



Anti- Reproductive- Rights Crimes

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CALIFORNIA POST

Anti- Reproductive- Rights Crimes

GUIDELINES



POST
Anti-Reproductive-Rights Crimes Guidelines

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Foreword

Roe v. Wade (1973) is a U.S. Supreme Court case that resulted in a landmark decision regarding abortion. The Court held the constitutional right to privacy extended to a woman’s decision whether or not to terminate her pregnancy. [Roe v. Wade](#) is one of the most controversial and politically significant cases in U.S. Supreme Court history, prompting a national debate that continues today. Since this decision, many reproductive health care clinics, providers, and women exercising their constitutional rights have been confronted by anti-abortion protesters.

Because of this, the California Legislature passed Senate Bill 780, effective January 1, 2002, which enacted two laws: the [California Freedom of Access to Clinic and Church Entrances \(California FACE\) Act](#), and the [Reproductive Rights Law Enforcement Act](#). The California FACE Act added Penal Code (PC) sections 423 through 423.6 creating state, civil, and criminal penalties for individuals interfering with a person’s access to reproductive health care facilities or participation in religious services. The Reproductive Rights Law Enforcement Act added PC sections 13775 through 13779 requiring the Attorney General to collect and analyze information relating to anti-reproductive-rights crimes and submit an annual report to the Legislature.

An “anti-reproductive-rights crime” is defined in [PC §13776\(a\)](#) as “a crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant.”

Effective January 1, 2009, Senate Bill 1770 enacted [PC §13519.15](#), which requires the Commission on Peace Officer Standards and Training to prepare guidelines establishing standard procedures, which may be followed by law enforcement agencies in the investigation and reporting of cases involving anti-reproductive-rights crimes.

The guidelines are presented as an overview to allow the reader to consider a systematic approach in either investigating anti-reproductive-rights crimes or in creating an agency specific plan for handling cases involving these crimes. Also included are procedures for the statistical reporting requirements to the Department of Justice.

The Commission appreciates the contributions of the Anti-Reproductive-Rights Crimes Guidelines Review Committee for their assistance in creating this report. Questions or comments concerning this document should be directed to the [Training Program Services Bureau](#) at (916) 227-4885. Additional copies may be downloaded from POST’s website at www.post.ca.gov.



Paul Cappitelli
Executive Director

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Glossary of Terms

Definitions of the following terms stem from a variety of sources including commonly known meanings, legal source books, and Webster’s New World Dictionary.

Anti-reproductive-rights crime	PC §13776(a) – A crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant.
Bioethics	The philosophical study of the ethical controversies brought about by advances in biology and medicine.
Buffer Zone	The creation of a perimeter around a facility, known variously as a “buffer zone,” “bubble zone,” or “access zone.” This area is intended to limit how close to these facilities demonstrators who oppose abortion can approach. Protests and other displays are restricted to a certain distance from the building, which varies depending upon the law, or are prohibited altogether. Governments sometimes take measures designed to afford legal protection of access to abortion. Such legislation often seeks to guard facilities which provide induced abortion against obstruction, vandalism, picketing, and other actions, or to protect patients and employees of such facilities from threats and harassment. Similar zones have also been created to protect the homes of abortion providers and clinic staff. Buffer zone laws are divided into “fixed” and “floating” categories. Fixed buffer zone laws apply to the static area around the facility itself, and floating laws apply to objects in transit, such as people or cars.
Injunction	A writ or order from a court prohibiting a person or group from carrying out a given action, or ordering a given action to be done.
Intimidate	PC §423.1(c) – To place a person in reasonable apprehension of bodily harm to herself or himself or to another. <i>Examples:</i> Letter-writing campaigns, phone campaigns, distribution of “wanted posters,” informational contacts with schools and employers of abortion providers and their families, and following members of opposing factions (short of stalking).

Nonviolent	PC §423.1(d) – Conduct that would not constitute a crime of violence.
Physical Obstruction	PC §423.1(e) – Rendering ingress to or egress from a reproductive health services facility or to or from a place of religious worship impassable to another person, or rendering passage to or from a reproductive health services facility or a place of religious worship unreasonably difficult or hazardous to another person.
Pro-Choice	As defined by Webster’s New World Dictionary, Third College Edition: “Advocating the right to obtain a legal abortion.”
Pro-Life	As defined by Webster’s New World Dictionary, Third College Edition: “Opposing the right to obtain a legal abortion.”
Reproductive Health Services	PC §423.1(f) – Reproductive health services provided in a hospital, clinic, physician’s office, or other facility and includes medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.
Reproductive Health Services Client, Provider, or Assistant	PC §423.1(g) – A person or entity that is or was involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person at that other person’s request, to obtain or provide any services in a reproductive health services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate, a reproductive health services facility.
Reproductive Health Services Facility	PC §423.1(h) – Includes a hospital, clinic, physician’s office, or other facility that provides or seeks to provide reproductive health services and includes the building or structure in which the facility is located.
Violence	PC §423.1(a) – An offense that has as an element of use, attempted use, or threatened use of physical force against the person or property of another. <i>Examples:</i> Attacks against people, including threats and intimidation, arson, bombing, acid attacks, assault, stalking, and murder.



Guidelines

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1 Training

Consistent with existing policy, law enforcement agencies should train officers on the following:

- Local, state, and federal laws regarding anti-reproductive-rights crimes, First Amendment rights, and reproductive rights of patients ([Appendix 1](#)).
- Mandatory compliance with the reporting of anti-reproductive-rights crimes to the Department of Justice ([Appendix 2](#)).
- Discussion surrounding the sensitivity of pro-choice and pro-life perspectives ([Appendix 3](#)).

Consistent with existing policy, dispatchers should be trained in the following:

- Pertinent local, state, and federal laws regarding anti-reproductive-rights crimes.
- Specific response protocol, if applicable.

2 Collaboration and Communication

Consistent with existing policy, the following strategies should be considered to most efficiently handle anti-reproductive-rights crimes:

- Exchange of information among law enforcement agencies concerning abortion-related trends occurring in adjacent jurisdictions.
- Establishment of collaborative arrangements among law enforcement agencies, legal liaisons, judges, local prosecutors, U.S. Attorneys, jails, and other agencies tasked with criminal justice system responsibilities.
- Regular communication with business owners and residents in areas affected by abortion-related conflicts regarding community perspectives, concerns, and suspicious persons or activities.

3 Event Planning

Agencies should review their existing policy regarding civil disturbances and/or demonstrations when preparing for a scheduled event at a reproductive health service facility.

4 Event Guidelines

Following a situational assessment for an event, where resources allow, law enforcement agencies should consider assigning officers as primary contacts to the participant groups, consistent with existing policy. This strategy would allow officers to effectively communicate with participants to ensure their issues and needs are fully addressed. Different officers should be assigned to the reproductive health service provider, pro-choice demonstrators, pro-life demonstrators, and, if applicable, to legitimately interested parties (e.g., media, business owners, or residents) in order to:

- Outline mutually acceptable behavior.
- Discuss and distribute relevant laws with consultation by respective agency legal advisors.
- Establish the currency and validity of court orders and/or injunctions.

Officers responding to an event should check with the reproductive health service facility to see if an event response kit has been prepared. A kit may include relevant items such as injunctions and contact information for the service provider manager or owner.

5 Boundaries

When handling events at reproductive health service facilities, law enforcement officers should clearly mark injunction or law enforcement zones according to any valid court order, local ordinance, or permit, consistent with existing policy.

6 Arrest Procedures

When handling events at reproductive health service facilities, law enforcement officers should conduct arrests consistent with existing policy.



Appendices

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Statutory Laws Pertaining to Anti-Reproductive-Rights Crimes

PART A: State Laws

California Penal Code:

[Title 5.7](#), *Reproductive Rights Law Enforcement Act*

- § 13775 Short title
- § 13776 Definitions
- § 13777 Attorney General; collection of information; reports; plan
- § 13778 Law enforcement courses

[Title 11.7](#), *California Freedom of Access to Clinic and Church Entrances (FACE) Act*

- § 423. Short title
- § 423.1 Definitions
- § 423.2 Elements of offense
- § 423.3 Punishment
- § 423.4 Civil actions
- § 423.5 Safeguarding of health, safety, or privacy by court
- § 423.6 Construction of title

Crimes and Punishments; Malicious Mischief

- § 594.4 Vandalism; structure; noxious or caustic chemicals or substances
- § 602.11 Obstructing passage to or from health care facilities, places of worship or schools; punishment; definitions
- § 11413 Terrorism; use of destructive device or explosive or commission of arson in certain places; punishment

California Civil Code:

- [§ 3427–3427.4](#) Commercial blockade at a health care facility

California Government Code:

- [§ 6215–6215.5](#) Address confidentiality for reproductive health care service providers, employees, volunteers, and patients

PART B: Federal Laws

United States Supreme Court:

[*Roe v. Wade*](#), 410 U.S. 113 (1973)

According to the Roe decision, most laws against abortion in the United States violated a constitutional right to privacy under the Due Process Clause of the Fourteenth Amendment. The decision overturned all state and federal laws outlawing or restricting abortion that were inconsistent with its holdings.

United States Code:

[Title 18, §248, Freedom of Access to Clinic Entrances \(FACE\) Act of 1994](#)

- (a) Prohibited Activities
- (b) Penalties
- (c) Civil Remedies
- (d) Rules of Construction
- (e) Definitions

This federal law imposes criminal and civil penalties on anyone who uses “force, threat of force, or physical obstruction” to prevent a person from providing or receiving reproductive health services. Every federal appellate court to address the issue has upheld the Federal FACE Act.

PART C: Constitutional and Related Case Laws

United States Constitution – First Amendment:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

Case Law:

The Court ruled 6-3 that the First Amendment right to free speech was not violated by a Colorado law limiting protest, education, distribution of literature, or counseling within eight feet of a person entering a health-care facility (“buffer zone”).

[*Hill v. Colorado*](#), No. 98-1856, 530 U.S. 703, U.S. Supreme Court, June 28, 2000.

Appendix 2

Reporting Procedures for Anti-Reproductive-Rights Crimes

This section includes the following ARRC reporting materials:

[Appendix 2-A](#) **Data Collection Worksheet**

[Appendix 2-B](#) **Data Collection Worksheet (BCIA 8371) Instructions**

[Appendix 2-C](#) **Monthly Report – Summary Worksheet**

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ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) DATA COLLECTION WORKSHEET

BCIA 8371 (rev. 11/06)

ADMINIS- TRATION	PREPARER'S NAME				TELEPHONE NUMBER								
	AGENCY				NCIC NUMBER			DATE					
INCIDENT INFORMATION	OCCURRENCE DATE			TIME		CRIME CASE NUMBER							
	TOTAL NUMBER OF INDIVIDUAL VICTIMS				TOTAL NUMBER OF PROPERTY VICTIMS								
	ARRC OFFENSE(S)												
		STATUTE (CODE SECTION)		LITERAL			LEVEL (M/F)		NUMBER OF VICTIMS/ PROPERTY				
	1.	_____		_____			_____		_____				
	2.	_____		_____			_____		_____				
	3.	_____		_____			_____		_____				
4.	_____		_____			_____		_____					
5.	_____		_____			_____		_____					
6.	_____		_____			_____		_____					
7.	_____		_____			_____		_____					
8.	_____		_____			_____		_____					
LOCATION TYPE <i>(Check one)</i>													
<input type="checkbox"/> PUBLIC HEALTH FACILITY			<input type="checkbox"/> GOVERNMENT/PUBLIC BUILDING			<input type="checkbox"/> RELIGIOUS FACILITY							
<input type="checkbox"/> PRIVATE HEALTH FACILITY			<input type="checkbox"/> PARKING LOT/GARAGE			<input type="checkbox"/> SCHOOL/COLLEGE							
<input type="checkbox"/> COMMERCIAL/OFFICE BUILDING			<input type="checkbox"/> RESIDENCE/HOME/DRIVEWAY			<input type="checkbox"/> OTHER _____							
IF WEAPON INVOLVED, CHECK TYPE <i>(Up to 3)</i>													
<input type="checkbox"/> FIREARM (TYPE UNKNOWN)			<input type="checkbox"/> BLUNT OBJECT (CLUB, HAMMER, ETC.)			<input type="checkbox"/> DRUGS/NARCOTICS							
<input type="checkbox"/> HANDGUN			<input type="checkbox"/> MOTOR VEHICLE (WHEN USED AS A WEAPON)			<input type="checkbox"/> ASPHYXIATION (BY DROWNING, STRANGULATION, SUFFOCATION, GAS, ETC.)							
<input type="checkbox"/> RIFLE			<input type="checkbox"/> PERSONAL WEAPONS (I.E., HANDS, FISTS, FEET, ETC.)			<input type="checkbox"/> UNKNOWN							
<input type="checkbox"/> SHOTGUN			<input type="checkbox"/> POISON			<input type="checkbox"/> OTHER _____							
<input type="checkbox"/> OTHER FIREARM (MACHINE GUN, BAZOOKA, ETC.)			<input type="checkbox"/> EXPLOSIVES										
<input type="checkbox"/> KNIFE/CUTTING INSTRUMENT (AX, ICE PICK, SCREWDRIVER, SWITCHBLADE, ETC.)			<input type="checkbox"/> FIRE/INCENDIARY DEVICE										
VICTIM INFORMATION	V1	RACE*	SEX <input type="checkbox"/> M <input type="checkbox"/> F	DATE OF BIRTH	VICTIM TYPE*	VICTIM OF: <i>(Refer to Statute List Above)</i>							
	V2	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F	DATE OF BIRTH	VICTIM TYPE	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 7	<input type="checkbox"/> 8
	V3	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F	DATE OF BIRTH	VICTIM TYPE	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 7	<input type="checkbox"/> 8
	V4	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F	DATE OF BIRTH	VICTIM TYPE	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 7	<input type="checkbox"/> 8
	V5	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F	DATE OF BIRTH	VICTIM TYPE	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 7	<input type="checkbox"/> 8

* See Legend on reverse

Appendix 2-A

PROPERTY	PROPERTY TYPE*	TYPE OF LOSS OR DAMAGE <input type="checkbox"/> NONE <input type="checkbox"/> BURNED <input type="checkbox"/> DESTROYED/DAMAGED/VANDALIZED <input type="checkbox"/> STOLEN		QUANTITY	VALUE
	PROPERTY DESCRIPTION OR PROPERTY CATEGORY CODE*				
	PROPERTY TYPE*	TYPE OF LOSS OR DAMAGE <input type="checkbox"/> NONE <input type="checkbox"/> BURNED <input type="checkbox"/> DESTROYED/DAMAGED/VANDALIZED <input type="checkbox"/> STOLEN		QUANTITY	VALUE
	PROPERTY DESCRIPTION OR PROPERTY CATEGORY CODE*				
SUSPECT INFORMATION	S1	RACE*	SEX <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> UNKNOWN	DATE OF BIRTH OR AGE	
	S2	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> UNKNOWN	DATE OF BIRTH OR AGE	
	S3	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> UNKNOWN	DATE OF BIRTH OR AGE	
	S4	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> UNKNOWN	DATE OF BIRTH OR AGE	
	S5	RACE	SEX <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> UNKNOWN	DATE OF BIRTH OR AGE	

***LEGEND**

RACE/ETHNICITY CODES

A – Other Asian
 B – Black
 C – Chinese
 D – Cambodian
 F – Filipino
 G – Guamanian
 H – Hispanic
 I – American Indian
 J – Japanese
 K – Korean
 L – Laotian
 O – Other
 P – Pacific Islander
 S – Samoan
 U – Hawaiian
 V – Vietnamese
 W – White
 Z – Asian Indian
 X – Unknown

VICTIM TYPE CODES

IC – Individual Client
 IE – Individual Employee
 IO – Individual Other

PROPERTY TYPE CODES

B – Business
 G – Government
 H – Health Facility
 OE – Other Entity
 R – Religious Organization

PROPERTY CATEGORY CODES

1 – Automobiles
 2 – Bicycles
 3 – Buses
 4 – Clothes/Furs
 5 – Computer Hardware/Software
 6 – Office-type Equipment
 7 – Other Motor Vehicles
 8 – Personal Items Other Than Clothing (Purses/Handbags/Wallets)
 9 – Radios/TVs/VCRs
 10 – Structures–Single Occupancy Dwellings
 11 – Structures–Other Dwellings
 12 – Structures–Other Commercial/Business
 13 – Structures–Public/Community
 14 – Structures–Other
 15 – Other

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)

Data Collection Worksheet (BCIA 8371) Instructions

Requirement:

The Data Collection Worksheet (BCIA 8371) should be completed and submitted only if there are ARRCs to report for your agency.

NOTE: It is the purpose of this legislation to collect data on **any** crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant.

Frequency:

At the end of the month, enter the total number of ARRCs reported to your agency on the Summary Worksheet (BCIA 8370) and attach a completed Data Collection Worksheet (BCIA 8371) for each ARRC. If there are no ARRCs to report, submit only the Summary Worksheet (BCIA 8370).

Submit these forms by the 10th working day for the preceding month (for example, July data should be submitted by the 10th working day in August).

Administration:**Preparer's Name**

Enter the name of the person who prepared the form and whom should be contacted regarding questions.

Telephone Number

Enter the area code and telephone number of the person to be contacted if questions arise.

Agency

Enter the name of your agency.

NCIC Number

Enter your agency's ORI/NCIC number. Agencies should abbreviate the nine-character NCIC code by using the fourth through seventh character of the NCIC code. For example, if your NCIC number is "CA0570100," report "5701" only.

Date

Enter the date prepared.

Incident Information:**Occurrence Date**

Enter the month, day, and year of occurrence.

Time

If known, enter the time of occurrence in military 24-hour time.

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)

Data Collection Worksheet (BCIA 8371) Instructions

Crime Case Number

Enter the number assigned by your agency used to identify each report uniquely, e.g., the Originating Agency Case Number.

Total Number of Individual Victims

Enter the total number of individual victims involved in the incident.

Example: The suspect assaulted an employee at a reproductive health services facility. The suspect also broke the window of the reproductive health services facility. Report “1” victim (the employee) in the “Total Number of Individual Victims” box.

Total Number of Property Victims

Enter the total number of property victims involved in the incident.

Example: Referring to the example above, report “1” property victim (the reproductive health services facility) in the “Total Number of Property Victims” box.

Statute (Code Section) *Attach additional sheets of paper if needed.*

Enter all ARRC offenses involved (up to 10) in the ARRC incident. If there are more than 10 ARRC offenses involved in an incident, enter the 10 most serious offenses. Record each statute code only once even though there may have been more than one victim per offense. Report the exact statute (Penal Code, Health and Safety Code, etc.), section number, and appropriate subsection.

Literal

Enter a short description of the statutory code section.

Level

Enter the level of the code section involved (“M” for misdemeanor or “F” for felony).

Number of Victims/Property

Enter the number of victims for each offense which were perpetrated against him/her during the incident.

Example: During a protest an unruly participant refuses requests to leave the grounds of a health facility. The participant also shoves two clients walking into a reproductive health services facility and then breaks a window of the building. The participant is arrested for 423.2 (A) PC, 423.2 (E) PC, and 602.1(A) PC. Enter 423.2 (A) PC, 423.2 (E) PC, and 602.1 (A) PC in the Statute Code Section fields.

ARRC Offense(s) Statute (Code Section)	Literal	Level (M/F)	Number of Victims/Prop
1. 423.2 (A) PC	violence/etc: reproductive health client	M	2
2. 423.2 (E) PC	intentionally damage property:repro health svcs	M	1
3. 602.1 (A) PC	trespass:obstruct/etc. business operations/etc.	M	1

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)

Data Collection Worksheet (BCIA 8371) Instructions

Location Type

Select a location type to show where the ARRC offense took place. If the location does not fit into one of the categories listed, select "other" and enter the location.

If Weapon Involved

Choose up to three types of weapons/force used by the suspect. If the weapon does not fit into one of the categories listed, select "other" and enter the weapon.

Victim Information: *Attach additional sheets of paper if needed.*

Race

Enter the victim's race using the race/ethnicity codes provided in the legend.

Sex

Enter the victim's sex.

Date of Birth

Enter the victim's date of birth (mm/dd/yyyy).

Victim Type

Enter the appropriate victim type code:

IC=Individual Client (reproductive health services client)

IE=Individual Employee (reproductive health services employee)

IO=Individual Other (individual not fitting the above specifically listed individuals)

Victim Of

For each victim, select the boxes of the offenses (numbered in the statute code section) which were perpetrated against him/her during the incident.

Property: *Attach additional sheets of paper if needed.*

Property Type

Enter the appropriate property type code:

B Business

G Government

H Health Facility (includes hospital, physician's office, abortion clinic, family planning clinic, etc.)

OE Other Entity (represents acts directed at entities which do not fit in any of the other categories)

R Religious Organization (or building associated with a specific religious group)

Type of Loss or Damage

Select the type of loss or damage to the property. For each type of loss or damage, up to ten property descriptions or property categories (see legend) can be reported.

ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)
Data Collection Worksheet (BCIA 8371) Instructions

Quantity

Report how many properties were burned, stolen, destroyed, etc., as a result of the incident.

Value

Report the dollar value of the property which was burned, stolen, destroyed, etc., as a result of the incident. Up to ten values can be entered to match the up to ten property descriptions. If more than ten types of property are involved, the values of the nine most valuable properties are to be reported; then, the total value of the remaining properties which were coded "other" are to be combined and reported as one total.

Property Description or Property Category Code

For each type of property loss, up to ten property descriptions or property category codes (see legend) can be reported. If more than ten types of property are involved, the nine most valuable specifically listed types of property are to be reported and the remaining types of property are to be combined and reported as "other."

Suspect Information: *Attach additional sheets of paper if needed.*

Race

Enter the suspect's race using the race/ethnicity codes given in the legend. If the suspect information is unknown, enter "X" (unknown).

Sex

Enter the suspect's sex. If the suspect information is unknown, select "unknown."

Date of Birth or Age

Enter the suspect's date of birth or approximate age. If unknown, leave blank.

MONTHLY REPORT OF ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC)

SUMMARY WORKSHEET

BCIA 8370 (rev. 11/06)

AGENCY	
NCIC NUMBER	REPORTING MONTH/YEAR
<input type="checkbox"/> THERE WERE _____ ARRCs REPORTED TO THIS DEPARTMENT FOR THIS MONTH (Attach Data Collection Worksheets) <input type="checkbox"/> THERE WERE NO ARRCs REPORTED TO THIS DEPARTMENT FOR THIS MONTH	
PREPARER'S NAME	TELEPHONE NUMBER
SUBMIT THIS SUMMARY SHEET WITH THE ARRC DATA COLLECTION WORKSHEET(S), IF ANY, TO: <div style="text-align: center;"> State of California Department of Justice CRIMINAL JUSTICE STATISTICS CENTER P.O. Box 903427 Sacramento, CA 94203-4270 ATTN: Anti-Reproductive-Rights Crimes </div>	

Purpose:

It is the intent of the Department of Justice to:

- Collect data on all crimes relating to violations of the Reproductive Rights Law Enforcement Act.
- Collect data on the threatened commission of anti-reproductive-rights crimes and persons suspected of committing these crimes or making these threats.
- Distinguish between crimes of violence and non-violence.

INSTRUCTIONS FOR COMPLETION:

SUBMIT ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) AS DEFINED IN PENAL CODE SECTION 13776 (A). SEE REVERSE SIDE OF THIS FORM FOR PENAL CODE STATUTES TO BE USED WHEN COMPLETING THIS FORM.

***NOTE:** It is the purpose of this legislation to collect data on any crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant.*

Requirement:

This form should be submitted monthly whether or not an ARRC occurred.

Frequency:

Submit monthly, by the 10th working day for the preceding month (for example, July data should be submitted by the 10th working day in August).

Reporting # of ARRCs:

If there are ARRCs to be reported by your agency, check the first box and enter the total number of ARRCs for the reporting month. Attach Data Collection Worksheets for each ARRC reported.

If there were no ARRCs to report, check the second box and submit the Summary Worksheet only.

Appendix 2-C

The following Penal Code Sections are to be used when completing this form and the Data Collection Worksheet (BCIA 8371):

Section 423.1 PC (Definitions)

The following definitions apply for the purposes of this title:

- (a) "Crime of violence" means an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another.
- (b) "Interfere with" means to restrict a person's freedom of movement.
- (c) "Intimidate" means to place a person in reasonable apprehension of bodily harm to herself or himself or to another.
- (d) "Nonviolent" means conduct that would not constitute a crime of violence.
- (e) "Physical obstruction" means rendering ingress to or egress from a reproductive health services facility or to or from a place of religious worship impassable to another person, or rendering passage to or from a reproductive health services facility or a place of religious worship unreasonably difficult or hazardous to another person.
- (f) "Reproductive health services" means reproductive health services provided in a hospital, clinic, physician's office, or other facility and includes medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.
- (g) "Reproductive health services client, provider, or assistant" means a person or entity that is or was involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person, at that other person's request, to obtain or provide any services in a reproductive health services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate, a reproductive health services facility.
- (h) "Reproductive health services facility" includes a hospital, clinic, physician's office, or other facility that provides or seeks to provide reproductive health services and includes the building or structure in which the facility is located.

Section 423.2 PC (Elements of Offense)

Every person who, except a parent or guardian acting towards his or her minor child or ward, commits any of the following acts shall be subject to the punishment specified in Section 423.3.

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant....

(c) By nonviolent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant....

(e) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility....

Section 13776 PC (Definitions)

(a) "Anti-reproductive rights crime" means a crime committed partly or wholly because the victim is a reproductive health services client, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or any class of persons or entities from becoming or remaining a reproductive health services client, provider, or assistant. "Anti-reproductive rights crime" includes, but is not limited to, a violation of subsection (a) or (c) of Section 423.2.

Pro-Choice / Pro-Life Issue Spectrums

The Pro-Choice Issue Spectrum

To be “pro-choice” is to believe that individuals have unlimited autonomy with respect to their own reproductive systems as long as they do not breach the autonomy of others. A comprehensive pro-choice position affirms that all of the following must remain legal:

- Celibacy and abstinence
- Contraception use
- Emergency contraception use
- Abortion, for the first two trimesters of pregnancy
- Childbirth

In the United States, the pro-choice position is occasionally perceived as “pro-abortion.” In China, where abortion is sometimes required by law, the pro-choice position would be perceived as “anti-abortion.” The purpose of the pro-choice movement is to ensure that all choices remain legal.

Pro-choice as defined by Webster’s New World Dictionary, Third College Edition: “Advocating the right to obtain a legal abortion.”

The Pro-Life Issue Spectrum

To say that someone is “pro-life” is to say that the person opposes the individual right to obtain a legal abortion, and believes that the government has an obligation to preserve all human life, regardless of intent, viability, or quality-of-life concerns. A comprehensive pro-life ethic, such as that proposed by various religious organizations, prohibits:

- Abortion
- Euthanasia and assisted suicide
- The death penalty
- War, with very few exceptions

In cases where the pro-life ethic conflicts with personal autonomy, as in the case of abortion and assisted suicide, it is conservative. In cases where the pro-life ethic conflicts with government policy, as in the case of the death penalty and war, it is liberal.

Pro-life as defined by Webster’s New World Dictionary, Third College Edition: “Opposing the right to obtain a legal abortion.”

