



Legislation Text

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Clerk 05/10/2022

A MOTION in support of reproductive freedom and Roe v. Wade.

WHEREAS, the ability to terminate a pregnancy is a fundamental part of reproductive freedom for women, and

WHEREAS, women have sought abortions throughout the history of the United States, from colonial times to today, and

WHEREAS, until the middle of the nineteenth century, abortions before "quickening," which is when the woman can feel the fetus moving, were legal in many states consistent with Common Law, and

WHEREAS, the movement to ban abortions developed over the course of the latter part of the nineteenth century, driven by news stories of women dying as a result of abortion procedures and by an organized effort by male doctors and the American Medical Association, and

WHEREAS, historical evidence suggests that even as states imposed increasing restrictions on abortions, public sentiment supported the right to terminate a pregnancy, especially before quickening, through the nineteenth century, and

WHEREAS, in the 1950s and 1960s, it is estimated there were between 200,000 and 1.2 million women underwent illegal abortions each year in the United States, creating significant risk of injury and death for women, and

WHEREAS, by 1965, illegal abortion accounted for 17 percent of all deaths attributed to pregnancy and childbirth; and

WHEREAS, in 1970, Washington state voters approved Referendum 20, making Washington state

become the first state to legalize abortion through a vote of the people, and

WHEREAS, in 1973, the U.S. Supreme Court ruled in *Roe v. Wade* that abortion bans during the first trimester of pregnancy were a violation of a woman's right to privacy under the Due Process Clause of the Fourteenth Amendment of the U.S. Constitution. Specifically, the court ruled that "For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician," and

WHEREAS, in 1991, Washington state voters approved Initiative 120, which declared that a woman has a right to choose a physician-performed abortion prior to viability of the fetus, which is approximately 24 to 25 weeks into the pregnancy, and

WHEREAS, in 1992, in *Planned Parenthood v. Casey*, the U.S. Supreme Court reaffirmed the *Roe v. Wade* decision and stated that "The woman's right to terminate her pregnancy before viability is the most central principle of *Roe v. Wade*. It is a rule of law and a component of liberty we cannot renounce," and

WHEREAS, a recently leaked draft decision in *Dobbs v. Jackson Women's Health Organization* indicates that the six conservative members of the U.S. Supreme Court might imminently overturn the *Roe v. Wade* decision, leaving it to individual states to allow or ban abortions, and

WHEREAS, making abortions illegal will not stop individuals from needing and seeking them, and

WHEREAS, the impact of abortion bans falls disproportionately on people of color, low-income people and other already-marginalized groups who do not have the financial resources to find safe abortions, and

WHEREAS, abortion procedures and medications, such as mifepristone, are medically safe, and

WHEREAS, according to a May 2022 CNN poll, 66 percent of Americans support the *Roe v. Wade* decision and only 34 percent support overturning it, and

WHEREAS, as many as 26 states, including 13 that have trigger bans that would take effect immediately, are certain or likely to ban abortions if *Roe v. Wade* is overturned, denying reproductive freedom in large geographic sections of the United States, and

WHEREAS, if Roe v. Wade is overturned and states implement bans on abortion, Washington state would likely become the closest abortion provider for many more individuals, with projected increases ranging from 20 percent if nearby states implemented 20-week bans to 385 percent if those states implemented total bans, according to the Guttmacher Institute, and

WHEREAS, the overturn of Roe v. Wade opens the door to other challenges to privacy rights, such as same-sex marriage and access to contraception, and

WHEREAS, women cannot be truly free and equal members of our nation if they cannot have autonomy over their own bodies;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. The council declares its support of a woman's right to reproductive freedom and of Roe v. Wade as settled law of the land.

B. In furtherance of the council's declaration, it requests that the director of public health - Seattle & King County exercise the discretion granted under Board of Health Code in BOH 4A.10.040 and actively enforce BOH chapter 4A.10 related to limited service pregnancy centers, allocate necessary funding to do so if needed, and defend any challenges to the rule and its enforcement.