

California Proposition 4 would undermine abortion rights

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For the third time since 2005, Californians will vote on whether to restrict a minor's right to an abortion. The previous two parental notification measures were defeated - and this one, Proposition 4, also should be rejected by voters who care about the safety and privacy rights of young women.

Proposition 4 follows the basic approach of its predecessors: A doctor would be required to notify a minor's parents at least 48 hours before performing an abortion.

As we have said before, the arguments for parental notification may sound reasonable, but the real-world experience of the medical professionals who deal with scared pregnant teens suggest its requirements are unnecessary - and even insidious. Planned Parenthood, for example, strongly encourages young women to overcome their reluctance to tell their parents before an abortion is performed. The vast majority do.

Once again, the architects of parental notification - which includes dedicated foes of abortion rights - have crafted exceptions that were designed to appease concerns, but are cumbersome to the point of cruelty for a teen in crisis. In the latest version, a physician could notify an adult relative other than a parent if the patient claimed physical, sexual or severe emotional abuse - *and* the doctor reported those allegations to law enforcement or Child Protective Services.

More than a decade ago, the California Supreme Court clearly affirmed that a young woman's right to an abortion was protected by the state constitution's strong privacy rights. Proposition 4 represents yet another attempt to undermine that right. The practical effect of this measure would be to put many young women at risk by delaying abortion procedures, and thus making them more medically complicated.

Supporters of Proposition 4 claim to have the best of motives: promotion of family communication and prevention of teen pregnancies. We share both goals, but not this method to achieve them.

Family communication cannot be forged by government edict, and reckless teen behavior will not be deterred by merely making abortion more difficult. Unplanned pregnancies occur because young people are either ignorant of the consequences - or oblivious to them.

Proposition 4 will not change that. Voters should reject it.

About Proposition 4

What it does: This ballot measure would require doctors to inform a parent or guardian 48 hours in advance of providing an abortion to a minor.

Exceptions: A pregnant minor could petition the court for a waiver from a judge based on based on "clear and convincing evidence" of her maturity or best interest. Or, a physician could agree to a minor's request to notify another adult relative if there was evidence of a parent's physical, sexual or severe emotional abuse - and the doctor reported those allegations to law enforcement or Child Protective Services. The only other exception would be for a medical emergency or if a parent had waived his or her right to notification in advance.

Other states: More than 30 states require some form of parental notification or consent before a minor could obtain an abortion.

Past measures: Californians rejected similar proposals for parental notification in 2005 (Proposition 73) and 2006 (Proposition 85).

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