

Welcome

9th Orange County Women's Health Summit Advancing Women's Health & Equity in the Post-*Roe* Era

A PRIMER ON ABORTION RIGHTS AND DOBBS V. JACKSON WOMEN'S HEALTH ORGANIZATION

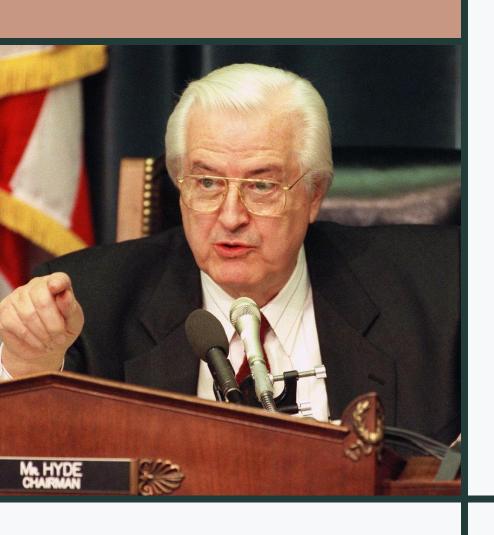
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Roe v. Wade (1973)

- 1st trimester: the state cannot regulate abortion any differently than it regulates other medical procedures
- 2nd trimester: the state can only regulate abortion to protect the pregnant person's health
- 3rd trimester: the state can ban abortion except in cases where continuing the pregnancy threatens the pregnant person's life or health



THE HYDE AMENDMENT

"Yesterday, remarks were made that it is unfortunate to burden an appropriations bill with complex issues, such as busing, abortion, and the like. I certainly agree that it is very unfortunate. The problem is that there is no other vehicle that reaches this floor in which these complex issues can be involved. Constitutional amendments which prohibit abortions stay languishing in subcommittee, much less committee, and so the only vehicle where the Members may work their will, unfortunately, is an appropriation bill. I regret that. I certainly would like to prevent, if I could legally, anybody having an abortion, a rich woman, a middleclass woman, or a poor woman. Unfortunately, the only vehicle available is the HEW Medicaid bill."

Planned Parenthood v. Casey (1992)

- "A woman's right to terminate her pregnancy before viability is the most central principle of Roe. It is a rule of law and a component of liberty we cannot renounce."
- Replaced the trimester framework with the "undue burden standard"

DOBBS V. JACKSON WOMEN'S HEALTH ORGANIZATION (2022)

- Overturned Roe v. Wade
- "Until the latter part of the 20th century, such a right was entirely unknown in American law. Indeed, when the Fourteenth Amendment was adopted, three quarters of the States made abortion a crime at all stages of pregnancy."
- In dissent, Justice Breyer argues: "[P]eople" did not ratify the Fourteenth Amendment. Men did. So it is perhaps not so surprising that the ratifiers were not perfectly attuned to the importance of reproductive rights for women's liberty, or for their capacity to participate as equal members of our Nation. Indeed, the ratifiers—both in 1868 and when the original Constitution was approved in 1788—did not understand women as full members of the community embraced by the phrase "We the People."

DOBBS PUTS OTHER CONSTITUTIONAL RIGHTS IN JEOPARDY

- Griswold v. Connecticut (1965): Constitution protects right to access contraception

- Lawrence v. Texas (2003): Constitution protects right to consensual sex with adult of the same sex

- Obergefell v. Hodges (2015): Constitution guarantees right to same-sex marriage

Buck v. Bell (1927)

"It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes. Three generations of imbeciles are enough."



Three Prongs of Reproductive Justice:

The right *not* to have a child.

The right to have a child.

The right to parent one's child with dignity.

Reproductive Justice Issues:

Criminalization of reproduction

Correlation of environmental degradation with infertility

Discourse around young parenthood and the treatment of young parents

Access to assisted reproductive technologies by poor people and people of color

Incarcerated people's loss of reproductive rights and healthcare

Rapid termination of parental rights of people deemed unfit by the state

Access to nonmedicalized birthing options

Coerced obstetrics/obstetrical violence

The family regulation system

Problematization of the reproduction of the poor

Abortion Rights from a Reproductive Justice Perspective

- Black people make up a disproportionate number of those receiving abortions in the U.S.
 - Black people disproportionately bear the burdens of poverty in the U.S.
 - Black people are more likely to encounter barriers to obtaining safe and effective contraception.
 - Black women experience higher rates of intimate partner violence, sexual assault, and reproductive coercion.
- Black people experience higher rates of maternal mortality and severe maternal morbidity.

People will attempt to circumvent abortion restrictions

- They will travel to states and countries where abortion is still legal.
- Travel is difficult, and sometimes, impossible for:
- poor people
- people with disabilities
- survivors of domestic violence
- young people
- undocumented people



NDC: 43393-001-01

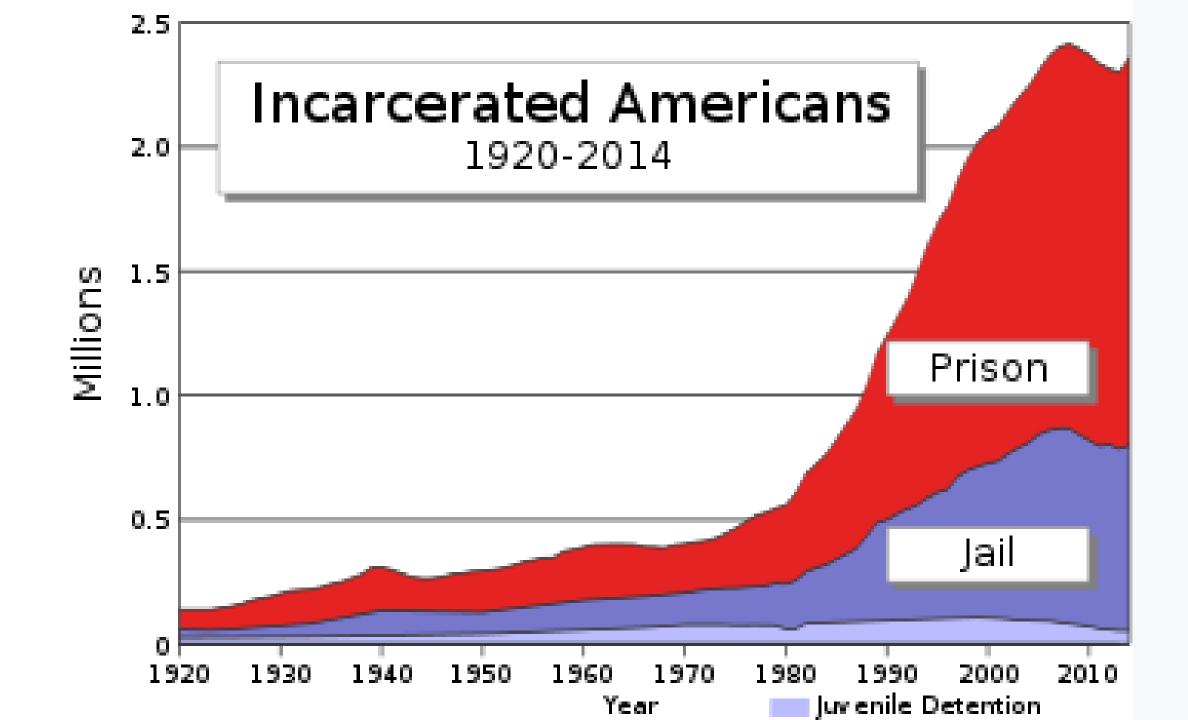
Mifepristone Tablet

200 mg

Rx only 1 Tablet



Dispense the enclosed Medication Guide to each patient.

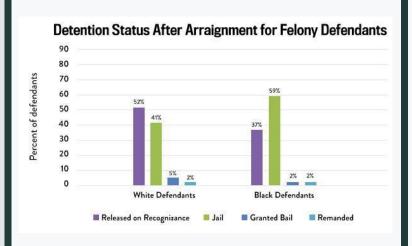




Chelsea Becker

Charged with homicide in California after experiencing a stillbirth

RACIAL DISPARITIES EXIST THROUGHOUT THE CRIMINAL LEGAL SYSTEM



Usage rates

1.3





Blacks used marijuana at 1.3 times the rate of whites.

Arrest rates

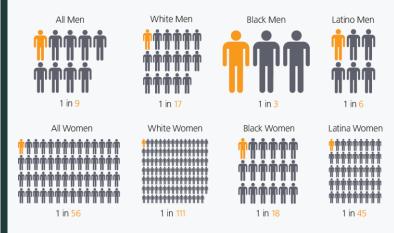
3.7





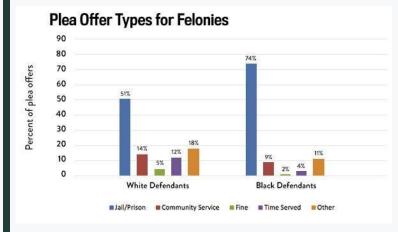
Blacks were arrested for marijuana possession at 3.7 times the rate of whites.

Lifetime Likelihood of Imprisonment of U.S. Residents Born in 2001

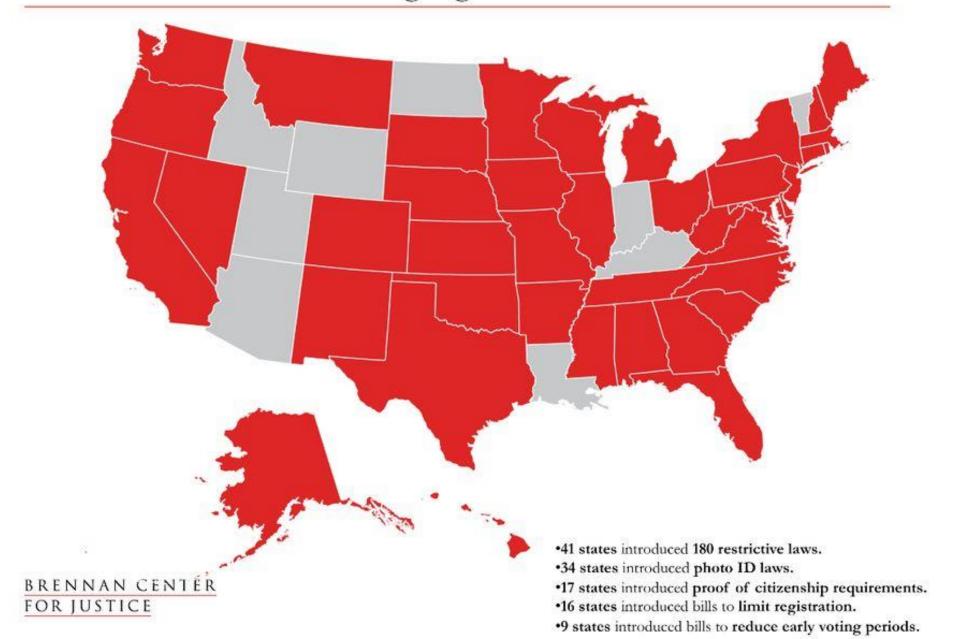


Source: Bonczar, T. (2003). Prevalence of Imprisonment in the U.S. Population, 1974-2001. Washington, DC: Bureau of Justice Statistics.





States with restrictive voting legislation introduced since 2011



Cost of Voting Index

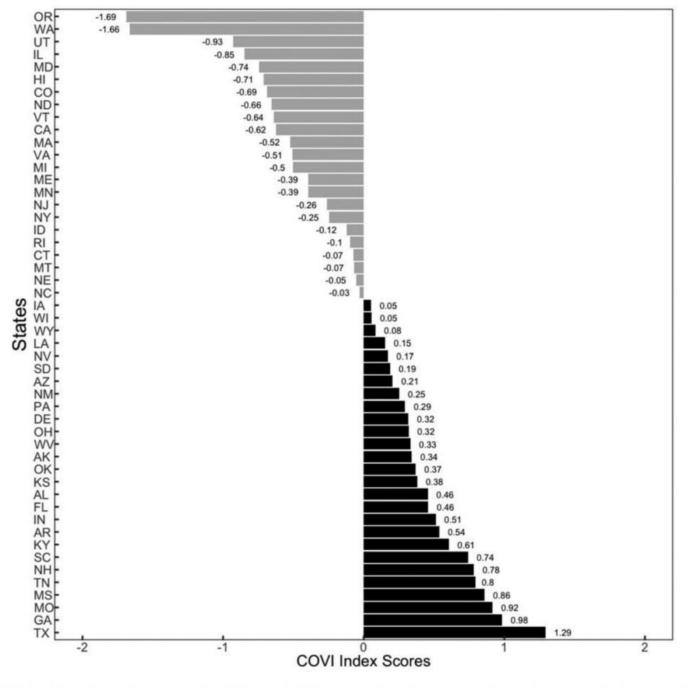


FIG. 1. Cost of Voting Index values for all 50 states in 2020. *Note:* Index values that extend beyond two decimal points are available from the authors.

The Washington Post

REPLACE ► U.S. DOES NOT EXPECT RECENTLY SENT WEAPONS SYSTEMS 1 AT THIS HOUR

Supreme Court overturns nearly 50-year-old precedent,

Conservatives celebrate long-fought triumph as liber

Roe v. Wade struck dow

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"Roe was of
from the start exceptionally about a nation

Within minutes of the Supremy

The New York Times

ROE OVERTURNED

A 6-to-3 Ruling Ends 50 Years of Federal Abortion Rights

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Los Angeles Times

ROE VS. WADE OVERTURN

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n California with abortion

Future of Abortion series



We therefore hold that the Constitution does not confe

a right to abortion. Roe and Casey must be ocernuled, nd the authority to regulate abortion must be returned to the people and their elected representatives.

A Conservative Supermajority May Be Just Getting Started

Ending One Fight and Starting Another in a Polarized America and Starting Control and Startin

For Collins, Decision Is a Betrayal by Kavanaugh In an Instant, Midterm Contests Are Scrambled

