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## **HB 1313: repealing the prohibition on entering or remaining on a public way or sidewalk adjacent to a reproductive health care facility.**

**Committee: House Judiciary**

**Date: February 11, 2026**

**Position: Oppose**

### **BACKGROUND**

Reproductive health care providers, patients, and facilities are frequently the targets of violence and harassment, ranging from vandalism to threats to deadly attacks. The National Abortion Federation (NAF) has been compiling statistics on incidents of violence and disruption against abortion providers for decades and its [2023/2024 statistics](#) reflects that there has been a sustained and consistent violence and harassment targeting abortion providers, even as clinics have closed in a post-*Roe* country. NAF reports that in New Hampshire, 40% of providers have reported threats, 20% trespassing, and 80% protesters.

It's also important to note that several individuals who had coordinated clinic invasions were in jail for a number of years under the Freedom of Access to Clinic Entrances Act (FACE act). One of President Trump's first acts of his second term was to [pardon these individuals](#).

Recent years have also seen more incidents of violence, with devastating effects: in November 2015, three people were murdered and nine injured when Robert Dear brought an assault-style rifle to a Planned Parenthood health center in Colorado Springs and opened fire. There were 3 arson attacks in 2023-2024 alone, including the latest in January 2023 in Peoria, Illinois. A few months later an unknown individual fired 2 shotgun rounds at a Planned Parenthood in Montana.

We know that as states have banned abortion across the country, anti-abortion protestors now travel to states that still allow abortion care, including New Hampshire. We take the job of ensuring the safety of patients and providers extremely seriously.

**New Hampshire's law is not the subject of litigation.** While New Hampshire's law was challenged based on the Supreme Court's decision in *McCullen*, the US District Court dismissed the challenge to New Hampshire's "Buffer Zone" case in 2016. Judge LaPlante ruled that the plaintiffs lacked standing in the *Mary Rose Reddy et al v. Joe Foster et al* case. In 2017, this decision was reaffirmed by the First Circuit Court of Appeals. **Not all buffer zones are unconstitutional under the Supreme Court's precedent.** The Massachusetts law that was struck down in *McCullen* established a mandatory buffer of 35-feet and treated all facilities in the state in an identical

fashion, whereas New Hampshire's law allows for a discretionary buffer and only enables a health center to create a patient safety zone as the facts and circumstances dictate.

## **NEW HAMPSHIRE BACKGROUND**

Reproductive health centers in New Hampshire have always felt the impact of picketing and protest activity. However, following national trends over the past few years, the volume and frequency of protests have increased. The escalating harassment and increasingly intense tactics that protestors are willing to use have resulted in more extreme patient harassment and heightened need for on-site security. Currently, PPNNE in Manchester pays thousands of dollars per year to hire a private security detail. Obstructing the driveway, blocking on-street parking spaces, photographing patients and staff, and verbal assaults have become routine complaints from our patients and their family members, and neighbors who live in the area. Protestors gather in front of the driveway and create barriers for patients seeking to access the health center and they invade the privacy of those who do not want to engage in dialogue while entering or exiting. These berating, belittling, and vitriolic tactics often take a significant and lasting mental health effect on our patients seeking care, much of which is not abortion related. These actions also often impact non-Planned Parenthood affiliated persons, such as clients or employees of other businesses in the area. The taking of videos and photographs to potentially publish or disperse in a threatening way is also a significant security threat for our patients and providers.

Obstructing the driveway to the health center is especially problematic, as it blocks traffic and can -- and has -- led to minor car accidents. A few years ago, PPNNE installed a new fence to help patients navigate the congested driveway. While the fence is better for public safety, there is very limited privacy around the parking lot which allows protestors to have full visibility into the area. **PPNNE is forced to trade patient privacy for public safety, though everyone deserves to have both.**

To address these public safety and health center access problems, the New Hampshire legislature enacted Senate Bill 319 in 2014, authorizing the establishment of patient safety "buffer" zones of "up to" 25 feet surrounding the entrances to reproductive health facilities. The law was not mandatory; it allows each facility and each community the flexibility to narrowly tailor a zone in accordance with local factors. Just weeks after Senate Bill 319 was signed into law, the U.S. Supreme Court issued a decision in *McCullen vs. Coakley* 134 S.Ct 2518 which changed the legal landscape for balancing the competing constitutional rights involved.

In 2022, then-Governor Chris Sununu vetoed this same legislation (HB 1625) to repeal New Hampshire's patient safety zone, [citing](#) "we know of no instance where an individual or group has been harmed by [the law]."

**As violence and harassment towards abortion providers and health centers has escalated, Planned Parenthood of Northern New England (PPNNE) has considered how best to protect its patients and staff.** The Manchester health center has undergone modernizations to the building,

including changes to the parking lot, and safety upgrades. PPNNE meets with local law enforcement and city leadership to help explore ways to better protect patient safety and access. We need to continuously reassess every option to consider how best to protect our patients, providers, and staff. Now is not the time to take tools out of our toolbox that will eliminate options for protecting patient privacy and public safety. **The reality is, New Hampshire's providers and patients need even more than what this law provides.** We're always willing to work with anyone on how best to achieve this goal. The government plays a critical role in ensuring public safety for all Granite Staters – including abortion providers and patients.

**We urge the House Judiciary Committee to maintain a commitment to patient safety and access and vote “Inexpedient to Legislate” on HB 1313.**

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*Planned Parenthood New Hampshire Action Fund (PPNHAF) is an independent, nonpartisan, not-for-profit organization formed as the advocacy and political arm of Planned Parenthood of Northern New England in New Hampshire. The Action Fund engages in educational and electoral activity, including voter education, grassroots organizing, and legislative advocacy.*

*Planned Parenthood of Northern New England (PPNNE) is the largest provider of reproductive and sexual health care across the State of New Hampshire. We serve New Hampshire residents through 5 health centers in Derry, Exeter, Keene, Manchester and White River Junction, VT. Last fiscal year we saw more than 11,000 patients at these sites. [PPNNE was named a 2021 Guardian of Excellence Award® winner](#) by [Press Ganey](#), the national leader in health care consumer and workforce engagement. Press Ganey recognizes PPNNE as a top-performing health care organization, achieving the 95<sup>th</sup> percentile or above for performance in patient experience.*