



McGuire v. Reilly, 260 F.3d 36 (1st Cir. 2001)

Topics Covered: Access to Medical Facilities, Abortions

Outcome: Very Favorable

Issue

The issue in this case was whether a Massachusetts statute intended to keep pro-life demonstrators at a reasonable distance from persons seeking to enter abortion clinics violated the demonstrators' First Amendment rights.

AMA Interest

The AMA supports the right of access to medical care and opposes violence and acts of intimidation directed against patients, physicians, other healthcare providers, and medical facilities, including abortion clinics.

Case Summary

In response to concerns of violence, harassment, and intimidation outside medical facilities that perform abortions, Massachusetts enacted a statute which created a buffer zone to keep anti-abortion demonstrators at a reasonable distance from patrons seeking to enter abortion clinics.

The anti-abortion demonstrators challenged the constitutionality of the statute by seeking a preliminary injunction against its enforcement. The district court granted the preliminary injunction and enjoined various Massachusetts government officials from enforcing the statute. The defendants appealed to the First Circuit.

The First Circuit upheld the statute, reversing the low court decision.

AMA Involvement

The AMA, the Massachusetts Medical Society, and the American College of Obstetricians and Gynecologists joined in an *amicus* brief supporting the Massachusetts statute.