



Family Planning Advocates of NYS
17 Elk Street
Albany, New York 12207-1002
Phone: (518)436-8408
Fax: (518)436-0004
Website: www.fpaofnys.org

MEMORANDUM OF SUPPORT
A 8924 (Hoyt)
2009

AN ACT to amend the penal law, in relation to the crime of aggravated interference with health care services.

This legislation builds on New York's clinic access law to create enhanced penalties for anyone who causes injury or serious physical injury to a reproductive health care provider, an employee or volunteer of a health provider that offers reproductive health care services, or a patient seeking such medical care.

Across the country, as well as here in New York, the reproductive health care community is reporting an increase in the numbers of protesters who engage in threatening behavior or violent rhetoric. With the May 31st murder of Dr. George Tiller in Kansas by a person known to engage in clinic protests, it is time for New York to take steps to stop the escalating pattern of violence aimed at abortion providers, staff, volunteers and patients.

The bill recognizes the harm caused by those who use violence to prevent access to reproductive health care services by creating enhanced penalties for assault crimes committed in the course of interfering with reproductive health care service delivery. Under this legislation, causing physical injury to someone who is obtaining, providing or assisting someone to obtain or provide reproductive health services would be a new class E felony, and causing serious physical injury would be a new class C felony. This legislation ensures that repeat offenders of the laws designed to protect safe access to clinics are subject to escalated penalties.

The bill ensures that violent attacks against volunteers at reproductive health facilities are properly punished. Many clinics rely on volunteers to shield patients from the threats and harassment of anti-abortion protestors, and these heroes should be entitled to the fullest protections available under the law. New York law must be strengthened to penalize those who would resort to violence against clinic volunteers.

This legislation does nothing to interfere with free speech rights; it merely penalizes criminal, violent conduct that causes injury. The proposal sends an important message that New York State will not tolerate violence and harassment of health care providers, the patients they serve or the staff and volunteers who assist them.

Family Planning Advocates strongly supports passage of this bill.