

**LEGISLATIVE #**

**120508a**



**POLICE DEPARTMENT**  
**Inter-Office Communication**

To: City Manager Russ Blackburn  
From: Chief of Police Tony R. Jones  
Subject: Medical Clinic Buffer Zones Informational Referral

Date: 01-02-13

On 10/22/2012, originating from a request by City Commissioner Lauren Poe on 10/18/2012, I assigned my staff with the charge to research Commissioner Poe's referral concerning the creation of "medical clinic buffer zones" within the City of Gainesville.

The noted institutions/businesses researched were:

- Bread and Roses Women's Health Center, 1233 NW 10<sup>th</sup> Ave.
- Planned Parenthood, 914 NW 13<sup>th</sup> ST
- All Women's Health Center, 1135-N NW 23<sup>rd</sup> Ave.
- Gainesville Women's Health Center, 720 NW 23<sup>rd</sup> Ave.

Staff research indicated that the last recorded actual physical disturbance at any of the above listed locations occurred on June 29<sup>th</sup>, 2005 at Bread and Roses which no arrest or criminal complaint was lodged due to the unintentional nature of the contact. Other incidents at these locations included a criminal mischief (2007 at Planned Parenthood) and the theft of a protestor's bicycle in 2008, again at Bread and Roses. These incidents were pulled from the Department's records management system, and are attached.

Staff also created a brief PowerPoint presentation which highlighted the various issues surrounding the creation of buffer zones not only in the State of Florida, but elsewhere in the nation. In summary, the research concluded that the buffer zones created by State legislatures, although fraught with inherent controversy, protect the counties and municipalities from the intrinsic legal liabilities that normally accompany this polarizing subject matter. In those instances where the buffer zones were found to have legitimacy, the next typical step, undertaken by the Right-to-Life movement members was a taunting of area law enforcement to make multiple arrests, creating a bottleneck in the criminal justice system and normally ending in multiple civil suits against the county or municipality. Outside the protective umbrella of a State Statute, these lengthy legal battles have lead up to, in several cases, State Supreme Courts or our nation's Supreme Court delivering the final interpretation of an ordinance's admissibility.

Beyond the businesses locations directly prone to the buffer zones, adjacent area businesses, or in the case of California municipalities, businesses on the opposite side of the roadway become both indirectly and unwillingly involved which diminishes the level of overall satisfaction with local government policy-making.

It is my position, based on staff recommendation as well as the historic number of reports generated regarding disturbances at these clinics, that the Public Safety Committee not move forward with any further discussion of a medical clinic buffer zone ordinance within the City of Gainesville.