

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: August 12, 2021

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso ^{KEK}
Chief Legislative Analyst _{for}

Council File No.: 21-0002-S122
Assignment No.: 21-08-0612

SUBJECT: Resolution to Support AB 1007 relative to the Forced or Involuntary Sterilization
Compensation Program

CLA RECOMMENDATION: Adopt the attached Resolution to include in the City's 2021-22 State Legislative Program SUPPORT for AB 1007 to establish the Forced or Involuntary Sterilization Compensation Program to compensate survivors of State-sponsored sterilizations conducted pursuant to California eugenics laws that existed between 1909 and 1979, and to survivors of coercive sterilization performed in prisons after 1979.

SUMMARY

On May 8, 2021, Resolution (Harris-Dawson, Martinez, Raman, Rodriguez-Price; C.F. 21-0002-S122) was introduced to support AB 1007 to establish a compensation program for survivors of State-sponsored sterilizations conducted pursuant to California eugenics laws.

According to the Resolution, in 1909, California passed the nation's third eugenic sterilization law through which more than 20,000 Californians were sterilized between 1909 and 1979. California's eugenics laws authorized medical superintendents in State homes and hospitals to perform "asexualization" (vasectomies for men and salpingectomies for women) on people identified as "afflicted with mental disease which may have been inherited and is likely to be transmitted to descendants, the various grades of feeble-mindedness, those suffering from 'perversion or marked departures from normal activity,' or disease of a syphilitic nature."

During that period, the State maintained 12 State homes and hospitals that housed thousands of patients committed without proper consent. During this era, reformers believed that sterilization was an important instrument of public health protection that would reduce the number of "defectives" in society, resulting in cost savings for welfare programs and allowing only "fit" people to become parents.

The Resolution states that while the law did not target specific racial or ethnic groups, in practice, labels of "mental deficiency" and "feeble-mindedness" were applied disproportionately to racial and ethnic minorities, people with actual or perceived disabilities, low-income people, and women. In 2003, Governor Gray Davis and Attorney General Bill Lockyer issued public apologies and the State Senate passed a resolution expressing "profound regret over the State's past role in the eugenics movement."

The State recognizes that further involuntary and systematic sterilization abuse occurred to Californians, including residents of the City of Los Angeles, between 1965-1975 where at least 240 women, mostly of Mexican origin, who delivered babies at the LA County University of Southern California Medical Center were subjected to nonconsensual postpartum tubal ligations and between 2006-2010 where at least 144

people imprisoned in California's women's prisons were sterilized without proper authorization or consent while giving birth.

The Resolution, therefore, recommends that the City include in its 2021-2022 State Legislative Program support for AB 1007 which would provide compensation to survivors of State-sponsored sterilizations.

BACKGROUND

According to the Disability Rights Education and Defense Fund, a national civil rights law and policy center directed by individuals with disabilities, between 1909 and 1970, California sterilized at least 20,000 people under State law. This accounted for one third of eugenics sterilizations nationwide. People with disabilities, Latinas, women, and poor people were disproportionately targeted for sterilization. Although the State repealed its eugenics law in 1979, violation of reproduction rights continued in State prisons into the 2010s.

In June 2014, the California State Auditor released a report concerning sterilizations of women occurring between 2005 and 2014. The report found that during the eight year audit period, 144 women inmates were sterilized by a procedure known as tubal ligation, a surgery generally performed for the sole purpose of sterilization. At the time, the State adopted consent requirements that must be met before a sterilization procedure; however, State medical officials failed to properly obtain consent.

According to the author of the bill, although many patients signed consent forms for sterilization, that action would not meet today's criteria for consent because sterilization was a precondition for release in some institutions. Therefore, true voluntariness or autonomy were not possible in the context in which the forms were signed.

In response to these human rights violations, AB 1007 was passed by the Assembly on June 1, 2021 and is now pending in the Senate Appropriations Committee. The bill includes \$7.5 million to provide reparations to survivors of State-sponsored forced or involuntary sterilization in California institutions. It is estimated that those who qualify would receive up to \$25,000 in compensation.

Bill Status

AB 1007	Introduced	February 18, 2021
	Passed State Assembly	June 1, 2021
	Passed Senate Public Safety Committee	June 30, 2021
	Passed Senate Judiciary Committee	July 14, 2021
	Pending in Senate Appropriations Committee	July 21, 2021


Felipe Valladolid Chavez *by KEK*
Analyst

Attachment: Resolution (Harris-Dawson, Martinez, Rama, Rodriguez-Price)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, in 1909, California passed the nation's third eugenic sterilization law through which between 1909 and 1979 more than 20,000 Californians were sterilized; and

WHEREAS, California's eugenics laws authorized medical superintendents in State homes and hospitals to perform "asexualization" (vasectomies for men and salpingectomies for women) on people identified as "afflicted with mental disease which may have been inherited and is likely to be transmitted to descendants, the various grades of feeble-mindedness, those suffering from "perversion or marked departures from normal activity," or disease of a syphilitic nature," and

WHEREAS, the State maintained 12 State homes and hospitals, with very little oversight, that housed thousands of patients that were committed without proper consent during an era when reformers believed that sterilization was an important instrument of public health protection that would reduce the number of "defectives" in society, result in cost savings for welfare programs, and only allow "fit" people to become parents; and

WHEREAS, while the law did not target specific racial or ethnic groups, in practice, labels of "mental deficiency" and "feeble-mindedness" were applied disproportionately to racial and ethnic minorities, people with actual or perceived disabilities, low-income people, and women; and

WHEREAS, on March 11, 2003, Governor Gray Davis and Attorney General Bill Lockyer issued public apologies and in June 2003, the State Senate passed a resolution expressing "profound regret over the State's past role in the eugenics movement;" and

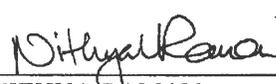
WHEREAS, the State recognizes that further involuntary and systematic sterilization abuse occurred to Californians, including residents of the City of Los Angeles, between 1965-1975 where at least 240 women, mostly of Mexican origin, who delivered babies at the LA County University of Southern California Medical Center were subjected to nonconsensual postpartum tubal ligations and between 2006-2010 where at least 144 people imprisoned in California's women's prisons were sterilized without proper authorization or consent while giving birth; and

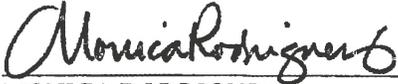
WHEREAS, on February 18, 2021, AB 1007 (Carrillo) was introduced for the purpose of providing compensation to survivors of State-sponsored sterilization;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in the 2021-2022 State Legislative Program SUPPORT for AB 1007 (Carrillo) to establish the Forced or Involuntary Sterilization Compensation Program to compensate survivors of State-sponsored sterilizations conducted pursuant to California eugenics laws that existed between 1909 and 1979, and to survivors of coercive sterilization performed in prisons after 1979.

PRESENTED BY 
MARQUEECE HARRIS-DAWSON
Councilmember, 8th District


NURY MARTINEZ
Councilwoman, 6th District


NITHYA RAMAN
Councilwoman, 4th District


MONICA RODRIGUEZ
Councilwoman, 7th District

SECONDED BY 

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