



## Legislation Text

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**File #:** 1458-2016, **Version:** 1

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This ordinance amends Chapter 2317 of Columbus City Codes with the addition of provisions that protect health care workers and patients attempting to access health care facilities and reproductive health care facilities and to do so free from obstruction and harassment. The new provisions prohibit harassment and/or obstruction of health care facilities and reproductive health care facilities, a violation of which is subject to a charge of misdemeanor in the first degree.

This ordinance is in response to both recent local and nationwide events surrounding reproductive health care facilities and the disturbing trend of increasing threats of violence and vandalism of these facilities. The Columbus Division of Police has indicated an increase of more than 170% in requests for police services at local reproductive health service facilities; the total number of calls increased from 14 in 2011 to 38 in 2015. The need exists to provide additional protections to health care workers and patients and to define punitive measures against those who would seek to cause harm to those citizens providing and receiving health care services.

If enacted, the ordinance prevents any person from doing the following:

- Physically obstructing or blocking another person from entering into or exiting from the premises of a reproductive health care facility by physically striking, shoving, restraining, grabbing, or otherwise subjecting the person to unwanted physical contact, or attempt or threaten to do the same;
- Obstructing or blocking the premises of a reproductive health care facility, so as to impede access to or from the facility;
- Following and harassing another person within fifteen feet of the premises of a reproductive health care facility; and/or
- Engaging in a course of conduct or repeatedly commit acts within fifteen feet of the premises of a reproductive health care facility when that behavior places another person in reasonable fear of physical harm, or attempt to do the same.

Violation of any of the above is a misdemeanor of the first degree on a first offense and a serious misdemeanor on each subsequent offense. This measure would be new law, as existing code has proven insufficient to achieve the above aims.

**Fiscal Impact:** No funding is required for this legislation.

To amend Chapter 2317 of the Columbus City Code in order to provide protection for health care workers and patients to access health care facilities and reproductive health care facilities.

**WHEREAS**, threats and violence directed at reproductive health care centers have increased; and

**WHEREAS**, recent events both locally and nationwide have demonstrated the risk to health care workers and patients regarding access to health care facilities and reproductive health care facilities; and

**WHEREAS**, it has become necessary in the usual daily operation of the City to amend Chapter 2317 of the Columbus

City Code to prohibit obstruction of health care facilities and reproductive health care facilities, as well as the harassment of health care workers and patients attempting to access these facilities and make violation of these provisions subject to a misdemeanor in the first degree, all for the public health, safety and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That Chapter 2317 of Columbus City Code is hereby amended as follows:

Chapter 2317 - Public Conduct

2317.51 Obstruction and Harassment at Health Care Facilities

(A) As used in this section:

(1) "Health care facility" has the same meaning as in section 2919.16 of the Revised Code.

(2) "Reproductive health care facility" means a health care facility at which licensed, certified or otherwise legally authorized persons provide health care services, health care counseling relating to the human reproductive system or family planning services.

(3) "Premises" means any land, building, structure or place belonging to, controlled by, or in custody of another, and any separate enclosure or room, or portion thereof.

(4) "Harass" means engaging in a course of conduct that is directed at another that would cause a reasonable person to be seriously alarmed, annoyed or inconvenienced and that in fact seriously alarms, annoys or inconveniences another.

(B) No person shall knowingly do any of the following:

(1) Physically obstruct or block another person from entering into or exiting from the premises of a reproductive health care facility by physically striking, shoving, restraining, grabbing, or otherwise subjecting the person to unwanted physical contact, or attempt or threaten to do the same;

(2) Obstruct or block the premises of a reproductive health care facility, so as to impede access to or from the facility, or attempt to do the same;

(3) Follow and harass another person within fifteen feet of the premises of a reproductive health care facility;

(4) Engage in a course of conduct or repeatedly commit acts within fifteen feet of the premises of a reproductive health care facility when that behavior places another person in reasonable fear of physical harm, or attempt to do the same;

(C) Whoever violates this section is guilty of impeding access to reproductive health care, a misdemeanor of the first degree on a first offense. An offender who previously has been convicted of or pleaded guilty to one or more violations of division (B) of this section is guilty of a misdemeanor. The court may sentence the offender to a maximum fine of \$1,000 and notwithstanding the terms of imprisonment set forth in Chapter 2929 of the Ohio Revised Code, a jail term not to exceed one (1) year.

**SECTION 2.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.