

**PROTECT
ABORTION
RIGHTS**

YES on 1

Frequently Asked Questions

WHAT DOES PROPOSITION 1 DO?

Prop 1 will enshrine the fundamental right to an abortion and the fundamental right to contraception in the state constitution. Prop 1's passage would guarantee that any future attempts to restrict access to abortion are subject to the most stringent review that balances the individual's fundamental rights with the state's interests – a balancing test that has governed the protection of individual civil rights for years.

WILL PROPOSITION 1 OVERRIDE EXISTING LAW IN CALIFORNIA?

Prop 1 is consistent with existing state constitutional protections and law, which provide for the right to choose an abortion prior to viability or to protect the pregnant person's life or health. Prop 1 will not change that. Prop 1 would safeguard these rights from future attacks, like those being made right now in other states across the country.

WHY DO WE NEED PROPOSITION 1?

The U.S. Supreme Court's recent decision overturned earlier U.S. Supreme Court cases recognizing that the federal constitution protects the right to abortion. The decision means that states can ban abortions completely [as some states have already done], criminalize clinicians who provide abortions, patients that obtain abortions, and people who help people access abortions.

Prop 1 would ensure that abortion is protected from attack by a later California Supreme Court or legislature. If a future legislature took action to rescind the right to abortion, it would take a constitutional amendment requiring a two-thirds vote of the legislature to place it on the ballot and would then require support of voters. Without Prop 1, a future legislature could simply amend state statutes with a simple majority vote. Prop 1 would also subject laws regulating abortion to the most stringent level of constitutional review, ensuring that abortion is not singled out for burdensome, unjustified restrictions that are not imposed on similar medical procedures.

ISN'T ABORTION ALREADY IN THE CONSTITUTION?

The right to an abortion is currently protected in the constitution through the right to privacy, the same as *Roe v Wade*, and through the Reproductive Privacy Act. However, the Supreme Court decision has shown us that the right to privacy is simply not enough anymore. This amendment will ensure that the right abortion is expressly outlined and protected for generations to come in California.

SHOULDN'T WE BE DOING SOMETHING BROADER TO PROTECT OTHER ISSUES THAT FALL UNDER RIGHT TO PRIVACY TOO, LIKE SAME-SEX MARRIAGE?

We understand that the Supreme Court's decision to overturn Roe and Casey tramples on decades of foundational civil rights law that may be used to jeopardize other hard-won civil rights. But the case law that protects those rights does not face a direct challenge...yet. If the Supreme Court dismantles other important civil rights in the future, California will be ready.

CURRENT LAW MENTIONS TIME CONSTRAINTS FOR AN ABORTION, BUT PROPOSITION 1 DOES NOT. WHY?

The American College of Obstetrics and Gynecologists defines viability as a "...confluence of multiple complex factors, only one of which is gestational age. This complexity, which is different for each pregnancy, is best evaluated and managed within the context of a trusted relationship between a patient and their clinician. We all must work to combat misinformation and disinformation about reproductive health care. Statements about "abortion up until birth" are unscientific and crafted to polarize and politicize the conversation about abortion - an essential and incredibly common and safe medical procedure."

WHY IS IT CALIFORNIA'S RESPONSIBILITY TO PROVIDE ABORTIONS FOR PEOPLE WHO LIVE IN OTHER STATES WHERE ABORTION WILL BE RESTRICTED?

By adding right to an abortion directly into the California state Constitution, it will ensure access to safe, legal abortions for generations to come, regardless of who is in power. People are already relying on California for this essential health care, and by pursuing this effort, we as a state are standing up and saying we have a moral obligation to help people get the care they want and are protecting that for generations to come

Visit [YESon1CA.com](https://www.yeson1ca.com) for more information

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