



Via Electronic Mail

July 10, 2023

Vedat Gashi
Chairman
Westchester County Board of Legislators
800 Michaelan Office Building
148 Maritime Avenue, 8th Floor
White Plains, NY 10601

Re: Reproductive Health Care Facilities Access Act (Westchester Cnty., N.Y., Charter & Admin. Code ch. 425 (2023))

Dear Chairman Gashi and members of the Westchester County Board of Legislators,

By way of introduction, the National Institute for Reproductive Health and its Action Fund, is a national advocacy organization dedicated to advancing just and equitable access to reproductive health care, including abortion, across the country. Our particular focus is advancing policies at the state and local level that improve the availability and accessibility of care and safeguard the health, rights, and safety of those seeking and providing reproductive health care services. In this capacity, we have worked with local elected officials in scores of cities and counties in their efforts to adopt new ordinances and strengthen existing laws to address those critical issues. This work has encompassed providing insight to local elected officials around measures designed to prohibit interference with accessing reproductive health care facilities and obtaining reproductive health care services, including measures seeking to achieve similar public safety goals as the Reproductive Health Care Facilities Access Act (Westchester Cnty., N.Y., Charter & Admin. Code ch. 425 (2023))

In light of this experience, I am writing to provide perspective from our vantage point in support of the Westchester County Board of Legislators timely consideration of ways to further clarify and strengthen the Reproductive Health Care Facilities Access Act. As you know, this is an urgent matter, given that the health and safety of patients and health care providers in your community is at stake.

NIRH Action Fund applauds the Westchester County Board of Legislators for enacting the Reproductive Health Care Facilities Access Act as it provides a fair yet robust set of protections against a wide range of illegal activities involving violence against persons and property, physical injury or damage, harassment and intimidation, interference, and other harms that have

been caused in Westchester and across the country by those who wish to prevent patients from accessing and health care professionals from providing reproductive health care. At the same time, it is our understanding that one component of the Reproductive Health Care Facilities Access Act – namely § 425.31(i) -- have proven to be difficult, if not impossible, to enforce, leading to confusion for everyone involved and less safe conditions at local reproductive health care facilities. This aligns with what we have witnessed in other localities that have initially included a similar bubble zone to § 425.31(i), such as an ordinance passed in Pittsburgh, PA, that was subsequently revised to remove that component to bring greater clarity to the law and enhance its enforceability. We have also worked with local elected officials in other jurisdictions to find – and continue to do so in several localities today, given the urgent nature of this matter.

In light of this experience, we support swift action by the Westchester County Board of Legislators to further strengthen the Reproductive Health Care Facilities Access Act, including by removing § 425.31(i). My staff and I would be happy to provide additional insights or answer any follow-up questions you may have.

Thank you again for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Andrea Miller". The signature is written in a cursive, flowing style.

Andrea Miller
President