

[Freedom of Access to Clinic Entrances Act \(1994\)](#) ^[1]

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On 26 May 1994, US President Bill Clinton signed the Freedom of Access to Clinic Entrances Act into law, which federally criminalized acts of obstruction and violence towards reproductive health clinics. The law was a reaction to the increasing violence toward [abortion](#)^[2] clinics, providers, and patients during the 1990s. That violence included clinic blockades and protests, assaults on physicians and patients, and murders. The Freedom of Access to Clinic Entrances Act established criminal and civil penalties against people who obstructed or committed violence towards reproductive health clinics, and has supported women's access to safe reproductive healthcare.

In 1973, the US Supreme Court in Washington, D.C., federally legalized [abortion](#)^[2] in [Roe v. Wade](#)^[3]. The US Supreme Court ruled that women had constitutional rights to privacy in reproductive health decisions such as those about [abortion](#)^[2]. After its legalization, opponents of [abortion](#)^[2] restricted women's access to [abortion](#)^[2] services. Some anti-[abortion](#)^[2] groups began physically blocking entrances to reproductive healthcare centers that provided abortions. Those groups attempted to disrupt the provision of all medical services at women's clinics by having protestors sit or lie in front of the clinic doors or park cars in driveways so no one could enter or exit the clinics.

Throughout the 1980s, protests and blockages at reproductive health clinics became increasingly violent. From 1977 to 1993, women's health clinics in the US and Canada reported over 6,100 clinic blockades and over 1,000 violent acts against physicians or patients of reproductive health clinics. Clinic staff and clients reported threats of physical violence, vandalism, and trespassing on clinic property. Some acts of violence included arson and chemical attacks on clinic property and staff. Although the violent protests targeted [abortion](#)^[2] providers and patients, they often harmed bystanders. Additionally, even non-violent blockades of clinic entrances harmed patients by preventing access to general reproductive healthcare.

Violence continued throughout the early 1990s with the murders of several physicians and clinic workers. On 10 March 1993, physician David Gunn was shot and killed outside his office at the Women's Medical Services clinic in Pensacola, Florida. Later in August, physician George Tiller was shot and wounded at his [abortion](#)^[2] clinic in Wichita, Kansas. Tiller was later murdered by anti-[abortion](#)^[2] activists while at church in 2009. The following summer on 29 July 1994, physician John Britton, his wife, and his bodyguard, were shot while sitting in their car outside the Ladies Center in Pensacola. Britton and his bodyguard died of their injuries. The same year in December, attacks on two clinics in Boston, Massachusetts, wounded five staff workers and killed two.

Citing a nationwide trend of increasingly violent attacks on reproductive health clinics, US Congress in Washington, D.C., proposed legislation. Members of US Congress argued that the movement to restrict women's access to [abortion](#)^[2] and reproductive healthcare was nationwide and restricted civil rights protected by the US Supreme Court in [Roe v. Wade](#)^[3]. Members of US Congress further argued that federal legislation was needed to protect those rights. Legislators aimed to protect the safety and promote the public health of those providing or accessing reproductive health services.

On 10 April 1991, Representative Meldon Levine, Democrat of California, introduced House Bill 1703, called Freedom of Access to Clinic Entrances of 1991, to the US House of Representatives. The bill proposed an amendment to Chapter 13 of Title 18 of the US Code. Title 18 is the section of the US Code that deals with federal crimes and procedures. More specifically, Chapter 13 details crimes against civil rights. The proposed amendment to Chapter 13 would make any violent or obstructive protests at reproductive health clinics a federal felony. The bill sought to stop the use of violence, threats of violence, physical obstruction, intimidation, or clinic damage to prevent reproductive health clinic staff and patients from being harassed.

On 11 April 1991, Republican Senator Alan Cranston from Wyoming introduced Senate Bill 798 to the US Senate. That bill was identical to House Bill 1703, and sought to prohibit violent and obstructive acts against reproductive health clinics. However, the US Senate and US House did not vote on either bill before the Congressional term was over. Therefore, the bills would need to be reintroduced at a later Congress for Congress to vote on them.

On 3 February 1993, Representative Charles Schumer, Democrat of New York, introduced House Bill 796, also called the Freedom of Access to Clinic Entrances Act of 1993, to the US House of Representatives. Later, on 23 March 1993, US Senator Edward Kennedy, Democrat of Massachusetts, introduced Senate Bill 636, or the Freedom of Access to Clinic Entrances Act of 1994, to the US Senate. After several modifications to the Senate bill, the US House of Representatives decided to substitute the senate bill for their house bill. A conference committee of members from both the House of Representatives and the Senate met to make modifications and produce the final draft of the bill.

In May 1994, both the US House of Representatives and the US Senate voted to pass the conference committee's final version of the bill, called the Freedom of Clinic Entrances Act. On 26 May 1994, US President Bill Clinton signed the Freedom of Clinic

Entrances Act into law.

The final law added amendment 248 to section 13 of Title 18 of the US Criminal Code. The Freedom of Access to Clinic Entrances Act prohibited the use of force, threat of force, physical obstruction, intentional cause or attempted cause of injury, intimidation, or property damage from obtaining or providing reproductive health services. In addition, the act applied to places of worship, such as churches. That section of the law protected those lawfully exercising rights of religious freedom permitted by the First Amendment to the US Constitution at a place of worship, by making violence or obstruction at places of worship illegal.

The law stipulated the penalties for such actions as fines of no more than \$10,000 and six months imprisonment for non-violent first offenses. However, if violent crimes resulted in bodily injury or death, the penalties could be much higher. In addition to federal prosecution, in which the federal government could prosecute individuals for violating the act, the act allowed for civil prosecution as well. The Freedom of Access to Clinic Entrances Act specified that those harmed by violators of the law could seek legal action for related damages. In addition, the law specified that the US attorney general could civilly sue on behalf of any person or group injured by an individual who violated the law. The law notes that it does not seek to prohibit First Amendment freedom of speech such as peaceful demonstrating, or to interfere with states' ability to regulate abortions.

After the passing of the Freedom of Clinic Entrances Act, many anti-abortion^[2] groups protested the law. Such groups claimed that the law violated their rights to freedom of speech found in the First Amendment, and argued that the law unfairly targeted them based on their religious beliefs that opposed abortion^[2]. Anti-abortion^[2] activists immediately brought lawsuits against the government challenging the law's constitutionality. However, courts throughout the country upheld the constitutionality of the Freedom of Clinic Entrances Act. Courts stated that the law did not discriminate against the anti-abortion^[2] viewpoint because it protected all reproductive health clinics, those that provide abortion^[2] services and those that did not. Additionally, courts stated that the law was consistent with the First Amendment because the law was aimed at acts of violence, which were not a form of protected speech.

The Freedom of Clinic Entrances Act discouraged large-scale clinic obstruction and harassment. Nevertheless, violence towards abortion^[2] clinics and providers continued into the twenty-first century. In 1998, anti-abortion^[2] activists killed physician Barnett Slepian in Buffalo, New York. Large-scale clinic bombings and shootings have occurred, such as the 1997 bombing of an Atlanta, Georgia, abortion^[2] clinic and the 2015 shooting at a Planned Parenthood clinic in Colorado Springs, Colorado. However, the Freedom of Clinic Entrances Act grants the federal government the authority and power to investigate and punish those acts of violence towards reproductive healthcare providers.

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Subject

[United States. Freedom of Access to Clinic Entrances Act of 1994](#)^[11] [Abortion--Law and legislation--United States](#)^[12] [Abortion](#)^[13] [Birth control clinics](#)^[14] [United States. Act to Amend Title 18, United States Code, to Assure Freedom of Access to Reproductive](#)

[Services](#) ^[15] [United States. Public Law 103-259](#) ^[16] [Operation Rescue \(Organization\)](#) ^[17] [Tiller, George, 1941-2009](#) ^[18] [Clinton, Bill, 1946-](#) ^[19] [Levine, Meldon E.](#) ^[20] [Schumer, Charles E.](#) ^[21] [Cranston, Alan, 1914-2000](#) ^[22] [Kennedy, Edward M. \(Edward Moore\), 1932-2009](#) ^[23] [United States. Act to Amend Chapter 13 of Title 18, United States Code, to Impose Criminal Penalties for Damage to Religious Property and for Obstruction of Persons in the Free Exercise of Religious Beliefs](#) ^[24] [Reproductive rights](#) ^[25]

Topic

[Legal](#) ^[26]

Publisher

Arizona State University. School of Life Sciences. Center for Biology and Society. Embryo Project Encyclopedia.

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Last Modified

Wednesday, July 4, 2018 - 04:40

DC Date

2017-05-25

DC Date Accessioned

Thursday, May 25, 2017 - 14:59

DC Date Available

Thursday, May 25, 2017 - 14:59

DC Date Created

2017-05-25

DC Date Created Standard

Thursday, May 25, 2017 - 07:00

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