

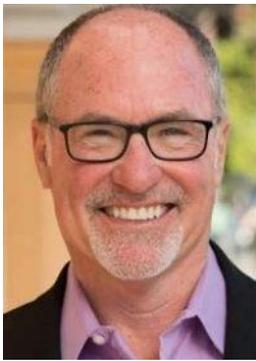
## Opinions

# Joan Hartmann & Gregg Hart: California Must Protect Reproductive Freedom and Abortion

By Joan Hartmann and Gregg Hart  
October 5, 2022

In June, the conservative majority on the U.S. Supreme Court overturned the nearly 50-year, precedent-setting 1973 Roe v. Wade ruling that established the constitutional right to privacy, including the right to an abortion.

The Supreme Court's action returned abortion to states to regulate. In response, legislators from both political parties in the Legislature moved to add Proposition 1 to the Nov. 8 ballot.



Gregg Hart

Prop. 1 is a constitutional amendment that would codify the right to reproductive freedom in the California Constitution. Even in California, we need a constitutional amendment to protect reproductive freedom and we urge you to vote yes on Prop. 1.

In accordance with an overwhelming majority of Americans, we unequivocally believe that private and personal medical decisions should remain between patients and their health-care providers, and that doctors and nurses should not be threatened with legal or criminal penalties for providing basic health care to patients.

Whether, when and who to have a child with are the most intimate and personal decisions people make, and the government should not insert itself into such choices.

California has long been recognized as a state supportive of reproductive rights with strong individual privacy protections. Our state legalized abortion prior to Roe with the Therapeutic Abortion Act signed into law by Gov. Ronald Reagan in 1967.

But the right to obtain an abortion is not explicitly enshrined in our state Constitution, rather it exists in statute.

In overturning Roe, Justice Samuel Alito opined that the right to privacy does not exist within the U.S. Constitution's framework. Given that so many of our basic rights, freedoms and individual liberties are predicated on the right to privacy — now under activist judicial threat — we must act to enshrine basic rights into our state Constitution to help ensure that they cannot be taken away from us.

In California, only a majority of voters – not legislators – can amend our state Constitution.



Joan Hartmann

Passage of Prop. 1 means that politicians, now or in the future, cannot deny or interfere with reproductive freedoms without a majority vote of the people of California.

This very state constitutional mechanism is what the voters of Kansas valiantly rallied to protect earlier this summer when anti-abortion activists tried to usurp the power of regulating abortion out of the [Kansas Constitution](#) and put it into the hands of zealous conservative politicians, with the goal of outlawing abortion. Voters overwhelmingly rejected this effort and abortion remains legal in Kansas.

Abortion is a personal decision and people should be able to make private medical decisions with their health-care providers without political interference.

Prior to Roe, abortion was illegal throughout much of the country. The dismantling of Roe leaves the United States with a chaotic web of rules and regulations, that zealous conservative politicians will continue to work to erode. Many seek to outlaw abortion altogether.

But across the United States, voters are revolting and turning out in unprecedented numbers to protect abortion at the ballot box. Recognizing this, Sen. Lindsey Graham, an extreme Republican from South Carolina, introduced legislation for a nationwide abortion ban in the Senate last month.

More than a dozen states already have full abortion bans in place, forcing thousands of pregnant individuals to travel to California — including to the Central Coast — for care. Our state is a symbol of compassion, hope and progress, and we have a moral obligation to help people access the basic health care they need.

Prop. 1 protects the most vulnerable. Research suggests that the health of pregnant individuals is put at risk without the right to choose whether to carry a pregnancy to term or choose to safely end a pregnancy.

The United States already has the highest maternal death rate among industrialized nations globally. Maternal deaths are disproportionately concentrated among people with low incomes and among people of color, with black Americans three times more likely to die during childbirth than white Americans.

Currently, one in four of those who can become pregnant in the United States will obtain an abortion by the age of 45, and a majority of those who obtain abortions have already given birth.

Studies show that the choice to plan, delay and space births greatly increases U.S. women's opportunities, workforce participation and wages, and attainment of a college education. Individuals should retain the freedom to decide how to best live their lives and plan their families.

As political leaders, we must do all we can to protect and advance the rights of those who we represent. This includes ensuring abortion is legal and accessible and that important health-care decisions are left to individuals and their health-care providers.

We can achieve this by voting YES on Prop. 1.

*— Santa Barbara County Supervisors Joan Hartmann and Gregg Hart represent the Third and Second districts, respectively, and Hart is the Democratic Party candidate for Assembly District 37. The opinions expressed are their own.*

[https://www.noozhawk.com/article/joan\\_hartmann\\_gregg\\_hart\\_california\\_reproductive\\_freedom\\_abortion\\_20221005](https://www.noozhawk.com/article/joan_hartmann_gregg_hart_california_reproductive_freedom_abortion_20221005)