



Peace and Justice
Commission

CONSENT CALENDAR
September 13, 2022

To: Honorable Mayor and Members of the City Council
From: Peace and Justice Commission
Submitted by: George Lippman, Chairperson, Peace and Justice Commission
Subject: Taking Action on the City of Berkeley's Commitment to Abortion Access

RECOMMENDATION

Adopt a Resolution Taking Action on the City of Berkeley's Commitment to Abortion Access.

FISCAL IMPACTS OF RECOMMENDATION

Minimal impact to staff time.

CURRENT SITUATION AND ITS EFFECTS

Roe v. Wade, the landmark U.S. Supreme Court decision recognizing and confirming the right to privacy in the federal Constitution protects the right for pregnant people to choose to have an abortion prior to viability, is in imminent danger of being overturned

At its regular meeting of June 6, 2022, the Peace and Justice Commission unanimously proposed the attached resolution for the City Council.

M/S/C: (Bohn/Morizawa)

Ayes: Bohn, Gussman, Jacquin, Lee, Lippman, Maran, Morizawa

Noes: None

Abstain: None

Absent: Leon-Maldonado, Rodriguez

BACKGROUND

On January 18, 2022, the Berkeley City Council adopted a resolution entitled "Reaffirming the City of Berkeley's Commitment to Roe v. Wade and Access to Safe

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Reproductive Health Services," stating its "support for women to be able to exercise their constitutional rights and continue have access to critical health care services, including abortion."

Limiting access to reproductive healthcare, including systematically stripping pregnant people of access to abortion, is not only a transgression against basic human reproductive rights but is also an assault on dignity.

Dozens of states have already taken legal action to limit or ban abortion, potentially stripping millions of people of reproductive care and endangering thousands of healthcare workers, including nurses and doctors who have dedicated their lives to caring for those in need.

California Governor Gavin Newsom has taken a number of steps, in anticipation of a Supreme Court ruling to overturn Roe v. Wade, to protect access to abortion for Californians and others across the country. These actions include the formation of the California Future of Abortion Council (CA-FAB Council), which has issued 45 recommendations including among many others:¹

- Assistance to the expected up to 1.4 million visitors to the state seeking abortion services, as well as to the providers that will serve them.²
- Comprehensive community survey and research to identify unmet educational and health needs of California residents. To accurately assess the needs and preferences of people experiencing barriers to care, a survey must be conducted, and data analyzed on all of the following:
 - The educational and health awareness needs of populations most impacted by lack of access to abortion.
 - Community preferences for types of abortion services and levels of care.
 - How youth/young people access sexual and reproductive health services and education.
 - Access to telehealth and preference for various modalities when receiving sexual and reproductive care, including abortion services.

ENVIRONMENTAL SUSTAINABILITY

¹ "California plans to be abortion sanctuary if Roe overturned," AP News, December 8, 2021, <https://apnews.com/article/abortion-california-sanctuary-625a118108bcda253196697c83548d5b> > https://www.plannedparenthoodaction.org/uploads/filer_public/d8/e1/d8e17825-72e0-4f6f-9c57-7549bb54261e/ca_fab_council_report_.pdf

² <https://states.guttmacher.org/>

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No significant impacts.

RATIONALE FOR RECOMMENDATION

The East Bay is home to a number of nonprofit healthcare providers that provide free or low-cost reproductive care, including abortion. The demand for abortion access is likely to increase greatly, making cities like Berkeley a destination for individuals seeking care that may be made illegal in their home cities and states.

Research and study that is locally directed, grassroots-oriented, comprehensively diverse, and collaboratively designed by staff, commissions, community members, advocates and other subject matter experts will contribute a great deal to local and state policy-makers.

For this reason the Peace and Justice Commission proposes Council refer to the Commission a request to collaborate with the listed Commissions, Boards, and Departments among others to study what resources exist for reproductive health and educational services, what obstacles residents of Berkeley face in accessing them, and what disparities may exist on the basis of race and class; and give an interim report to the City Council on what actions should be taken to address such limitations on reproductive rights and services for Berkeley's residents, within four months.

ALTERNATIVE ACTIONS CONSIDERED

None

CITY MANAGER

The City Manager takes no position on the content and recommendations of the Commission's Report.

CONTACT PERSON

George Lippman, Chair, Peace and Justice Commission

Okeya Vance-Dozier, Commission Secretary, City Manager's Office, (510) 684-0503

Attachments:

1: Resolution

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

Resolution Taking Action on the City of Berkeley's Commitment to Abortion Access

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter 3.68.070); and

WHEREAS, limiting access to reproductive healthcare, including systematically stripping pregnant people of access to abortion, is not only a transgression against basic human reproductive rights but is also an assault on dignity;ⁱ and

WHEREAS, Roe v. Wade, the landmark U.S. Supreme Court decision recognizing and confirming the right to privacy in the federal Constitution protects the right for pregnant people to choose to have an abortion prior to viability, is in imminent danger of being overturned; and

WHEREAS, dozens of states have already taken legal action to limit or ban abortion, potentially stripping millions of people of reproductive care and endangering thousands of healthcare workers, including nurses and doctors who have dedicated their lives to caring for those in need; and

WHEREAS, the East Bay is home to a number of nonprofit healthcare providers that provide free or low-cost reproductive care, including abortion; and

WHEREAS, the Berkeley City Council passed a resolution on January 18, 2022, reaffirming Berkeley's commitment to Roe v. Wade, stating its "support for women to be able to exercise their constitutional rights and continue have access to critical health care services, including abortion;"³ and

WHEREAS, the demand for abortion access is likely to increase greatly, making cities like Berkeley a destination for individuals seeking care that may be made illegal in their home cities and states.

THEREFORE BE IT RESOLVED, that the Council of the City of Berkeley declares Berkeley to be a Right-To-Choose Sanctuary City, recognizing that anyone should have a right to abortion, on-demand, and without question.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley urges the State of California and Alameda County to increase funding for reproductive rights and abortion

³ <https://berkeleyca.gov/sites/default/files/city-council-meetings/2022-01-18%20Agenda%20Packet%20-%20Council%20-%20WEB.pdf>

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access.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley refers this resolution to the Peace and Justice Commission requesting it to collaborate with the Berkeley Unified School District, the Health Department, the Community Health Commission, and the Commission on the Status of Women to study what resources exist for reproductive health and educational services, what obstacles residents of Berkeley face in accessing them, and what disparities may exist on the basis of race and class; and give an interim report to the City Council on what actions should be taken to address such limitations on reproductive rights and services for Berkeley's residents, within four months.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley reaffirms its support for codifying the right to an abortion into federal law via HR 3755, The Women's Health Protection Act of 2021 (Lee & Chu).⁴

BE IT FURTHER RESOLVED, that the copies of this Resolution be sent to Berkeley's county, state, and federal legislative representatives, Rep. Judy Chu, Governor Newsom, State Senate President Pro Tempore Toni Atkins, and the BUSD.

⁴ <https://www.congress.gov/bill/117th-congress/house-bill/3766>

