

Resolution No.: 20-606
Introduced: July 30, 2024
Adopted: September 10, 2024

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Council Vice-President Stewart
Co-Sponsors: Councilmembers Luedtke, Balcombe, Katz, Glass, Sayles, Fani-González,
Jawando, Mink, and Albornoz and Council President Friedson

SUBJECT: Resolution to Affirm Montgomery County's Commitment to Protect
Reproductive Rights

Background

1. On June 24, 2022, the United States Supreme Court in *Dobbs v. Jackson Women's Health Organization* overturned *Roe v. Wade* and *Planned Parenthood v. Casey* and eliminated the Federal constitutional right to abortion in the United States and subsequently more than a dozen States have passed legal barriers that fully ban abortion, and many others have passed legal barriers that severely restrict abortion care.
2. The *Dobbs* decision and subsequent bans have forced thousands of people to travel to Maryland for abortion care.
3. There has been increased risk of criminalization of abortion seekers, those who help them and abortion providers since the *Dobbs* decision.
4. Abortion is legal in the State of Maryland and has been since 1973, and was reaffirmed again by voters in a referendum in 1992, but has yet to be affirmed as a constitutional right.
5. Governor Wes Moore has signed into law legislation regarding: electronic health record data privacy; shielding protections for providers, assistants, seekers, and patients of legally protected health care including abortion from legal action by other states; and a requirement for 4-year residential public colleges to put in place a plan for students to access comprehensive sexual and reproductive health care, including abortion, STI testing/treatment, contraceptives, and emergency contraceptives.
6. Maryland voters will be asked to vote on a constitutional amendment in November 2024 affirming the right to reproductive freedom and an individual's right to make personal decisions regarding preventing pregnancy through contraception, carrying a pregnancy to term, or ending a pregnancy.

7. The retrogression on abortion rights in the United States conflicts with the United States' obligations under international human rights law.
8. The United Nations Human Rights Committee has repeatedly found that abortion bans violate multiple human rights the United States is bound to protect, including the rights to nondiscrimination, gender equality, life, privacy, freedom from torture, cruel, inhuman, or degrading treatment or punishment, and equal protection.
9. The threat of criminalization or prosecution can intimidate people from seeking or providing care.
10. Individuals with low incomes, Black, Indigenous and People of Color (BIPOC), immigrants, LGBTQ+ individuals and those with disabilities and others who have been marginalized are disproportionately impacted by restricting access to abortion care and are more likely to be surveilled, arrested, charged, prosecuted and convicted for pregnancy outcomes.
11. Pregnant people who have been denied abortion care may be putting their health, fertility, and lives at risk, have been forced to carry nonviable pregnancies to term, or have been criminalized for miscarriage, the circumstances of their pregnancies, abortions, and other pregnancy outcomes.
12. Public health and the U.S. health care system are jeopardized by bans on abortion access. Such bans increase the difficulty for hospitals to recruit and retain obstetricians and gynecologists and significantly exacerbate maternity care deserts. Abortion restrictions undermine the delivery of all basic health services by limiting evidence-based care and impairing the integrity of the patient-clinician relationship. Abortion care is safe and essential reproductive health care with the risk of maternal death being 15 times higher for carrying a pregnancy to term than it is for abortion.
13. Reproductive rights for women have led to increased women's education, labor force participation, occupational prestige, and earnings. All of these economic impacts that benefit not just women but also their children can only be sustained by ensuring a women's right to access evidenced-based reproductive health care that includes the right to abortion.
14. On May 12, 2022, the Council adopted Resolution 19-1248, Resolution Supporting the Preservation of Abortion Rights Under *Roe v. Wade*, to affirm its commitment to reproductive healthcare rights, and the Council seeks to reaffirm that commitment today.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

1. The Council recognizes access to abortion as a fundamental human right. The Council believes that no one should be criminalized for a pregnancy outcome or a circumstance

surrounding their pregnancy, nor should abortion providers or those that help abortion seekers access care.

2. The Council fully supports efforts to: ensure that all individuals can access comprehensive, unbiased information and make their own health care decisions related to their bodies; promote preventive health care services; ensure that all residents have access to comprehensive, affordable health care that includes pregnancy-related care, prenatal care, miscarriage management, family planning services, abortion care, labor and delivery services, and postnatal care; and improve access to reproductive health care, regardless of the state where an individual lives or seeks care.
3. The Council will work with federal and state lawmakers to advocate for an individual's right to access abortion care with dignity in Montgomery County, Maryland.
4. The Council recommends that county agencies in accordance with state law, to the fullest extent of their lawful authority, pursue opportunities and coordinate with each other to protect people or entities providing, assisting, seeking, or obtaining reproductive health services in Montgomery County.
5. The Council supports a Maryland constitutional amendment to protect the right to reproductive freedom and an individual's right to make personal decisions regarding preventing pregnancy through contraception, carrying a pregnancy to term, or ending a pregnancy. The Council encourages residents to vote in favor of the constitutional amendment in November 2024.

This is a correct copy of Council action.



Sara R. Tenenbaum
Clerk of the Council