

“Insanity is doing the same thing in the same way, expecting a different result.”

--Chinese proverb

The proponents of Sarah’s Law, a new family member notification initiative that will appear on the November ballot, are not insane. They are committed to protecting young girls from the dangers of secret abortions. These dangers include not only the medical risks of surgery kept hidden from parents, as tragically illustrated by the death of Sarah, but also the physical and emotional risks to girls victimized by sexual predators who use secret abortions to cover up their crimes.

In furtherance of their goal, the proponents have willingly amended their proposed initiative to address concerns raised about its scope or possible unintended consequences. For example, in the campaign against Proposition 73, opponents purported to speak for parents who did not want to be notified. “If she can’t come to me, I just want her to be safe,” was their slogan. They also claimed that the definition of abortion threatened abortion rights. Some even claimed that the proposition’s reporting requirements put judges in danger.

Proposition 85 addressed all of these concerns. It allowed parents to opt out of being notified by providing their daughters with waivers at whatever age they thought appropriate. The definition of abortion was amended to comport with California’s own Reproductive Privacy Act. The provision about reporting by individual judges was deleted.

In response, opponents then focused their arguments on the issue of abusive parents. They claimed the judicial bypass, the standard process for dealing with these unfortunate situations, was a completely unworkable solution, despite the fact that, in many other states, minors can and do use the procedure. Voters were urged to “think outside the bubble” of their own family and focus on the abusive family next door.

Sarah’s Law addresses that concern head on. It provides that, if a girl informs the doctor that she fears physical, sexual, or severe emotional from **either** parent, because she has previously been the victim of such abuse by **either** parent, the doctor may instead notify another adult family member, such as an aunt, grandparent, or sibling. With the girl’s knowledge, the physician would also report the abusive situation to the appropriate child welfare authorities, in keeping with child abuse reporting laws.

“Most Californians, including doctors, nurses, teachers, and parents, know that children are safer if a parent or some other adult family member is aware of their medical situation,” says Grace Dulaney, spokeswoman for Friends of Sarah. “At the same time, it is not unreasonable to be concerned about the effect of parental notification requirements on girls from abusive homes. Sarah’s Law shows that this is not an either/or, all-or-nothing situation. It protects girls from the danger of secret abortions while also ensuring their safety at home.”