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## 11.13.07 - New Buffer Zone Bill Signed into Law

**Governor Deval L. Patrick**  
**New Buffer Zone Bill Signed into Law**  
**November 13, 2007**  
**As Delivered**

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### Governor Patrick

Well welcome everyone. I am very pleased to be joined by President Murray, by Speaker DiMasi, by Secretary Burke, by the members of the House and Senate who are here. To all of you, to sing a bill that strikes an appropriate balance between the freedom of choice and the freedom of expression. We had, for a long time now, a series of laws that have been mostly un-enforceable to enable women to get the reproductive health services to which they are entitled and to which they so desperately need. We have had to find a better balance than the current past law allowed so there was not the level of harassment and intimidation in the exercise of that right but, so there was also a reasonable opportunity for people who have a different view to express that view. We believe that with the legislation, we have struck that better balance. The freedom of choice is secure here in this Commonwealth, and we are all proud of that and we mean for it to be exercised without intimidation and harassment. We also mean to respect the reasonable right to express themselves of people who have a different view. I want to say thank you to the main sponsors of this bill, Senators Fargo and Chandler and Timilty and Tisei, all of whom are here. Representative Walsh could not be here, Representative Sciortino showed great leadership indeed, as all here did. They championed this bill and got it through our legislature with overwhelming support. I also want to recognize and thank the Planned Parenthood League of Massachusetts, NARAL Pro Choice Massachusetts, the Massachusetts chapter of the National Organization for Women, and the Massachusetts Women's Political Caucus for pushing so hard to get this done and for their continued advocacy for women's health and the right to choose.

### Senate President Murray

It's amazing, a few short years when we did the first clinic, the first Buffer Zone Bill, there was great consternation, and there was great debate and there was great worry about whether we were taking people's rights away from them and instead this time when this bill came out, there was very little debate because everyone got it. They understand that you have to have freedom of movement along with freedom of speech but you can't pose your particular brand of freedom on somebody else. So you should all be commended on your efforts to ensure that the health and rights of women and healthcare providers remain a priority. And I also want to thank Senators Timilty, Chandler, and Fargo and Senators for their hard work on the bill. Patients have the right seek medical care. Health professionals have the right to assist their patients. And they both have the right to pursue such care without being harassed, humiliated, or threatened. It is simple common sense legislation to protect the rights and well-being of women and their health care providers by expanding the area around entrances and driveways to create a fixed, clearly defined, and enforceable 35 foot buffer zone. It provides the protection the patients and healthcare staff deserve. And the signing of this bill today represents our commitment. The Governor, the House, and the Senate, to women's reproductive health.

### House Speaker DiMasi

It's an important piece of legislation because everyone knows that the current law was un-enforceable, un-workable, and it infringed upon, as everybody said, the rights of people to get medical assistance and to have the right of choice here in Massachusetts. To me, this in no way infringes upon free speech. And I know the courts have upheld laws that are similar to this, so I'm very confident that this will be upheld, in any court of law in Massachusetts or in the Federal Courts. I want to thank all of my members who were very

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instrumental that are here today, who led the charge on this particular piece of legislation and especially the sponsors, Marty Walsh and Representative Escorino but I also want to thank my chairman of the committee that championed this bill in the House, when we debated it, Mike Costello who is right behind me. So he deserves a great deal of credit. Everybody was aware, including all of the people in public safety that had to enforce this law, that this so-called bubble, was the most, and the way the law had been written, is the most un-enforceable way of trying to protect these people. And literally everyone in law enforcement came back to us and told us that they had no opportunity what-so-ever to prove their case, if anybody violated this. And it was so nebulous and so confusing and so vague, that it needed to be changed and I think now we have a law that's precise in its definition of what you can and cannot do under these circumstances and I think it will lead to a safer place women to make any choice to get medical attention.

**GOVERNOR PATRICK SIGNS BUFFER ZONE BILL (11-13-07)**

Gov. Deval Patrick

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Nov. 13, 2007

**GOVERNOR PATRICK SIGNS BUFFER ZONE BILL**

Increases safety of women seeking reproductive health services

BOSTON - Monday, November 13, 2007 -- Governor Deval Patrick today signed into law a bill expanding the protected area around reproductive health facilities in Massachusetts.

The legislation, supported by Senate President Therese Murray and Speaker of the House Salvatore DiMasi, establishes a fixed 35-foot buffer zone around the entrances and driveways of all reproductive health facilities in Massachusetts.

"Women in the Commonwealth have the right to obtain medical care free from violence, harassment or intimidation and this new law will guard that right," said Governor Patrick. "By widening the buffer zone around reproductive clinics we will protect patients from the harassment that so many have encountered as they seek care."

The prior buffer zone law, enacted in 2000, established a 6-foot "bubble zone" within an 18-foot buffer zone outside of reproductive health care facilities. A person could not knowingly approach another person within the 6-foot bubble zone unless he obtained that person's consent. That law had been difficult to enforce, however, because it was unclear how to prove that a patient did or did not give consent to a protester. Although violations of the law were reported to be frequent, there had not been a successful prosecution under the law since its enactment.

The new law attempts to remedy the problem by establishing a fixed 35-foot buffer zone around the entrances and driveways of all of the reproductive health facilities in the state, thereby ensuring safe access, without interfering with the ability of protestors to express themselves outside of the protected area.

"Patients have the right to seek medical care; health professionals have the right to assist their patients; and they both have the right to pursue care without being harassed, humiliated or threatened," Senate President Murray (D-Plymouth) said. "The new, improved Buffer Zone law is enforceable, common-sense legislation to protect the rights and well-being of women and their health care providers."

"Women seeking health services and the people who provide them should be free to do so without fear of assault, harassment or intimidation," said Speaker DiMasi (D-Boston). "This expanded buffer zone provides much-needed improvements to public safety and I commend everyone who worked so hard to see this bill become law."

"The Legislature's and Governor's quick work in passing the Buffer Zone Legislation addresses an important public safety issue," said Attorney General Martha Coakley. "Over the years, reproductive health care facilities have been the scene of mass demonstrations, congestion, blockades, and disturbances. This legislation will help to ensure greater safety on our public ways and sidewalks and prevent violence, harassment and intimidation of women who are attempting to exercise their fundamental right to access healthcare."

"Planned Parenthood supports this new law because it will protect the privacy, dignity and safety of patients who are just trying to get to their doctor's appointments and staff who are just trying to do their jobs," said Dianne Luby, President/CEO Planned Parenthood League of Massachusetts. "This is an important public safety measure and we commend Governor Patrick for signing it into law today."

The lead sponsors of the legislation - which had broad support in both the Senate and the House - were Senators Susan

Fargo (D-Concord) and Harriette Chandler (D-Worcester), and Representatives Marty Walz (D-Boston) and Carl Sciorino (D-Medford).