



Hill v. Colorado, 530 U.S. 703 (2000)

Topics Covered: Access to Medical Facilities, Abortions

Outcome: Very Favorable

Issue

The issue here was whether a Colorado statute prohibiting a non-consensual “knowing approach” of another person within 100 feet of a health care facility’s entrance was unconstitutional as a violation of the right to free speech.

AMA Interest

The AMA supports the right of access to medical care and believes that health care providers have a fundamental right to freedom from violence. The AMA opposes acts of intimidation that may impede physicians’ ability to care for their patients.

Case Summary

In response to concern about aggressive anti-abortion protests outside facilities that performed abortions or provided abortion referrals, the Colorado legislature enacted a statute to restrict unwanted approaches toward those entering such facilities. Anti-abortion activists challenged the constitutionality of the statute by suing to enjoin its enforcement. The state trial court dismissed the complaint, holding that the statute imposed content-neutral time, place, and manner restrictions that were narrowly tailored to serve a significant government interest. Both the state appellate court and the Colorado Supreme Court affirmed.

The case was then appealed to the United States Supreme Court, which also affirmed. The Court held that the statute regulated place, not content, and properly protected listeners from unwanted communications.

AMA Involvement

The AMA joined an amicus curiae brief with the American College of Obstetricians and Gynecologists to support the Colorado statute.

United States Supreme Court brief