No on 4

Parents can be trusted to help daughters, but this goes too far

THE PRESS DEMOCRAT

Published: Friday, October 31, 2008 at 6:03 a.m.
Scare tactics are in abundance this election — especially where it concerns Proposition 4, the parental notification measure.

Supporters have dressed it up as “Sarah’s Law,” in reference to a 15-year-old Texan girl who died from complications after a “secret abortion.” Had one of her parents been notified about the procedure, supporters contend, her life might have been saved.

What they don’t point out is that “Sarah” was in a common-law marriage that would have excluded her from being helped by Proposition 4.

But opponents of Proposition 4 are also guilty of using terms intended to frighten.

They argue that if a parent must be notified before a young girl has an abortion, the teen could be subjected to emotional and physical abuse and forced to seek “back-alley” abortions.

Worse, they contend, approving Proposition 4 is a step toward overturning Roe vs. Wade.

We don’t find either of these arguments particularly compelling or reflective of what is happening in the 35 other states that already have parental consent or parental notification laws.

Recent polls show more than 70 percent of Californians oppose governmental interference in a woman’s access to an abortion. That is not about to change with this measure.

Unlike previous versions of the notification law which have failed to win voter support in California, exceptions are granted under Proposition 4 in cases of medical emergencies and parental abuse. In the latter case, a physician would only need to notify an adult in the family, be it a sibling, aunt or grandparent. The minor also could seek a waiver of the notification rule in the courts with the promise of free legal assistance and confidentiality.

It’s an oddity of our time — and an accident of legal history — that a child can’t get an aspirin from the school nurse without parental permission, but a girl as young as 13 can be taken to have an abortion without a parent knowing. We agree that a parent should be notified when a child that young is undergoing such a procedure.

Where advocates of this measure fail to make their case is in demonstrating that this is more than a hypothetical — that a number of caring parents of young girls in California are actually being left in the dark. What problem is being fixed by this measure?

Another flaw is that Proposition 4 draws no distinction between a child who is 13 and one who is 18. Other states, such as Delaware and South Carolina, have recognized this difference and adopted notification or consent laws that apply only to minors under 16 or 17. If California is going to go this route, it should at least do the same.

The Press Democrat recommends a no vote on Proposition 4.
Editorial: Prop 4: No

October 31, 2008

Proposition 4 would change the California Constitution to require a parent or legal guardian be notified that a girl is seeking an abortion at least 48 hours before the abortion. Parental-notification propositions were on the ballot in 2005 and 2006 and were both rejected.

The Star opposed those and opposes Proposition 4 on Tuesday’s ballot.

Proposition 4 differs little from the 2006 version, except that it allows a physician to notify an adult family member, instead of a parent, if a girl states in writing she fears physical, sexual or severe emotional abuse from the parent who would be notified, or her fear is based on a pattern of abuse by the parent. If she does that, then Proposition 4 requires the physician to report the known or suspected abuse to law enforcement or a child protection agency. Already, California law requires physicians to report suspected child abuse. In the case of Proposition 4, the physician would also be required to tell the adult family member receiving the notification letter about the report of abuse.

If a girl does not want to tell her parents she is pregnant and does not want them to be investigated by law enforcement or a child protection agency, there are other exceptions she can pursue.

She can ask a juvenile court to waive the notification requirements, which it could do if it determines that notification is not in the girl’s best interest. If the request is denied, the decision can be appealed to an appellate court. We think that asking a girl to navigate the court system on her own is unrealistic. She can have her parents provide a parent-notification waiver to her physician.

A doctor could certify that the abortion is necessary to prevent the mother’s death or that a delay in abortion would “create serious risk of substantial and irreversible impairment of a major bodily function.” Proposition 4 also mandates reports from physicians and courts about the circumstances of the abortion, and court requests granted and denied, which would be available to the public, although the minors would not be identified.

The legislative analyst explains the history of parental-notification laws in California in the Official Voter Information Guide. As far back as 1953, a law was passed that pregnant minors could get the same types of medical care available to an adult, without parental consent or notification. In 1987, the Legislature amended the law to require minors to obtain consent from a parent or court before getting an abortion. The law was never implemented as it was challenged in court and struck down by the California Supreme in 1997.

The court noted that a consent requirement could cause some girls to seek back-alley or self-induced abortions or to postpone abortion, leading to more risky late-term abortions.

Ideally, girls would confide in their parents if they were pregnant, and most do. Some girls cannot. The Star agrees with Proposition 4 opponents that no law can force family communication and that parental notification does not belong in our state constitution.
Endorsements and Guide for California's 12 Propositions

October 30, 2008

Proposition 4 - Waiting Period and Parental Notification Before Termination Minors Pregnancy. Initiative Constitutional Amendment: Proposition 4 will change California's Constitution to prohibit unemancipated minors from getting an abortion until 48 hours after a physician notifies the minor's parent or guardian. It provides exceptions for medical emergency or parental waiver and permits notifications to certain adult relatives if the doctor reports a parent to law enforcement or Child Protective Services. There is an estimated cost of several million dollars annually.

The Coast Report Votes No: We need to protect people who cannot speak for themselves. It is not the state's prerogative to mandate personal decisions.
As Stanford students, we should not feel removed from the issues raised by Proposition 4. Every one of us, even if we personally felt comfortable talking to our parents about sex, probably had a friend growing up who would never have been able to go to her parents if she wanted to have an abortion. This Nov. 4, we urge you to think of her.

Although increasing family communication and decreasing abortions are both laudable goals, Prop. 4 is not an effective tool for achieving either of them. If passed, Prop. 4 would actually endanger the health and safety of California's teenagers. The editorial board encourages the Stanford community to vote no on Prop. 4.

Prop. 4 would require that a parent or legal guardian be notified in writing at least 48 hours before a minor could have an abortion. The law has an exception for medical emergencies and also allows the minor to notify another adult family member if she reports parental abuse. Finally, there is a judicial bypass procedure where a minor can be exempt from notification if she proves to a judge by clear and convincing evidence that she is mature enough to make the decision on her own and that notification would not be in her best interests.

But for those minors who do not feel safe informing their parents, the risks of Prop. 4 are too great. Of those teenagers who chose not to tell their parents of their decision to have an abortion, over 30 percent stated that they were afraid of physical harm or being kicked out of their home. A parental notification law would be a serious risk to the health and safety of these young women. Although some of the teenagers surveyed indicated that they would use the judicial bypass option, more indicated that they would travel out of state to obtain an abortion, and others even said that they would travel out of the country. Some just responded that they would “find a way around the law,” suggesting the possibility of an increase in “back-alley” abortions. Scared young women from troubled families should not be forced to resort to such drastic measures to obtain reproductive care.

Doctors also already encourage teenagers to be open with their parents about sexual health. Most teenagers (61 percent) in states without parental notification laws also involve their parents in a decision about whether or not to have an abortion, and the numbers were especially high for girls who were 14 or 15 years old (90 percent and 74 percent, respectively).

Prop. 4 will also endanger the health of all minors seeking abortions, not just those who do not feel comfortable notifying their parents. Parental notification laws in other states have resulted in an increase in the number of abortions sought during the second trimester of pregnancy, which require a longer and more risky procedure.

Furthermore, Prop. 4 would do little to increase meaningful family communication. The text of the law provides no guidance or counseling for helping a young woman approach her parents — it simply requires notifying them of her intention to have an abortion and lets the teenager deal with the
consequences. Some teenagers might also be more comfortable going to a sister, aunt or grandmother about their decision. If Prop. 4 passes, the help and advice of those family members would not be enough unless the teenager reported parental abuse, triggering an investigation that is required by law whenever abuse is reported. Ultimately, Prop. 4 reduces the important goal of healthy family communication to a mechanical obstacle to reproductive care that could actually harm family relationships.

California's rates of teen pregnancy, birth and abortion have all declined in the past years thanks to comprehensive sex education and affordable family planning options. Those truly seeking to reduce abortions and protect young women should focus their efforts on these successful methods rather than detrimental, divisive initiatives. Prop. 4 cannot mandate healthy family communication and instead endangers the health of teenage women, and it should be rejected.
Proposition 4: Waiting period and parental notification before termination of minor’s pregnancy: NO

San Jose State - Spartan Daily

October 30, 2008

This proposition has the potential to cause pregnant young women to go to drastic measures for an abortion. Proposition 4 requires parents’ signatures on a notification form, which disapproving parents may refuse to sign, delaying the abortion.
Proposition 4 - No

October 30, 2008

Proposition 4 seeks to amend the California Constitution by requiring physicians to notify parents or legal guardians before providing an abortion to an unemancipated minor. In this proposition, parents are to be notified by a personal written letter or certified mail of their minor's abortion 48 hours prior to the procedure, although the proposition does not require the legal guardian's consent to the abortion.

Several circumstances provide exception to parental notification, such as a medical emergency, prior parental permission, or if minors go to court to waive the notification mandate given that the court determines the minor as “sufficiently mature” and “well-informed.” Minors can notify an adult family member instead of their parents, but this requires physicians to contact law enforcement or child protective services.

CHP opposes Proposition 4 because it takes away a minor's right and privacy to an abortion. Ideally, communication should occur between parents and minors, but legislation cannot force this. This proposition puts minors in risk of abuse from parents, and increases their chances of obtaining illegal, unsafe abortions and other dangerous acts. California made the right choice in defeating similar proposals in 2005 (Proposition 73) and 2006 (Proposition 85).
Proposition 4: No

Parental notification on teen abortion

No on Proposition 4, which is a more drastic version of similar measures that were defeated by voters twice. Proponents call this the parental notification measure. We believe this measure will cause more harm than good for those girls who don’t have a strong family environment and support should they become pregnant. Voters have already spoken loud and clear on parental notification.
Pride proposition endorsements  
October 29, 2008

Proposition 4 is the third incarnation of a ballot initiative aimed at interfering with the right of a minor to receive a confidential abortion. Like its predecessors that have failed before California voters, we believe that Prop 4 should also be struck down on Nov. 4. As it has become remarkably clear that California has no intention of eliminating abortion rights, frustrated pro-lifers now seek instead to add unnecessary and potentially dangerous complications to an already delicate matter.

While Prop 4 claims to promote family communication, it is merely a veiled attempt to deter minors into abstinence through threat of shame, fear, and embarrassment, all of which can be prompted by parental notification. Prop 4 leaves no room for error for a minor and restricts them to options that may force them to seek dangerous and unprofessional procedures as alternatives. If even one minor were to have their safety compromised as a result of the passage of Prop 4, then any good it may have done will be instantly and tragically disqualified. Prop 4 feigns concessions to address these dangers by allowing exceptions to parental notification, but these exceptions are entangled in a mess of red tape that leaves too much discretion in the hands of the courts and not enough in the hands of the individuals to whom the issue is most relevant.

We fully agree that communication and counseling are vital to the abortion process, especially in cases teen pregnancy and abortions. It is where the imposition of these standards compromise the safety of young girls that we cannot stand behind, and that is exactly what Prop 4 has the potential to do.

Prop 4 advocates do make a convincing point in highlighting the law regarding normal medical procedures and the requirement for parental consent. In their view, if consent or notification is required for every other medical procedure, then why should abortion be any exception?

The truth is that teen pregnancy and abortion are issues of unparalleled sensitivity and they do demand different kinds considerations than other medical issues. Though Prop 4 may foster more openness between minor’s and parents in some instances, the fact is that there is no absolute way to guarantee the emotional and physical safety of a minor who is forced to disclose their pregnancy.

As voters, we are called upon to evaluate laws based on the costs and benefits of the precedents they set forth. Californians who support Prop 4 must recognize that their support for this measure compromises the safety and confidentiality of minors and such support leaves them accountable for any unfortunate tragedies that will very likely occur as a result. The potential risks of Prop 4’s passage vastly overshadow the potential benefits of parental notification, and for this we encourage Californians and CSUSM students to vote no on Prop 4.
Endorsement Guide,
October 29, 2008
Prop. 4

This proposition's aim is to amend the California Constitution to make it illegal for a minor to get an abortion without her parents being notified. Teens who live in abusive homes will suffer if Prop. 4 passes.

No on Prop. 4.

California Propositions Cheat Sheet,
October 29, 2008

Prop 4: In support of pregnant teens' privacy rights and safety, we strongly oppose any attempt to curtail the medical options currently available to these young women. Forcing pregnant teens to notify their parents of their pregnancy before having an abortion does nothing but put them at risk. Many teens that are unable to confront their parents become scared and desperate, and this can often lead them to make dangerous decisions such as back alley, illegal abortions. Prop 4 has nothing to do with “family involvement” and everything to do with damaging the livelihood of a pregnant and scared teen.
Endorsements: Propositions

October 28, 2008

The Daily Californian General Election Endorsements, November 2008

Proposition 4

Similar initiatives appeared twice on the ballot in the past three years, but maybe proponents will get the message this time. The state constitution should remain as is: A minor's parent or guardian should not have to be notified before she can get an abortion. Proposition 4 would require doctors to notify the parents at least 48 hours prior to the procedure. But there can be good reasons why a teen doesn't want to involve her parent in the first place. Cases of rape or incest are some of the most extreme. While the minor could apply for a judicial waiver, forcing a scared pregnant girl to argue her case before a judge only compounds the situation. In a last ditch effort, she may even turn to back-alley abortions or cross state lines. The safety and privacy of young women are at stake. Vote No on Proposition 4.
For the third time in four years, abortion is back on the California ballot.

Under Proposition 4, physicians would be required to notify the parents of a minor seeking an abortion 48 hours prior to the procedure.

Supporters say the purpose of Prop 4 is to provide minors with an adult family member to turn to for guidance.

The intention behind the legislation is understandable: Parents naturally feel the right to be involved in their children’s lives, especially concerning significant issues such as unplanned pregnancies. However, this is no way to legislate family communication.

If the teenager chooses not to notify her parents, she has two other options: an alternative family member notification, where she is allowed to tell another adult other than her parent, or she can request to obtain a court order waiving notice.

These alternatives are not realistic solutions. If the teenager wants to notify an alternate adult, the clinic has to file an abuse report on the minor’s parents, which will result in an investigation from Child Protective Services.

A judicial bypass is equally unfeasible: The minor must acquire a legal representative, appear in court and make her case before a judge. All this is hard for a minor, ostensibly in school all day, to accomplish without arousing the attention of her parents. Moreover, this entire process must take place on an accelerated timetable.

Those in favor of Prop 4 have argued that parental notification laws in other states have lowered abortion rates in those states. Though instate abortion rates have decreased, minors may investigate options both out of state and out of the country, such as Mexico.

Two ballot measures concerning parental notification of abortion have already failed in the past four years. In addition, most major California medical organizations are in opposition to Prop 4, including the California Medical Association, the California Nurses Association, the California Association of Family Physicians and the American College of Obstetricians and Gynecologists.

Some opponents of Prop 4 see it as an attack on Roe v. Wade and abortion rights. If the main concern is unwanted pregnancies, sex education curriculum - and not necessarily abortion - should be re-examined.
Vote ‘no’ on Props. 2, 4 and 8

October 25, 2008

To the extent that it can be avoided, government should not intrude into our personal lives, and often when it has, the Constitution trumps ballot-box morality every time. We urge “no” votes on 2, 4, 8.

No on Proposition 4

Any teenager under 18 who becomes pregnant should seek the help and advice of her parents, and the experts say most girls do just that.

But for those who don’t or can’t, no law can force them to seek their parents’ counsel, or stop them from engaging in reckless pre-marital sex - and neither will Prop. 4.

Prop. 4 would require a doctor to notify a girl’s parents 48 hours prior to performing an abortion. If a girl fears her parents because of sexual, physical or emotional abuse, a judge can allow another relative to be notified. Loving, caring parents should be there for their daughter at such a critical time. It is awful to think of a girl trying to handle such a crisis without them.

But Prop. 4 guarantees nothing and if it passes, may actually push a teen in trouble in the wrong direction. Some girls will seek illegal abortions rather than telling their parents. They may try to hide their pregnancy, ignore prenatal care and later even abandon their baby.

This is the third try for the anti-abortion lobby to alter the state constitution toward stronger language limiting the privacy rights of young women. Voters rejected the idea twice before and should do so again.
Santa Monica Mirror Endorsements

October 23 - 29, 2008

This is a time for Santa Monicans to be informed and make thoughtful decisions on the leadership and initiatives that will have an immediate, profound impact on their lives.

To start with, we choose Senator Barack Hussein Obama for President of the United States. His eloquence, judgment, practical nature, and inclusive campaign stand in sharp contrast to Senator McCain’s divisive, ugly, politics-as-usual approach to the election. We are also deeply troubled by his choice of Sarah Palin as his running mate, as her lack of experience and candor do not bode well for the Vice Presidency. McCain also offers more of the same policies that placed our country into the financial and military morass that has caused so much pain to so many Americans, regardless of their political affiliation. It is time for a change. It’s time for Senator Obama.

Prop. 4: Waiting Period and Parental Notification Before Termination of Minor’s Pregnancy. Another one of those measures trying to block and make difficult abortion decisions. Ideologically motivated at the expense of teens in crisis. **Vote NO.**
No on Proposition 4: The parental notification measure is virtually the same as two previous anti-abortion measures that failed.

October 23, 2008

Proposition 4, which would require parental notification before a minor could have an abortion, is as noxious as the two previous, nearly identical ballot measures that sought to turn back the clock on abortion rights. And Californians are as pro-choice as they were back when those measures were defeated. So why is Proposition 4 leading, though narrowly, in recent polls?

Surely voters no longer are misled by the emotional appeal of the title, “Sarah’s Law,” which refers to a girl who wasn’t named Sarah, didn’t live in this state and wouldn’t have been covered by such a law.

The supporters of Proposition 4 have managed to frame their campaign around two ideas, both misleading, that hold particular appeal for voters. One is that, in addition to allowing girls to seek court permission for an abortion, it will give those who justifiably fear telling their parents an “out” by allowing them to notify another adult relative instead. This would indeed give the measure more credence, if it were true. But in order to use it, the girl would have to accuse her parents, in writing, of child abuse, with the accusation to be forwarded to law enforcement authorities. It’s the equivalent of telling girls they can get an abortion by walking into a police station and having their parents arrested.

The campaign also assumes a kinder face by saying that this is about protecting girls from adult sexual predators; newly knowledgeable parents would put an end to the sex crimes. But a study released in September by UC San Francisco found that few girls have relationships with significantly older males and that the percentage of those who do does not appear to change with notification laws.

In fact, notification laws don’t achieve most of the supposedly desired results, according to the report. A comparison of Minnesota, which has a notification law, and Wisconsin, which doesn’t, showed that girls who went to abortion clinics were just about equally likely to tell a parent. Pregnancy rates do not fall in states with notification laws; in some states, abortion rates fall but teen birthrates rise, and many more girls report leaving the state for an abortion.

Perhaps because they put off telling a parent, or go to court to avoid doing so, girls in states with such laws are likelier to get an abortion later, during the second trimester of pregnancy, which increases the chance of complications. Clearly, protecting the health and safety of girls isn’t the key consideration here.

Proposition 4 is a first step toward reversing hard-won and increasingly threatened reproductive rights. Californians, with their strong record of upholding such rights, should see through the ruses and vote no on Proposition 4.
THE HERALD RECOMMENDS

October 23, 2008

Proposition 4, Parental notification on abortion: Anti-choice motivations. Same law elsewhere has only postponed. NO
Prop 4 - Parental Notification and Waiting Period for Abortion by Minors.

October 23, 2008

Anyone with teenage daughters will be drawn to this proposal and anyone opposed to abortion will want to support it. We well understand and respect those sentiments. But Prop 4 shouldn’t be a referendum on abortion, even though that’s clearly one intention of its supporters. While a sizeable majority of Californians remain pro-choice, many will be drawn to Prop 4 because they believe parents should have a right to know if their minor daughters are undergoing a major medical procedure. That too is understandable.

But Prop 4 opponents rightly point out that in most functional families parental notification isn’t an issue; pregnant teens will usually go to Mom. It’s in dysfunctional families - families in which there may be abuse and incest - where pregnant girls need protection. And while Prop 4 allows courts to waive notice based on evidence of a minor’s maturity or best interests, it’s hard to believe many pregnant and at-risk teens would take that route and demand to see a judge.

Prop 4 is opposed by the American Academy of Pediatrics (California District), the American Academy of Family Physicians, the California School Counselors Association and numerous other health-care and education organizations. We take seriously the judgment of health-care professionals. We vote no.
State Propositions

October 22, 2008

Prop. 4 Waiting Period and Parental Notification Before Termination of Minor's Pregnancy

Metro Santa Cruz recommends: No

Don’t be surprised if you’re hit by a wave of déjà vu in the voting booth—the parental notification proposition is baaack. If passed, this would amend the state constitution to require notification of a minor girl’s parents or legal guardian that she is planning to have an abortion, and a 48-hour waiting period following notification. The fresh coat of paint over this twice-rejected proposal recasts it as “Sarah’s Law,” “Sarah” being a 15-year-old Texan who died in 1994 following a botched abortion. It’s been widely reported that “Sarah” was actually in a common-law marriage, would not have been considered a minor and therefore would not have been helped by Prop. 4, not to mention that she, erhm, would have been in the wrong state. No matter.

Proponents say this year’s model has more options, including the possibility that a judge waive notification if the girl demonstrates enough maturity or the abortion is in her best interest. To blow your own mind, try imagining an underage girl going through the trauma of an unwanted pregnancy, who can’t turn to the adults in her life but will stand up in a courtroom of strangers to fight to have an abortion. It’s like trying to comprehend infinity.

The spin on Sarah’s story is that older men prey on underage girls and then cart them off to an abortion clinic to cover up their sexual crimes. It’s all very Law & Order, but the simple truth is this is just a cynical ploy. Bury Proposition 4 alongside its similarly disingenuous predecessors.
Proposition 4: Parental notification on abortion

October 22, 2008

Buzz up! Parental notification for a teenager to receive an abortion is a familiar issue to California voters. Nearly identical measures were defeated by voters in 2005 and 2006.

Proposition 4 would require that parents of a pregnant girl younger than age 21 be notified by her doctor of her intentions to have an abortion at least 48 hours before the procedure. It would not require parental consent. There are several exemptions from the 48-hour rule, however, including medical emergency, waivers by a parent or guardian and the opportunity to obtain a waiver from a court in the case of a threat to a girl by an abusive parent, or to notify another family member, not the parent.

Long-standing law

Minors have been allowed to receive abortions without parental consent since a state law was passed in 1953. The law was amended in 1987 by the Legislature, but after a series of legal challenges, that law was struck down as being unconstitutional in 1997. Proposition 4 is the latest attempt to amend the state constitution.

Supporters note that parental notice only seems logical: Parents are notified, and often must give consent, for their children to receive medication or simple procedures such as an aspirin from school or visit to a tanning salon.

More healthful options

Having been notified, parents have the opportunity to talk with their daughter and present options. A family member would know about a teen's medical condition and risks to her health and safety. Some pregnant teens are dealing with many other issues than their pregnancy — date rape, coercion, peer pressure, promiscuity, sexual abuse and the physical risks of the procedure. Supporters note that parents are in the best position to protect and minister to their children.

Opponents of Proposition 4 acknowledge that in a perfect world, parents ought to be informed when their daughter is pregnant. The ideal person to inform her parents is the teenager herself. In loving, stable families with the proper lines of communication, this occurs anyway, and there is no need for Proposition 4.

Dangers in the real world

But this is not the real world. Many teenagers do not have healthy relationships with parents. They feel threatened or ashamed. They might fear retribution. Some teenagers are afraid to tell parents because they fear being coerced into action they don't want.

Opponents note that a desperate, scared teenager would seek even more dangerous options than a legal abortion, such as an illegal termination or self abuse.

It is hard to argue against the merits of either side. Arguments for and against Proposition 4 arrive at the same ground: Individual cases for abortion call for individual determination. Laws that seek to cover every case will miss some of them.
Notification measure no better this time

October 21, 2008

In our overburdened California initiative system, where more issues than citizens can reasonably keep up with are placed on the ballot year after year, those who have tried and failed - and tried and failed yet again - should get a clue, and stop bothering us. But the wealthy, single-issue sponsors of what this year is called Proposition 4 don't have that clue, and they are spending millions on a ballot measure that would mandate parental notification for minors seeking abortions.

This is one of those reasonable-sounding issues that most everyone can agree with on the surface, particularly the vast majority of us who are non-experts on health care.

And the fact is that an equally vast majority of teenage girls who are in the unfortunate position of going to a physician for an abortion do inform their parents - at least 79 percent of them, according to one study.

The very good news this measure ignores is that in the decade since former Gov. Pete Wilson and others sponsored a measure increasing education about birth control and abstinence, teen pregnancies - and teen abortions - are both down a whopping 40 percent.

When common sense is already winning out, there is no need for a law forcing people, including minors, to act in ways in which they are for the most part acting already.

Proposition 4 is just such a case, and ought to be soundly rejected by Californians for the third - and we hope final - time.

The effort by proponents to this time address a major concern of opponents in the past has resulted in a cynical change that could very easily make matters worse.

Earlier versions of the notification mandate did not make exceptions for girls from homes where they fear physical abuse. This one does - in a crazy way. In order for a girl to instead inform a “surrogate” parent - an aunt or other adult family member, say - she would have to somehow maneuver our courts system, arrange an appearance before a judge, request a formal petition and then sign legally binding paperwork that would go to Child Protective Services declaring that one or both parents are child abusers, opening parents up to investigation and prosecution.

A teen dealing with an unplanned pregnancy is the last person in the world likely to be able to jump through those hoops.

Family communication is either happening, or it’s not. A law is unlikely to increase it.

The sad fact is that if this measure were to pass, desperate Southern California teens unable to communicate with parents would likely seek abortions elsewhere - illegally, self-induced, south of the border, in other states. Quite clearly they would wait longer.

Right now, for pregnancies of up to the ninth week, no surgery is required - just medication. Surgical abortions would surely increase under Proposition 4.

California is doing a good job dramatically reducing teen pregnancies and abortions. We should keep working together toward that end, and again reject a measure voters have twice rejected before.

Vote “no” on Proposition 4 on Nov. 4.
Proposition 4: Vote No. California's Constitution should not be changed to prohibit abortions for minors if a parent or guardian has not been notified 48 hours in advance. Similar propositions were defeated in California in previous election cycles. While any reasonable voter would agree that aiming for fewer abortions is ideal, this proposition fails to protect teens like it claims to do and is a poor way to reduce abortions or unwanted pregnancies. Instead, it could put young pregnant teens at risk for unsafe or self-induced abortions or they could feel pressure to hide their pregnancies. It is not the role of the state to mandate family communication, even if it is for a serious issue like teenage pregnancy.

Moreover, if this proposition passes in California and in other states that have similar initiatives, Roe v. Wade could face some setbacks in the future. Thus, Californians should vote against this proposition, just as they did on past state ballots.

Propositions in review

WITH 15 days left until election day and the long campaign season coming to a close, voters are no doubt focused on the presidential race: Obama or McCain?

Even though there's plenty more presidential speeches and campaign ads to come, there's also a host of lobbyists pushing other issues vying for the public's attention.

This election ballot includes a dozen statewide propositions that will cause the unprepared voter to come down with a bad case of voter fatigue. Admit it, have you read that 143-page information guide sent to your home that “explains” the measures and lists the pros and cons? Who has?

Our advice? Read up. Also, consulting Web sites such as www.smartvoter.org, www.ss.ca.gov/elections or www.easyvoter.org may help voters understand more about the propositions.

We've done our own investigating and reading and have been sounding off in this space for the past month. Full “Our View” editorials on the propositions can be found on our Web site, but below is an at-a-glance recap of what we think of the statewide ballot propositions so far:

Prop. 4 (parental notification of abortion): NO. While this may sound like a good law, it's not. We would encourage parents to be involved in a daughter's decision about her pregnancy. And 80-90 percent are. But for those teenagers without responsible parents, the telling may cause more harm. This is a flawed ballot measure that could endanger pregnant teenagers.
Our View: No on parental notification

October 18, 2008

It would be a wonderful thing if all pregnant teens had supportive families with open lines of communication, and a decision about a pregnancy could be made calmly around the dinner table.

But many teens don’t have that family support and that is part of our concern about Proposition 4, a parental notification measure on the Nov. 4 ballot.

Proposition 4 is the third initiative in three years trying to require parental notification when someone under 18 seeks to end a pregnancy.

It would require that a doctor notify parents or another relative 48 hours before performing an abortion on a girl under 18. In California, those under 18 have the same right to an abortion as an adult.

On its surface, Proposition 4 seems to provide an alternative to a desperate teen -- the right to go before a judge for a notification waiver.

But we don’t think that is a reasonable option for a frightened girl, especially since she would have to provide a written statement that she had been subject to a pattern of physical, sexual or emotional abuse by her parent.

More likely, she would delay getting medical care or seek an abortion from an unscrupulous and unsafe provider. That would only worsen her circumstances.

Proposition 4 would allow parents or the teen to sue the doctor if he or she did not comply with the notification requirement. Because of this potential for costly lawsuits, the California Academy of Family Physicians opposes the initiative.

We agree with the physicians’ group that parents “rightfully want to be involved in their teenagers’ lives and want their daughters to come to them if they become pregnant.”

But this type of communication does not exist in all families and cannot be mandated through a constitutional amendment. The state also should not be adding to the legal liabilities of doctors who would be compelled to meet the notification provisions in this initiative.

We are concerned that the notification law may increase the number of second-trimester abortions. Some teens, wary of having their parents notified, may delay decisions.

Seeking medical treatment as early as possible in these circumstances is in the best interest of all concerned.
We recommend a “no” vote on Proposition 4 on Nov. 4.
Vote ‘no’ on Proposition 4, parental notification measure. Law may increase number of second-trimester abortions.

October 17, 2008

It would be a wonderful thing if all pregnant teens had supportive families with open lines of communication, and a decision about a pregnancy could be made calmly around the dinner table. But many teens don’t have that family support and that is part of our concern about Proposition 4, a parental notification measure on the Nov. 4 ballot.

Proposition 4 is the third initiative in three years trying to require parental notification when someone under 18 seeks to end a pregnancy.

It would require that a doctor notify parents or another relative 48 hours before performing an abortion on a girl under 18. In California, those under 18 have the same right to an abortion as an adult.

On its surface, Proposition 4 seems to provide an alternative to a desperate teen -- the right to go before a judge for a notification waiver.

But we don’t think that is a reasonable option for a frightened girl, especially since she would have to provide a written statement that she had been subject to a pattern of physical, sexual or emotional abuse by her parent.

More likely, she would delay getting medical care or seek an abortion from an unscrupulous and unsafe provider. That would only worsen her circumstances.

Proposition 4 would allow parents or the teen to sue the doctor if he or she did not comply with the notification requirement. Because of this potential for costly lawsuits, the California Academy of Family Physicians opposes the initiative.

We agree with the physicians’ group that parents “rightfully want to be involved in their teenagers’ lives and want their daughters to come to them if they become pregnant."

But this type of communication does not exist in all families and cannot be mandated through a constitutional amendment. The state also should not be adding to the legal liabilities of doctors who would be compelled to meet the notification provisions in this initiative.

We are concerned that the notification law may increase the number of second-trimester abortions. Some teens, wary of having their parents notified, may delay decisions.

Seeking medical treatment as early as possible in these circumstances is in the best interest of all concerned.

We recommend a “no” vote on Proposition 4 on Nov. 4.
AsianWeek Endorsements

October 17, 2008

4 NO
Parental notification of abortion for minors.
Constitutional Amendment. Another in the unending attacks on abortion rights. The voters and the courts have already decided this.

Vote ‘no’ on parental notice Proposition 4

October 16, 2008

Californians have faced few propositions as emotionally charged as this year's Proposition 4, which, if approved by voters on Nov. 4, would require a doctor to notify parents 48 hours before performing an abortion on a minor girl.

While we are sympathetic to the purported target of the initiative (protecting children), we urge voters to vote "no" on Proposition 4, as it does little to advance that goal.

Moreover, we fear, as do many others, that this proposition is yet another attempt at eliminating abortion rights in California.

At issue is the enforcement of a half-century-old law that has allowed minors to have basic pregnancy-related care without parental consent. Subsequent court rulings expanded that law to include abortion rights. The law was amended by the Legislature in 1987 to prohibit abortions without parental consent, but implementation of the amendment was delayed by a long series of legal challenges before being struck down in 1997.

We believe the Legislature was on the right track with its earlier attempt to address this issue. We are mystified as to why such a dreadfully serious matter is not being dealt with at that level, instead of being left for the people to decide.

We do believe children should be kept safe from any form of abuse, and that pregnant teenagers should talk to their parents. We do believe all teenagers should be exposed to age-appropriate sex education (be it in the home, in schools or in church ---- the choice being the parents'), including methods to prevent unwanted pregnancies.
However, we do not believe a massive constitutional amendment is the best way to guarantee that these ends will be reached. And as we have noted before, we do not believe “mob rule” should be the method of choice for a constitutional amendment, especially not one that calls for creating a new constitutional section with two pages' worth of fine print that few typical voters will read.

Matters such as abortion and minors’ rights need to be hammered out, fine-tuned and honed in a manner that is possible only through serious legislative study and debate, as was done in the late 1980s.

Failure of one legislative attempt should not trigger an abortion-rights decision by “the mob.”

Thus we urge a “no” vote on Proposition 4.
Flawed measures should be rejected

October 16, 2008

Our view: Propositions 2, 4, 5, 7, 8 and 9, the initiative version of special-interest legislation, all deserve no votes.

The right of Californians to put propositions on the ballot has largely degenerated to self-serving measures that either seek to tap the state treasury for some special interest, or give one faction's values the weight of being state law.

We discussed the money measures Wednesday, suggesting no votes on all the bonds and funding guarantees that weren't paid for by the beneficiaries.

Today, we take on the other six measures we haven't addressed yet — the my-way-is-the-only-way proposals — and our recommendation is simple: Vote no on all of them.

Those measures are Propositions 2, 4, 5, 7, 8 and 9.

Proposition 2 sets standards for confining farm animals, and it will undoubtedly pass because voters will feel all warm and fuzzy about allowing egg-laying chickens room to stretch their wings, among other things.

But it won't do that. It'll just move the egg factories to neighboring states or Mexico, a nation known for food safety, and not in a good way.

Agriculture is already international. There are no commercial banana farms in California, but there are always bananas at the market. It'll be the same with eggs and veal when Proposition 2 passes. They'll be a little more expensive, and a little less sustainable — if you were — because of increased transportation needs.

California producers who aren't nimble enough to get out of state will be put out of business. In either case, they'll be gone, and their contributions to the state's economy will be gone as well.

Those of us who realize food doesn't come from a back room at Safeway should vote no on Proposition 2.

Proposition 4 requires a waiting period and parental notification before a minor can obtain an abortion. California voters rejected all but identical measures in 2005 and 2006, and should vote it down again in 2008.

The proposal isn't about parental notification. It's about stopping abortion, and it won't do that. It'll just force teens underground. Vote no on Proposition 4.

Proposition 5 purports to be an expansion of drug rehabilitation programs, but is really a get-out-of-jail-free card for a whole class of criminals.

If someone burglarizes your house, stealing thousands of dollars of stuff, all the perpetrator has to do is claim the crime was to feed a drug habit, and he doesn't go to prison. Instead, he goes to a taxpayer-subsidized treatment program, with very lax accountability.
Further, it appears local jurisdictions will catch much of the billion-dollar-a-year cost of the measure. Successful programs like Butte County’s drug court will suffer as limited funds have to be stretched over yet another program.

The measure is bad in so many ways, reducing parole terms for example. Vote no on Proposition 5.

Proposition 7 seems to require quicker expansion of renewable energy, but it’s so badly written and so full of loopholes that it doesn’t really require anything of the kind.

What it seems likely to do is increase energy bills by messing up the energy market, disrupt current efforts toward more renewable energy, and drive small power companies out of the state.

It’s all punitive — do this or else — without addressing the barriers toward cleaner power. Vote no on Proposition 7.

Proposition 8 would overturn the right of same-sex couples to marry, getting around the pesky little constitutional requirement of equal treatment for all by amending the constitution.

We still fail to understand why this is the government’s business, and the proponents’ arguments just don’t catch much traction with us. How can preventing some people from marrying protect marriage? Wouldn’t banning divorce be better?

The arguments against same-sex marriages seem close to arguments against mixed-race marriages you’d hear back in the ’60s. Hopefully we’ll get beyond all that some day. Vote no on Proposition 8.

Proposition 9 is an expansion of victim’s rights, but goes a bit far. It allows victims to comment during all phases of the criminal justice system, including events like bail-setting hearings, before a suspect has even been convicted of a crime and is, under the law, innocent.

The cost is estimated in the hundreds of millions, and doesn’t seem to increase protection of victims that much. Vote no on Proposition 9.

To review our three days of endorsements on the propositions: We think the last two propositions on the ballot, 11 and 12, are the only two worth supporting.
Some losing propositions, Props. 1 through 5 deserve to be voted down

October 15, 2008

As has unfortunately become an all too familiar pattern, California voters are being asked to decide highly complex issues, many of which rightly belong in the providence of the state Legislature. Above we outline The Record's reasons for opposing Proposition 8, which would ban same-sex marriage. Here we will comment on Propositions 1 through 5.

Proposition 1 (High-speed rail bonds) - No.

It is impossible, especially in a time of such economic stress and yawning government deficits, to support burdening the taxpayers even more. This measure would allow the state to sell $9.95 billion in general obligation bonds as a down payment on a high-speed rail system connecting San Francisco and Los Angeles via the Central Valley. The cost for the entire system is estimated at $45 billion, but given that such a system would not be finished for years, it is ludicrous to believe the cost won't be higher, likely much higher. There are no commitments from the federal government or private sources to pay any of the costs. Added to that, the yearly operating cost is estimated at $1 billion, with passenger fares offsetting a small part of that.

The real cost of the bond is roughly double the amount sought: about $19.4 billion including interest. This would come straight out of the state's general fund, a fund so depleted that the state can't pay its bills.

This is no time to add to that stress.

Proposition 2 (Standards for confining farm animals) - No.

This well-intended proposal attempts to cure an ill of which the public has become increasingly aware: the sometimes harsh treatment of animals raised for commercial purposes by California's farmers and ranchers. Some of the practices that have been exposed are unconscionable. But there already are animal cruelty laws on the books that should be aggressively enforced. If additional safeguards are deemed necessary, they should come from the Legislature, where all sides can be heard.

Proposition 3 (Children's hospital bond act) - No.

Everyone wants the best possible medical care for children. This initiative, however, comes to the voters before the money from a similar measure approved four years ago has been fully spent. That seems excessive, especially in financially troubled times. As would the bond for high-speed rail, the hospital bond would be repaid from the state's general fund. It is dangerous and short-sighted to add funding bill after funding bill to the budget. After such bonds are purchased, the state has virtually no way to reduce their fiscal impact. The state can't simply cut its required payment.

Proposition 4 (Waiting period and parental notification before termination of minor's pregnancy) - No.

This is a highly charged issue, because in a perfect world, all parents would have such good relationships with their children that there would be no question about a pregnant minor coming to her parents for comfort and guidance. We do not live in a perfect world. Too often, communications between parent and child are strained or nonexistent. The very real danger is that a frightened and desperate pregnant teen would resort to unsanitary and dangerous treatment out of fear of facing her parents. This proposition makes exceptions that attempt to allay such fears, including quick, no-cost court intervention. The danger, of course, is that minors who need help the most are the least likely to know about or understand such options.
Proposition 5 (Nonviolent drug offenses. Sentencing parole and rehabilitation) - No.

This is a bad idea masquerading as a good law. And what it would do is undermine, more likely destroy, the highly effective drug court system we have now. This proposition is opposed by every Superior Court judge in San Joaquin County, the men and women who daily deal with the shattering results of drug abuse. Cost will be an immediate problem, with the requirement that $150 million be put into the Substance Abuse Treatment Fund to pay for the balance of this year and then $460 million, adjusted yearly for inflation, be allocated every year thereafter. This proposition would set up an untried experiment, create an entirely new oversight bureaucracy and even limit the ability of legislative intervention by requiring a four-fifths vote of the Legislature to change things. That's a nearly impossible threshold, as our recent experience with the two-thirds vote on the state budget demonstrates. We have drug courts, and they work. We don't need a costly new experiment. If changes are needed in drug court, it is the Legislature's responsibility to make them.
Fast trains, Astroturf green and bizarre ideas from the Neanderthal right

October 15, 2008

Prop 4 Waiting Period and Parental Notification Before Termination of Minor's Pregnancy
Metro recommends: No

Don't be surprised if you're hit by a wave of déjà vu in the voting booth—the parental notification proposition is baaaack. If passed, this would amend the state constitution to require notification of a minor girl's parents or legal guardian that she is planning to have an abortion, and a 48-hour waiting period following notification. The fresh coat of paint over this twice-rejected proposal recasts it as “Sarah's Law,” “Sarah” being a 15-year-old Texan who died in 1994 following a botched abortion. (It's been widely reported that “Sarah” was actually in a common-law marriage, would not have been considered a minor and therefore would not have been helped by Prop. 4. No matter.)

Proponents say this year's model has more options, including the possibility that a judge waive notification if the girl demonstrates enough maturity or the abortion is in her best interest. To blow your own mind, try imagining an underage girl going through the trauma of an unwanted pregnancy, who can't turn to the adults in her life, but will stand up in a courtroom of strangers to fight to have an abortion. The spin on Sarah's story is that older men prey on underage girls and then cart them off to an abortion clinic to cover up their sexual crimes. It's all very Law & Order, but the simple truth is this is just a cynical ploy. Bury Proposition 4 alongside its similarly disingenuous predecessors.
Prop. 4 should be rejected

October 15, 2008

In our overburdened California initiative system, where more new issues than citizens can reasonably keep up with are placed on the ballot year after year, those who have tried and failed - and then tried and failed yet again - should get a clue, and stop bothering us.

But the wealthy, single-issue sponsors of what this year is called Proposition 4 don't have that clue, and they are spending millions to get back at the electorate again with a ballot measure that would mandate parental notification for minors seeking abortions.

This is one of those reasonable-sounding issues that most everyone can agree with on the surface, particularly the vast majority of us who are non-experts on health care.

And the fact is that an equally vast majority of teenage girls who are in the unfortunate position of going to a physician for an abortion do inform their parents - at least 79 percent of them, according to one study.

The very good news this measure ignores as it searches for a problem and tries to put unnecessary language into our state's Constitution is that in the decade since former Gov. Pete Wilson and others sponsored a measure increasing education about birth control and abstinence, teen pregnancies - and teen abortions - are both down a whopping 40 percent.

But sometimes, when common sense is already winning out, there are complex issues involved that very much mean there ought not to be a law forcing people, including minors, to act in ways in which they are for the most part acting already.

Proposition 4 is just such a case, and ought to be soundly rejected by Californians for the third and we hope final time.

The effort by proponents to this time supposedly address one major concern of opponents in the past has resulted in a most cynical change that could very easily make matters worst.

Earlier versions of the notification mandate did not make exceptions for girls from homes that have parents who are potentially physically abusive.

This one does - in a crazy way. In order for a girl to be able to instead inform a "surrogate" parent - an aunt or other adult family member, say - she would have to somehow maneuver our courts system, arrange an appearance before a judge, request a formal petition and then sign legally binding paperwork that would go to Child Protective Services declaring that one or both parents are child abusers, opening parents up to investigation and prosecution.

A teen dealing with an unplanned pregnancy is the last person in the world likely to be able to jump through those hoops.

Family communication is either happening, or it's not. A law is unlikely to increase it.

The sad fact is that if this one were to pass, desperate Southern California teens unable to communicate with parents would likely seek abortions elsewhere - illegally, self-induced, south of the border, in other states. Quite clearly they would wait longer.

Right now, for pregnancies of up to the ninth week, no surgery is required - just medication. Surgical abortions would surely increase under Proposition 4.
For families in which communication is good, this would be a non-issue.

For teens in abusive families, the consequences could be grave in a number of ways.

We're doing a good job dramatically reducing teen pregnancies and abortions already.

Californians should keep working together toward that end, and again reject this attempt to confuse them with a measure they have twice rejected before. Vote “no” on Proposition 4 Nov. 4.
No on Prop. 4 endorsement

October 14, 2008

The folks behind Props. 73 and 85, which failed in recent years, are back again with a third attempt to chip away at abortion rights in California. This time, they’re calling it “Sarah’s Law,” presumably to achieve the same kind of success achieved with Megan’s Law and Jessica’s Law. They’d like you to believe that “Sarah” would still be alive today—Jammie Garcia Yanez-Villegas, a married teen mother from Texas who apparently died from abortion complications in 1994—if Prop. 4 had been in effect. Prop. 4 doesn’t apply to married women.

Prop. 4 prohibits doctors from performing abortions for minors until two days after parents have been notified, except in cases where the teen’s health is in serious danger.

A better name for Prop. 4 is “Jim’s Law”—for Jim Holman, the editor and publisher of the San Diego Reader and anti-abortion crusader who has bankrolled Props. 73, 85 and 4 to the tune of more than $5 million, money that, presumably, he earned as salary paid for by Reader advertisers.

Holman and friends have tweaked both their proposed law and their rhetoric this time around. First, they’re casting the new initiative as an anti-sexual-predator law that would somehow protect teenage girls from the predators who impregnated them. Huh? Their ballot argument invokes a story of some guy who requested a shot of Depo-Provera for his teen victim so that he can have sex with her again. Puh-lease.

In response to criticism, articulated by CityBeat and others, new language in the initiative allows doctors to notify an adult family member other than a parent if the minor can make an effective case, in writing, that based on past experience, she’s afraid that she’ll be subject to physical, sexual or “severe” emotional abuse if her parents find out she’s sought an abortion. That written statement would necessarily be turned over to the authorities.

It’s important to note that this is a constitutional amendment that takes away a right, which minors have enjoyed since 1953, to the same pregnancy-related healthcare as adults.

The initiative’s “protections” against abusive family situations are so burdensome on the minor—including having to make the case to a judge that she’s afraid of telling her parents in order to get a waiver—that it’s hard to imagine anyone taking advantage of them. The proposed law does nothing to allay our concern for the physical and emotional health of minors seeking to terminate their pregnancies. The proponents can dress it up any way they want; this is still a religion-based attack on reproductive rights. Please vote no on Prop. 4.
No on Prop. 4: Third time no charm for parental notification on abortions

October 14, 2008

When the parental-notification proposition was first introduced to voters in 2005, the Daily News supported it, reasoning that parents ought not be left out of major medical decisions.

That measure would have required that the parents of minor girls seeking abortions be notified 48 hours before the procedure. More than a decade ago the state Supreme Court ruled that pregnant teen girls had a right to medical privacy.

The measure, Proposition 73, failed at the ballot box, indicating that the majority of Californians felt that the potential damage to teens forced to tell their parents they were going to have an abortion outweighed the argument that parents ought to know.

We respected that decision by voters, but the backers of the parental-notification law did not.

The next year, they brought back the initiative again, presumably in the hopes that voters might not realize that Proposition 85 was the same initiative they just voted down the year before. The second time around, the Daily News did not support the proposition on the basis that the voters had clearly spoken on this issue, and it was an abuse of the initiative process to bring the same measure back again and again. Voters defeated Proposition 85.

The same initiative is back a third time in the form of Proposition 4 on the Nov. 4 ballot. Though the architects have tinkered with it (an adult relative other than a parent could be contacted if the patient claims parental abuse and the doctor reports it), it is still essentially the same initiative.

The backers of this proposition say they only care about the health and welfare of teens. But their relentlessness on an issue that voters have rejected not once, but twice, makes it appear that the real motive has less to do with families, and more about chipping away at the state's abortion laws.

Voters should once again reject this initiative, and perhaps the third time will be the charm to put this issue to rest.
Parental Notification and Gay Marriages Two Controversial Propositions

October 10, 2008

This year the State of California has 12 propositions on the ballot. Of the 12, two are highly emotional, controversial, and have attracted their fair share of attention this year. The Propositions are Prop. 4 Parental Notification before an abortion is performed and Proposition 8 which will nullify the right for same sex marriage.

Proposition 4: Waiting Period and Parental Notification Before Termination of Minor's Pregnancy. Initiative Constitutional Amendment - Majority Approval Required

Shall the California Constitution be changed to prohibit abortion for an unemancipated minor until 48 hours after physician notifies minor's parent, legal guardian, or, in limited cases, substitute adult relative?

This is now the third time that this proposition has come before the voters, each time it has been tweaked to address voters concerns, and the first two times it has been defeated at the polls. In the past two elections La Prensa San Diego has endorsed this proposition.

Basically Prop. 4 will make it a Constitutional Amendment that a young woman under the age of 18, the doctor must inform the parents or guardian of the woman 48 hours prior to an abortion procedure. This time around the tweak in the law from the last election is that if the young woman is unable to tell her parents/guardian due to an abusive relationship that the doctor can inform another adult relative of the young woman.

The main argument against this proposition is that in situations where a young woman can't tell her parents because she could be abused or because she simply can't face the family with this news that the young woman will resort to back alley abortion services or worst yet possibly commit suicide. This is a strong argument and one that has defeated this proposal in the past.

Our position on this issue has always been that emotionally this is still a child, that ultimately the parents are still responsible, and that at a time such as this, when a person is making a decision as tragic as an abortion, that family support is crucial.

As parents we have tried to put ourselves in these circumstances and have looked at this issue from a supportive family perspective and we have focused on the aspect of finding out after the fact which we find unsettling to say the least.

The opponents to this proposition argue that in a supportive family situation in all likelihood a child/young woman would have the courage to talk with a supportive family member, be it the father and mother, an older sister, or cousin and inform that person what they are going through. The opponents’ argument is that they are protecting that child/young woman who cannot turn to a supportive family member and faces the danger of self abortion, back alley abortion, family abuse, or suicide.

It is a state law that minor children are entitled to receive, without parental consent or notification, the same types of medical care for a pregnancy that are available to an adult. In 1987 the State Legislature
enacted a law that required consent from a parent or court in regards to an abortion by a minor. This law was struck down by the State Supreme Court. In the last three years this proposition has twice been defeated at the polls.

The State Supreme Court has spoken to this issue. The voters have made their position on this issue loud and clear, that a minor does not need to notify their parents/guardian.

We have heard the voters’ voice on this issue and they have said NO to Prop. 4. We will stand with the voters and support a No Vote to Prop. 4
In 2005, Californians rejected a ballot measure that would have required parental notification before girls under the age of 18 could have an abortion.

In 2006, a similar measure was again rejected by voters.

This year, a new version of the bill, Proposition 4, is back. But just as was the case in 2005 and 2006, voters should reject the measure.

At the heart of the proposition is the belief that parents should be notified before a minor can receive an abortion. On the surface, that sounds perfectly reasonable.

Of course parents should always know about the issues surrounding their children's health and safety. And in most families, that is the case. Parents and children talk to each other and decide what's best.

But most is not all. In some families there is no communication. In some families a girl might fear telling her parents and instead seek unsafe alternatives. Not everyone lives the “Ozzie and Harriet” life.

Proposition 4 tries to get around that by providing alternative notification methods. Instead of telling her parents, a girl could notify another adult family member, such as an aunt or older sister. Sounds good, but such a notification triggers a Child Protective Services abuse investigation against the parents, regardless of the circumstances surrounding the notification.

The measure also allows a minor girl to go to court to seek a waiver from parental notification. Opponents of the measure say it is absurd to expect a teenager -- too scared to talk to her to parents -- to navigate the court system, wait for calendar dates and appear before a judge to plead her case. We agree.

It would be wonderful to live in a world where families talk to each other and every decision is thoughtfully considered. But that's not the real world. Some children have good reason to fear their parents. Proposition 4 puts those teens at risk of violence from their parents and at risk of unsafe abortions.

The decision whether to have an abortion is a difficult choice. Women, regardless of their age, need someone they can turn to for help and guidance. That person may be a boyfriend, mother, minister or counselor. But that person needs to be someone they can trust.

Proposition 4 attempts to force that trust by legislating family communication. But try as we might, we cannot make reasoned, caring discussion happen by passing a law.
Prop. 4: NO

Waiting Period and Parental Notification Before Termination of Minor’s Pregnancy: The handiwork of dedicated anti-abortion rights advocates, this measure purports to make pregnant teens safer by amending the California Constitution to require doctors to notify the parents of all teens seeking abortions 48 hours prior to the performance of the procedure. While we profoundly and viscerally sympathize with the impulse of parents to know what's going on with their children, we don't believe such communication can or should be legislated. Nor do we believe the State Constitution should be changed to mandate it. The scary fact is that in a small but significant number of instances, it is the parents themselves that the pregnant teens need to be most protected from. And it is because of them that this measure should be rejected out of hand.
We can all agree that in a caring family, a pregnant girl would and should talk to her parents before making a decision about abortion, adoption or keeping the baby. But we all know that not all teens have supportive and reasonable families. That's why we remain opposed to a parental notification law.

Proposition 4 is the third initiative in three years trying to require parental notification when someone under 18 seeks to end a pregnancy. Specifically, it would require that a doctor notify parents or another relative 48 hours before performing an abortion on a girl under 18. In California, those under 18 have the same right to an abortion as an adult.

On its surface, Proposition 4 seems to provide an alternative to a desperate teen -- the right to go before a judge for a notification waiver. But we don't think that is a reasonable option for a frightened girl, especially since she would have to provide a written statement that she had been subject to a pattern of physical, sexual or emotional abuse by her parent. More likely, she would delay getting medical care or seek an abortion from an unscrupulous and unsafe provider.

Proposition 4 allows for parents or the teen to sue the doctor if he or she does not comply with the notification requirement. Because of this potential for costly lawsuits, the California Academy of Family Physicians opposes the initiative. We agree with the physicians' group that parents “rightfully want to be involved in their teenagers' lives and want their daughters to come to them if they become pregnant.” But this type of communication does not exist in all families and cannot be mandated through a constitutional amendment.

We recommend a “no” vote on Proposition 4.
PROPOSITION 4

Summary: Would change the constitution to require doctors to notify a parent or guardian 48 hours before performing an abortion for a girl under the age of 18. We why oppose it: Voters defeated similar propositions in 2006 and in 2005. They should defeat this one as well. While everyone would prefer that teens talk with parents about an unexpected pregnancy, the state should not be forcing that conversation. It also should not be adding to the legal liabilities of doctors who would be compelled to meet the notification provisions in this initiative.

Other states with notification laws have seen an increase in the number of second-trimester abortions because teens, wary of having their parents notified, delay decisions. Seeking medical treatment as early as possible in these circumstances is in the best interest of minors and public health.

Vote “no”
October 8, 2008

This measure was horrible when it was on the ballot twice before, in 2005 and in 2006, and it's still horrible now. If passed, it would require doctors to notify parents of minors seeking abortions, make teenagers wait 48 hours after the notification is made before undergoing the abortion, penalize doctors who don't abide by the rule, and make kids go through a court process to get a waiver to the law. The doctors would have to hand-deliver the notice or send it by certified mail.

Proponents have spun this as a way to “stop child predators,” a baseless claim, as teenage victims of predators seeking abortions are still victims of predators whether their parents know or not. Opponents say it's a dangerous law that will drive more kids seeking abortions underground and do nothing to truly improve family relations. This proposal represents another erosion of abortion rights.

The last two attempts to require parental notification were narrowly defeated — but this time, with so much else on the ballot, it's attracting less attention, and polls show it might pass.

Big funders backing the measure are San Diego Reader publisher James Holman and Sonoma-based winery owner Don Sebastiani, who have collectively spent more than $2 million supporting it. A broad coalition of medical, education, and civil rights organizations oppose it. Vote no.
Our simple stance on nine propositions? No

October 8, 2008.

There are an even dozen statewide measures on the Nov. 4 ballot.

Today we are urging voters to reject nine of them.

California has become infamous for loading up every ballot with an overabundance of propositions couched in legalese and providing confusing arguments - often worded in such a way as to trick voters into supporting policies and expenditures diametrically opposed to their personal beliefs.

Please note that California’s finances are horribly in the red. It took our Legislature and the governor nearly three months past the June 30 deadline to cobble together a makeshift budget. Now Arnold Schwarzenegger is begging the financially ravaged federal government for a $7 billion bailout to help California pay its bills.

Ballot measures often are created by special-interest groups for specified benefits to the promoters, and all too often they involve adding substantially to our crushing, multilayered tax burden.

Here are nine propositions we strenuously urge you to oppose:

Prop. 4 - Waiting Period and Parental Notification Before Termination of Minor's Pregnancy. Opponents make the point in their argument against this measure that “a scared, pregnant teen who can't go to her parents can feel trapped and desperate. Instead of seeking the counseling and safe medical care she needs, she may choose an unsafe, back-alley, illegal abortion, go across the border or even contemplate suicide.”
Proposition 4 would not keep teen girls safer

October 7, 2008
Our view: A law requiring parental notice before an abortion could have unintended results.

When a teenage girl finds herself pregnant, the first thing every parent hopes she’ll do is turn to her mother and father for advice.

But not every family enjoys such a strong relationship. Shame, guilt or fear of the consequences can be overwhelming.

The question posed by Proposition 4, which requires parental notification before a young woman has an abortion, is whether state law should mandate communication where family bonds haven’t already fostered it. On balance, the answer is no.

Normally, minors need parental consent for any medical procedure. Since the 1950s, though, California has exempted reproductive health — pregnancy care, birth control, STD treatment and abortion. Why? Precisely because the area carries so much emotional freight.

Some teens will go to extreme and even life-threatening lengths to conceal their sexual activity, let alone that they’ve gotten pregnant and want an abortion. It is far better that they receive safe, prompt, professional care than that they avoid the doctor’s office for fear of what their parents would learn. Delay itself increases the risks of abortions. And without the option of confidentiality, some girls will turn to shady options — these days, most likely pills acquired from friends of friends and taken without the needed medical oversight.

Like similar, failed measures in 2005 and 2006, Proposition 4 allows a judicial exemption if the girl fears an abusive reaction by her parents. But asking a pregnant teen in a bad family situation to navigate the courts on top of everything else is simply cruel.

Good parents want to know what their children are doing to keep them safe. But if that laudable family instinct were backed up by state law, in this case it could have unintended harmful results. For that reason, we urge a “No” vote on Proposition 4.
For the third time in four years, voters have been presented with a ballot initiative like Proposition 4, requiring parental notification before a minor terminates a pregnancy. Voters have rejected it twice and there is no reason for them to change their minds.

The measure argues the parents' right to know what their daughters are doing, which should be a part of regular family communication in a normal home. The problem is that this reasoning seeks to overturn a law aimed at protecting minors who come from abusive homes.

Proposition 4 represents a variation with respect to previous measures by including an “alternative family member notification.” Actually, given its legal dynamics, this change could create more problems for the minor afraid of telling her parents about the pregnancy.

This fact doesn't matter to the measure's proponents, because their intention is simply to impose a legal restriction on abortion at any cost.

One example of this was baptizing the initiative “Sarah's Law,” to call attention to a specific case, as has occurred on other occasions. The difference is that this Sarah never existed. The case chosen was that of Jammie García Yanes-Villegas, who had nothing to do with the initiative, because she was a married resident of Texas in 1994.

The fact that the proposition's sponsors could not find a single case in California and have wrongly used one that occurred 14 years ago in another state shows how unusual the situation is that the initiative is trying to remedy. This is the case of a solution in search of a problem.

Moreover, it is estimated that fewer than 3% of teens get pregnant annually, and that the vast majority tell their parents about it. In the few cases they don't, it is out of fear of violent reactions, being kicked out of their homes, or as victims of rape or incest. The current law protects this minority.

We believe the efforts invested in this initiative would be better aimed at preventing teen pregnancy and promoting regular family communication. But those promoting the proposal are only interested in a limited political agenda to change the law and restrict the right to abortion, a legal medical procedure. Vote no on Proposition 4!
Once again, just say no: Prop. 4 wrong-headed

October 6, 2008

California voters were right in 2005 when they turned down a proposed law that would require parents to be notified before an underage girl could terminate her pregnancy.

They were right again the following year, when they turned down a similar proposition.

Now the idea is back, in the form of Proposition 4 on the November ballot. Only this time, it isn’t just a law proponents are after. They want to make the requirement part of the state Constitution.

This newspaper has said it before, and will say it again: The government should not be in the business of mandating parent-child communication. And it certainly should not be required constitutionally.

Proponents of this law are right about one thing: Good parents want to know when their children are in trouble. Even opponents of Proposition 4 acknowledge that open lines of communication between parents and teens are among the most effective means of preventing unwanted pregnancies.

But the laws that allow teenagers to confidentially seek medical help with pregnancies and other sexual concerns were not designed for the good parents. They were designed to protect teenagers whose families are horribly dysfunctional.

Since 1953, California has given minors access to the same types of pregnancy services available to adults, including contraception, abortion, prenatal care, HIV testing, treatment for sexually transmitted diseases and adoption placement. None require parental notification or consent.

Those confidentiality laws are one reason that California’s teen abortion rate -- as well as its teen pregnancy rate -- is lower than the national average, reports the Bixby Center for Global Reproductive Health at the University of California, San Francisco.

Besides, when it comes to abortion, most young women under age 18 do confide in at least one parent, and the younger the child is, the more likely they are to turn to a parent. As the Bixby Center notes, more than 90 percent of pregnant 14-year-olds involve a parent, as do 61 percent of all girls under age 18.

Other studies have shown that parental notification laws don’t stop teenagers from obtaining abortions, they just delay when a teenager seeks that care.

And there are legitimate concerns that teens who are determined to keep their pregnancy from parents will turn to underground sources, which may not be reliable.

Once again, voters must reject this attempt to force communication between children and their parents.

Vote no on Proposition 4.
Warning: Both Propositions 4 and 3 may be harmful to children. Two more propositions, two more thumbs down.

Turn down Propositions 4 and 3 (excerpt)
October 3, 2008 Proposition 4

Waiting period and parental notification before termination of minor’s pregnancy

Twice since 2005, we’ve seen this issue of a parental notification/waiting period for abortion, and twice we’ve editorialized against it.

This measure is different only because it allows a pregnant minor to seek a court waiver to have another adult relative be notified, if her parents are abusive, and her accusations would be turned over to authorities.

Once again, we can’t support a parent notification measure.

Since 1953, underage girls have been allowed by state law to receive the same types of medical treatment for pregnancy available to adults, without parental consent or notification. They’ve been able to get legal abortions since 1967 in California. And since 1997, they’ve had the affirmation of the state Supreme Court that their right to an abortion is protected by the state constitution’s strong privacy rights.

Plenty of people would take away those rights, beginning with “parental notification” initiatives that would create enough red tape, obstacles and potential litigation to have a monkey-wrench effect on abortion.

It’s unlikely that teen pregnancies will diminish if abortion is more difficult, but it is possible that mandatory notification laws would create delays to put pregnant teens at risk or make them opt for illegal abortions.

Parents have the right to be involved in their teenagers’ lives. But a law like this wouldn’t promote family communication, enhance the safety of our teens or prevent teen pregnancy.

It should be defeated.
It's baaack!

October 2, 2008

For the third time in just four years, a measure that would limit the ability of teenage girls to obtain abortions is on the California ballot. Basically, Proposition 4 says that parents have a right to be notified, with a required waiting period of 48 hours before care could be administered, before their underage daughter has an abortion.

Let's get this straight: Parental-involvement laws don't stop teens from getting pregnant. They don't result in fewer abortions. They don't turn dysfunctional families into healthy ones.

How do we know all this? It's because “parental notification” laws have been passed in more than 30 states. They've been studied. And the results clearly show that such laws do nothing to reduce teen-pregnancy rates.

Californians defeated Proposition 73 in 2005. We defeated it again with Proposition 85 in 2006. It's time to do the job one more time with Proposition 4, and say no to parental notification.
Voters to become lawmakers again Nov. 4 when propositions need deciding

AS we do each election, the Post shares our thoughts with readers on the sometimes deliberately confusing realm of propositions on which voters must cast their “yes” or “no.” This Nov. 4 election is no different. If anything the list of measures is more daunting than it has been in years.

There are an even dozen statewide measures that are included in a handy little 144-page booklet that voters have already received from Secretary of State Debra Bowen. Sixty of the pages are filled with tiny type showing every arcane word in the various proposals. In addition to this massive homework assignment, you will be getting a more slender volume from the county Registrar of Voters telling about the several important county propositions.

Parental notification on abortion

This one keeps coming back even though the state Supreme Court has knocked down one law like this in 1997. It is clearly one of the most controversial on the ballot. Voters have rejected this before. We would assume parents close to their daughters would be informed naturally and decide together how to deal with it. But it is an effort to get the government to intrude into personal family relationships and decision-making. We’d suggest a “no” vote on Proposition 4.

We’ll talk today about six of the state measures and deal with the remainder and county proposals in coming weeks.
Proposition 4

October 2008

Waiting Period and Parental Notification before Termination of Minor's Pregnancy (constitutional amendment)

This measure amends the state constitution to require, with certain exceptions, a physician to notify the parent or legal guardian of a pregnant unemancipated minor at least 48 hours before performing an abortion involving that minor. This amendment is similar to others defeated by voters in 2005 and 2006, and it's proposed by the same backers as the prior two. We have the same view now as we did then. It creates additional barriers and delays for pregnant minors seeking medical assistance and creates potential penalties for doctors who attempt to serve them using their best medical judgment. Californians strongly support freedom of choice. This initiative is an effort to get part of what anti-choice crusaders want, since they know they can't win the battle head on. We believe family communication cannot effectively be legislated. Parental notification laws force some teenagers to choose between talking with parents or having illegal and unsafe abortions. Some choose an illegal abortion, resulting in greater numbers of serious injuries and deaths. The real answer to teen pregnancy is prevention—and strong, caring families—not new laws that endanger our daughters. Planned Parenthood and healthcare providers including the California Medical Association, the California Nurses Association and the California Academy of Family Physicians oppose Proposition 4. So do we.

We recommend a No vote on Proposition 4.
THE APPEAL OF Proposition 4’s requirement that parents be informed before their teenage daughter ends a pregnancy is understandable. It is a natural reaction for concerned and loving parents who want to know if their daughter is seeking an abortion.

But there are many teens who do not have a loving or any positive relationship with their parents. In some instances, parents are abusive.

With a mandatory parental notification, a pregnant teenager without caring parents could easily find herself in a situation where she might delay getting health care or even try to get a secret abortion by someone who is not qualified to perform one.

Fortunately, 70 percent of pregnant teens involve their parents in such decisions, according to researchers at UC San Francisco.

For those who fear coercion or abuse, Prop. 4 does allow for a waiver of the notification mandate. However, the teen would have to seek the waiver from a court, which could be a complicated and intimidating chore.

Perhaps if a teen could easily get a waiver from a guidance counselor, member of the clergy, or doctor, Prop. 4 might make more sense. But as it is, the waiver process is far too cumbersome and is not likely to be effective in protecting a pregnant teen from abuse.

Prop. 4 is an attempt to undo rights confirmed by the state Supreme Court that ruled parental notification is not needed in these cases; it’s a privacy issue, which makes it different from required notification for medical procedures to a minor.

Most social workers who deal with teenage pregnancy are opposed to parental notification because of the negative impact it can have on the teen.

Prop. 4 is the third time a parental notification measure has been placed on the ballot. Similar ones were defeated in 2005 and 2006.

We opposed those measures and ask Californians to again reject mandatory parental notification by voting no on Prop. 4.
Deceit Deserves Defeat
No on Prop. 4

Proposition 4 isn’t really about parental notification; it’s an attack on the right to an abortion.

September 25, 2008

The story behind “Sarah’s Law” says a lot about it. “Sarah” was, according to Proposition 4 supporters, a 15-year-old girl who died from an abortion gone wrong 14 years ago, a death that might have been prevented had her parents been notified beforehand. Much of that is false. The girl’s name wasn’t Sarah; she lived in Texas, not California; and though she was 15, she already had a child and was in a common-law marriage, which means she wouldn’t have been covered by the law Californians are being asked to consider.

That’s how far the Proposition 4 campaign reached to come up with a poster girl. The initiative purports to protect California girls from dangers associated with abortions by requiring that their parents be notified. But Proposition 4 attempts to solve something that isn’t much of a problem. There’s no evidence that California’s teenage girls are harmed by abortions with any frequency, whether or not their parents have been notified. The most recent known case of serious injury that might have been prevented by Proposition 4 occurred in the 1980s.

In fact, under the guise of protecting underage girls, this proposal really is just the latest attempt to impose any obstacle in the exercise of reproductive freedom. This represents the third try in recent years to pass such a measure. California should reject it again.

We sympathize with the concern that caring parents are sometimes left in the dark about a daughter’s abortion. It is painful to imagine a child attempting to manage such a crisis without guidance. Still, both sides concede that most parents already know of their children’s pregnancies — 60% of the parents of 15-year-old girls said they were aware.

Proposition 4’s writers say they crafted a measure that would permit girls in potentially abusive situations to get an abortion without their parents being notified. To do so, they would need to tell another adult relative. But a girl can use this option only if she makes a written accusation alleging that her parents are repeat child abusers, with the complaint to be turned over to authorities. Spoiler language like this makes it hard to believe that Proposition 4 is chiefly about girls’ safety.

The real safety concerns are these: If this measure passes, some girls will seek out illegal abortions rather than notify their parents. Some will attempt to hide the pregnancy, go without prenatal care, give birth alone and abandon the newborn. With no real evidence that this proposal would enhance the welfare of the state’s teens — and with no doubt that it would roll back decades of hard-won constitutional rights — Proposition 4 deserves defeat.
Prop. 4 demonstrates that flawed ideas do not improve with repetition. Unwarranted government intrusion into agonizing personal circumstances is no more acceptable now than in 2005 and 2006, when voters rejected similar propositions.

Prop. 4 would amend the state constitution to require doctors to notify parents or legal guardians 48 hours in advance of performing an abortion on girls younger than 18. The notice could go to any adult family member in cases where teens fear abuse from parents, and teens could get a waiver from the notification requirement by going to court.

Missing from the measure, however, is any need to address teen pregnancy in the state constitution. Pregnancy can have serious, life-changing consequences for young girls. But government intrusion would not improve how families handle such situations.

Prop. 4 would put onerous requirements on teens already in distress. Ideally, all pregnant teens would reach out to their parents for support, but not all families meet that ideal. And the measure would make little allowance for those cases. Pregnant teens cannot realistically be expected to navigate a daunting court system to avoid parental notification.

Nor does notifying other adult relatives offer a serious alternative. Prop. 4 would allow that course when teens fear parental abuse, but also would require doctors to report the possible abuse to authorities. How many teens or other family members would be willing to take that approach if it means putting relatives in legal jeopardy?

In fact, the Centers for Disease Control reported in April that pregnancy rates for U.S. women ages 15 to 19 fell 38 percent between 1990 and 2004, the most recent data available.

That trend suggests no need for this measure. The state cannot compel families to act in ideal fashion, anyway. Voters should just say no to Prop. 4.
Vote no on Proposition 4

Wednesday, September 24, 2008

For the third time in three years, California voters are being asked to intervene in the dialogue between parents and juveniles regarding access to abortions.

For the third time in three years, Californians should reject a ballot measure requiring doctors to notify parents when minors seek an abortion. Proposition 4 would amend the state Constitution to bar abortions for unemancipated minors until at least two days after a physician notifies the minors’ parent or legal guardian.

The law has other notification provisions if the minor is in the court protective system, and allows judges to bypass the notification requirement upon clear and convincing evidence of the minor’s best interests or maturity.

The measure grants doctors an exception to the law in the case of medical emergency, and allows doctors to notify family members other than the parent or guardian if there is reason to believe the teen has been or could be subject to family violence or abuse.

It also penalizes doctors who fail to comply with the notification provisions and mandates that the state track abortions among minors.

The ballot arguments on this measure could not be more polarizing. Both sides use hyperbole and scare tactics to persuade voters that they must do their part to protect teens from health risks, secrecy and poor decision-making.

But it is beyond the power of voters to force a family to be functional.

Voters cannot legislate, via the ballot box, trusting ties between parents and teens. Voters cannot ensure parents and teens are talking about the issues and making decisions together, or even that parents will act responsibly and in the best interests of their children at all times.

The responsibilities regarding these intensely personal and wrenching decisions fall to the parents and the teens themselves.

In a society divided about when and whether abortions are appropriate, a law such as Proposition 4 only adds responsibilities and pressure on young women and their families when they are most vulnerable and the situation most volatile. That serves no one.

We urge a no vote on Proposition 4.
Daughters at Risk

California Proposition 4 would undermine abortion rights

Thursday, September 18, 2008

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 “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).
Vote NO on Proposition 4

Draconian aspects of parental notification requirement could put minors at greater risk for injury or death.

Thursday, Sep 11, 2008 6:17 PM

This is the third time in four years California voters have been asked to place a “notification hurdle” in the way of minor women obtaining an abortion. Twice California voters have said NO. They should do so again.

Proposition 4 referred to by proponents as “Sarah’s Law” would require the parents or guardians of “unemancipated minors,” or unmarried women under 18 years of age, to be given 48-hour notification before an abortion is performed.

If the woman fears having her parents or guardians notified, she can ask a judge to waive the notification requirement or ask that an alternate adult be notified instead.

But for an alternate adult to be notified, the minor must claim she is being abused sexually, physically or emotionally. Her report is sent to law enforcement and Child Protective Services.

Likely a young woman who fears retaliation would reject the notion of provoking a criminal investigation of her family to obtain an abortion.

Abortion rights advocates report most minors are accompanied to clinics by family members — mothers, sisters, aunts, etc. In rare cases, a young woman may fear having her family learn she is pregnant.

Opponents of Proposition 4 believe the reporting requirements will prompt young women to seek abortions out of state or from unlicensed practitioners, or delay procedures resulting in higher-risk, late-term abortions.

Proposition 4 is a law looking for a problem to solve. Proponents claim their intent is to protect young women from the risks of dangerous medical procedures and from having coerced abortions. But they are unable to cite statistics as to how many minor women are forced to have abortions, or are injured or killed as a result.

In fact, proponents had to stretch to find a case to cite in their ballot argument. Sarah, the initiative’s namesake, doesn’t exist. The case proponents cite is really about 15-year-old Jammie Garcia Yanez-Villegas, who died in Texas in 1994 of a post-abortion infection.

Proposition 4 would not have applied to Jammie because she was in a common-law marriage recognized by Texas and was an “emancipated” minor.

Parents want to protect their children. The majority would want to be consulted before any medical procedure, including whether an abortion is performed. Daughters turn to good parents in time of crisis for advice and support. But in some families, relationships are strained and children fear parents.

In 1953, a state law was enacted that allowed minors to receive, without parental consent or notification, care for a pregnancy, including an abortion. A subsequent law passed in 1987 seeking to restrict this access was never enacted and eventually thrown out by the courts.

More than 30 states require some form of notification. But in California, notification proponents have either overreached in their efforts or have not made their case to voters.

Again, this year’s attempt falls short and should be rejected.
Election 2008: Proposition 4

From top to bottom, Proposition 4 is the most deceptive measure on the California ballot this fall.

It might look like yet another well-meaning but misguided effort — the third in four years — to force minors to notify their parents before seeking an abortion. But this year's version is more insidious. Voters should run to the polls in November to reject it.

The proposition's misleading nature starts out with its name: Sarah's Law. Supporters want you to hear the sobering story of “Sarah,” a 15-year-old girl who didn't tell her parents she was pregnant and then died after an abortion. Except “Sarah” didn't live in California. She lived in Texas and was considered to be married under Texas law, so any parental notification law wouldn't have applied to her. And her name isn't Sarah, it's Jamie Garcia Yanez-Villegas.

Most telling of all, her tragic death took place in 1994. That means when Proposition 4 backers went looking for a story to illustrate the need for a parental notification law, they couldn't find a better example in the last decade.

The need for this kind of law in California is wildly exaggerated. Less than 3 percent of California's teenage girls become pregnant every year, and it's well-documented that the vast majority tell their parents. Those who don't often have a good reason. They fear violent reactions or being thrown out of their homes. They are also the most likely to be victims of rape or incest.

These are the girls who most need help. But Proposition 4 threatens to make their tragic circumstance worse by giving them two choices — one worse than the other.

Girls can go before a judge and try to persuade him or her that their parents shouldn't be informed. Navigating the courts scares the bejabbers out of most adults, let alone already frightened teenagers. And delays while they think it over could pose a threat to their health.

That's bad enough, but the alternative offered by Proposition 4 represents a new low. It says pregnant girls can tell “certain adult relatives” — but to be able to receive an abortion, they also have to tell a doctor in writing that they have been victims of child abuse. That would automatically trigger a response by police. So a girl trying to deal with a pregnancy could quickly be mired in a child abuse investigation involving the parents she was afraid to talk to in the first place.

Given those options, teenagers are far more likely to take matters into their own hands, either seeking an abortion in another state or, worse, looking for a back-room abortion. In the old days before Roe v. Wade established a woman's right to choose, these back-room, often unsanitary procedures were common. Many girls and women died or were left sterile as a result.

California has a proud history of putting the health and safety of a child before a parent's right to know — not just for abortions but in cases of drug abuse, mental illness and sexually transmitted disease.

Reducing the number of teenage abortions is an excellent goal. The way to make that happen is through education and effective contraception — not by preying on the most troubled of pregnant teens to make a political point.
‘Sarah’s’ abortion story can stay on ballot, judge rules in Proposition 4 case

By Peter Hecht
Published 12:00 am PDT Saturday, August 9, 2008

To proponents of Proposition 4, Sarah’s story is an emotionally powerful argument for requiring doctors to notify a parent or guardian before performing an abortion on a girl younger than 18.

Their ballot argument for the November parental notification initiative says, “Sarah was only 15 when she had a secret abortion.” It tells of her death from a “deadly infection,” asserting: “Had someone in her family known about the abortion, Sarah’s life could have been saved.”

On Friday, a Sacramento judge ruled that Sarah’s story may remain on official ballot guides to be mailed to 13 million California voters – even though there is no “Sarah.”

The name is a pseudonym for a Texas girl who died of blood poisoning in 1994 due to complications from an abortion. Proposition 4 opponents argued that Sarah’s story should be stricken from the ballot pamphlet because the initiative provisions wouldn’t have applied to the girl’s circumstances.

But Sacramento Superior Court Judge Michael P. Kenny ruled that the searing narrative parental notification supporters hope will convince voters to pass Proposition 4 can stay on the ballot.

His written ruling came after he told lawyers in a Friday morning hearing: “The courts have recognized that in ballot arguments, proponents are allowed to engage in hyperbole.”

After California voters rejected similar parental notification initiatives in 2005 and 2006, proponents began raising money for Proposition 4 under a “Friends of Sarah” campaign committee.

Attorney Beth Porter said in court Friday that “Sarah” was 15-year-old Jammie Garcia Yanez-Villegas. She said the girl was considered a married woman under Texas “common law” statues because she was living with her fiancé at the time of her abortion.

Porter, representing initiative opponents including Planned Parenthood, said the girl would not have been considered an “unemancipated minor” in California as Proposition 4 requires.

Assailing “the myth of Sarah,” she challenged ballot suggestions that a parental notification law could have prevented the girl’s death. “It’s absolutely false to say if someone had known about it, her life would be saved,” Porter said.

But Catherine Short, the attorney for Proposition 4 supporters, argued that Sarah was simply “Jammie Garcia,” a teenager who did not represent herself as married. She noted that California has no “common law” marriage, and so the teen would have been protected under the law if she lived in the state.

Short said the proponents’ ballot statement properly argues that Proposition 4 could have enhanced the girl's chances of survival. The measure would require doctors to give a 48-hour notice to a parent or guardian before performing abortions on minors.

“Had someone in her family known, Sarah’s life could have been saved,” Short said. She argued that had a parent been informed of the abortion, “they would have sought medical attention sooner” once complications developed.

Parker called Short’s argument “sheer speculation.”

But Kenny ruled there was no legal basis for banning it from the ballot statement.

Though he wrote in his ruling he was “troubled by the Proposition 4 proponents’ artful characterization” of Sarah’s story, he declared “there is no convincing evidence” it misleads voters into thinking the initiative could have saved the the Texas girl.
Anti-abortion ballot measure still bad idea

By Patty Fisher
Article Launched: 08/06/2008 01:33:37 AM PDT

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.
SACRAMENTO – Jim Holman, owner of the San Diego Reader, has spent millions trying to persuade Californians to pass a law requiring parents to be notified before their underage daughter has an abortion.

After two failed ballot measure campaigns, Holman said last year that he didn't want to try again. But when other anti-abortion advocates, including winemaker Don Sebastiani, launched a third campaign, Holman couldn't resist opening up his checkbook once again.

“Sebastiani was not deterred. He said, ‘We have to go back again and again,’ ” Holman said. “He led with big donations and I sort of followed.”

The result could make California political history. The $1.8 million donated by Holman and Sebastiani so far is likely to put a parental-notification initiative before voters for the third time in four years. The measure would require a physician to notify a parent or guardian 48 hours before performing an abortion for a girl under the age of 18.

If the measure qualifies, it would be the first time since the California initiative process was established in 1914 that the state's voters will consider the same measure so many times in a four-year period.

Opponents predict another defeat for Holman, who has spent a considerable personal fortune on the three measures, about $4.6 million so far.

Opponents say he is abusing the electoral process.

“Never in the history of California has one person manipulated 36 million people through his electoral hoops based solely on the extremism of his ideology and the balance of his checkbook,” said Vince Hall, spokesman for Planned Parenthood of San Diego and Riverside counties.

Holman has spent about twice as much as Sebastiani on the ballot measures, but both wrote big checks to qualify nearly identical measures rejected by voters in 2005 and 2006.

“They don't give up easily,” said Katie Short, a spokeswoman for the ballot measure. Both businessmen are passionately committed to changing the law.

“I'm a dad with daughters,” said Holman, 61. “But beyond my personal situation I see it as a great horror that young girls under 18 can be whisked away to hide an abortion.”

Holman, who is a devout Catholic with seven children, said he has stayed active because he believes he can fill a gap. He charged that others, including Catholic bishops, are too afraid.

“The bishops of California are cowards,” he said.

In the past, Holman hasn’t talked about the issue publicly, instead preferring to remain behind the scenes. Last week, he agreed to a rare interview.

Holman compared his efforts to the persistence shown by civil rights advocates, who eventually succeeded in eliminating discriminatory laws.

The current campaign, which is based at the San Diego Reader offices on India Street in Little Italy, expects to turn in the 694,000 valid signatures needed to place it on the November ballot.
Political analysts suggest that a presidential election will hurt the measure’s chances. Turnout is expected to be high among Democrats, who generally oppose parental-notification measures.

Supporters argue that a new feature should help the measure pass this time.

Like previous measures, this one would require notification before a minor has an abortion. Girls who face a medical emergency or obtain a waiver from a judge are exempted.

The new initiative also provides another option. Girls who say they are victims of parental abuse can tell a physician to notify another adult relative who is at least 21 years old, including a grandparent, aunt, uncle or sibling. Existing law requires health practitioners to report known or suspected child abuse to authorities.

To bypass a parent under the initiative, the girl has to accuse a parent of abusing her in the past and sign a written statement saying she fears physical, sexual or severe emotional abuse in the future. Her statement then would go to the adult relative who is being notified about the abortion.

“We’re modifying the law to respond to Californians who were concerned about abusive parents,” Short said. “It’s a progressive law for a progressive state.”

Planned Parenthood’s Hall said the new provision changes nothing.

“It’s a deceiving, phony solution,” he said.

Hall said the provision would require a girl to level an accusation against a parent under a penalty of perjury. Hall believes that this provision would intimidate the most vulnerable girls.

“Anything that puts a barrier between pregnant teenagers and health care is a dangerous public policy,” he said.

Hall, who once held a top post in the administration of former Gov. Gray Davis, a Democrat, said backers of this measure have a hidden agenda.

“This isn’t designed to solve a problem,” Hall said. “It’s designed to whittle away at Roe vs. Wade,” the landmark Supreme Court decision that legalized abortion.

Campaign spokeswoman Short, who has nine children and is counsel to the Legal Life Defense Foundation, acknowledges that the measure is promoted by those who favor outlawing abortion.

“Do we think abortions are bad? Yes,” she said. “That’s why we support this law. It reduces teen pregnancies and abortions.”

Further, Short said, more than 30 states have enacted parental-consent laws. Massachusetts has had a parental-consent law in place for more than 20 years without any further restrictions, she said.

Holman said that backers of the measure are motivated by their beliefs, while opponents are promoting their financial interests. He has been arrested demonstrating in front of San Diego’s Planned Parenthood clinic and was honored for his anti-abortion activism by the San Francisco-based Ignatius Press.

“I don’t have an economic interest in this and neither does Don Sebastiani,” Holman said. “Planned Parenthood does because they perform abortions and they make a lot of money.”

Hall disputed that, saying Planned Parenthood is a nonprofit organization that serves clients at low or no cost, depending on the woman’s ability to pay.

Despite the change in the new initiative, the highly charged emotional arguments remain the same. Supporters say it is outrageous that a girl has to get her parents’ permission to get a flu shot or an aspirin at school, but she can get an abortion on her own.

They are calling the measure Sarah’s Law, after the pseudonym of a Texas girl who died from complications arising from an abortion in the 1990s, Short said. The girl’s parents were unaware she had an abortion.

Holman believes that proponents’ new emphasis will convince voters.

“What you want to focus on is the girl that’s harmed,” he said.

Opponents argue that this measure will cause more harm to girls.
They agree that parents should be involved in a decision about an abortion. But they say that forcing a girl from a dysfunctional home, tainted by addiction or abuse, to tell a parent she is pregnant could expose her to violence.

Holman and others first backed this issue in the special election of 2005, but Proposition 73 was rejected, 53 percent to 47 percent.

In November 2006, the next parental-notification measure, Proposition 85, fared worse, with 54 percent against and 46 percent in favor.

Tony Quinn, co-editor of the *California Target Book*, which analyzes state politics, said the vote in favor of parental notification declined in 2006 because Republicans made up a lower percentage of the electorate.

Quinn, who was hired by Planned Parenthood to study results in the two campaigns, said the measure would fare better in the June primary election, which is expected to have a lower turnout than the November general election.

“Proponents are running this in the worst cycle they could run it in,” he said.

Short contends that private polls show that a majority favors parental notification, if it includes the new provision allowing girls to bypass parents they accuse of abuse.

Quinn is skeptical.

“The problem is getting that point across to the public,” he said. “It doesn't seem like a technical change will persuade many voters.”