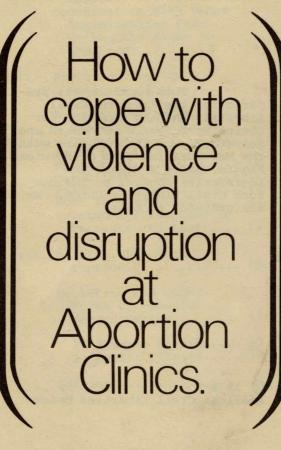
Denying the right to choose:



Donald Hall

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C 1978 American Civil Liberties Union

TABLE OF CONTENTS

	Page
Introduction	. 1
The Purpose of the Handbook The Political Context	. 1 . 2
I. Preventing Trouble Before It Arises	. 3
Approaching the Police.	. 4
Approaching Other Local Officials	. 6
Approaching the Opposition	
Approaching the News Media Coordination With Other	. 8
Organizations Pro- moting the Right to Abortion	
II. Preparing For The Worst	. 9
Security Guards or Additional Police Protection	
Locks and Alarms Telephones	10
The Clinic's Layout	· · TT
Files Mock Invasions	12
Printed Instructions t Patients and Staff	0
III. Dealing With Dis- ruption	16
Picketing and Other Forms of Peaceful Demonstration	17
 Private Clinics Public Clinics 	17
Sit-ins	20

Assorted Forms Of Harassment	22
 Taking Photo- graphs of Staff Members and Patients 	22
2. Taking Down License Plate Numbers	22
 Name-Calling and Debating Harassing Patients 	23
at Home 5. Acts or Threats of Violence	
IV. Going to Court	
Criminal Prosecutions Civil Suits	27 29
Appendix A: News Article from <u>The New York Times</u> Edition of March 2, 1978	36
Appendix B: Excerpt From Leaflet Entitled "A Peaceful Presence: Non- Violent Direct Action to Save Lives" Published by the "Pro-Life Non- Violent Action Project"	30
Appendix C: List of Organizations Actively Promoting the Right to Choose	

INTRODUCTION

The Purpose of the Handbook

This handbook is directed primarily to those who administer abortion clinics and their employees and patients. It provides advice on how to cope with all forms of protest the clinic might encounter, ranging from lawful, orderly demonstrations outside the clinic to serious and illegal acts of violence.

Administrators and employees of abortion clinics are not the only people who might find this handbook useful. The handbook is an attempt to set forth the rights of <u>all</u> the parties concerned with this issue. While the American Civil Liberties Union strongly supports the right to abortion -- and publishes this handbook to help preserve that right for all women -- it does not waver from its traditional defense of the rights of demonstrators to engage in peaceful protest in public places. Demonstrators against abortion who want to obey the law may also find this handbook useful.

Our purpose in preparing this handbook is to try to lessen the potential for violence against abortion clinics. If clinic personnel and patients know what to do before and during a confrontation, and if anti-abortion demonstrators know the limits of their lawful protest, rash violence will be curtailed.

The Political Context

In 1973, the U.S. Supreme Court rendered two decisions that established a constitutional right to abortion for women throughout the country. In these two cases, <u>Roe v. Wadel</u> and <u>Doe v. Bolton</u>,² the Court made clear that a woman's decision to terminate her pregnancy by abortion is protected by the constitutional right of personal privacy, and it set precise limits on governmental interference with that right.

Over the next five years, those decisions provoked an intense reaction from those who oppose all abortions. That reaction has taken several forms: proposals for a constitutional amendment to overturn Roe and Doe; efforts to enact state and federal legislation that would prohibit the use of public funds for abortion; public demonstrations against abortion; and, most recently, acts of violence against abortion clinics.

Since the beginning of 1977, a number of abortion clinics across the country have been burned or bombed. Many others have been vandalized. In addition, workers and patients at some clinics have been harassed and threatened. (Appendix A contains a recent account from <u>The New York Times</u> on the spreading wave of violence against abortion clinics.)

In fact, several organizations openly promoting disruptive conduct against abortion clinics have recently come into existence. One, calling itself "People Expressing A Concern for Everyone" ("PEACE") has taken responsibility for sit-ins at clinics in Omaha, New York, Minneapolis, Baltimore, Anchorage, and Fairfax, Virginia, on January 6, 1978. Its avowed purpose is to disrupt the operations of the clinics it invades by taking over the facilities and "counselling" staff members and patients, and then "educating" the general public through the press coverage the demonstrators receive as a result of their sit-ins. (Appendix B contains an excerpt from a brochure recently issued by another organization advocating sit-ins at abortion clinics.)

This handbook outlines specific measures that may be taken to reduce the possibility of violence at abortion clinics. It includes suggestions for internal security within clinic facilities and for working with local law enforcement agencies. In addition, it discusses the various forms of protest a clinic might encounter, the legality of such protest, and methods of handling protests once they begin. Throughout the handbook, references to relevant court cases are provided.

I.

PREVENTING TROUBLE BEFORE IT ARISES

Disruption and violence are most likely to break out in communities where feelings are inflamed. If your community is among them, particularly if it harbors a large, active, and hostile antiabortion movement, you should set as your first goal reducing the level of tension on both sides. Your efforts should include seeking the advice and help of the local authorities and also, if at all feasible, approaching directly representatives of the antiabortion movement.

Approaching the Police

The police are sworn to uphold the law. Yet most police forces undoubtedly employ members who personally oppose abortion. Their sympathies naturally lie with the right-to-life movement, and as a result they may occasionally allow their personal views to affect their professional responsibilities. If your clinic is located in a community with a police force that is at least potentially hostile (or indifferent) to your program, it is particularly important that you approach the police in advance of any trouble and make your position known to them.

In any case, you should try to establish with your local officials a reputation for reasonableness and concern for others. In approaching them, you are asking for both advice and help in preventing the occurrence of unlawful behavior, particularly violent behavior. You should seek to impress them with your sincere desire for assistance and avoid appearing as an adversary.

There are two reasons for approaching the police. First, you need immediate advice and help in order to prevent future violence. Secondly, you need the good will of the local authorities for the time when it may be necessary for them to intervene actively on your behalf.