



Susan Wengraf
Councilmember District 6

CONSENT CALENDAR
January 18, 2022

To: Honorable Mayor and Members of the City Council
From: Councilmember Wengraf (Author), Councilmember Harrison (Co-Sponsor),
and Councilmember Hahn (Co-Sponsor)
Subject: Resolution Reaffirming the City of Berkeley's Commitment to Roe v. Wade

RECOMMENDATION

Adopt a Resolution reaffirming the City of Berkeley's commitment to Roe v. Wade, honoring the 49th anniversary of its passage and reiterating Berkeley's resolve to be a safe harbor for women asserting their constitutional right to access reproductive health and safe abortion services. It is essential that the City of Berkeley be a model for other cities and re-state their support for women to be able to exercise their constitutional rights and continue to have access to critical health care services, including abortion.

FINANCIAL IMPLICATIONS

None

BACKGROUND

Forty-nine years ago, on January 22, 1973, the U.S. Supreme Court announced its decision in Roe v. Wade, a challenge to a Texas statute that made it a crime to perform an abortion unless a woman's life was at stake. The case had been filed by "Jane Roe," an unmarried woman who wanted to safely and legally end her pregnancy. Siding with Roe, the court struck down the Texas law. In a ruling, the court recognized that the constitutional right to privacy "is broad enough to encompass a woman's decision whether or not to terminate her pregnancy" (Roe v. Wade, 1973).

Roe has come to be known as the case that legalized abortion nationwide. At the time the decision was handed down, nearly all states outlawed abortion. Roe rendered these laws unconstitutional, making abortion services safer and more accessible to all women throughout the country.

However, in recent years, reproductive health, including the right to choose, has been under relentless attack. The Trump administration shut down reproductive health services for women in every way possible — in presidential budgets, health care reform bills, tax reform legislation, and federal resolutions and regulations, as well as by nominating anti-abortion judges to the Supreme Court. Access to care at health centers, including many serving people who have nowhere else to go for basic health services, has been restricted.

This year, the U.S. Supreme Court is reviewing a direct challenge to the long-standing legal protections of abortion services under Roe v. Wade. Should the Court overturn Roe or allow a pre-viability ban to remain in place, people in over half of the states in the country – over 36 million women and other people who may become pregnant - will lose access to abortion care. It is already happening. People in Texas have lost the protections under Roe when Senate Bill (S.B) 8 went into effect on September 1, 2021. If Roe v. Wade is overturned or gutted, 26 states are likely to ban abortion, increasing the number of out-of-state patients who would find their nearest clinic in California from 46,000 to 1.4 million – a nearly 3,000 percent increase.

In 2019, Governor Newsom signed a [Proclamation on Reproductive Freedom](#) reaffirming California's commitment to protecting women's reproductive choices. The Governor has advanced investments to expand access to reproductive and sexual health care and signed multiple bills protecting reproductive freedom, including [SB 374](#) earlier this year and [SB 24 and AB 1264](#) in 2019.

January 22, 2022 will mark the 49th anniversary of the decision that effectively legalized abortion in the United States. The City of Berkeley has consistently passed resolutions in continued support of access to all reproductive healthcare services and all reproductive healthcare providers. The City also adopted a Resolution against proposed funding cuts to the Title X Family Planning program, the only federal program dedicated solely to providing low income women and men with comprehensive family planning and related preventive health services. On October 12, 2021, the Berkeley City Council adopted a Resolution "Denouncing Texas Anti-Abortion Law (SB8) and Re-affirming the City's Commitment to Reproductive Health."

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

N/A

CONTACT PERSON

Councilmember Susan Wengraf, Council District 6, 510-981-7160

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

REAFFIRMING THE CITY OF BERKELEY'S COMMITMENT TO ROE V. WADE AND
ACCESS to SAFE REPRODUCTIVE HEALTH SERVICES

WHEREAS, Prior to 1973, the year when Roe v. Wade was enacted, women faced significant obstacles to safe reproductive health services, resulting in widespread loss of life and serious illness; and

WHEREAS, The right to safe, legal and accessible abortion continues to be undermined by legal challenges, threatening the health and safety of women's lives, including the most marginalized women: low-income women, women of color, refugee and immigrant women; and

WHEREAS, The City of Berkeley is in full support of the State of California's resolve to uphold women's equality and liberty by protecting their reproductive freedom, educating Californians about their rights to reproductive freedom, welcoming women to California to fully exercise their reproductive rights and acting as a model for other states that want to ensure full reproductive freedom for women.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF BERKELEY that we RECOGNIZE AND CELEBRATE THE 49th ANNIVERSARY OF ROE V. WADE and praise the perilous and self-sacrificing work of the healthcare providers who face threats and violence for providing safe and legal health services to women throughout the Bay Area.

NOW FURTHER BE IT RESOLVED that the City of Berkeley re-affirms its commitment to the human rights afforded to all women under Roe v. Wade, regardless of socioeconomic, ethnic, racial, cultural or religious background, age or sexual orientation and to opposing any laws or regulations that pose a threat to abortion, reproductive rights, sexual freedom and/or self-determination.

