

1 [Honoring 32<sup>nd</sup> Anniversary of Roe v. Wade]

2 **Resolution recognizing January 22, 2005 as “Stand Up For Choice Day” in honor of the**  
3 **32<sup>nd</sup> anniversary of the landmark 1973 United States Supreme Court decision of Roe v.**  
4 **Wade establishing a woman's constitutional right to decide when and if to have a child;**  
5 **and further supporting the local Pro-Choice community demonstrating in San**  
6 **Francisco to defend a woman's right to choose safe and legal abortion and birth**  
7 **control and further urging all legal authorities to fully facilitate the protection of the**  
8 **right of women to control their reproductive health, lives and futures in an ever-**  
9 **increasingly hostile anti-choice climate on the federal level and in state legislatures**  
10 **and courts throughout the country.**

11 WHEREAS, The 1973 landmark United States Supreme Court decided Roe v. Wade  
12 (the "Roe decision") decision recognized the right of women to control their reproductive lives  
13 is central to their ability to participate fully and equally in the economic and social spheres of  
14 society; and

15 WHEREAS, The Roe decision states that (1) the decision to have an abortion is  
16 accorded the highest level of constitutional protection, like any other fundamental  
17 constitutional right, (2) state laws regarding abortion must be neutral with respect to  
18 influencing a woman's decision whether or not to have an abortion, (3) in the period before a  
19 fetus is viable, the government may restrict abortion only to protect a woman's health, and (4)  
20 after a fetus becomes viable, a state government may prohibit abortion, provided that such  
21 state's laws must permit abortion where necessary to protect a women's health or life; and

22 WHEREAS, The protected right to make childbearing decisions, including abortion, has  
23 enabled women to pursue educational and employment opportunities that were often  
24 unattainable prior to the Roe decision; and

25 WHEREAS, The Center for Reproductive Rights reports that prior to the Roe decision,  
between 200,000 and 1.2 million illegally induced abortions occurred in the United States  
each year; and

1 WHEREAS, In 1992, the United States Supreme Court decided Planned Parenthood of  
2 Southeastern Pennsylvania v. Casey (the "Casey decision"), where, although it upheld a  
3 woman's right to choose, it also allowed federal, state and local laws that favor fetal rights and  
4 burden a woman's choice to have abortion, as long as the burden is not "undue;" and

5 WHEREAS, The Casey decision has unlocked the door to hundreds of state and  
6 federal criminal restrictions designed to discourage women from accessing abortion and to  
7 promote the rights of the fetus throughout pregnancy; and

8 WHEREAS, According to the Allen Gutmacher Institute (AGI), since 1996, more than  
9 300 criminal abortion restrictions have been enacted by state and federal legislatures, none of  
10 which would have been constitutional under the original Roe decision; and

11 WHEREAS. According to Planned Parenthood, only eight states, including California,  
12 do not mandate parental involvement before a minor can obtain an abortion; and

13 WHEREAS, According to AGI, as of January 1, 2004, twenty-one (21) states will have  
14 laws in effect that require a woman to wait for a period of time, usually twenty four (24) hours,  
15 but up to as many as seventy-two (72) hours, after receiving state-directed counseling before  
16 she can receive an abortion; and

17 WHEREAS, These restrictions on access to abortion particularly discriminate against  
18 young women, poor women and women of color; and

19 WHEREAS, AGI indicates that 87 percent of all counties in the United States do not  
20 have an abortion provider; and

21 WHEREAS, For the first time since Roe v. Wade was decided, anti-choice officials are  
22 firmly in control of both the executive and legislative branches of the federal government; and

23 WHEREAS, The United States Supreme Court is only one vacancy away from  
24 eliminating the Constitutional right to abortion; and

25 WHEREAS, Anti-choice leaders in the Bush Administration and the federal government  
are imposing their anti-choice ideology on the world's most vulnerable women worldwide by  
blocking international family planning funding and promoting ineffective and harmful  
abstinence-only programs abroad; and

1           WHEREAS, On January 22nd, people from all over the San Francisco Bay Area and  
2 beyond will gather to defend one of our most prized rights and liberties, the freedom of women  
3 to control their reproductive health, lives and futures; now, therefore, be

4           RESOLVED, That the Board of Supervisors recognizes January 22nd, 2005 as "Stand  
5 Up for Choice Day" in honor of the landmark 1973 United States Supreme Court decision of  
6 Roe. v. Wade, which established a woman's constitutional right to decide when and if to have  
7 a child; and, be it

8           FURTHER RESOLVED, That the Board of Supervisors support the local Pro-Choice  
9 community demonstrating in San Francisco to defend a woman's right to choose safe and  
10 legal abortion and birth control; and, be it

11           FURTHER RESOLVED, That the Board of Supervisors urge all legal authorities to fully  
12 facilitate the protection of the right of women to control their reproductive health, lives and  
13 futures in an ever-increasingly hostile anti-choice climate on the federal level and in state  
14 legislatures and courts throughout the country.