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Parental Notification of Abortions Will Hurt California's Latinos

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Proposition 73, a parental notification ballot initiative, was defeated in California in November 2005 by a coalition of grassroots activists despite the wishes of Governor Schwarzenegger. Dolores Huerta, co-founder of United Farm Workers, and Rocio Cordoba, Executive Director of California Latinas for Reproductive Justice and a SisterSong member, write about why they successfully worked to defeat this initiative.

In speaking out against Proposition 73 throughout California, we're often asked: "Why should Latino families oppose Proposition 73?" "Aren't they much too traditional or religious to get involved with this controversial issue?" "What difference will it make?" It's clear that public perceptions about Latinas and Latinos continue to remain fueled by myths that bear no resemblance to the real conditions facing our community.

The reality is Proposition 73 would have an overwhelmingly detrimental effect on the Latino community by limiting Latino youth's access to safe, confidential health services thereby endangering our most vulnerable young women. Proposition 73 seeks to amend the California Constitution to require parental notification and a 48-hour waiting period when teens seek an abortion. While Proposition 73 will place all California teens in danger, this initiative would have a unique effect on the health and well-being of the state's Latino community.

While the overall teen birth rate in California has decreased during the past decade, the birth rates of Latina teens in the state are three times higher than those of white teens. According to a recent study by UCLA's Center for Health Policy Research, California Latinos also continue to have the highest uninsured rates among all racial and ethnic groups. Nearly one-third of California's Latina women are uninsured, representing 56 percent of the state's uninsured women.

Clearly, Latino families need more access to health care and information, not less. Forcing young Latinas to tell their parents that they are having an abortion will make them less likely to seek critical health care services. Research shows that the guarantee of confidentiality is a key factor influencing whether teens will seek access to health services. In fact, according to a study published in the *Journal of the American Medical Association*, 47 percent of teenage girls seeking reproductive health care would completely stop seeking these services if parental notification were mandatory. Leading medical, public health and youth-serving organizations uniformly support minors' right to confidential care, even as they urge health care providers to help teens talk with their parents about sex and reproductive health.

Most teens talk to their parents about important decisions. In states without parental notification laws, a study by the Guttmacher Institute found that in more than 61 percent of young women who had abortions, one or more of their parents knew about them. Young women who don't tell their parents have real fears of physical harm by family members -- being kicked out of the house, or worse. Proposition 73 could force the most vulnerable Latina teens to take matters into their own hands instead of getting the care they need. That's why doctors, parents and nurses opposed Proposition 73, because in the real world, mandatory notification laws put teens in danger.

La Opinión, the leading Spanish-language daily in California, agrees, noting in a recent editorial: "There are certain special circumstances which demand that our daughters' privacy be kept to protect their safety -- circumstances involving violence or sexual abuse at home." The so-called "judicial bypass" procedure written into the measure -- which permits a young woman to obtain a court order waiving parental notification based on evidence of her maturity or best interests -- would not help. It would force young Latinas to face an overcrowded, overburdened and complicated court system. A scared, pregnant teen will have the additional burden of explaining the most intimate details about her pregnancy and home situation to strangers -- including court officials, a legal guardian and a judge. Teens who may be new to this country, or whose home language is not English, will face additional hurdles. Teens in rural communities may not have transportation to reach a courthouse in the first place. These teens don't need a judge; they need a counselor and safe access to medical care.

In our conversations with Latino parents, we've discovered that they need and want real solutions, like programs to promote voluntary family communication about sexuality, enforcing comprehensive sex education in our schools, access to confidential and culturally appropriate reproductive health services, and positive programs to promote teens' future opportunities. Proposition 73 does nothing to provide the kind of support Latino families are looking for.

Finally, Latino families don't need a law that would raise barriers to their rights to self-determination and privacy. The California Supreme Court already ruled in 1997 that a parental consent law was unconstitutional because it violates a minor's right to privacy. This law was never enforced because it endangers teens' lives. Latina women, communities of color and poor women historically have experienced governmental attempts to regulate their reproductive lives -- from forced sterilization to coerced use of long-lasting contraceptives to forced childbearing when it was against their best interests.

We can't let this type of oppression take place in California. We must resist forces that are seeking to deny women and teens the right to make informed choices about their reproductive health and self-determination. We urge Latino families to seriously consider the negative effects Proposition 73 would have in our communities. As the largest growing segment of our state, we must demand that California's laws promote the health and well-being of families rather than placing our most vulnerable young women in danger. We can't let public perceptions of Latino families be used as an excuse to keep us silent.

Dolores Huerta, co-founder of the United Farm Workers Union, and Rocio Cordoba, Executive Director of California Latinas for Reproductive Justice, are statewide co-chairs of the Campaign for Teen Safety. Reprinted from Pacific News Service.