



national asian pacific american women's forum

napawf

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NAPAWF Opposes Proposition 73

The California chapters of the National Asian Pacific American Women's Forum (NAPAWF) oppose Proposition 73 because it will have a detrimental impact on the health, safety, and well-being of Asian Pacific American (APA) teens. Proposition 73 would amend the California Constitution to require a physician to notify the parent or legal guardian of young women under the age of 18 at least 48 hours prior to providing abortion services. The amendment will be placed on the California ballot for the November 8, 2005 special election.

APA teens have one of the fastest growing teen pregnancy and birth rates in the country. Yet, studies have found that many young APA women and girls are not comfortable discussing issues related to sexuality, pregnancy, and birth control with their families. The California Supreme Court recognized in American Academy of Pediatrics v. Lungren that many minors are reluctant or unwilling to inform their parents of matters concerning their sexual conduct because of fear, shame, or embarrassment, and that there is considerable risk that minors will delay or forgo seeking care altogether if parental notification or consent is required. For those pregnant APA teens who cannot turn to their families, Proposition 73 creates enormous barriers between these young women and accessing safe reproductive health care.

Although Proposition 73 includes a judicial bypass requirement, which allows minors to petition the court and prove that she is mature enough to make the abortion decision on her own, this requirement may be unrealistic for many APA minors, especially those who are low-income, undocumented, or speak little English. The process is complicated, confusing, and lengthy. Moreover, it can also delay a pregnant minor from seeking timely services and health care, thereby increasing the risk and cost of late-term abortions.

Finally, Proposition 73 undermines the fundamental principles of privacy and bodily integrity embodied in Roe v. Wade. In Roe, the Supreme Court held that the constitutional right of personal privacy encompasses a woman's decision to terminate her pregnancy. The Court recognizes that decisions related to procreation and having a family involve the most intimate and personal choices an individual can make, and are central to personal dignity and autonomy. More specifically, the California Supreme Court in Lungren held that parental notification laws are unconstitutional because they violate young women's right of privacy and threaten their overall health. Proposition 73 is an attempt to restrict the breadth of Roe and Lungren, and limit reproductive choice for young women in California.

Proposition 73 endangers the health and safety of APA teens and hurts families and communities. Instead of amending the state Constitution to force teens to communicate about their sexual behavior with their parents, the state should devote resources to ensuring that counseling services, comprehensive sexuality education, and teen outreach programs are designed and delivered in a culturally and linguistically appropriate manner.

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NAPAWF is dedicated to forging a progressive movement for social and economic justice and the political empowerment of Asian and Pacific American women and girls. NAPAWF unites our diverse communities through organizing, education and advocacy.