



**Representative Michele Lepore-Hagan  
58<sup>th</sup> Ohio House District**

Sponsor Testimony - House Bill 234  
House Criminal Justice Committee  
Wednesday, November 1<sup>st</sup>, 2017

Chairman Manning, Vice Chairman Rezabek, Ranking Member Celebrezze, and Members of the House Criminal Justice Committee; thank you for the opportunity to provide sponsor testimony today on House Bill 234. HB 234 seeks to protect reproductive healthcare providers, their employees, and the patients who come to them for health care from harassment and intimidation.

HB 234 will create a civil right of action for employees of health care facilities facing harassment or intimidation because of the work they do. It will allow these employees to commence a civil action for damages for injury, death, or loss to persons or property, including mental and physical pain and suffering, resulting from the harassment or intimidation. It would also allow for injunctive relief, or a declaratory action regarding threatened future actions.

HB 234 allows for the plaintiff bringing a civil action to proceed under a pseudonym if he or she asserts that harm could arise to the plaintiff or plaintiff's family or home if their identity is not concealed. This is something that is not possible if a criminal case under current law is filed, and is critical in protecting our health care providers and their families from harassment.

Additionally HB 234 creates a mechanism for these health care providers to protect their home addresses, phone numbers and email addresses, as well as, identifying information about their children.

You may ask why a bill like this is necessary, are there not laws in place already to protect them from harassment? Yes, there are criminal codes, but the level of evidence is higher for these cases, and if the harassment is not seen by law enforcement first hand, it is often very hard to prosecute these crimes. This new civil right of action will allow health care professionals and their employees to take control and file cases to help fight back against this harassment.

No matter what your stance on abortion is, we should all be able to agree that harassment of health care providers and their employees is not acceptable. Right now in Ohio, there are campaigns of harassment and intimidation going on against our medical professionals. A group of physicians in Dayton have been the subjects of

an intense harassment campaign for over two years. These physicians have signed on as back-up physicians in case an emergency arises at the Women's Med Center of Dayton, the area's only abortion clinic.

What has this campaign of harassment and intimidation included? It started with big cargo trucks with the names and pictures of the doctors saying that they "Support Killing Children" being driven around their neighborhoods, their medical practice and the hospital where they work. This was followed by postcards accusing the doctors of being "Killers Among Us" being sent to the neighbors of the doctors. This harassment continues today, the trucks are still driving around the neighborhoods of these medical professionals accusing them of being murderers.

Similar postcards were sent to the neighbors of Columbus area doctors who work at abortion clinics. This dangerous campaign is spreading and we need to step in and help these doctors before something tragic happens in our state. Just this past month, the "Bible Believers," an organization that is recognized as a hate group by the Southern Poverty Law Center, targeted the Founders Women's Health Center in Columbus. Protesters used megaphones to call patients "whores," and attempted to physically prevent patients and staff from entering the facility<sup>1</sup>.

Since February of this year, there have been four arrests or citations outside of Capital Care Network of Toledo. Most recently a nationally known protestor named Cal Zastrow (facing state and federal charges in Kentucky for blocking access to the last remaining clinic in the state) was arrested outside of Capital Care Network of Toledo on October 4<sup>th</sup>, 2017. He was booked on three charges: menacing, disorderly conduct, and obstructing official business.

These arrests show an increased presence of protestors who are not willing to follow the law and peacefully protest outside of abortion clinics. The state must do more to protect the patients and staff at these facilities across the state.

According to the National Abortion Federation between 1977 and 2016 there have been 11 murders, 26 attempted murders, 42 bombings, and 186 cases of arson, targeting reproductive health care facilities, or targeting these facility's employees<sup>2</sup>. This does not include the five cases of arson, and three murders that occurred at facilities in 2015<sup>3</sup>.

This violence is intolerable, and it often begins with intense harassment and intimidation of those who bravely go to work at reproductive health care centers across this country. It is our duty to do everything we can to keep them safe, and is why we should pass House Bill 234.

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<sup>1</sup> [Anti-Abortion Protesters in Ohio Harass Patients & Doctors From The Sidewalk](#)

<sup>2</sup> [2016 National Abortion Federation Violence and Disruption Statistics](#)

<sup>3</sup> [Violence Statistics & History](#)

Thank you Chairman Manning and the committee for your attention. I would be happy to answer any questions you may have at this time.