

San Francisco official proposes regulating crisis pregnancy centers

SAN FRANCISCO – A San Francisco supervisor introduced legislation Aug. 2 aimed at stopping pro-life medical clinics from using “misleading advertising” in billboards and in pay-per-click Google ads that implies they offer abortion or abortion referrals.

The legislation is part of a campaign by NARAL Pro-Choice America to require crisis pregnancy centers to state up front that they do not provide abortions.

The U.S. District Court ruled in January that Baltimore’s ordinance violated pregnancy centers’ right to free speech and the city of Baltimore has appealed.

The San Francisco legislation would apply to First Resort, whose billboards are posted primarily in the city’s Latino and African-American neighborhoods, said Supervisor Malia Cohen, the bill’s sponsor. First Resort is the only pregnancy resource center in the city that is also a medical clinic.

However, Chief Deputy City Attorney Therese Stewart said the proposed legislation lists the requirements of what it terms a “limited services pregnancy center” and those are “neutral” and could apply to a Planned Parenthood clinic that purported to offer abortions but did not.

First Resort said in a statement that it “rejects in the strongest possible terms any representation that our advertising misleads women. We treat women with dignity and respect and respect their right to choose.”

Also on Aug. 2, City Attorney Dennis Herrera sent a letter to First Resort asking it to correct advertising and website language that he said implies it refers for abortion, and requested a reply by Aug. 31. At a City Hall news conference, he said his next step would be to file for an injunction.

“The legislation we introduce today seeks to regulate and prevent crisis pregnancy centers from disseminating false and misleading advertising regarding the type and nature of service they are providing,” Cohen said.

In a press release distributed along with copies of Cohen's legislation and Herrera's letter to First Resort, NARAL Pro-Choice California endorsed the legislation and noted, "NARAL Pro-Choice America has been supportive of similar local legislation in New York, Texas and Maryland cities."

First Resort said in its statement it was not provided a copy of Herrera's letter or Cohen's legislation.

In an email, Maria M. Martinez-Mont, First Resort's communications director, told Catholic San Francisco, the archdiocesan newspaper, that the pregnancy resource center does not refer for abortion.

"We look forward to a robust discussion about the appropriateness of this legislation and urge them not to test the constitutional boundaries of free speech," First Resort said in its statement. The center invited Herrera and Cohen to tour the facility.

Herrera said First Resort has paid for per-click Google ads that place First Resort as a top choice for searches such as "abortion provider." First Resort's website also includes a testimonial from a client who chose to terminate her pregnancy, Herrera said in his letter.

In addition, First Resort "implies on its 'Abortion Procedures' page that First Resort performs pregnancy tests and ultrasounds as a prelude to offering abortion as an outpatient procedure, or referring clients to a provider who performs abortion," according to Herrera's letter.

Herrera said the San Francisco legislation circumvents the constitutional issues of the Baltimore law, which required pregnancy centers to post signs in their waiting rooms stating they did not refer for abortion.

"This is quite different. It does not dictate to anyone the type of warning or disclosure they have to put out in their waiting room. What this says is that it tries to prevent misleading advertising from being put out" with a complaint of misleading advertising to be decided by a judge, Herrera said.

"No one should be deceived. Women deserve all the facts about abortion regardless of whether they come from pro-life pregnancy centers or pro-abortion facilities,"

said Vicki Evans, the Archdiocese of San Francisco's respect life coordinator. But, she said, abortion providers have a profit motive when it comes to counseling pregnant clients and pregnancy resource centers offer their services for free.

"Why do abortion clinics fight so hard against laws mandating public-health regulation, parental notification, viewing ultrasounds, disclosures on fetal pain, and informed consent vis-à-vis health risks and the aftermath of abortion?" Evans asked. "Could it be they might be trying to deceive women just a little?"