



## Framingham Democratic Committee

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February 6, 2023

City Council Members  
Framingham City Council  
150 Concord Street  
Framingham, MA 01702

Re: Letter of Support for Proclamation Pertaining to Crisis Pregnancy Centers

Dear Members of the Framingham City Council,

This letter is submitted by the Framingham Democratic Committee (FDC) upon a vote of a majority of its regular and life members. By way of disclosure, the vote was 20 in favor, 1 opposed, 5 abstentions (all City Council Members eligible to vote as FDC members abstained from voting).

The Framingham Democratic Committee believes in diversity, equity, inclusion, and justice. Our mission is to work for the common good by seeking to promote racial, ethnic, social, and economic equality for the people of Framingham, our Commonwealth, and our nation. We advocate for all those who have been disenfranchised, marginalized, victimized, and oppressed. Fostering and heeding Democratic principles is at the core of our work and our values.

We are concerned that in the times following the US. Supreme Court's ruling in *Dobbs v. Jackson Women's Health Organization*, that Massachusetts, as a safe harbor for abortion rights for all women, will see a large influx of out-of-state residents seeking reproductive health services including abortions. To address this, within a month of the Dobbs decision, Framingham's State Representatives Jack Patrick Lewis and Carmine Gentile, as original sponsors, introduced *An Act Expanding Protections For Reproductive and Gender-Affirming Care*, H. 5090 and less than one week later, on July 29, 2022, Chapter 127 of the Acts of 2022 was signed into law, which protected abortion providers and patients from out of state judicial process.

These unique issues have spawned several unique dangers including from right wing activists who have threatened and committed violent acts on women seeking counsel and treatment, those who

have assisted women with seeking medical intervention, those who have rendered medical, mental/emotional and social services, and the families of those people.

Because it is the mission of the FDC to advocate for those who have been threatened, as stated in the initial paragraphs of this letter, we have decided to involve ourselves in this issue. Also, the work of the FDC and its members is well recognized by the State Democratic Party as a leader in advocacy for the Massachusetts Roe Act, and our members who serve on the School Committee have tirelessly advocated for ensuring that our public schools teach sexual health education that provides age-appropriate and medically accurate information for *decades*.

The city council is considering taking action to protect its residents from a certain class of organization referred to as Crisis Pregnancy Centers (CPCs). Multiple public hearings have taken place over the past several months to determine a preferred course of action. One iteration of a potential ordinance would have created a cause of action by the City against CPCs that offered services that were inherently fraudulent and would have placed certain unrealistic enforcement duties upon the Board of Health. Thankfully, once the intricacies of the enforcement mechanism were properly vetted, it became apparent that this was not the optimal means. The FDC had voted to not support such an ordinance.

Now, after further hearings and more artful drafting, the Council has before it not an ordinance, but a proclamation. This has been criticized as being unnecessary and certain factions have called into question the wisdom of such an action.

Framingham is, as of this moment, fortunate that it does not have a CPC within its borders that presents a danger to the health, wellbeing and life of its pregnant residents or visitors. Indeed, there are those who have stated that there is no need for the City Council to take any action at all. Some say that these actions are a solution in search of a problem. Some claim that it is an overstep by our City Council.

And, most disturbingly, some say that our City Council should not be attempting to tackle problems of the Commonwealth as a local issue.

Those are all fallacious comments, when one looks at the unscrupulous practices of CPCs in other communities. When we say, "other communities," we are not talking about far-away places. In fact, one unscrupulous center is only 2.9 miles east of Framingham, and another is a 3.3 mile drive west!

We will not reiterate the incredibly dangerous practices that the Council has considered as part of its decision to propose this Proclamation. But we *will* point out that an unqualified, unlicensed and untrained sonographer is highly likely to look directly at a malformed heart, an encephalopathic lesion, or defective organs and not recognize the risk to the fetus or the mother, while proclaiming that it is a beautiful child living inside the mother and handing her an ultrasound photo that



nobody can figure out without training (which neither the mother nor the sonographer have), some diapers and a couple of “onesies” for her new baby.

As for those who say that our Council has no business dealing with a “state issue,” we ask if the state is going to cover the medical costs for a fetus that had sound medical reason to be terminated? Is the state going to cover the costs of special education for a down’s syndrome affected child? Is the state going to pay for the extraordinary medical expense of a child with an atrial septal defect? How much does *Framingham’s* Public School Department pay for unreimbursed special needs school transportation, specialized education and durable supplies? It *IS* a local issue!

For these reasons, the City does have a compelling governmental interest in promoting public health and protecting people seeking reproductive health care services from misleading advertising, deceptive practices, and false medical claims as warned by the Department of Public Health and Attorney General, as stated in the Proclamation.

The passage of the proclamation as written in current draft will send a clear message to a pregnancy services business that it will not be welcome in our city if:

- It appears to be a reproductive health care clinic, but does not provide abortion care or abortion referrals, contraception, or other reproductive health care, despite what it may advertise; or
- It is not a licensed medical facility; or
- It is not staffed by licensed doctors or nurses, even though some people who work there may try to look the part, for example, by wearing a white coat; or
- It offers ultrasounds performed by unlicensed personnel who are not qualified to provide that service, which may lead to inaccurate or misleading results about a pregnancy; or
- If it is not required to follow codes of ethics or standards of care that govern healthcare professions because they are not healthcare providers; or
- If it misleads people about how far they are into their pregnancy; or
- If they delay scheduling appointments to push people beyond the point at which they can obtain an abortion, or
- If it will provide you with an abortion or a referral for abortion before you go to an appointment.

If this Proclamation delivers the intended message, a CPC that is looking to Framingham as a potential new location to open will realize that it will not be a wise business decision to seek a business permit in our city. Should such an applicant make the unwise decision to attempt to open here, we would expect our Council to be prepared to raise all resistance and take whatever measures as it has available through further appropriate regulation to protect its constituents.

As a final note, it is our hope that the Council pass the Proclamation as currently drafted without any of the equivocal or self-serving language in the "alternative draft," most of which is grammatically improper, incomprehensible, and equivocal.

Respectfully Submitted,  
FRAMINGHAM DEMOCRATIC COMMITTEE

By:   
Michael R. Hugo, Chair