

MOTION BY SUPERVISORS SHEILA KUEHL AND
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September 15, 2021

Signing onto an Amicus Brief in Support of *Roe v. Wade*

The U.S. Supreme Court in the upcoming 2021-22 term will be hearing a case, *Dobbs v. Jackson Women's Health*, involving a challenge to a Mississippi law that bans abortions after 15 weeks of pregnancy. As part of the case, the State of Mississippi and its amici have asked the Supreme Court to overturn *Roe v. Wade* and *Casey v. Planned Parenthood of Southeastern Pennsylvania*, the cases recognizing a woman's right to choose. The Public Rights Project is working with counties and cities to submit an amicus brief opposing the Mississippi law and the call to overturn *Roe v. Wade* and *Casey v. Planned Parenthood of Southeastern Pennsylvania*. The brief will focus largely on the racial justice implications of the case. Among other things, the brief will highlight the work of local governments and departments of public health to combat health disparities and explain how a new standard will harm women's access to care, particularly women of color and low-income women. Numerous counties and municipalities are being asked to sign onto the brief.

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Recently, after Texas enacted a law that bans abortion after roughly six weeks of pregnancy, the Supreme Court declined an emergency request for an injunction that would have stayed enforcement of the law pending the Supreme Court's review of the Texas law's constitutionality. These strict abortion prohibitions – and the Supreme Court's apparent willingness to reconsider its *Roe* decision – are the latest attacks against a woman's Constitutional right to choose.

If the Supreme Court were to overturn *Roe v. Wade* and *Casey v. Planned Parenthood of Southeastern Pennsylvania*, U.S. women, including millions of County residents, would be denied a right guaranteed to them for decades.

Moreover, such a result could have downstream effects on the County's ability to provide health services to women. The County may see increases in the demand for its prenatal services, including contraceptive care, if states enact laws restricting access to abortion because women in those states may turn to the County for services. If the Supreme Court upholds the Mississippi law or overturns *Roe v. Wade* and *Casey v. Planned Parenthood of Southeastern Pennsylvania*, many states likely will adopt laws further restricting abortion, which will likely increase demand for the County's health services for pregnant women. This could further strain the Department of Public Health's and the Department of Health Services' resources, already stretched thin by the COVID pandemic, adversely affecting the County's capacity to serve its residents.

WE, THEREFORE, MOVE that the Board of Supervisors direct County Counsel to join the amicus brief in the case of *Dobbs v. Jackson Women's Health*, seeking to uphold women's right to choose as recognized by the U.S. Supreme Court in *Roe v. Wade* and *Casey v. Planned Parenthood of Southeastern Pennsylvania*.

WE, FURTHER MOVE that the Board of Supervisors authorize County Counsel to join future amicus briefs in support of upholding woman's right to choose as recognized by the U.S. Supreme Court in *Roe v. Wade* and *Casey v. Planned Parenthood of Southeastern Pennsylvania*.

S:ES/Signing onto an Amicus Brief in Support of Roe v. Wade