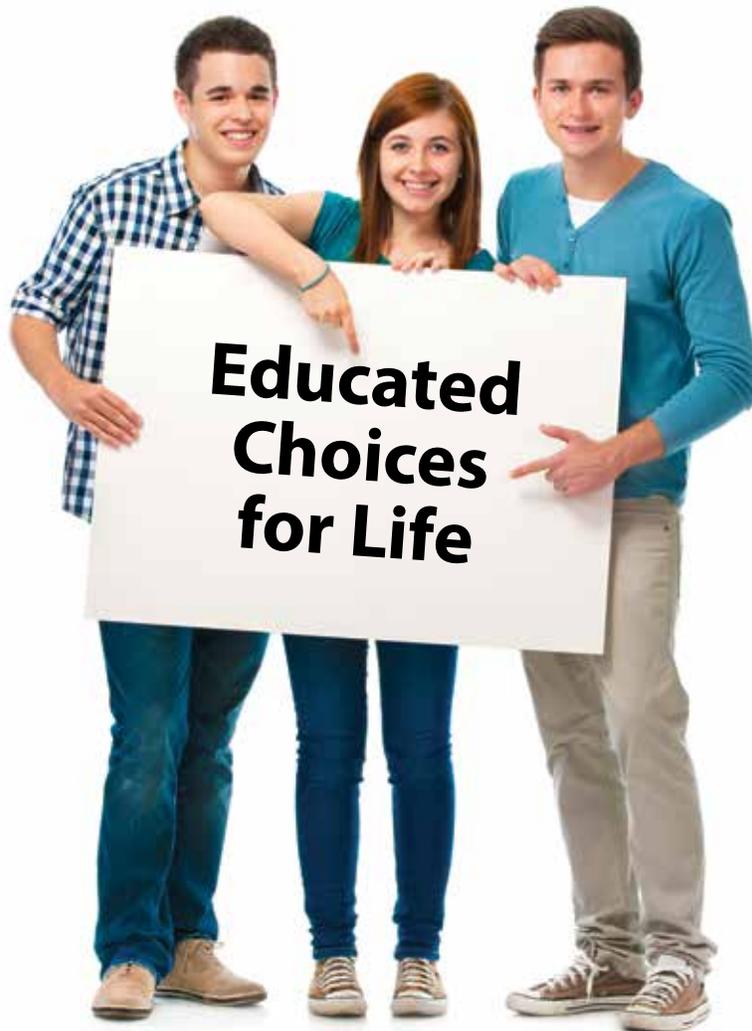




Voices for Choice

Winter 2015
QUARTERLY NEWSLETTR



Citizens for Choice promotes reproductive justice through education, health care access and advocacy. We exist to inform and enable choice.

Voices for Choice

WINTER 2015 QUARTERLY NEWSLETTER



PRESIDENT'S LETTER By Kimberly D'Urso, President

2015—The Come-Back Year for Sex Education

Citizens for Choice Supporters ~

I have some exciting news to share with you: Back in November, Citizens for Choice was invited by the Nevada County Superintendent of Schools to participate as part of the "School Health Advisory Council Sub Committee on Comprehensive Sexuality Education." We have very much been looking forward to this opportunity, and now it is here.

What an honor to be part of this vision: to create and implement a science-based comprehensive sex education curriculum for grades K-12 in Nevada County. Our committee is led by talented facilitator, Yvonne Bartlett, and efficiently organized by Sharyn Turner of NCSS. Interested participants from many organizations are

in attendance and include: Principals from various schools, many RNs from schools throughout the county, representatives from the Department of Public Health and Superintendent of Schools, interested parents, Citizens for Choice, Living Well, and many others.

We have had two meetings. The first meeting was well-attended, and we accomplished the important process of defining "Where Were We," "Where Are We Now," and "Where Do You Want to Be?" Our committee had fun working in teams to educate each other in regard to past history and to share our goals for the future.

At our most recent meeting, the committee was successful in creating a template

survey to be sent to parents of grades K-12, which includes our community in our process, by asking what they would like to see as age-appropriate sex education for their children. We also created our draft Vision Statement, which emphasizes our collective desire to educate and empower K-12 students with comprehensive sex education, which assists students in making healthy choices for themselves.

Stay tuned for more developments. We are meeting twice in February, and I will provide updates soon. I am honored to be part of this important work.

Together we are Citizens for Choice. Thank you for your support!

—Kimberly D'Urso



The best choice
is an informed,
unbiased choice.

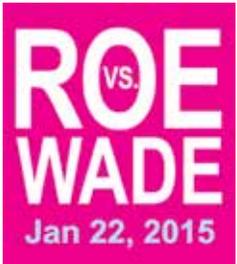
KNOW IT
AND
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PUBLIC POLICY By Elaine Sierra, Public Policy Chair

The year ahead: challenges to Roe's protections for abortion access



This month, we commemorate the 42nd anniversary of Roe v. Wade. When the Supreme Court rendered its landmark decision in 1973, how many predicted that it would remain under

attack in 2015? How many mistakenly believed that the Roe case would put to rest any debate about the constitutionally protected rights of pregnant women to choose abortion, and what limitations might legitimately be placed on those rights? From a historical perspective, it is worth noting that in this country abortion was legal and available more or less openly until the 1820's. According to Roe, states began regulating abortion by making it a criminal offense at a certain stage (when the fetus had identifiable movement, then called "quickening", or about the 16th-18th week of pregnancy). By the latter part of the nineteenth century, most states had gone on to criminalize abortion throughout pregnancy, although usually with less severe penalties at early

stages.¹ By the 1950's, the Roe Court noted, most states banned abortion at any stage, with the exception of an abortion necessary to save the life of the mother (as the Texas statute at issue in Roe did). More recently, a number of states had begun liberalizing their abortion bans. By its decision, the Supreme Court not only struck down the rigid ban in the Texas law at issue, but also effectively invalidated most existing abortion bans.

The majority of justices in Roe held that, during the first trimester, a woman has the right to terminate her pregnancy, based on her right to privacy, and no law can constitutionally bar her from carrying out her decision. They went on to rule that "the attending physician, in consultation with his patient, is free to determine, without regulation by the State, that, in his medical judgment, the patient's pregnancy should be terminated. If that decision is reached, the judgment may be effectuated by an abortion free of interference by the State." But, the Court agreed with the argument that "at some point, the state interests as to protection of health, medical standards, and prenatal life, become dominant." So, during

the second and third trimesters, the state was found to have an increasing interest in protecting the fetus, as well as the mother, and thus, wider latitude in regulating abortion. Thus, after the first trimester, the state's interest in the health of the mother becomes "compelling," allowing regulation of the abortion procedure that is "reasonably related to maternal health". Examples cited were regulations as to the qualifications and licensing requirements of abortion providers, and as to the type of facilities where abortions are performed and their licensing requirements. In the third trimester, when a fetus reaches the stage of viability (cited by the Court as around 20 weeks), the state's interest in fetal life becomes similarly "compelling," making it permissible for a state to regulate abortion to protect or preserve the health of the fetus, and even to ban abortions after the second trimester unless "necessary to preserve the life or health of the mother". This focus on the stage of a pregnancy would seem to narrowly limit laws regulating abortion before fetal viability. However, a raft of legislation passed in the last decade has sought to restrict abortion in

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WELCOME Holly!

Citizens for Choice welcomes our newest Board member, Holly Lemyre as our Youth Outreach Coordinator. Holly has been president of the Choices club at Sierra College since the spring of 2013, connecting students on campus with reproductive health options available to them. She is excited to take her passion for reproductive justice further, by helping Citizens for Choice provide unbiased reproductive services within our community.



Roe article continued...

multiple ways at earlier and earlier stages of pregnancy. These have taken many forms: mandatory waiting periods; mandatory "advice" by abortion providers (sometimes with statutorily specified, but inaccurate, information on disproven medical risks of abortion, such as the link between abortion and cancer); mandatory, unnecessary ultrasounds; mandatory referral to anti-abortion counseling; mandated parental involvement for minors; unnecessary, costly specifications for abortion clinics and "targeted regulation of abortion providers" that have resulted in the closure of many facilities meeting the needs of underserved populations; and bans or limitations on publicly funded abortions or private insurance coverage of abortion.

Most troubling are bans on abortion before viability. Arkansas and North Dakota passed laws banning abortion early in pregnancy — Arkansas at 12 weeks after a woman's last menstrual period and North Dakota after a fetal heartbeat is detected — but in 2014, those laws were struck down by the courts. The enforcement of laws in Utah and Louisiana that allowed abortion only in extremely limited circumstances have also been permanently blocked. An initiative on the November 2014 ballot in North Dakota that would have banned abortion entirely by defining a person as a "human being at any stage of development" was voted down. Of the 18 states that impose prohibitions after a certain number of weeks, so-called gestational limit laws, 9 states ban abortion at 20 weeks post-fertilization or its equiv-

alent of 22 weeks after the woman's last menstrual period. That is before viability — based on the spurious assertion that a fetus can feel pain at that point.

And what is the new Congress likely to do? One of its priorities is apparently to join with those states who have directly challenged Roe by considering a ban on abortion before viability. On the very first day of the legislative session, a bill that would ban abortion at 20 weeks was introduced. All these restrictions limit or seek to limit options for pregnancy termination, cutting off more and more women from access to the early, safe and affordable abortion care they deserve — to which, under Roe, they should be constitutionally entitled.

Again, this year, we point to California as one of the few states with none of the major types of abortion restrictions found in other states. Let's all acknowledge the efforts and accomplishments of advocates for reproductive justice and choice in our state. Citizens for Choice and you, our supporters, must remain vigilant to potential threats to our freedom of choice in California, and do all we can to advance access to abortion, to sexual health education, to reproductive healthcare, to contraception -- to choice — throughout our nation. We invite you all to join in that huge task. Let's join in making the promise of Roe a reality in the everyday lives of everyday women everywhere. ■

1) WHEN ABORTION WAS A CRIME: WOMEN, MEDICINE, AND LAW IN THE UNITED STATES, 1867-1973
LESLIE J. REAGAN (1997)

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