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A bill is pending before the New York City Council (Intro. 826) that will unfairly restrict the free speech rights of peaceful pro-life witnesses outside of abortion clinics. Please contact your City Council representative and the Mayor, who supports the bill, to express your opposition to the bill. Here are some important points to make:

1. Intro. 826 would violate the First Amendment.

Intro. 826 contains vague and unclear definitions of the kinds of conduct that would be prohibited, using vague words like "harass" and "interfere". It would chill the free speech rights of persons seeking to provide information to women entering abortion clinics, out of fear of an arrest or civil suit based on an entirely ambiguous standard.

The First Amendment gives very broad protection to free speech rights, particularly when the speech occurs on a public sidewalk, which has been described by the Supreme Court as a "public forum" where citizens generally have a First Amendment right to speak. Intro. 826 fails to respect this fundamental right of all Americans.

2. Intro. 826 is unnecessary

The proponents of Intro. 826 argue that the bill is necessary to prevent people from knowingly blocking or obstructing a clinic entrance (including vehicular entrances), to prohibit "harassment" within 15 feet of the clinic, and to clarify that the prohibited conduct includes obstructing the clinic entrances.

But this kind of conduct is already prohibited by the current provisions of city, state and federal law, and there are already ample civil and criminal remedies available. In fact, there have been very few violations of the current law -- only five people have been arrested in New York City since 2003 for violations of the state clinic access law, and only four have been convicted. There is clearly no significant problem that needs to be addressed by new legislation.

3. Intro. 826 is unfair

This bill will lead to unfair prosecutions of ordinary citizens who wish to express their free speech rights, but will be subject to criminal and civil penalties merely because some influential groups consider their speech to be unwelcome. And ultimately, Intro. 826 is unfair to women, who have a right to information before they make the decision on whether or not to have an abortion.

Please contact your Council representative and the Mayor, and express opposition to this bill.

You can find the name, address and email of your Council representative here:

<http://council.nyc.gov/html/members/members.shtml>.

You can email Mayor Mike Bloomberg here:

<http://www.nyc.gov/html/mail/html/mayor.html>