



Susan Wengraf
Councilmember District 6

CONSENT CALENDAR
January 21, 2020

To: Honorable Mayor and Members of the City Council
From: Councilmembers Susan Wengraf, Sophie Hahn, and Cheryl Davila
Subject: Resolution Reaffirming the City of Berkeley's Commitment to Roe v. Wade

RECOMMENDATION

Adopt a Resolution reaffirming the City of Berkeley's commitment to Roe v. Wade and honoring the 47th anniversary of its passage.

FINANCIAL IMPLICATIONS

None

BACKGROUND

On January 22, 1973, the U.S. Supreme Court announced its decision in Roe v. Wade, a challenge to a Texas statute that made it a crime to perform an abortion unless a woman's life was at stake. The case had been filed by "Jane Roe," an unmarried woman who wanted to safely and legally end her pregnancy. Siding with Roe, the court struck down the Texas law. In a ruling, the court recognized for the first time that the constitutional right to privacy "is broad enough to encompass a woman's decision whether or not to terminate her pregnancy" (Roe v. Wade, 1973).

Roe has come to be known as the case that legalized abortion nationwide. At the time the decision was handed down, nearly all states outlawed abortion. Roe rendered these laws unconstitutional, making abortion services safer and more accessible to women throughout the country.

The Guttmacher Institute, a global leader in advancing sexual and reproductive health and rights, claimed in its December 2019 Policy Analysis report that U.S. State Policy Trends in 2019 brought "A wave of Abortion Bans."¹ The authors also reported that some states are fighting back with policies that protect abortion rights, expand access to contraceptive services and to sex education. This is a new strategy states are taking on to combat regulatory restrictions on abortion and narrow the gap between abortion restrictions enacted vs. protections enacted. Berkeley's steadfast commitment to a woman's right to reproductive health choices continues to be critically important.

¹ [Guttmacher Institute Dec 2019 Policy Analysis Nash,E; Mohammed,L; Cappello,O; Naide,S](#)

This past summer a Catholic mission attempted to narrow insurance coverage of abortion in California. Thankfully, a state appeals court threw the case out, ruling that abortion must be covered by health plans sold in California.² Attacks on abortion rights in other parts of the country, however, are sticking. In 2019, 25 new abortion bans were enacted in 12 states, primarily in the South and Midwest. 58 new abortion restrictions potentially resulting in clinic closures and lost access to abortions were also enacted.³ The state of Missouri, for example, had five abortion providers in 2011, but just one in 2019 due to abortion restrictions. The provider, Planned Parenthood, is currently in battle with the state for their renewed license. In May Missouri's Governor, Republican Mike Parson, signed a bill banning abortions on or beyond the eighth week of pregnancy without exceptions in cases of rape or incest.⁴⁵

January 22, 2020 will be the 47th anniversary of the decision that effectively legalized abortion in the United States. The City has traditionally marked the anniversary with a proclamation recognizing the anniversary. The City continually passes resolutions denouncing the fraudulent media campaigns against Planned Parenthood and has expressed continued support for access to all reproductive healthcare services and all reproductive healthcare providers. The City also adopted a resolution against proposed funding cuts to the Title X Family Planning program, the only federal program dedicated solely to providing low income women and men with comprehensive family planning and related preventive health services.

ENVIRONMENTAL SUSTAINABILITY

N/A

CONTACT PERSON

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Attachments:

1: Resolution

² [LA Times Aug 22, 2019 Hiltzik,M](#)

³ [Guttmacher Institute Dec 2019 Policy Analysis Nash,E; Mohammed,L; Cappello,O; Naide,S](#)

⁴ [CBS News Oct 28, 2019 Chuck,E](#)

⁵ [The Nation's Health APHA Sept 2019 Krisberg,K](#)

RESOLUTION NO. ##,###-N.S.

REAFFIRMING THE CITY OF BERKELEY'S COMMITMENT TO ROE V. WADE

WHEREAS, January 21, 2020 marks the 47th anniversary of the historic Supreme Court decision, Roe v. Wade, which legalized abortion and recognized women's freedom of reproductive choice as essential to the lives, rights, health and equality of women; and

WHEREAS, Prior to 1973, the year when Roe v. Wade was enacted, women faced significant obstacles to safe reproductive health services, resulting in widespread loss of life and serious illness; and

WHEREAS, In 2019, 25 new abortion bans were enacted in 12 states. 58 new abortion restrictions, potentially resulting in clinic closures and lost access to abortions, were also enacted.

WHEREAS, The right to safe, legal and accessible abortion continues to be undermined by various federal initiatives, threatening the health and safety of women's lives, including the most marginalized women: low-income women, women of color, refugee and immigrant women.

WHEREAS, Throughout the Bay Area, hundreds of health care workers have devoted their careers to ensuring that the women of the Bay Area have access to safe and legal reproductive health services, while often putting their own safety at great risk due to harassment and violent opposition; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF BERKELEY that we RECOGNIZE AND CELEBRATE THE 47th ANNIVERSARY OF ROE V. WADE and praise the perilous and self-sacrificing work of the healthcare providers who face threats and violence for providing safe and legal health services to women throughout the Bay Area.

NOW FURTHER BE IT RESOLVED that the City of Berkeley re-affirms its commitment to the human rights afforded to all women under Roe v. Wade, regardless of socioeconomic, ethnic, racial, cultural or religious background, age or sexual orientation and to opposing any laws or regulations that pose a threat to abortion, reproductive rights, sexual freedom and/or self-determination.

