

## **NARAL PRO-CHOICE CALIFORNIA TESTIMONY TO THE HEALTH, MENTAL HEALTH AND EDUCATION COMMITTEE IN SUPPORT OF COUNCIL ITEM NO. 16-0319**

**APRIL 12, 2016**

NARAL Pro-Choice California respectfully requests your “aye” vote in favor of Councilmember Martinez’s motion that the CLA and City Attorney report on how to limit deceptive advertising by crisis pregnancy centers in the City of Los Angeles.

Crisis pregnancy centers (CPCs) are facilities that exist to block women from accessing abortion care. CPCs advertise implying a neutral approach and a full spectrum of services, but in reality they have an ideological agenda that they put ahead of women’s health.

NARAL Pro-Choice California conducted an in-depth undercover investigation of California crisis pregnancy centers that revealed a serious threat to women’s health.<sup>1</sup> In 91% of the centers our investigators visited, the CPC falsely linked abortion with breast cancer, infertility, mental health problems and even death. Approximately 60-65% of California CPCs operate without a medical license, yet they offer self-administered pregnancy tests and provide “counseling” based on the results, often without revealing that they are not trained medical providers. The City of Los Angeles is home to at least 6 CPCs, while the county has at least 25.

CPCs are entitled to share their views with people who are seeking their perspective and limited services, but that is not how these organizations operate. Journalist Meaghan Winter attended a conference for Heartbeat International, a major umbrella organization for CPCs. The trainers were directly encouraging deception, including telling CPCs to have two websites: one for their donors with an explicit anti-abortion mission, and one for potential clients that appeared to offer neutral medical information.<sup>2</sup> NARAL investigators sometimes expressed interest in abortion care while calling to set up appointments, and were only told that they should come in for an ultrasound without any indication that the facility would not provide or refer for abortion care. CPCs often purchase online ads so that women searching “abortion clinic” will see their ads and be tricked into visiting. NARAL Pro-Choice America’s extensive research revealed that 79% of Google searches for the term “abortion clinic” and the name of a city resulted in at least one ad for a CPC.

The California state legislature recognized the importance of mitigating the impact of CPCs when it passed the Reproductive FACT Act in 2015, which requires licensed pregnancy centers to post information about free or low-cost reproductive health programs offered by the state, and unlicensed

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<sup>1</sup> “Unmasking Fake Clinics,” NARAL Pro-Choice California, March 12, 2015, <http://cpclies.com/unmasking-fake-clinics/>

<sup>2</sup> “‘Save the Mother, Save the Baby’: An Inside Look at a Pregnancy Center Conference,” Meaghan Winter, *Cosmopolitan*, April 6, 2015, <http://www.cosmopolitan.com/politics/a38642/heartbeat-international-conference-crisis-pregnancy-centers-abortion/>

pregnancy centers to notify clients that they are not a licensed medical provider.<sup>3</sup> The law went into effect on January 1, 2016. The San Francisco Board of Supervisors was one of the first to take action by banning false advertising by limited services pregnancy centers in 2011.<sup>4</sup> A CPC filed suit, and a federal court upheld the ordinance in 2015, arguing that misleading commercial speech is not protected by the First Amendment.<sup>5</sup> The case has been appealed to the U.S. Court of Appeals for the Ninth Circuit.

By luring in women with promises of services they don't provide, CPCs delay access to care. Decisions around pregnancy are time sensitive, and women need the care they are seeking without interference or delay. Women spend valuable time going to appointments and may have to take time off from work and arrange childcare, only to find that their time was wasted because the facility does not offer the service they were seeking. Women's time and resources, and especially their health, must be respected. Women who need pregnancy care should not be lied to

With California becoming the first state in the nation to pass a law mitigating the impact of CPCs, there is new momentum in the movement to hold them accountable. The City of Los Angeles has the opportunity to be a national leader and tell crisis pregnancy centers they cannot operate with impunity inside its borders by becoming the largest city to pass an ordinance targeting their false advertising. We urge you to vote "aye" on this motion as an important first step.

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<sup>3</sup> [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160AB775](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB775)

<sup>4</sup>

<https://sfgov.legistar.com/View.ashx?M=F&ID=1605234&GUID=6F89DC21-839C-4CE3-AE96-809B3538F691>

<sup>5</sup> <https://drive.google.com/file/d/0B9DDwbUa0YLNWFZaQm8zd3ljVE0/view?usp=sharing>