



United States or the State of Maine or the laws of the United States or the State of Maine, including any conduct described under 5 M.R.S. § 4684-B(2).

7. Title 5 M.R.S. § 4684-B(2)(D) provides that it is a violation of the Maine Civil Rights Act for any person to intentionally make such noise that can be heard within a building of a health care provider, when that noise is made with the intent to jeopardize the health of persons receiving health services or to interfere with the safe and effective delivery of those services and when the person has been previously ordered by a law enforcement officer to cease making such noise.

8. Each violation of 5 M.R.S. § 4681 is a civil violation for which a civil penalty of up to \$5,000 may be adjudged.

#### IV. FACTS

9. Planned Parenthood of Northern New England operates a health care facility on the second floor of a building located at 443 Congress Street in Portland, Maine.

10. Defendant Ingalls is familiar to Planned Parenthood staff because he is routinely on the sidewalk outside the facility making loud statements in opposition to the facility's abortion services.

11. On or about October 23, 2015, Defendant Ingalls was yelling up towards the second floor of the building at 443 Congress Street about murdering babies, aborted babies' blood and Jesus. Defendant Ingalls' yelling was so loud that it could be heard within the examination and counseling rooms of the building and disrupted the safe and effective delivery of health services, particularly the counseling that staff was attempting to provide its patients.

12. Sgt. Eric Nevins of the Portland Police Department responded to the facility's complaint about the noise. Sgt. Nevins ordered Defendant Ingalls to lower his voice so that he would not be audible to patients receiving health services inside the facility.

13. After Sgt. Nevins left, Defendant Ingalls resumed yelling toward the second floor of 443 Congress Street about murdering babies, aborted babies' blood and Jesus, at a volume that was audible in the examination and counseling rooms and disrupted the safe and effective delivery of health services inside the facility.

14. Defendant Ingalls' persistence after a warning in yelling at such a volume that he could be heard within the building demonstrates his intent to interfere with the safe and effective delivery of health services at Planned Parenthood.

#### V. CAUSE OF ACTION

##### COUNT I

15. Plaintiff repeats, realleges and incorporates herein by reference the averments set forth in paragraphs 1 through 14 of this Complaint.

16. The Defendant has intentionally interfered with the exercise or enjoyment by patients at Planned Parenthood of their right to receive safe and effective health services. This right is secured by the Maine Civil Rights Act, 5 M.R.S. §§ 4681 and 4684-B.

#### VI. RELIEF REQUESTED

Plaintiff State of Maine respectfully requests that this Court:

1. Enter a Permanent Injunction enjoining the Defendant from:
  - a. knowingly coming within 50 feet of Planned Parenthood's facilities, including the facility at 443 Congress Street in Portland, Maine; and

b. intentionally engaging in any conduct with the intent to jeopardize the health of persons receiving health services at a Planned Parenthood facility or to interfere with the safe and effective delivery of health services at a Planned Parenthood facility, including engaging in any conduct described under 5 M.R.S. § 4684-B..

2. Declare that the Defendant has violated the Maine Civil Rights Act, 5 M.R.S. §§ 4681 and 4684-B.
3. Order the Defendant to pay a civil penalty of up to \$5,000 for each violation.
4. Order the Defendant to pay the reasonable attorney's fees of the Plaintiff.
5. Grant other such relief as is just and proper.

Respectfully submitted,

JANET T. MILLS  
Attorney General



Dated: October 30, 2015

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