himes testified that the anti-choice picketers where merely peacefully protesting and praying outside the clinic gates, this was an outright lie.

Taking pictures of patients, staff, and people's car license plates, as well as yelling personal threats, is hardly peaceful benign protest. This bill strikes a fair balance between the right to protest and freedom of speech while protecting the privacy of our patients and staff. Indeed, since the hearing of this bill in the House, Marilyn and the other protesters have targeted Mindy Opper, our physician assistant who testified during the house hearing. They have placed her name on a sign which they prominently post during their pickets...the sign reads: "Mindy Opper stop the murder."

And while it is not my personal belief that Marilyn would cause Mindy or me physical harm, I'd like to remind this committee the sacrifice and risk that every one of my staff members and clinic escorts take simply by coming to work everyday. Not all of my staff is involved in the delivery of abortion services; however, each and every staff member, patient and escort are viciously attacked when they enter the clinic.

Marilyn has informed our staff and escorts, in recent weeks that if this bill passes, she will come to all of our homes and that she will post our addresses and personal information on signs.

Today, March 10, 2005 is National Appreciation Day for Abortion Providers. Unfortunately, many people do not realize the day to day terror that clinic staff face, just in order to come to work. We all must face the realization that walking into our clinic puts our personal safety at risk. The following is a list of the people across the country that have been killed or critically injured by fanatical anti-choice terror:

I'd ask that we all please remember the following people who were murdered by anti-abortion assassins:

Dr. David Gunn 3/10/93

Dr. George Patterson 8/28/93

Dr. John Britton 7/29/1994

James Barrett, escort 7/29/94

Leanne Nichols, staff 12/1994

Shannon Lowney, staff 12/1994

**Officer Robert Sanderson, off-duty police officer providing security
1/29/98**

Dr. Barnett Slepian 10/23/98

Then, there are the survivors of shootings, bombings, arson, etc. Among them:

Dr. George Tiller was shot in both arms, August 19, 1993, and still provides abortion in Wichita, KS. Anti-choice activists have relocated to that area to increase the harassment of Dr. Tiller and his staff.

Emily Lyons, a nurse, survived the bombing of a clinic, on 1/29/98. Lyons had a hole the size of a fist in her stomach. The flesh from her legs was ripped off and her vision is permanently damaged. Emily will not stay silent and speaks about this.

June Barrett, an escort, was shot on 7/29/94. Her husband and a doctor were also shot. They died.

In closing, I'd like to update this committee on some of the incidents that my staff has recently endured. Last week, on Wednesday, March 2, two of my staff members were followed when they left work. The two incidents occurred within 15 minutes of each other. Each staff member was followed by an unidentified man in his vehicle. He followed them for several blocks as they left work. In both instances, he circled back around, and made a point to wave at them and make certain that they could see that they were being followed.

After the testimony in the House on this bill, Marilyn Hatch and Harris Himes, produced a filmed "documentary" outside of our clinic. It aired on MCAT on February 5. During the two hour program, Marilyn clearly stated that her goal was to "shut down Blue Mountain Clinic." She also targeted Mindy Opper our physician assistant and proudly asserted that they had created signs specifically aimed at personally targeting her and that they felt they were having success in "getting to her." Lastly, Marilyn stated that if HB 324 passed, she would indeed target the staff and the clinic by coming to our homes and publicizing our addresses and contact information.

Given the fact that an abortion clinic in Olympia Washington was destroyed by an arsonist on January 11 of this year and, as many of you know, in 1993 Blue Mountain Clinic in Missoula was also destroyed by an arsonist, I am sure that this committee can understand the level of concern that I have for all of my patients and staff, when Marilyn and those who join her, make threats that are personally directed at our staff, patients and volunteers.

By putting some physical distance between the picketers and our staff and patients, this bill will strike a balance between the picketer's rights to free speech and providing security, safety and privacy for my patient's and staff. I urge you all to vote in favor of HB 324.



Raquel Castellanos
Executive Director