



**Threats to Free Speech in the FBI's and USDOJ's Document**  
**“Resource Guide: Violence Against Reproductive Health Care Providers”**

Analysis by Matthew S. Bowman  
Legal Counsel, Alliance Defense Fund  
September 29, 2010

On August 25, 2010, the FBI and the United States Department of Justice held a training seminar at FBI headquarters in Portland, Oregon. The information presented in the seminar raises serious concerns over the United States government's treatment of nonviolent free speech activities as “violence” subject to investigation and prosecution.

The seminar was a joint project of the FBI, USDOJ, the National Abortion Federation, Planned Parenthood, and the Feminist Majority Foundation. The seminar was not confidential, and several pro-life representatives were present with the permission and approval of the FBI.

The FBI and USDOJ gave all participants an 84-page document entitled “Resource Guide: Violence Against Reproductive Health Care Providers.” The document is continuously paginated, including the powerpoint presentations of USDOJ attorneys, along with analyses of “violence” prepared by NAF, PP, and FMF. ADF will be happy to supply an electronic copy of the document upon request.

The analyses urging the prosecution of “clinic violence” defines a large swath of nonviolent, legal, free-speech activity such as picketing under the broad category of “violence.” Abortionist organizations have long lobbied to use the law to silence free speech activities. But in this seminar the FBI and USDOJ included those views in their own training seminar materials. This raises serious concerns about the United States government investigating peaceful, legal free speech activity in efforts that are ostensibly aimed at violence.

The following list cites just a few examples of peaceful pro-life speech activity depicted under “violence” categories in the federal government's manual.

- Picketing Defined as Violence: Pages 5 and 20 discuss and tabulate “violence statistics” including “disruption,” but define “disruption” as including “picketing,” which accounts for almost 90% of all the incidents listed in the chart. An entire section of the document is devoted to laws that address non-violent picketing in residential locations, at pages 77-84, as do the FMF [surveys](#) relied on in “The History of Violence,” page 11.
- Public Display of Signs, Boycotts Defined as Violence: “The History of Clinic Violence” includes “the use of huge anti-abortion posters” and on “campus.” The “Violence” history also identifies “boycotts against abortion providers.” It complains of “the ability to publish almost

anything on the Internet,” and of free speech lawsuits. These are all summarized as “The landscape of violence and harassment aimed at abortion providers.” Pages 15-17.

- USDOJ Gathering Information on, Prosecuting Peaceful Activities: On page 67, USDOJ says that prosecuting federal law includes “gathering evidence” on “Leaflets or pamphlets” that pro-life targets are distributing, and “Signs [the] suspect was carrying.” On page 6, PP says “we maintain a database of names, photos, license plate etc. of ant-choice groups and individuals” and that they work “proactively” with local law enforcement. Julie Abbate of USDOJ who spoke on page 66, also filed a [federal lawsuit](#) in August 2010 against a pro-life advocate solely for leafleting while allegedly, one time, crossing a driveway.
- Speech Criticizing Abortionists Defined as “Intimidation”: Pages 18 and 19 summarize an FMF survey discussing “intimidation,” and [includes](#) the distribution of leaflets labeled “Pamphlets Targeting Staff,” and any “noise disturbance.” These would include leaflets that warn women that specific abortionists have injured or killed patients. This free speech activity constitutes a significant percent of the survey activities labeled “intimidation.”
- Non-Violent Pro-Life Free Speech Groups Specifically Named: On pages 39-41, the FBI’s document on prosecuting violence lists multiple pro-life websites that are 100% nonviolent free speech groups, including:

David Bereit—40 Days for Life  
American Center for Law and Justice  
American Life League  
LEARN  
Center for Bio-Ethical Reform  
Brazos Valley Coalition for Life  
Concerned women for America  
Life Decisions International  
Human Life International  
Life Dynamics  
National Right to life  
Priests for Life  
Pro-Life Action league  
Rock for Life  
Stand True  
STOPP Planned Parenthood  
Population Research Institute  
Students for Life of America