

March 9, 2005

Date 3-10-05
HB 324

To: The Montana Senate Judiciary Committee

Re: HB 324
Proponent Statement

Dear Members of the Senate Judiciary Committee:

I respectfully urge you to pass House Bill 324. As an employee of Blue Mountain Clinic since 1989, I have been both a target of and a witness to many anti-choice activities over the years, most recently the weekly "peaceful protests" since September of 2003.

This bill is not about eliminating the rights of those who protest abortion. Indeed, no one wishes that the fundamental right to free speech and to demonstrate be taken away for anyone. What this is about, however, is that citizens have the right to access their health care professional without fear of intimidation and harassment. This bill helps protect the right to privacy.

As a nurse at Blue Mountain, I have had the experience of observing the effects that these "peaceful protests" have had on our patients, both those seeking abortion services and those who receive their primary care at Blue Mountain. Over and over, people are angered by the blatant invasion of privacy, wondering: How it is o.k. to be yelled at, or even photographed, while entering the doctor's office? Contrary to what the protesters might have you believe, I am constantly told how safe they feel and relieved they are once they are inside the building. I am often asked how might these strangers presume to know anything about them or their health, about why they might be coming to the clinic and ultimately, how can it be any of their business anyway? What really is ok about yelling hateful accusations to a patient coming in for sport's physical, or a sinus infection, or an abortion? All are components of legal primary health care.

When scheduling appointments, I caution patients about the protesters in order that they are not blind-sided by their presence. I do this because I cannot tell you how many times I and others have been met with the response: "If they try to say anything to me, I (or my boyfriend, parent, etc) will tell them where to go!" or "They better not come near me or try to tell me what to do....I won't take it." Because of the strong emotions that are flowing on both sides, you can imagine where this might lead. As patients are walking from their cars to the building entrance, they are bombarded with ugly words and threats of going to hell. Such maligning of personal integrity and invasions of privacy, coupled with the strong opinions of the protesters, creates a strong possibility of volatile confrontation. Passage of this bill can help to minimize this risk, by keeping a distance between the two opposing sides.

Over the last several months, I have become increasingly concerned about the actions of the protesters, particularly since I am a full-time employee who is most often the last to

leave the clinic at closing. One regular protester, Marilyn Hatch, often returns in the late afternoon, early evening to protest. At the testimony given by Harris Himes on January 24th before the House Judiciary Committee, he stated, as one of the regular protesters at Blue Mountain Clinic, that they only engage in "peaceful" protests during the time that they knew Blue Mountain Clinic provided abortion services so as to target those specifically seeking abortion. I find it curious and, frankly, creepy to find Marilyn slowly driving around the perimeter of the building at closing time, as if she were "casing" the place. How many other "regulars" are doing the same, unbeknownst to me? Many times at closing as I am locking the gate to the parking lot she is no more than two feet away from me, telling me that I am going to hell, that I will have to deal with Christ at "Judgment Day" and that she could help me find another job that doesn't make me so evil. As a result of these encounters, I have purchased and carry a cell phone at all times so that I might access 911 at any given moment.

Across the nation, acts of violence toward physicians and clinic are real: arsons, chemical attacks, assassination attempts, anthrax threats and murder are actual atrocities that have occurred in the United States, directly targeted to those who provide abortions. While no one accuses those who currently protest at Blue Mountain Clinic of committing these horrendous acts, one cannot help but fear that someone, sometime might be capable of carrying out this kind of homegrown terrorism. It has been done before and Blue Mountain Clinic has been a target.

We cannot expect the protesters to go away...they do have the right to free speech and assembly. But the staff and patients of Blue Mountain Clinic have the right to privacy as well. Unfortunately, as threatened by the protesters after this bill was approved by the House, passing House Bill 324 may very well escalate the personal attacks on staff and escorts. However, and most importantly, passing this bill protects our patients' rights to access health care; it protects their rights to privacy, and furthermore, it can reduce the potential for heated and volatile encounters between patients and protesters. This bill protects both interests.

I urge you again to pass House Bill 324.

Thank you for your time and consideration to this very important matter.



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