

RESOLUTION NO. 2022-_____

A RESOLUTION IN SUPPORT OF THE UNITED STATES SUPREME COURT DECISIONS IN *ROE V. WADE* AND *PLANNED PARENTHOOD V. CASEY*, AND REAFFIRMING THE COUNTY OF ALAMEDA'S COMMITMENT TO REPRODUCTIVE JUSTICE

WHEREAS, attacks on abortion rights restrict the freedom, bodily autonomy, and rights of individuals assigned female at birth (AFAB), which includes ciswomen, transgender men, nonbinary, gender non-conforming, gender fluid, and genderqueer people; and

WHEREAS, restrictions to abortion access are draconian and oppressive against AFAB individuals; and

WHEREAS, *Roe v. Wade*, decided on January 22, 1973, was a landmark decision of the Supreme Court of the United States (Supreme Court) protecting a pregnant person's freedom to choose an abortion without excessive government restriction; and

WHEREAS, in *Planned Parenthood v. Casey*, decided on June 29, 1992, the Supreme Court reaffirmed the right to abortion established in *Roe v. Wade*; and

WHEREAS, in the nearly 50 years since the *Roe v. Wade* decision and nearly 30 years since *Planned Parenthood v. Casey* was decided, numerous state governments throughout the Country have continued to enact laws and policies that restrict abortion access within the bounds of these landmark Supreme Court cases; and

WHEREAS, in 2018, the State of Mississippi enacted a law banning most abortions after 15 weeks of pregnancy, as a direct challenge to *Roe v. Wade*; and

WHEREAS, in December 2021, the Supreme Court heard arguments in the case of *Dobbs v. Jackson Women's Health Organization*, which challenged the 2018 Mississippi law; and

WHEREAS, on May 2, 2022, a draft majority opinion authored by Associate Justice Samuel Alito was leaked to the press and appears to indicate the Supreme Court may vote to overturn *Roe v. Wade*; and

WHEREAS, the states of Arkansas, Idaho, Kentucky, Louisiana, Mississippi, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wyoming have enacted "trigger laws," which will automatically ban abortions in their states if *Roe v. Wade* is overturned; and

WHEREAS, on May 2, 2022, California Governor Gavin Newsom, California State Senate Pro Tempore Toni Atkins, and California State Assembly Speaker Anthony Rendon committed to introducing legislation to add abortion rights and protections to the State of California's Constitution, which, if passed, would go before California voters for their consideration in the November 1, 2022 General Election; and

WHEREAS, on May 3, 2022, United States Senate Majority Leader Chuck Schumer vowed to bring House Resolution 3755, the Women's Health Protection Act, to the United States Senate floor for a vote, which, if passed, would codify the right to an abortion in federal law; and

WHEREAS, overturning *Roe v. Wade* and placing extreme restrictions on abortion access do **not** reflect the will of the American people; and

WHEREAS, a Washington Post-ABC poll conducted the week of April 24-28, 2022¹ found that 54 percent of Americans believe *Roe v. Wade* should be upheld, 57 percent of Americans oppose state restrictions on abortion after the first 15 weeks of pregnancy, and 58 percent of Americans oppose state restrictions on abortion after the first six weeks of pregnancy; and

WHEREAS, in the same Washington Post-ABC poll, 58 percent of Americans said abortion should be legal in “most cases” or “all cases;” and

WHEREAS, in December 2021, California Governor Gavin Newsom declared that the State of California should position itself as a sanctuary for out-of-state abortion seekers in response to the increase in laws restricting access to and criminalizing abortions in other states; and

WHEREAS, according to the Center for Reproductive Rights, 25 states are likely to ban abortions if *Roe v. Wade* is overturned, including California’s neighboring state of Arizona; and

WHEREAS, pregnant individuals living in a state that has banned abortions will likely seek abortion procedures in other states where abortion remains legal; and

WHEREAS, traveling out-of-state to access a safe and legal abortion will likely only be available to individuals who can afford to travel; and

WHEREAS, pregnant individuals have sought ways to terminate a pregnancy for centuries, and will continue to do so even if abortions are banned by governmental restrictions; and

WHEREAS, a ban on abortions will only stop safe abortions, and force pregnant individuals to seek unsafe, and potentially deadly, solutions to terminate a pregnancy; and

WHEREAS, a 2021 study from Tulane University’s School of Public Health & Tropical Medicine² showed that states with more abortion restrictions had higher maternal mortality rates than states with fewer abortion restrictions; and

WHEREAS, abortion rights and reproductive freedom are matters of racial, economic, and gender-based justice; and

WHEREAS, abortion restrictions disproportionately harm individuals who already face barriers to quality and equitable healthcare, including communities of color, low-income communities, immigrants and refugees, youth, the LGBTQ community, and individuals living in rural communities; and

WHEREAS, abortion rights are integral to an individual’s self-determination and autonomy; and

WHEREAS, abortion access and reproductive freedom are inextricably linked, and reproductive justice cannot exist without protecting the right to abortion; and

WHEREAS, pregnant individuals may choose an abortion for a myriad of personal and private reasons, and those reasons should have no bearing on their bodily autonomy or reproductive freedom; and

¹ <https://www.washingtonpost.com/politics/2022/05/03/most-americans-say-supreme-court-should-uphold-roe-post-abc-poll-finds/>

² <https://sph.tulane.edu/news/study-finds-higher-maternal-mortality-rates-states-more-abortion-restrictions>

WHEREAS, abortion is a confidential medical procedure that should be left to a pregnant individual to decide without government interference; and

WHEREAS, forcing pregnant individuals to give birth without access to wraparound services, such as affordable healthcare, childcare and education, and housing, demonstrates a disregard for their quality of life; and

WHEREAS, this Board of Supervisors, County of Alameda, State of California firmly believes an individual has the right to make their own reproductive health decisions; and

WHEREAS, this Board of Supervisors, County of Alameda, State of California (Board), has supported reproductive freedom and justice through Resolution R-2019-118 supporting Title X's family planning program and a January 11, 2022 proclamation declaring itself a "Defender of Health Equity and Reproductive Freedom";

NOW, THEREFORE, BE IT RESOLVED that this Board strongly urges the Supreme Court of the United States to uphold its own precedent and protect the right to abortion as established in 1973 through *Roe v. Wade*, and upheld in 1992 through *Planned Parenthood v. Casey*; and

BE IT FURTHER RESOLVED that this Board calls upon the United States Congress to vote on and pass and for President Biden to sign House Resolution 3755, the Women's Health Protection Act, to codify and protect this fundamental right to reproductive freedom and autonomy for all AFAB individuals in the United States; and

BE IT FURTHER RESOLVED that this Board supports the State of California and its leaders in introducing an amendment to the California State Constitution to further protect abortion rights in our State, and calls on the California State Legislature to put this amendment before California voters in the General Election to be held on November 1, 2022; and

BE IT FURTHER RESOLVED that this Board reaffirms the January 11, 2022 proclamation declaring the County of Alameda a "Defender of Health Equity and Reproductive Freedom," opposing oppressive abortion restriction laws, and standing with our AFAB community members in protecting reproductive freedom and justice.

The foregoing Resolution was passed and adopted by the Board of Supervisors of Alameda County, State of California, on May ____, 2022 by the following vote:

AYES:

NOES:

ABSENT:

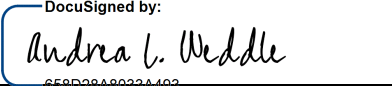
ABSTAIN:

Keith Carson, President
Board of Supervisors

ATTEST:

ANIKA CAMPBELL-BELTON
Clerk of the Board of Supervisors

APPROVED AS TO FORM:
DONNA R. ZIEGLER, COUNTY COUNSEL

By: 
Andrea L. Weddle
Chief Assistant County Counsel