



COUNTY OF SAN DIEGO

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CLERK OF THE BOARD
OF SUPERVISORS

NORA VARGAS
VICE-CHAIR
SUPERVISOR, FIRST DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM

DATE: September 14, 2021

TO: Board of Supervisors

03

SUBJECT

**DECLARING THE COUNTY OF SAN DIEGO A CHAMPION FOR REPRODUCTIVE
FREEDOM (DISTRICTS: ALL)**

OVERVIEW

In 1973, the Supreme Court's decision in *Roe v. Wade* ruled that the Constitution of the United States protects a pregnant person's liberty to choose whether to terminate a pregnancy or not. This was a landmark legal decision that struck down a Texas statute banning abortion, effectively legalizing the procedure across the United States. Prior to *Roe v. Wade*, abortion had been illegal throughout much of the country.

For decades, the State of California has served as a model for providing and protecting access to reproductive health care. In 1969, even before the United States Supreme Court decision in *Roe v. Wade*, the California Supreme Court recognized that the fundamental right of a person to choose whether to bear children is protected by the U.S. Constitution. Additionally, in 1972, the people of California recognized the significance of a person's right to reproductive freedom by amending the California Constitution to enshrine a right to privacy.

California has been recognized as the state with the strongest protections of rights to reproductive freedom. As the second largest county in the state, and in light of recent attacks on abortion rights in other states, the County of San Diego should serve as a model and commit to defend and fight for reproductive freedom. Although abortions are legal in San Diego County, individuals still face barriers to reproductive access. On a daily basis, healthcare providers across the county work to reduce the number of unintended pregnancies and keep people healthy. As the agency tasked with promoting wellness, self-sufficiency, and a better quality of life for our residents, the County of San Diego has a responsibility to be a champion for reproductive freedom.

Today's action demonstrates the County of San Diego's strong commitment to safe and legal abortion access.

**SUBJECT: DECLARING THE COUNTY OF SAN DIEGO A CHAMPION FOR
 REPRODUCTIVE FREEDOM (DISTRICTS: ALL)**

RECOMMENDATION(S)

VICE-CHAIR NORA VARGAS

1. Adopt the Resolution titled: A RESOLUTION DECLARING THE COUNTY OF SAN DIEGO A CHAMPION FOR REPRODUCTIVE FREEDOM

EQUITY IMPACT STATEMENT

Restrictions and bans that violate reproductive freedom disproportionately impact populations that already face barriers to accessing care—people of color, people with low incomes, immigrants, and young people. Access to abortion continues to be a right in name only, with many unable to access the medical procedure due to restrictive laws, financial hardships, and other barriers. As states around the country enact extreme laws that violate the fundamental right to decide whether or not to terminate a pregnancy, the County of San Diego must continue to uphold reproductive freedom for all.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

On January 22, 1973, the Supreme Court's decision in *Roe v. Wade* ruled that the Constitution of the United States protects a pregnant person's liberty to choose whether to terminate a pregnancy or not. This was a landmark legal decision that struck down a Texas statute banning abortion, effectively legalizing the procedure across the United States. Prior to *Roe v. Wade*, abortion had been illegal throughout much of the country. At that time, abortions were legal in Texas but only for the purpose of saving a person's life.

Before abortion was legalized in the United States, individuals with the financial means could obtain abortions by traveling to other countries where procedures were safe and legal or pay a large fee to a U.S. doctor willing to secretly perform an abortion, but those options were out of reach for many individuals. As a result, some people resorted to illegal, dangerous, or self-induced abortions. Between the 1950s and the 1960s the estimated number of illegal abortions ranged from 200,000 to 1.2 million per year, according to the Guttmacher Institute. Before abortion was legalized, entire hospital wards were filled with individuals senselessly harmed by illegal, unsafe abortions. Access to abortion care protects a person's lives and their health.

In 1969, more than three years before the United States Supreme Court decided in *Roe v. Wade*, the California Supreme Court recognized that the fundamental right of a person to choose whether to bear children is protected by the U.S. Constitution. In 1972, the people of California recognized the significance of a person's right to reproductive freedom by amending the California Constitution to enshrine a right to privacy. Furthermore, in 2002, California enacted

**SUBJECT: DECLARING THE COUNTY OF SAN DIEGO A CHAMPION FOR
 REPRODUCTIVE FREEDOM (DISTRICTS: ALL)**

the Reproductive Privacy Act, which makes the fundamental right to choose to bear a child or to obtain an abortion, the official public policy of the State of California. For more than 20 years, California's Family Planning, Access, Care, and Treatment (FPACT) program and Medi-Cal have provided funding for comprehensive family planning to millions of low-income Californians. California state funding ensures that abortion services are accessible to low-income families.

Unlike California, in other parts of the country attempts have been made to undermine the rights that were recognized by the ruling of *Roe v. Wade*. In the last year, nearly 600 restrictive abortion pieces of legislation have been introduced. Most recently, on September 1, 2021, Texas Senate Bill 8 (SB 8) went into effect, banning abortions in the State as early as six weeks, becoming one of the most restrictive bans in the country and taking away access for millions of individuals. In addition to banning abortions at six weeks, this bill also provides a provision that allows private individuals to file lawsuits seeking to enforce the ban and provides a reward of \$10,000, if successful. Such a provision represents a huge invasion of privacy and further creates intimidation of anyone involved including doctors, health staff, counselors, etc.

Severely restricting the conditions under which an abortion can be performed undeniably has devastating impacts and disproportionately impacts those populations that already face barriers to accessing medical care - communities of color, people with low incomes, immigrants, and young people. Abortion patients are disproportionately poor and low-income, with poor being defined as those under 100% of federal poverty level and low-income are those between 100% and 199% of the federal poverty level. These restrictive laws which severely limit the access to a safe and legal abortion force individuals to have children against their will or result in seeking alternative options that can be dangerous and more expensive. Facing restrictive laws, those seeking a legal abortion may be forced to seek care elsewhere, often having to travel long distances and incur additional costs to an already tight budget to seek the medical attention they need.

In terms of the long-term impacts, laws that limit access to abortions can have serious consequences on that individual's life. According to the TurnAway Project, which looked into the effects of being denied access to an abortion, people who were denied an abortion had four times greater odds of being below the Federal Poverty Level, and a greater likelihood of reporting not being able to cover basic living needs. Programs like TANF, SNAP, WIC, and Medicaid play an important role in supporting people and their families, but these programs were not sufficient in keeping individuals from falling below the Federal Poverty Level. Because the responsibility of raising a child born after being denied an abortion falls disproportionately on the mother, restricting abortion access threatens women's economic security. In addition to the economic impact, the research conducted found that other long-term impacts included increased likelihood of experiencing serious complications of pregnancy, anxiety, reduced self-esteem, and an increased likelihood of staying in abusive relationships.

California has been recognized as the state with the strongest protections of rights to reproductive freedom. As the second largest county in the state, and in light of the recent attacks on abortion rights, the County of San Diego should serve as a model and commit to defend and fight for reproductive freedom. Although abortions are legal in San Diego County, individuals

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REPRODUCTIVE FREEDOM (DISTRICTS: ALL)**

still face barriers to reproductive access. On a daily basis, healthcare providers across the county work to reduce the number of unintended pregnancies and keep people healthy. As the agency tasked with promoting wellness, self-sufficiency, and a better quality of life for our residents, the County of San Diego has a responsibility to be a champion for reproductive freedom.

Today's action demonstrates the County of San Diego's strong commitment to safe and legal abortion access, and it is a critical first step in a long road to strengthening protections for reproductive freedom.

I urge your support.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action to adopt a resolution to declare San Diego County a Champion for Reproductive Freedom supports the Building Better Health and Living Safely Strategic Initiatives in the County of San Diego's 2021-26 Strategic Plan by ensuring that every resident can make positive healthy choices that reduce preventable deaths and make San Diego the most resilient community in America.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nora E. Vargas".

NORA VARGAS
Supervisor, First District

ATTACHMENT(S)

A Resolution Declaring the County of San Diego a Champion for Reproductive Freedom.

SUBJECT: DECLARING THE COUNTY OF SAN DIEGO A CHAMPION FOR
REPRODUCTIVE FREEDOM (DISTRICTS: ALL)

AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: Board of Supervisors, District 1

OTHER CONCURRENCE(S): N/A

CONTACT PERSON(S):

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