



Legislation Text

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Res. No. 3-A

Resolution recognizing April 25, 2004 as “March for Women’s Lives Day,” in honor of the landmark 1973 United States Supreme Court decision of *Roe v. Wade*, which established a woman’s constitutional right to decide when and if to have a child, and further supporting the March for Women’s Lives, an event demonstrating overwhelming support for a woman’s right to choose safe and legal abortion and birth control, and offering the Council’s full support in ensuring the protection of the right of women to control their reproductive health, lives and futures in an ever-increasingly hostile anti-choice environment.

By the Speaker (Council Member Miller), and Council Members Quinn, Brewer, Barron, Fidler, Foster, Gerson, Gioia, Jackson, James, Martinez, Reed, Sanders, Weprin, Moskowitz, Vann, Liu, Comrie and The Public Advocate (Ms.Gotbaum)

Whereas, The United States Supreme Court decided *Roe v. Wade* (the “*Roe* decision”), the landmark decision that recognizes that the right of women to control their reproductive lives is central to their ability to participate fully and equally in the economic and social spheres of society; and

Whereas, The *Roe* decision states that (1) the decision to have an abortion is accorded the highest level of constitutional protection, like any other fundamental constitutional right, (2) state laws regarding abortion must be neutral with respect to influencing a woman’s decision whether or not to have an abortion, (3) in the period before a fetus is viable, the government may restrict abortion only to protect a woman’s health, and (4) after a fetus becomes viable, a state government may prohibit abortion, provided that such state’s laws must permit abortion where necessary to protect a women’s health or life; and

Whereas, The protected right to make childbearing decisions, including abortion, has enabled women to pursue educational and employment opportunities that were often unattainable prior to the *Roe* decision; and

Whereas, The Center for Reproductive Rights reports that prior to the *Roe* decision, between 200,000 and 1.2 million illegally induced abortions occurred in the United States each year; and

Whereas, Planned Parenthood also reports that in 1969, one year before New York State legalized abortion, complications from illegal abortions accounted for 23 percent of all pregnancy-related admissions to municipal hospitals in New York City; and

Whereas, According to the Alan Guttmacher Institute (AGI), in 1962 alone, nearly 1,600 women were admitted to Harlem Hospital Center for incomplete abortions, accounting for one abortion-related hospital admission for every 42 deliveries at that hospital that year; and

Whereas, AGI information also reveals that in 1972, over 100,000 women left their own state to obtain a legal abortion in New York City, and of those women, an estimated 50,000 women traveled more than 500 miles to access this care; and

Whereas, In 1992, the United States Supreme Court decided *Planned Parenthood of Southeastern Pennsylvania v. Casey* (the “Casey decision”), where, although it upheld a woman’s right to choose, it also allowed federal, state and local laws that favor fetal rights and burden a woman’s choice to have abortion, as long as the burden is not “undue;” and

Whereas, The *Casey* decision has unlocked the door to hundreds of state and federal criminal restrictions designed to discourage women from accessing abortion and to promote the rights of the fetus throughout pregnancy; and

Whereas, According to AGI, since 1996, more than 300 criminal abortion restrictions have been enacted by state and federal legislatures, none of which would have been constitutional under the original *Roe* decision; and

Whereas, According to Planned Parenthood, only eight states, including New York State, do not mandate parental involvement before a minor can obtain an abortion; and

Whereas, According to AGI, as of January 1, 2004, 21 states will have laws in effect that require a woman to wait for a period of time, usually 24 hours, but up to as many as 72 hours, after receiving state-directed counseling before she can receive an abortion; and

Whereas, These restrictions on access to abortion particularly discriminate against young women, poor women and women of color; and

Whereas, AGI indicates that 87 percent of all counties in the United States do not have an abortion provider; and

Whereas, For the first time since *Roe v. Wade* was decided, anti-choice officials are firmly in control of both the federal executive and legislative branches of government; and

Whereas, The United States Supreme Court is only one vacancy away from eliminating the Constitutional right to abortion; and

Whereas, On Sunday, April 25, 2004, people from New York City and from all over the country will be marching in Washington, D.C. to ensure the endurance of one of our most prized rights and liberties: the freedom of women to control their reproductive health, lives and futures; now, therefore, be it

Resolved, That the Council of the City of New York recognizes April 25, 2004 as “March for Women’s Lives Day,” in honor of the landmark 1973 United States Supreme Court decision of *Roe v. Wade*, which established a woman’s constitutional right to decide when and if to have a child; and, be it further

Resolved, That the Council of the City of New York supports the March for Women’s Lives, an event demonstrating overwhelming support for a woman’s right to choose safe and legal abortion and birth control; and, be it further

Resolved, That the Council of the City of New York offers the Council’s full support in ensuring the protection of the right of women to control their reproductive health, lives and futures in an ever-increasingly hostile anti-choice environment.