



SANTA BARBARA RAPE CRISIS CENTER
CENTRO CONTRA LA VIOLACION SEXUAL

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ABORTION FUNDING FOR POOR WOMEN: THE MYTH OF THE RAPE EXCEPTION

Stephanie Poggi, Executive Director of the National Network of Abortion Funds, April 28, 2005

What rights do poor women and girls have in the United States when they want to end a pregnancy that is the result of rape or incest? Very few. Despite laws protecting the right to assistance in these circumstances, poor women and girls who have been raped are routinely refused funding for abortion under Medicaid, the government program that is the primary source of health care for those with the fewest resources. Like other poor women seeking abortion, they are often unable to get the care they need.

The history of withholding abortion funding from poor and vulnerable women began in 1976, just 3 years after the Supreme Court legalized abortion. That year, Congress passed the Hyde Amendment, which prohibited federal Medicaid funding for abortion unless a woman's life was in immediate danger. In 1993, an exception was added to permit coverage if the pregnancy was the result of rape or incest. More than 30 state Medicaid programs have followed the federal model and only permit funding for poor women in the case of life endangerment, rape, or incest. There are 17 states that currently use their own funds to cover abortion in most cases.

So, what happens today when a woman or girl who has been sexually assaulted seeks Medicaid funding for abortion in one of the many states that pay only in the case of rape/incest or life endangerment? The reality is that she is almost always denied coverage for the abortion. At least 9,100 abortions each year are attributed to pregnancies that occur because of forced sexual intercourse, according to the Alan Guttmacher Institute. Yet, the vast majority of states that only cover abortion under the narrow exceptions report zero payments in any given year. In fiscal year 2001, the most recent year for which we have statistics, the number of abortions paid for by both federal and state Medicaid under the narrow exceptions totaled 81. This figure includes payments in cases of rape/incest, as well as in cases of life endangerment.

Denied funding by Medicaid in most states, poor women who have nowhere else to turn seek help from the National Network of Abortion Funds. This organization of 104 grassroots groups in 42 states and the District of Columbia helps 20,000 poor women and girls to pay for abortion each year, including many who have been raped but are unable to obtain Medicaid coverage. Member funds share similar stories of women and girls who have been refused assistance from Medicaid, often after fulfilling laborious reporting requirements in the aftermath of a traumatic assault. In some cases, state Medicaid officials simply assert that they never cover abortion, either because they do not understand the rape/incest exception or because they do not believe in assisting women and girls with abortion under any circumstances. In other cases, the burdensome paperwork requirements on the part of the woman needing assistance, the police, and doctors ensure that payment is never made – or will never come in time for the woman to obtain an abortion. In still other cases, the reimbursement from the state

to abortion providers is so low that clinics no longer choose to go through the complicated and rarely successful process of seeking coverage.

The truth is that there is no real Medicaid exception for poor women and girls who have been raped or victimized by incest. They join other groups of vulnerable women whose rights are not protected, but instead, are severely abridged by bans on abortion funding. By definition, the Hyde Amendment burdens some of the most disadvantaged women in our society – those who depend on the government for health care. Given racial inequalities in the United States and the resulting racial distribution of poverty, women of color disproportionately depend on such coverage. This makes the issue of abortion funding a matter of racial justice, as well as economic justice and women's rights. Young women, who often have few resources of their own, are also hard hit by funding bans.

A policy report released this month from the National Network of Abortion Funds, entitled Abortion Funding: A Matter of Justice, illustrates the devastating costs to women of bans on Medicaid funding by looking at case studies of abortion funds and the hardships faced by the women they assist. Women who come to abortion funds are usually already mothers and may be unable to care for another child. They have suffered from rape and battery at rates that are even higher than those of the general population, and they are also more likely to be living with a serious illness.

Because it can take so long for poor women to find the money for an abortion, they tend to have later and thus more costly abortions. Often, women pay for abortions with money that was supposed to pay for rent, food, or utilities. And many times, women are unable to get the abortion at all. As many as one in three poor women who would have an abortion if the procedure were covered by Medicaid are forced to continue the pregnancy. While the Network helps thousands of women and girls every year, the organization can never fill the gap created by the denial of Medicaid funding. As a country, we need to replace harmful policies that target the most vulnerable women with just, compassionate ones that give poor women the resources they need to obtain abortions and also provide support for poor mothers to have and raise their children with dignity.

For details on the policy recommendations and the work of the Network, please see Abortion Funding: A Matter of Justice at http://www.nnaf.org/policy_report.html.

NEW GUIDE DETAILS TITLE IX REQUIREMENTS IN CAMPUS SEXUAL ASSAULT CASES

Although best known for requiring gender equity in collegiate athletic opportunities, Title IX of the Education Amendments of 1972 (Title IX) also has an important role to play in how colleges respond to student complaints of sexual assault, and other forms of sexual harassment. To help sexual assault victims and survivors better understand their Title IX rights, and what they should expect of their schools, Security on Campus has released a new guide about these requirements.

This new guide “Title IX Requires Colleges & Universities To Eliminate The Hostile Environment Caused By Campus Sexual Assault.” <http://www.securityoncampus.org/victims/titleixsummary.html> was produced as a part of Security On Campus’s new Legal Internship program, and written by Holly Hogan, a third year law student at Harvard. It is a compilation of key information from federal court rulings, guidance issued by the U.S. Department of Education (ED), and findings issued by ED’s Office for Civil Rights as a part of their Title IX enforcement actions. The Title IX guide is available in "Victims" section of the SOC web site as either an HTML, or PDF document at the following URL's: <http://www.securityoncampus.org/victims/titleixsummary.html>
<http://www.securityoncampus.org/victims/titleixsummary.pdf>

KUWAIT STALLS ON WOMEN'S VOTING

Reported in Santa Barbara News Press, Tuesday, May 3, 2005

Kuwait City – In a major setback to Kuwaiti women in politics, Islamist and conservative tribal lawmakers created a constitutional crisis that will delay consideration of a draft election law long enough to keep women out of this year's race for municipal council seats. Women's rights activists were left hoping they can win voting rights ahead of the next municipal election, due in 2009.

The municipal council is a partially elected body with no major political significance. But succeeding in voting or running for it is seen as a step closer toward the larger aim of obtaining full political rights for women in parliament, which has been an all-male domain for more than 40 years. The maneuvering in Parliament was yet another success by conservatives in derailing attempts by Kuwait's ruler to push through laws granting women voting rights.

WOMEN IN LEADERSHIP POSITIONS

Reported in Time Magazine, November 2004

- **Sheriff-Elect of Dallas County:** Deep in the heart of Bush-Cheney country, Lupe Valdez bested a heavily funded Republican to become not only the county's first female sheriff, but also the first Latina lesbian Democrat to hold office.
- **United Arab Emirates' Minister of Finance:** Sheikha Lubna al-Qasimi is ditching her job as CEO of a Middle Eastern tech firm to be the first woman to hold a Cabinet position since the U.A.E. was formed in 1971.
- **Mayor of Pitcairn Island:** The sole police officer on this 2-square-mile island (population 47), Brenda Christian, became its first woman mayor after nearly half of Pitcairn's adult males were convicted of rape in October 2004.

ANNOUNCEMENTS

JOIN US FOR THE NEXT ADVOCATE MEETING: MONDAY, JUNE 13, 6PM – 8PM

Alana Walczak and Yesenia Curiel will present on how to fill out Call Report Forms more effectively and answer questions pertaining to the form.

SBRCC NEEDS MORE ADVOCATES – HELP SPREAD THE WORD!

- The next **Spanish Crisis Intervention Training** is scheduled for **August 2, 2005 – September 20, 2005**. Classes will meet on Tuesdays and Thursdays from 6 p.m. – 10 p.m. If you know anyone who may be interested, please have them contact Maria by email at maria@sbrcc.net or by phone at 963-6832, x. 27.
- The next **English Crisis Intervention Training** is scheduled for **October 3, 2005 – November 30, 2005**. Classes will meet on Mondays and Wednesdays from 6 p.m. – 10 p.m. If you know anyone who may be interested, please have them contact Heather by email at heather@sbrcc.net or by phone at 963-6832, x. 28.

LONG-TERM COUNSELING TRAINING

If you have completed SBRCC's 60-hour Crisis Intervention Training, have been active as an advocate for six months, and are interested in becoming a Long-term Counselor, you can register for the next Long-term Counseling Training. As a Long-term Counselor, you will provide face-to-face, long-term individual, couples or family counseling to sexual assault survivors and/or their significant others. In addition, you can co-facilitate support groups for adult or teen sexual assault survivors. The next 20-hour Long-term Counseling Training, facilitated by SBRCC's Counseling Supervisor Marilyn

Goldman, will begin in mid-late June 2005 upon completion of the current Crisis Intervention Training. An orientation meeting will occur the first week of June to provide an overview of the training and to determine specific training dates. **If you are interested, please contact Alana at alana@sbrcc.net or at 963-6832, ext 23.**



HAPPY BIRTHDAY TO:



- Sasha S. on June 4th
- Katie M. on June 6th
- Mary R. on June 14th
- Flor U. on June 15th
- Joy H. on June 18th
- Paula R. on June 29th