



January 2010

MEMORANDUM IN SUPPORT

Reproductive Health Act

(Governor's Program Bill #41/S.5808, Stewart-Cousins)

NARAL Pro-Choice New York strongly supports The Reproductive Health Act, legislation that protects the fundamental right of a woman and her doctor to make private medical decisions.

New York was one of the first states in the nation to legalize abortion and has been a pioneer in the reproductive rights movement. Since *Roe v Wade*, however, the right to choose has been systematically under attack in Congress, in our courts and in many state legislatures. While New York was trailblazing in 1970, our state law today is woefully inadequate. New York still regulates abortion in the criminal code and lacks protections if a woman's health is in danger. New York's legislators must now act to strengthen our laws and continue New York's proud tradition of supporting the fundamental right of women to decide when and whether to bear a child.

The Reproductive Health Act will take the principles underlying *Roe v. Wade* and put them squarely into New York State law, ensuring that every individual has a fundamental right to privacy with respect to personal medical decisions. Specifically, the bill will: affirmatively state for the first time in State law that a woman has the right to control her own reproductive health; ensure that a woman will be able to seek abortion care if her health is endangered; treat the regulation of abortion as an issue of public health and medical practice, rather than as a potential crime; and guarantee everyone the right to use or refuse contraception.

The 1970 law was a bold step forward at the time, but today it is outdated and confusing. Current State law does not contain the foundations upon which *Roe* was decided, including the fundamental right of women to make private medical decisions regarding contraception and abortion, nor does it take into account major progress in how abortion care is now provided.

The Reproductive Health Act will reaffirm New York's longstanding support of reproductive freedom. In fact, three-quarters of New York voters support the Reproductive Health Act.*

NARAL Pro-Choice New York strongly supports the Reproductive Health Act, legislation that would secure the right of women in New York to access reproductive health care for generations to come.

* NARAL Pro-Choice New York commissioned Global Strategy Group to conduct a survey of registered voters in New York State. The margin of error on the overall sample is +/-3.5%.