

Women's Law Project Denounces Supreme Court Ruling in Abortion Clinic 'Buffer Zone' Case

Statement by Carol E. Tracy and Kate Michelman

June 26, 2014, Philadelphia, PA – The Women's Law Project and its civic engagement action arm, WomenVote PA, expressed disappointment in the U.S. Supreme Court's unanimous decision in *Eleanor McCullen v. Martha Coakley*, which struck down a 35-foot buffer zone at reproductive health clinics in Massachusetts.

"Today's Supreme Court decision, though disturbing, was not sweeping. The decision is narrow and nuanced," said Carol Tracy, Executive Director of the Women's Law Project. "Sadly, the decision also was all but silent about the harassment, intimidation and violence that women entering clinics for constitutionally protected health services face, nor did it take note at all that two women were murdered and five others injured at Massachusetts clinics," said Kate Michelman, co-chair of WomenVote PA.

"Significantly, however, it did not declare that all fixed buffer zones are unconstitutional, nor did it overrule *Hill v. Colorado* or even discuss it, so floating 8-foot bubble zones within 100 feet of clinic entrances are presumably constitutional today as they were previously," said Susan Frietsche, Senior Staff Attorney at the Women's Law Project.

Justice Scalia, though concurring in the judgment, was highly critical of the majority opinion's reasoning, stating that the specific problems with the Massachusetts law could be easily overcome: "With a dart here and a pleat there, such regulations are sure to satisfy the tailoring standards. . . ."

Pennsylvania has two fixed buffer zone ordinances: One in Pittsburgh that is 15 feet and one in Harrisburg that is 20 feet. "Both ordinances affect significantly smaller areas than the Massachusetts statute. Both were enacted after a history of obstructive and violent conduct that other measures failed to remedy. And both are limited to municipalities. For these and other reasons, these ordinances are different from the Massachusetts law and, we believe, withstand the constitutional test," added Frietsche.

"The Women's Law Project will continue to work with abortion providers and local law enforcement, advocates, and legislators to ensure that Pennsylvania women have access to safe, legal abortion care," added Tracy.

About the Women's Law Project and WomenVote PA:

The Women's Law Project is a Pennsylvania-based non-profit women's legal advocacy organization focused on high-impact research, litigation and advocacy. The Women's Law Project has offices in Philadelphia and Pittsburgh. For more information go to www.womenslawproject.org.

WomenVote PA is the non-partisan action arm of the Women's Law Project. For more information go to www.womenvotepa.org