



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File ID: 2022-2004

Substitute

10/25/2022

Public Hearing: YES NO

Department: Board of Commissioner - District 6

SUBJECT:

Commission District(s): All Commission Districts

A Resolution to Protect Abortion Access and Protect Reproductive Health, Rights, and Justice for DeKalb County Citizens

Information Contact: Commissioner Edward "Ted" Terry

Phone Number: 404-371-4909

PURPOSE:

This proposed Resolution affirms the DeKalb Governing Authority's commitment to protect the rights to access abortion care and support efforts to mitigate the cascading effects of not just people who want or need abortion care, but people who need miscarriage care, other medications that may incidentally impact pregnancy and the disastrous effects that can deprive millions of women, especially of color, low-income, and underserved communities, who statistically are disproportionately affected and more often criminalized.

NEED/IMPACT:

Almost half a century ago, the Roe v. Wade ruling was the basis for establishing a constitutional right to abortion. The recent U.S. Supreme Court decision to overturn the landmark Roe v. Wade legislation prompts questions about the implications for civil rights, American democracy and political polarization, and health policy. Roe v. Wade opened the door to safer, legal alternatives, which led to fewer people developing complications or dying from illegal abortions. Roe v. Wade also helped drive down complication and death rates from legal abortions by enabling more abortion research and better training. The U.S. Supreme Court ruling "makes clear no right to abortion exists under the Constitution", inadvertently permitting Georgia Law to prohibit abortion as soon as a fetal heartbeat is detected.

The attached Resolution protects abortion access in Dekalb County and joins neighboring City of Atlanta and South Fulton who recently passed Resolutions protecting patients and providers from the criminalization of accessing abortion care by making abortion law violations the lowest possible priority. The DeKalb County District Attorney, Sherry Boston, has also advised that at this moment she will not seek prosecutions against women or medical providers seeking to assist in their reproductive healthcare decisions and has asked that the DeKalb County law enforcement community stand with her in this decision to not criminalize abortion and support the effort to continue to maintain public trust and public safety for all Dekalb citizens.

FISCAL IMPACT:

No known financial impact at this time.

RECOMMENDATION:

Adopt the attached Resolution confirming our solidarity to support the advancement and protect reproductive health, rights, and justice in DeKalb County and the State of Georgia.

**A RESOLUTION OF THE GOVERNING AUTHORITY OF
DEKALB COUNTY, GEORGIA, EXPRESSING THE COUNTY’S
SUPPORT FOR AND COMMITMENT TO PROTECT THE RIGHT
TO QUALITY AND EQUITABLE REPRODUCTIVE
HEALTHCARE, AND FOR OTHER PURPOSES**

WHEREAS, the DeKalb County Governing Authority recognizes that access to comprehensive reproductive healthcare, including fertility care, abortion, contraception, prenatal care, labor and delivery services, mental health care and postpartum care, are necessary for its residents’ overall health, and healthcare is a fundamental human right; and

WHEREAS, Reproductive Justice is the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities; and

WHEREAS, on June 24, 2022, the Supreme Court of the United States overruled the landmark decision in Roe v. Wade, which, in 1973, made access to abortion a constitutional right rooted in an individual’s right to privacy; and

WHEREAS, on July 20, 2022, the Georgia Living Infants Fairness and Equality (LIFE) Act, 2019 Ga. Laws 711 (H.B. 481) became effective and enforceable; and

WHEREAS, H.B. 481, which bans most abortions after about six weeks of pregnancy, denies women previously existing reproductive healthcare options, represents a direct attack on the ability of individuals to make their own choices concerning their lives, their bodies, and their family planning and is a stark regression of reproductive rights in Georgia; and

WHEREAS, reproductive healthcare providers provide essential healthcare and play a critical role in ensuring that individuals are able to make informed decisions regarding their reproductive health; and

WHEREAS, certain provisions of H.B. 481 restrain reproductive healthcare providers from providing essential reproductive healthcare to individuals; 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

WHEREAS, the threat of criminalization or prosecution for reproductive healthcare choices can result in negative outcomes by intimidating individuals and preventing them from seeking or providing essential reproductive healthcare; and

WHEREAS, the right to reproductive healthcare and to maintain personal bodily autonomy to make decisions regarding if, when, and how to establish a family are fundamental to the concept of Reproductive Justice; and

WHEREAS, healthcare providers have certain ethical and legal obligations to provide essential reproductive healthcare to their patients and to protect a patient’s private medical information; and

WHEREAS, the ability to access scientific and medically accurate information regarding all available options, without judgment, harassment, or coercion is fundamental to obtaining effective reproductive healthcare; and

WHEREAS, the ability to have a safe and healthy pregnancy on an individual’s own terms is fundamental to preserving an individual’s right to privacy and promoting Reproductive Justice; and

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

WHEREAS, the DeKalb County Governing Authority has a duty to protect its residents from any violation of their human rights and any criminalization of the free exercise thereof and this Resolution is in the best interest of the welfare of the County’s residents, businesses, and visitors.

NOW, THEREFORE, BE IT RESOLVED:

1. That the DeKalb County Governing Authority stands with those who condemn any actions intended to abrogate the fundamental liberties of women and affirms its commitment to protecting its residents’ right to make reproductive healthcare decisions for themselves.
2. That the DeKalb County Governing Authority declares a vision for the future where access to reproductive healthcare and gender-affirming care is universally available and reproductive healthcare choices are free from unreasonable restrictions, bans, barriers, discrimination, or punishment.
3. That, subject to terms and conditions of applicable laws and insurance policies, the DeKalb County Governing Authority supports provision of health insurance coverage to support abortion care and necessary abortion-related travel for eligible DeKalb County employees.
4. That the DeKalb County Governing Authority calls on the DeKalb County Police Department, except to the extent otherwise required by state or federal law, to give the investigation or support for the prosecution of any allegation, charge, or information relating to the outcome of a given pregnancy, including abortion and abortion-related care, or any party thereto, the lowest priority for enforcement and use or assignment of resources and personnel.
5. That the foregoing paragraph will not apply to cases where coercion or force is used against a pregnant person, in cases involving conduct criminally negligent to the health of the pregnant person seeking care, or in cases where the abortion, miscarriage or reproductive healthcare is not the crime being investigated but is evidence of another crime, such as sexual assault.

6. The DeKalb County Governing Authority affirms its commitment to working toward these goals in partnership with all stakeholders and their communities and to promoting Reproductive Justice.

ADOPTED by the DeKalb County Board of Commissioners, this ___ day of _____, _____.

ROBERT PATRICK
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer, this ___ day of _____, _____.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC
County Clerk
Board of Commissioners and Chief Executive Officer

APPROVED AS TO FORM:

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia