

Fisher: Anti-abortion ballot measure still bad idea

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The folks trying to restrict teenagers' abortion rights in California are nothing if not tenacious. For the third time in three years, they're trying to amend the state constitution so that girls under age 18 must tell their parents before terminating a pregnancy.

After similar measures were defeated at the polls in 2005 and 2006, you might think the anti-abortion folks would be getting desperate.

You'd be right. That's why they came up with "Sarah's Law."

As mother of two daughters, I'd like to believe my girls would confide in me and would know I'd be on their side no matter what. Most parents feel that way. But we know there are teens who can't or won't tell their parents, girls who would try to induce an abortion themselves or even resort to suicide rather than face the reality of an unplanned pregnancy. We want to make sure that those girls - who knows, maybe our daughters are among them? - have access to safe, confidential counseling and medical care. That's why we keep voting down parental notification laws.

Selling the 'Sarah' story

So, how do the anti-abortion forces change our minds? How can they convince us there's a serious problem here with teenagers getting secret abortions, even though studies show that most teens, and nearly all of those under 15, confide in their parents?

By telling us a sad story about a 15-year-old girl who died from a botched abortion that her parents didn't know about. They call this girl Sarah. And they call the ballot proposition "Sarah's Law."

The strategy seems to be working. Sarah's Law is on the November ballot. A recent Field Poll found voters support it, 48-39 percent.

But there's a problem with Sarah's Law. The "Sarah" story doesn't hold water. The real "Sarah" was Jammie Garcia Yanez-Villegas. She was 15, already had one child and was living with her

common-law husband in Texas when she died from complications of an abortion in 1994. She was considered married under Texas law, so no parental notification law would have applied to her. While her death was tragic, Proposition 4 would not have prevented it.

Using "Sarah" for a poster child riles the Planned Parenthood folks, who are suing to get the term "Sarah's Law" removed from the official ballot argument for Proposition 4.

"I do think it's telling that they had to go back to 1994 - and to Texas - to find a case to name their law after," said Linda Williams, president and chief executive of Planned Parenthood Mar Monte in San Jose.

Who has been harmed?

Proposition 4 proponents counter that while, OK, the girl's name wasn't Sarah, and she didn't actually live with her parents, she did die.

"The point is that bad things happen to girls who have secret abortions," said Katie Short, one of the authors of the measure. "The opposition cannot show that a single girl has ever been harmed by a parental notification law."

Actually, there are many stories the opposition could tell, if they wanted to play that game. There was the Michigan girl who had her boyfriend hit her in the stomach with a baseball bat rather than get her parents' permission for an abortion. The Indiana girl who died from an illegal abortion because she was afraid to tell her parents. Many other cases, including suicides and suicide attempts, that aren't reported.

History and literature are filled with stories of desperate pregnant girls doing desperate things. But we shouldn't tamper with the state constitution based on these stories.

There's no way to legislate healthy family communication. All we can do is make sure that every girl faced with the grave decision of how to deal with her pregnancy can get responsible counseling and medical care.

Californians got it right the first two times.

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