

Dear New Yorkers:

Safeguarding the civil rights of all New Yorkers is one of my most important responsibilities as Attorney General. My office's Civil Rights Bureau enforces all civil rights laws, including laws that safeguard a woman's right to obtain reproductive health care.



This brochure explains how state and federal law protect New Yorkers' rights to both provide and obtain reproductive health care services. If you believe those rights have been threatened, it's important that you report the conduct that may violate clinic access laws. Both patients and providers are encouraged to contact the Civil Rights Bureau with questions, concerns or to make a complaint. They can be reached at 212-416-8250 or by e-mail at civil.rights@ag.ny.gov.

Access to good health care is important. We can help make sure the rights of all our residents are protected.

Sincerely,

A handwritten signature in black ink that reads "Letitia James". The signature is fluid and cursive, written in a professional style.

Letitia James

Protecting Access To Women's Health Services



New York State Attorney General
The State Capitol
Albany, New York 12224
1-800-771-7755
www.ag.ny.gov

NEW YORK STATE OFFICE
of the
ATTORNEY GENERAL
Civil Rights Bureau

Clinic Access Laws

Both the federal Freedom of Access to Clinic Entrances (FACE) Act and the New York State Clinic Access Act give patients and staff the right to be free from force, threats of force, or physical obstruction when trying to obtain or provide reproductive health care.

These laws apply at any doctor's office, hospital or medical clinic that provides information, referrals, counseling or medical services about human reproduction, such as birth control, abortion, or prenatal care.

Prohibited Activity

These laws prohibit:

- Acts of force, like hitting or shoving;
- Written or verbal threats of force;
- Some physical obstructions outside facilities.

Prohibited Physical Obstructions

- Actions that block doorways or driveways.
- Actions that make access unreasonably difficult or hazardous, such as:
 - » Walking very slowly across a facility's driveway.
 - » Making cars stop in a facility's driveway.
 - » Walking extremely close to, or stopping short in front of, people trying to enter or leave the facility.

Rights of Medical Staff and Facilities

The staff of medical offices also have rights: to be free from force, threats of force, and physical obstructions aimed at those who provide reproductive health care. These laws also make it a crime for anyone to intentionally damage or destroy the property of a reproductive health care facility.

Actions Not Prohibited

Protesters have a First Amendment right to express their views — even by saying things that are hurtful, or make someone angry. Clinic access laws do not prohibit people from carrying signs, handing out flyers, or even yelling at those entering a facility.

Protesters must stay off a facility's private property, but are not required to stay any set distance away or from someone entering a facility or its doorway. Some facilities, however, have a "no protest" or buffer zone established by local law enforcement or court order.

However, protesters may be in violation of the law if they make noise that disrupts medical care, or stand or hold signs in ways that make it physically difficult or hazardous to enter or leave the facility — for example, by blocking visibility from a driveway.

Taking Action

If you believe these laws have been violated, you may file a complaint with the Office of the Attorney General's Civil Rights Bureau. Clinic Access Complaint Forms are available from the Attorney General's website (ag.ny.gov) and facilities are encouraged to have them available onsite. You can also contact the Attorney General's Office with your complaint.

By Mail:

Civil Rights Bureau
New York State Attorney General's Office
28 Liberty Street
New York, NY 10005

By Phone:

212-416-8250 (voice), 800-788-9898 (TDD);
or By e-mail:

civil.rights@ag.ny.gov

The Attorney General's Office will evaluate the situation and decide whether to seek a court order to stop any unlawful conduct at the facility, or to take other steps to ensure freedom of access to these medical services.

Complaints can also be filed with:

- Local police departments for violations of the New York Clinic Access Act;
- United States Attorney's Office for violations of the federal FACE.

Individuals or facilities may also contact a private attorney to bring a civil lawsuit to obtain an order stopping unlawful conduct and/or an award of money damages.