

FEDERAL ABORTION LAW -- ABORTION ON DEMAND THROUGHOUT ALL NINE MONTHS OF PREGNANCY

- [Roe v. Wade \(1973\)](#)
 - Created the right to abortion and established the trimester framework for abortion regulation.
 - First trimester -- no restrictions, left to the medical judgment of abortionist
 - Second trimester -- state **may** regulate abortion in ways **reasonably related to maternal health**
 - Third trimester -- **Allowed** (but did not require) states to proscribe abortion except when, in the abortionist's judgment, it is necessary to preserve the life or **health** of the mother.
 - **Given the expansive definition of "health" in *Doe v. Bolton* (1973) (companion case to *Roe*, see below) this "exception" eviscerated any meaningful restrictions and opened the door to abortion on demand throughout all nine months of pregnancy.**
- [Doe v. Bolton \(1973\)](#)
 - Defined "health" for purposes of abortion regulation
 - "the medical judgment may be exercised **in the light of all factors - physical, emotional, psychological, familial, and the woman's age - relevant to the wellbeing of the patient. All these factors may relate to health.**"
 - Given that
 - the "medical judge" is the abortionist himself who profits from the procedure, and
 - "Health" is defined so broadly that virtually anything could justify invoking the exception,

Roe and Doe together, in practice disallow any meaningful restrictions on abortion as the health exception swallows up the rule.

- [Planned Parenthood of Southeastern PA. v. Casey \(1992\)](#)
 - Upheld the right to abortion created in *Roe*
 - **Retained the expansive definition of "health" from *Doe***
 - Allowed restrictions on abortion that do not "place a substantial obstacle in the path of a woman seeking an abortion before the fetus attains viability."
 - After viability, **allowed** (but did not require) states to proscribe abortion **except where necessary, in the abortionist's opinion, to preserve the life or "health" of the mother.**

Since the health exception and expansive definition established by *Roe* and *Doe* were retained by *Casey* and are still in effect, **we have been living under a regime of abortion on demand since 1973.**

CALIFORNIA ABORTION LAW -- GOVERNMENT FUNDED ABORTION ON DEMAND THROUGHOUT ALL NINE MONTHS OF PREGNANCY

- According to the [Medi-Cal Provider Manual](#) published by the CA Department of Health Care Services:
 - Abortion is a covered benefit **regardless of the gestational age of the fetus**, and
 - **Medical justification and authorization for abortion are not required.**
- True to the real meaning of *Roe/Doe/Casey* **California allows state-funded abortion on demand throughout all nine months of pregnancy.**
- The language of [California's Abortion Statute](#) follows the ruling of *Casey*, which as we know, in practice **mandates abortion on demand.**

Abortion Reporting

- The Centers for Disease Control does not require states to report on abortions.
- California, which accounts for more abortions than any other state, is one of the four states that does not report to the CDC.
 - <https://www.guttmacher.org/gpr/2015/06/abortion-reporting-promoting-public-health-not-politics>
- CA also does not require abortion providers to report to the state.
 - <https://www.guttmacher.org/state-policy/explore/abortion-reporting-requirements>
- Even the Guttmacher Institute believes that California should have a reporting system.
 - “Nevertheless, high-quality systems should be created in the states that do not currently have them, including California, which is not only the most populous state and among the most demographically diverse, but also accounts for more abortions than any other.” <https://www.guttmacher.org/gpr/2015/06/abortion-reporting-promoting-public-health-not-politics>