

**BEFORE THE BOARD OF COUNTY COMMISSIONERS**

**FOR MULTNOMAH COUNTY, OREGON**

**RESOLUTION NO. 2022-052**

Protecting Access to Reproductive Freedoms and Reproductive Health.

**The Multnomah County Board of Commissioners Finds:**

- a. This is a critical moment for reproductive rights and justice in the United States. Before the end of its term in June, 2022, the U.S. Supreme Court is scheduled to issue its ruling in *Dobbs v. Jackson Women's Health Organization*, the most consequential abortion rights case in generations. The Court may be on the verge of overturning *Roe v. Wade*, decimating the right to abortion and leaving millions struggling to access the essential health care they need.
- b. A ruling to weaken or overturn *Roe* could take away a constitutional right that people have relied on for generations. It would also fundamentally undermine the rule of law, gender equality, and potentially, other constitutional rights, and lead to instability and uncertainty across the country.
- c. Legal abortions in the United States, whether in the form of medication, aspiration, dilation & evacuation, or induction, are safe procedures. A 2018 consensus study report from the National Academies of Sciences, Engineering & Medicine found that "the clinical evidence clearly shows that legal abortions in the United States [...] are safe and effective."
- d. Reliance on the right to abortion has been essential to advancing gender equality in the United States. Access to abortion has enabled generations of women and others to pursue personal, educational, and employment opportunities and life goals and helped counter the long history of injustice that has limited women's legal, social, and economic progress. Taking away that right would reverse this critical progress and limit women's ability to participate fully and equally in society.
- e. The restriction on abortion also expands beyond gender oppression as a function of racism, ableism, heterosexism, and economic injustice. As a result, Black, Indigenous, and People of Color (BIPOC), people with disabilities, people in rural areas, young people, immigrants, LGBTQ+ people, and people experiencing poverty are disproportionately affected by increasing the inaccessibility of reproductive health care.
- f. Regardless of legal status, pregnant people will seek reproductive health care services, including abortion. Restricting access to legal abortion does not reduce abortion, it merely makes it unsafe. In countries where abortion is legally

restricted, unsafe abortion is a leading cause of preventable maternal mortality and morbidity. Access to legal, regulated abortion services ensures the safety of the patient and prevents the need to seek dangerous alternatives.

- g. Access to comprehensive reproductive health care, including safe, affordable, and legal abortion, is critical to promoting better maternal and infant health outcomes. Delays, costs, and complications that result from barriers to abortion access can cause poor health, including maternal morbidity and mortality. Abortion is a safe and common procedure performed in the US, with 6 out of 10 unintended pregnancies ending in induced abortion. Abortion restrictions perpetuate disparities in reproductive and maternal health in the US as people of color, and those who are low-income are disproportionately effected.
- h. Over half of the states in the nation are poised to ban abortion if *Roe v. Wade* is overturned. This would leave millions without access to essential healthcare.
- i. If *Roe* is weakened or overturned, abortion will remain legal in Oregon because state law includes an express statutory protection for abortion and Oregon has enacted additional protections to expand reproductive freedoms.
  - a. ORS 659.880 prohibits a public body from depriving a consenting individual of the choice of terminating the individual's pregnancy.
  - b. The Oregon Constitution includes an equal rights amendment (ERA )that should also protect the right to an abortion. The ERA states: "Equality of rights under the law shall not be denied or abridged by the State of Oregon or by any political subdivision in this state on account of sex." OR. CONST. ART. I, §46 (added by voter initiative Measure 89, *approved* Nov. 4, 2014, *eff.* Dec. 4, 2014).
  - c. Provides public funding for abortion and requires private insurance coverage of abortion. OR. ADMIN. R. 410-130-0562, and OR. REV. STAT. § 743A.067(2)(g).
  - d. In 2022, the Oregon legislature appropriated \$15 million to the Reproductive Health Equity Fund to provide immediate support, including travel expenses and lodging, for people seeking abortions in Oregon. H.B. 5202, 81st Gen. Assemb., Reg. Sess. (Or. 2022).
  - e. The state protects clinic safety and access by prohibiting the obstruction of health-care facilities. ORS 164.365(1)(a)(F).
- j. Although there is no indication that Oregon's statutory and legal reproductive protections are at risk of being curtailed or otherwise restricted, the Board of County Commissioners stands ready to take legislative action to preserve reproductive freedoms in Multnomah County should the need arise.

**The Multnomah County Board of Commissioners Resolves:**

1. A commitment to advancing reproductive freedom and access to reproductive health.
2. If reproductive freedoms are weakened or overturned at the federal and state level, the Board of County Commissioners will consider immediate legislative action to protect the freedom for individuals to make decisions about their reproductive health.
3. To encourage the Chair to direct County staff to expand and support policies, programming, and educational materials to assure that members of the community are supported and informed about their reproductive freedoms.

**ADOPTED this 9th day of June, 2022.**



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

*Deborah Kafoury*

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Deborah Kafoury, Chair

REVIEWED:  
JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

*Jenny M. Madkour*

By \_\_\_\_\_  
Jenny M. Madkour, County Attorney

**SUBMITTED BY:** Jessica Vega Pederson, District 3 Commissioner, Susheela Jayapal,  
District 2 Commissioner