

Escort Fact Sheet

Freedom of Access to Clinic Entrances Act (FACE):

- signed into federal law by President Clinton in May 1994.
- The act makes it illegal to use force, threat of force, or physical obstruction to injure, intimidate, interfere with, or attempt to injure, intimidate, or interfere with somebody who provides or is obtaining reproductive health services. Prohibited acts need only be committed once to be prosecuted.
 - "to interfere" is to "restrict a person's freedom of movement."
 - "to intimidate" is to "place a person in reasonable apprehension of bodily injury to her/himself or another."
 - "a threat" is defined by the act as a statement that, if made by a reasonable person, would be foreseen by that person as something to be interpreted by the person to whom the statement was directed as a serious expression to inflict harm or assault. Judging the lawfulness of the statement requires consideration of the context in which it was made and the reaction of the listener.

-The act also prohibits intentional damage or destruction of a facility that provides reproductive health services.

-FACE protects the reproductive health facility, its employees, its patients, and people accompanying patients, such as a parent, partner, or clinic escort.

-Examples of what FACE prohibits:

- impeding the progress of people trying to walk towards the clinic or exiting the facility.
- trespassing, such as clinic invasions.
- threats of violence.

-What FACE permits:

- peaceful protest; ie: singing hymns, praying, carrying signs, walking picket lines, and distributing anti-abortion materials outside of the facility.

-Federal or state governments, and/or any person or facility who has been the victim of what FACE prohibits can bring a civil lawsuit against the violator. Penalties vary depending on the severity and quality of the offense.

-Since the passing of FACE , incidence of reported clinic violence has decreased from 54% in 1994 to 20% in 1999 and 2000.

-New York City's Access to Reproductive Health Services Act legislated the prohibitions of FACE (a federal act) described above.

*The above information was taken primarily from
www.prochoice.org/about_abortion/facts/face_act.html*

We escort at Parkmed Eastern Women's Center on East 30th between Park and Madison. Facts about the clinic:

- Founded in 1971 and licensed by the State of NY.
- Offers abortions from the time of conception through 24 weeks (1st and 2nd trimester abortions). Surgical and non-surgical abortions are available. Abortions are performed by qualified physicians, and the clinic staffs a counseling team that works with patients before and after abortion procedures.

-For details about the clinic's abortion procedures and for more general info, see their website:
www.easternwomenscenter.com

Important Numbers:

Non-emergency calls: 311

Midtown South Precinct: (212) 239-9811

Parkmed Eastern Women's Center: (212) 686-6066/ 800-346-5111

More Info

-Almost 50% of pregnancies in the U.S. are unintended and approximately half of those end in abortion (www.naral.org). 90% of all abortions occur by the end of the first 12 weeks. Only 1% (about 600) of the 1.5 million abortions each year are performed after 24 weeks, and only 327 of those are performed after 27 weeks (www.abortionaccess.org).

-87% of counties in the U.S. have no abortion provider. 42% of New York counties have no abortion provider. Currently, 15 states have unconstitutional criminal bans that outlaw abortion throughout pregnancy, and 26 states have unconstitutional bans that outlaw abortion as early as 12 weeks with no health exceptions (see www.prochoiceamerica.org/yourstate/whodecides/trends/issues_abortion_bans.cfm for a list of these states). These bans will be rendered constitutional if Roe v. Wade is overturned. If that happens, only 13 states will definitely not legislate against abortion.

-In many states, measures have been introduced that require women to delay a certain number of hours or days after receiving state-mandated info designed to discourage abortion. More than half of the states also have and enforce some form of required parental notification or consent law. New York does not have any mandatory delay or parental notification/consent laws. For a summary of potential effects of parental consent mandates, see www.prochoiceny.org/s0factsheets/200311041.shtml

-New York (along with 33 other states) does have laws subjecting abortion providers to restrictions not applied to other medical professionals, and (along with 26 other states) restricts the performance of abortions to hospitals or other specialized facilities (see www.prochoiceamerica.org/yourstate/whodecides/states/newyork/trap.cfm.)

-Hyde Amendment (1977): eliminated federal funding for abortion except when necessary to save the woman's life. Congress has renewed this amendment every year since. Since 1993, the HA has permitted Medicaid funding for cases of rape and incest, and to save a woman's life when it is endangered by injury or illness. Some states have voluntarily chosen to extend the coverage mandated by the HA to include all medically necessary abortions. New York is one of these states. Women in NY eligible for state medical assistance can obtain public funds to pay for "medically necessary" abortions. "Medically necessary" means that the abortion is preventing or curing life-endangering or otherwise severe physical conditions.

-New York (and 20 other states) has passed a contraceptive equity law (Equity in Prescription Insurance and Contraceptive Coverage Act or EPICC) that ensures access to contraception by prohibiting health insurance plans from excluding coverage of FDA-approved prescription contraceptive drugs, devices, and outpatient care. New York emergency rooms are required to provide information about EC and dispense EC upon request. However, New York does allow individuals and hospitals to refuse to provide abortion services.

-Federal Abortion Ban (2003): During the Clinton administration, Congress repeatedly passed a federal abortion ban, which was promptly vetoed every time by President Clinton. In 2003, Congress

again passed the ban and Pres. G.W. Bush signed the law, which bans abortions as early as 12 to 15 weeks in pregnancy. In 2004 Nebraska blocked enforcement of the federal law, declaring the ban unconstitutional and a "significant health hazard to women." The federal law does not acknowledge that abortion is ever necessary to protect a woman's health, nor does it detail to which stage of pregnancy or abortion technique its penalties apply-- thus claims that the ban is a "partial abortion ban" are unfounded. (see www.reproductiverights.org/pub_fac_pba.html for more details.) New York does not enforce the 2003 ban.

-Bush has also signed the "Unborn Victims of Violence Act" (2004), which identifies an embryo or fetus (at any stage of development) as a crime victim separate from the pregnant woman.

-Roe v. Wade (1973: In this decision, the Supreme Court recognized that a woman's right to decide whether to continue her pregnancy was protected under the constitutional provisions of individual autonomy and privacy. While the decision required state and government neutrality, today (as a result of later cases such as Planned Parenthood of S.E. Penn v Casey in 1992) states are now allowed to restrict abortion and punish women seeking abortions. The government is now free to pass laws restricting abortion based on "morality." (see www.reproductiverights.org/crt_roe_jbroe.html).

All of the above information was taken/paraphrased from www.prochoiceamerica.org, www.abortionaccess.org, and www.reproductiverights.org. All of these sites provide detailed articles and fact sheets on state, national, and international legislation and trends in women's reproductive rights. Educate yourself. Visit them.