

## Murder is Not the Only Way Abortion Providers Are Being Threatened

**Florida Abortion Provider Dr. James Pendergraft's attempt to provide protection for his clinic, staff, and patients has resulted in a Federal Indictment. He faces 30 years in jail and \$1 million in fines.**

Refuse & Resist! calls on everyone who defends a woman's right to choose to join us in the defense of Dr. James Pendergraft against these unjust and very political federal charges, and against continuing harassment by the anti-abortion movement.

The prosecution of Dr. Pendergraft is not about criminal behavior. He is one of a small number of doctors who perform high risk, 2<sup>nd</sup> trimester abortions, caring for patients who come from many states and foreign countries. Across the country, abortion providers, particularly later term providers, are under legal, legislative, and violent attack, and we must see Dr. Pendergraft's case as part of this climate of intimidation. Anti-abortion activists all over the country are using various methods to put providers out of business and intimidate the next generation of doctors out of providing abortions.

Convicting and imprisoning Dr. Pendergraft would be a strategic blow to choice. If Dr. Pendergraft is convicted, all of his Florida clinics could be closed, and there would be one less in the small number of late-term abortion providers in the country. Dr. Pendergraft says in response, "I have done nothing wrong. I am only trying to provide abortions to the women who need them, and protect my people, and they don't want me to. I am continuing to do what is right."

Doctors Gunn, Britton, Tiller, Slepian, Steir, Romalis, and now Pendergraft – to name a few, all doctors, all victims of the politicization of a woman's right to reproductive freedom. For doing their jobs, for helping women live their lives as they choose, they have been harassed, indicted, jailed, shot, stabbed, and murdered.

**Dr. Pendergraft's trial is scheduled for mid-October.  
Now is the time to act and not let him be added to the list!  
Abortion On Demand and Without Apology!**

### **What You Can Do:**

- **Sign statement of support.** Available at [www.righttofight.org](http://www.righttofight.org). (includes more info about the case)  
To sign on and/or to donate funds for this statement to be printed as a paid ad.

- **Join Dr. Pendergraft's defense committee.**

- **Write to the Judge and Prosecutor and demand they stop this prosecution now!**

Mark B. Deveraux, U.S. Attorney's Office, 200 W. Forsyth St, Rm. 770, Jacksonville, FL 32202, 904-232-2682, Fax 904-232-2620.

Donna A. Bucella, U.S. Attorney, 400 N. Tampa St., Ste 3200, Tampa, FL, 33602, 813-274-6320, Fax 813-274-6178.

Judge: William Taro Hodges, Magistrate Judge: Gary R. Jones,

Golden-Collum Memorial Federal Building, 207 NW 2<sup>nd</sup> Ave, Ocala, FL, 34475, 352-369-4860, Fax 352-629-8701.

- **Send urgently needed financial contributions for a solid legal defense to:**

Checks can be made payable to Ocala Women's Center earmarked "Right to Fight Coalition"

Attn: Patti c/o Orlando Women's Center, 1103 Lucerne Terrace, Orlando, FL, 32806.

- **Spread the word, copy and distribute this material, post on your Web site, link Web sites, build active support for Dr. Pendergraft.**

**Further info:** [www.refuseandresist.org](http://www.refuseandresist.org) **R& R! Atlanta 404-239-8054 E-mail: RFTFMarch10@aol.com**

**Refuse & Resist! Reproductive Freedom Task Force, 305 Madison Ave. #1166, New York, NY 10165**

Please forward us a copy of any support correspondence you send.

## **Background**

Since 1993, Florida has been the site of escalated violence against abortion providers and clinics. Dr. David Gunn, the first provider murdered, followed by Dr. Britton and escort James Barrett, all were murdered at the hands of “peaceful” protesters outside the Pensacola clinics where they provided abortions. Florida has also been the site of many clinic firebombings, anthrax threats, and butyric acid attacks. There’s an ongoing intimidation campaign of “peaceful” anti-abortion protesters, and even the Ku Klux Klan has demonstrated in full uniform outside several clinics. Many of the police departments have refused to help the clinics de-escalate the situations outside. There are many incidences where they have allowed the anti-abortionists to block clinic entrances. Abortion providers around the U.S. face similar conditions.

In this climate of reactionary violence, Dr. James Pendergraft, an African American obstetrician, who has provided abortions since 1991, and specializes in late term abortion, operates 5 women’s health care facilities in Florida. In two locations, Orlando and Ocala in Marion County, he has faced opposition by city government against opening his clinics. In Orlando, he was denied a permit, and had to file and win a lawsuit to receive one. In Ocala, the Marion County Board of County Commissioners Chairman Larry Crutal sent a letter “suggesting” he not to come to Ocala! (Letter available on [www.refuseandresist.org](http://www.refuseandresist.org)) Even under these hostile conditions, Dr. Pendergraft fought hard and prevailed in opening medical facilities in both locations,

Dr. Pendergraft is no stranger to hostility. In 1991, he was providing abortions in a Melbourne, FL clinic where anti-abortion protesters worked full time to learn identities of the doctors, even offering money to women who received abortions to provide the doctors’ names. When they were successful in their investigation, Dr. Pendergraft’s face appeared on a now famous “wanted” poster, the same type of poster that was distributed before the murders of Drs. Gunn and Britton in Pensacola.

### **What led to Dr. James Pendergraft’s federal indictment of extortion and mail fraud?**

In 1989 Ocala’s only abortion clinic was firebombed twice in one week, causing it to close permanently. To meet the needs of women in central Florida, Dr. Pendergraft opened a new clinic in Ocala in October, 1998. Immediately, there was an average of 40 anti-abortion protesters outside daily. He asked permission to hire off-duty police officers, a practice often used other by other businesses, not just clinics. His request was arbitrarily denied. After being denied protection for his clinic, staff, patients and himself, he filed a civil suit to challenge this decision. It was eventually overturned, but in the ongoing attempt to get Dr. Pendergraft out of the city, Ocala officials convinced the Federal Government that his lawsuit was an attempt to extort money from Marion County. In the spring of 2000, Dr. Pendergraft was indicted by the Federal Government on charges of Federal conspiracy, conspiracy to commit mail fraud and conspiracy to extort, and now faces a maximum of 30 years in prison, the revocation of his license, and \$1 million in fines if found guilty. He has since lost all his pre-trial motions, one asking for the trial to be moved out of hostile Marion County. His trial is scheduled to begin in mid-October. We need to act fast, build support for Dr. Pendergraft, and expose this indictment as a part of the ongoing campaign to limit abortion access and providers. *Without providers there is no choice!*

**Refuse & Resist!** is a national organization that was formed in 1987 by artists, lawyers, activists and others who saw an alarming trend in the US toward greater state control and repression. R&R! is the organization for everyone who refuses to go along with today’s national agenda of repression and cruelty, poverty and punishment.