

March 10, 2005

Page 10
Date 3-10-05
Bill No. HB 324

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

Re: HB 324

Members of the Senate Judiciary Committee,

I am the coordinator of the volunteer escorts 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. Just two weeks ago, she started threatening to find out who our escorts and employees are, and where they live. We are concerned about what she would do when she gains this information. Will she try to call us or come to our homes, 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, Richard Thomas Andrews, was caught and convicted but was released from prison in 1999. 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

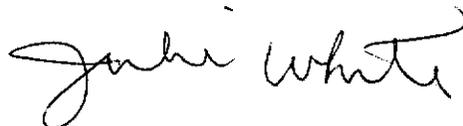
help health care facilities by not removing protesters' rights to free speech but by keeping them farther away from clinic entrances and patients so that they could feel and be safer when accessing health care.

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 citizens of Montana.

Sincerely,

A handwritten signature in cursive script that reads "Julie White". The signature is written in dark ink and is positioned above the printed name.

Julie White

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:

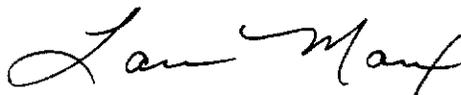
1. A 19 year old female bringing her 4 month old son for a well child exam being told that "we can save your baby". The mother stated that she had her baby, it was well and it was in her arms.
2. A 15 year old female coming to the clinic for abdominal pain being told not to kill her baby.
3. A pregnant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



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.

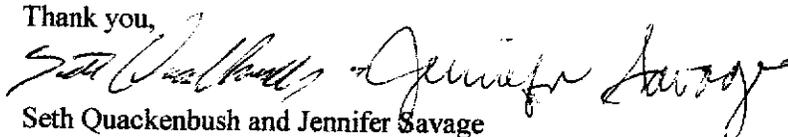
Protesters at the clinic mercilessly hammer everyone walking in with a deluge of insults, threats or heavenly intimidation. They've called my wife a "partner in death" and "accomplice to murder," and have attacked me for "not being a real man." They've threatened "they kill babies in there" on numerous 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,

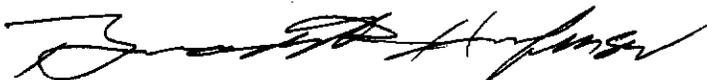
I would like to express my personal experiences while being a volunteer escort for patients at Blue Mountain Clinic in Missoula. First of all, I would like to question the fact that "escorts" are even needed for patients coming to the clinic. This is a health care clinic that sees individuals of every 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.

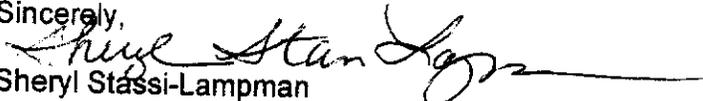
Creating a 36 foot buffer zone around clinic entrances will allow all people, whatever their business, to receive their health care free from harassment, intimidation and harm.

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



jucawhite@hotmail.com

Printed: Tuesday, January 25, 2005 7:14 PM

From : nan bovingdon <nano@bigsky.net>
Sent : Friday, January 21, 2005 8:25 PM
To : Julie White <jucawhite@hotmail.com>
Subject : letter from Nan

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 Bovingdon