

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BELLINGHAM CITY COUNCIL IN SUPPORT OF ABORTION RIGHTS AND OTHER REPRODUCTIVE RIGHTS, IN OPPOSITION TO THE U.S. SUPREME COURT MAJORITY OPINION IN DOBBS V. JACKSON WOMEN'S HEALTH ORGANIZATION, AND STATING THAT IT IS CITY POLICY THAT NO EMPLOYEE INTERFERE WITH THE RIGHTS OF AN INDIVIDUAL TO ACCESS ABORTION OR PREGNANCY SERVICES**

**WHEREAS**, on June 24, 2022 in the case of Dobbs v. Jackson, the United States Supreme Court abandoned longstanding precedents and overturned Roe v. Wade as well as Planned Parenthood v. Casey; and

**WHEREAS**, Dobbs, the underlying campaign leading to that decision, and the consequences of that decision—both intended and unintended--are putting the lives of millions of persons at risk; and

**WHEREAS**, there is no decision more important than whether and when to have children; and

**WHEREAS**, for more than 50 years the right to reproductive choice has been recognized and protected at the Federal level; and

**WHEREAS**, Roe v. Wade and its progeny were foundational decisions codifying the right to privacy, and their repeal places in jeopardy many other essential rights and freedoms enjoyed by the American people; and

**WHEREAS**, reproductive rights are human rights and the majority of the American people support the right to make these personal decisions without the intervention of their government; and

**WHEREAS**, laws restricting access to abortion disproportionately impact poor and working-class persons and people of color, because wealthier persons have the resources to pay a private doctor high fees or travel to where quality reproductive healthcare is available; and

**WHEREAS**, the legislatures and governors of a number of states have publicly

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stated that they may make or have already made it a criminal offense to seek, take or undergo a variety of reproductive health procedures or medications, including abortion; and

**WHEREAS**, abortion is an essential reproductive health service and its availability is an important part of ensuring every American's right to safe and accessible health care; and

**WHEREAS**, that right to a safe abortion has proven essential to the ability of persons across this nation to protect their health, their lives, and the financial stability of their families; and

**WHEREAS**, it is not possible to ban abortion, but only to ban safe and legal abortions, as evidenced by the many persons harmed or killed by illicit procedures in the years before *Roe v. Wade*; and

**WHEREAS**, limiting access to safe abortion has been shown to increase incidents of domestic abuse, and laws criminalizing abortion can have profoundly negative impacts on persons who suffer miscarriages; and

**WHEREAS**, in recent years a number of countries including Argentina, Ireland, South Korea, Colombia, and Mexico have expanded abortion and reproductive rights, and the U.S. is an outlier in moving to restrict these rights; and

**WHEREAS**, the City of Bellingham has a vested interest in protecting and promoting the health and the rights of its residents, including the right of reproductive choice and the right of all Bellingham residents to privacy; and

**WHEREAS**, the City of Bellingham recognizes that abortion is a reproductive health care procedure that should be safe and available to those who choose such a procedure; and

**WHEREAS**, the Mt. Baker Planned Parenthood Health Center in the City of Bellingham serves thousands of patients annually, including those seeking abortion services from out-of-state and could be further impacted due to Idaho and other states' abortion bans going into effect; and

**WHEREAS**, voters in Washington State have consistently affirmed the right to reproductive freedom and privacy, as demonstrated by the passage of Initiative 120, the Reproductive Privacy Act, in 1991 and by the defeat of Initiative 694, which would have criminalized late-term abortions, in 1998; and

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**WHEREAS**, the people of the state of Washington have rejected attempts (I-471 in 1984 and I-694 in 1998) to restrict or limit the rights of a pregnant individual's choice and bodily autonomy in their health care decisions, including their reproductive health care decisions; and

**WHEREAS**, state law also prohibits the state (and its political subdivisions) from "deny[ing] or interfere[ing] with a pregnant woman's and pregnant individual's right to choose to have an abortion prior to viability of the fetus, or to protect their life or health"; and

**WHEREAS**, policy makers should focus on supportive services to reduce unintended pregnancies and promote the success of all families by investing in comprehensive sex education, access to contraceptives, and quality affordable childcare, to improve public health; and

**WHEREAS**, Washington State has a long legal history of protecting reproductive rights including ratifying the Equal Rights Amendment on March 22, 1974, the Reproductive Parity Act of 2018, the Protecting Pregnancy Act of 2021, the Affirm Washington Abortion Access Act of 2022, and the Multi-state Commitment to Reproductive Freedom signed by the governors of Washington, Oregon and California in June, 2022; and

**WHEREAS**, HB 1851, passed in 2022, protected Washingtonians from criminalization for their reproductive healthcare decisions and pregnancy outcomes, confirmed that all qualified licensed providers in Washington can offer abortion care to their patients, and ensured that Washington law protects all Washingtonians' right to abortion care, regardless of gender identity; and

**WHEREAS**, the City of Bellingham, as a political subdivision of the state of Washington, is bound by the public policy of the state of Washington that:

- Every woman and all individuals have the fundamental right to choose or refuse birth control;
- Every pregnant woman and pregnant individual has the fundamental right to choose or refuse to have an abortion;
- The state shall not deny or interfere with a pregnant woman's and pregnant individual's fundamental right to choose or refuse to have an abortion; and
- The state shall not discriminate against the exercise of these rights in the regulation or provision of benefits, facilities, services, or information; and

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**WHEREAS**, In June 2019, the City of Bellingham passed Resolution #2019-19 in support of a person's right to access the full spectrum of reproductive health care services; and

**WHEREAS**, community members are calling on the leaders of Bellingham to renew statements in support of abortion access, and the Bellingham City Council by way of this resolution intends to answer that call.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM:**

1. That the City of Bellingham is in firm opposition to the U.S. Supreme Court's decision in overturning Roe v. Wade, and the removal of federal protection for accessing reproductive care and services for all residents of Bellingham and across the nation.
2. That the City of Bellingham recognizes, supports, and reaffirms the vitality of the public policy choice made repeatedly by the voters of the state of Washington and enshrined in the Washington Constitution to ensure that all women and pregnant individuals have the fundamental right to personal autonomy and privacy in their reproductive decisions, including the right to abortion.
3. That the Bellingham City Council urges our federal delegation to work to pass legislation codifying the rights to abortion, reproductive healthcare and personal autonomy that are currently provided by Washington law to residents of and visitors to Washington to ensure that all people in Bellingham and across the nation have the right to the personal privacy and bodily autonomy needed for their own health care decisions.
4. That it is hereby the policy of the City of Bellingham that no employee or agent of the City within the scope of their duties for the City shall assist in the interference, investigation, or prosecution of any individual exercising the same rights enjoyed by Washington residents to an abortion or pregnancy outcome, nor any Bellingham provider of such services that are guaranteed to Washington residents by the laws of the State of Washington.

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**PASSED** by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Council President

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor

**ATTEST:** \_\_\_\_\_  
Finance Director

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Office of the City Attorney

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