

# DECLARATION OF FUNDAMENTAL REPRODUCTIVE FREEDOMS

A RESOLUTION EXPRESSING THE COUNTY OF DEKALB'S SUPPORT FOR THE UNITED STATES SUPREME COURT'S LANDMARK DECISION IN THE CASE OF ROE V. WADE, AND ITS COMMITMENT TO PROTECT THE RIGHT TO ACCESS ABORTION CARE IN DEKALB; AND FOR OTHER PURPOSES.

WHEREAS, on January 22, 1973, the United States Supreme Court ruled in the case of Roe v. Wade that the Constitution of the United States safeguards a person's ability to make their own personal medical decisions about when or whether to have children; and

WHEREAS, the legalization of abortion in the U.S. led to safer practices and drastically reduced the incidence of maternal deaths and hospitalizations related to abortion; and

WHEREAS, the Supreme Court of the United States on June 24, 2022 overturned Roe v. Wade, ending the constitutional right to abortion in the United States; and

WHEREAS, Georgia passed a 6 week abortion ban on July 20, 2022 in addition to many laws that pose extreme restrictions on the ability of its residents to access an abortion, including a 24-hour waiting period, a parental notification requirement, and ban on health plans offered on the state's health exchange as well as insurance policies for public employees from covering abortion care beyond very limited situations; and

WHEREAS, the harm of these abortion restrictions disproportionality impacts racial minorities, the disabled, youth, immigrants, and those experiencing financial and economic hardship; and

WHEREAS, our community is experiencing unprecedented attacks on reproductive autonomy, freedom, and justice at both the federal and state levels of government; and

WHEREAS, people in the United States and Dekalb County have been forced to undergo unwanted medical procedures or surgical interventions, including involuntary sterilization and cesarean sections, prosecuted for not seeking healthcare, prosecuted for experiencing a miscarriage or stillbirth, criminalized for alcohol and drug use during pregnancy, and prosecuted for self-managing an abortion; and

WHEREAS, access to comprehensive reproductive health care, including abortion, contraception, prenatal care, labor and delivery services, and postpartum care, are necessary for people's overall health, and **health care is a fundamental human right**; and

WHEREAS, the only thing that restrictions and bans on abortion is to prevent people from accessing healthcare; and

WHEREAS, reproductive justice is defined as “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.”<sup>1</sup> and

WHEREAS, groups like the American Medical Association, American Public Health Association, American Academy of Pediatrics, American Society of Addiction Medicine, the American College of Obstetricians and Gynecologists, the American Bar Association, and others oppose the criminalization of health care provision and the criminalization of pregnancy outcomes; and

WHEREAS, abortion is one of the safest medical procedures in the United States, and experts at the National Academies of Science, Engineering, and Medicine published a study in 2018 confirming that scientific evidence consistently indicates that legal abortions in the U.S., including those performed in the second trimester, are extremely safe and that medically unnecessary regulations of abortion can diminish the quality of abortion care by contributing to the decline of facilities that provide abortion, needlessly delaying abortion, and making it unnecessarily difficult to access abortion care;<sup>2</sup> and

WHEREAS, the DeKalb County Governing Authority shares a commitment to preserving and expanding opportunities for all to thrive; and

WHEREAS, our ability to access sexual and reproductive health care and resources directly impacts our emotional, physical, and socioeconomic stability and safety, and healthcare is a fundamental human right; and

WHEREAS, access to gender-affirming full-spectrum and comprehensive reproductive health care, including abortion, contraception, prenatal care, labor and delivery services, and postpartum care, are necessary for the overall health and well-being of all people of all genders; and

WHEREAS, reproductive and sexual health care providers provide high-quality, essential healthcare and play a critical role in ensuring people are able to make decisions about their bodies and lives with dignity, empathy, compassion, and respect; and

WHEREAS, no one should be criminalized for providing essential healthcare; and

WHEREAS, no one should be criminalized for their pregnancy outcomes, for using contraception, or for obtaining gender-affirming care; and

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<sup>1</sup> Definition from SisterSong Women of Color Reproductive Justice Collective.

<sup>2</sup> Nat'l Academies of Sci., Engineering, and Med. (“Nat'l Academies”), The Safety & Quality of Abortion Care in the U.S. (March 2018).

WHEREAS, the threat of criminalization or prosecution can result in negative outcomes by intimidating people from seeking or providing care; and

WHEREAS, Black, Indigenous, and People of Color, people with low incomes, LGBTQ+ people, and other marginalized individuals are disproportionately likely to be surveilled, arrested, charged, prosecuted, convicted, and heavily punished within the criminal justice system; and

WHEREAS, Black, Indigenous, and People of Color, people with low incomes, women and LGBTQ+ people, and other marginalized individuals are more likely, due to persistent disparities, to experience adverse pregnancy outcomes that place them under the scrutiny of the criminal legal system and at risk of experiencing violence at the hands of the criminal legal system; and

WHEREAS, the right to maintain personal bodily autonomy and the ability to make personal decisions about if, when, and how to establish a family, including decisions about abortion, are fundamental to our reproductive freedom; and

WHEREAS, research shows there is an increased need and demand for pills to self-manage an abortion in states with abortion restrictions, and that self-managed abortion with access to medications and accurate information is safe; and

WHEREAS, the reasons why people self-manage an abortion are varied and valid; and

WHEREAS, healthcare providers have an ethical obligation to provide essential care to their patients and to protect the private medical information integral to the patient-provider relationship; and

WHEREAS, the ability to access medically accurate information about all of our healthcare options, without judgment, harassment, or coercion is fundamental to our reproductive freedom; and

WHEREAS, the ability to have a safe and healthy pregnancy on our own terms is fundamental to our future and our collective reproductive freedom; and

WHEREAS, a “Sexual and Reproductive Health Care Safe Zone” is one where people do not have to worry about local interference in their personal healthcare decisions, are not investigated by local officials for pregnancy outcomes (be it a miscarriage, abortion, or carrying a pregnancy to term), do not have their private health information (e.g., menstruation tracking apps) tracked or collected, and the local government exercises its authority where possible to prevent people from being harassed and intimidated and harmed while traveling to, entering, or leaving an abortion clinic; and

NOW THEREFORE, BE IT RESOLVED that **Dekalb County**

- 1) Condemns the misapplication of criminal laws to punish people for the outcomes of their pregnancies;

- 2) Affirms that people deserve access to high-quality healthcare without fear of reprisal or punishment;
- 3) Condemns the criminalization of providing essential healthcare, including abortion care;
- 4) Affirms the ethical obligations of healthcare providers to safeguard patient privacy;
- 5) Declares a vision for a future where access to abortion and gender-affirming care is universally free from restrictions, bans, and barriers, and people are able to manage care on their own terms free from discrimination or punishment;
- 6) Ensures all people have the economic, social, and political power and resources to make informed decisions about their bodies, sexuality, and reproduction for themselves, their families, and their communities in all areas of their lives; and
- 7) Affirms **DeKalb County's** commitment to working toward these goals in partnership with patients, providers, advocates, and their communities.

BE IT FURTHER RESOLVED, that the DeKalb Governing Authority supports fully the DeKalb County District Attorney who immediately advised her office will not prosecute abortion related cases as criminalizing abortion undermines public safety and public trust; and further, it threatens the lives, health, and well-being of marginalized individuals whose access to safe abortion procedures will be restricted greater than others; and

BE IT FURTHER RESOLVED, that **DeKalb County** urges the Georgia General Assembly to join other states in protecting and promoting access to reproductive health care and the fundamental right to abortion by doing the following: (1) promoting preventive healthcare services for all; and (2) ensuring every individual has access to comprehensive, affordable healthcare that includes pregnancy-related care, including prenatal care, miscarriage management, family planning services, abortion care, labor and delivery services, and post-partum care; and

BE IT FURTHER RESOLVED, that the Governing Authority of DeKalb County forward a copy of this resolution to Governor Brian Kemp; U.S. Senators and Representatives and allied State Representatives and relevant bill sponsors who request this Resolution; and

FINALLY, BE IT FURTHER RESOLVED, that we pause in our deliberations to declare **DeKalb County** a sexual and reproductive health care safe zone, ensuring the people's rights to reproductive freedom, and naming these rights as fundamental.