

## What is Reproductive Justice?

The **human right** to maintain personal bodily autonomy.

- The right **to have** children.
- The right **to not have** children.
- The right **to parent** children in **safe and sustainable communities**.

Reproductive justice is about more than just the basic right to health care; it ensures that everyone has **access** to the resources, support, and opportunities needed to make informed reproductive decisions. This includes health care, but also the social, economic, and political conditions necessary for people to live healthy, fulfilled lives.

## Reproductive Justice in Virginia

### Health Disparities and Access Gaps

- Health Care Workforce: There are **46.9** OB-GYNs and midwives per 100,000 people, below the U.S. average (1).
- Maternal Mortality: Black women face a maternal mortality rate of **47.2** deaths per 100,000 pregnancies (2).
- Infant Mortality: Black infants have a mortality rate of **10.1** per 1,000, compared to **4.6** for white infants (2).
- Abortion Access: In 2020, the abortion rate was **11.2** per 1,000 women, with **63%** before 8 weeks of gestation (2).
- Affordable Housing: **29%** of households are cost-burdened and spend over **30%** of income on housing (3).
- Immigration: **1.16** million immigrants make up **13.4%** of the population (4).
- Wage Disparities: Women earn **79 cents** per dollar earned by men, with larger gaps for women of color (5).
- Gender-Based Violence: Over **70,000** domestic violence cases were reported in 2021, mostly affecting women (6).
- Gun Violence: There were **1,316** gun-related deaths in 2022, with roughly **2/3** being suicides (7).

### Latine Health

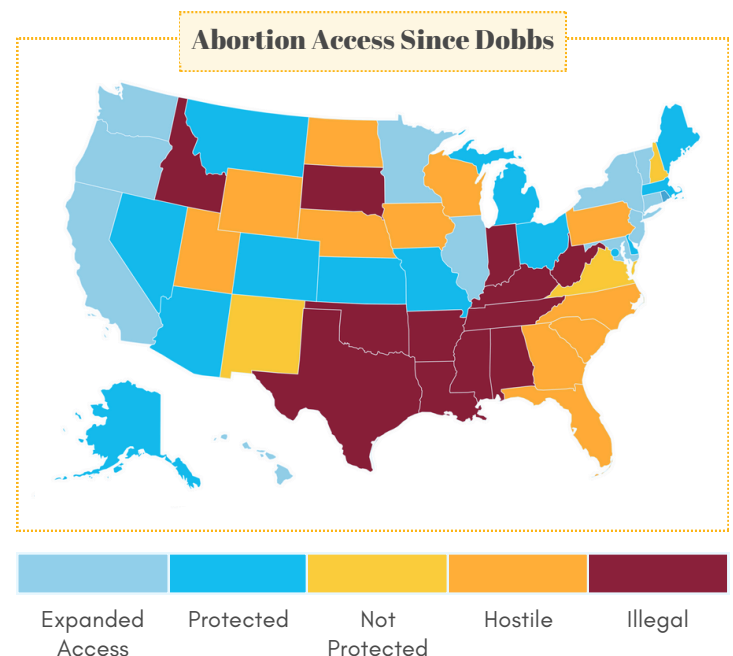
- Latina women have the **highest rates** of cervical cancer (8).
- Roughly **1 in 4** Latine families live below the federal poverty line (9).
- In the past year, **23%** of Latines did not see a doctor due to cost barriers (10).
- Latina women are **2x** more likely to not have health insurance compared to white women (11).
- Individuals with limited English proficiency, particularly immigrants, face significant challenges accessing care due to language and cultural barriers, fear of deportation, and mistrust of the health care system.

## Legal ≠ Accessible

While *Roe v Wade* granted the federal right to abortion, it did not guarantee access for all, and it did not address the **holistic needs** of those seeking abortion care. This disproportionately impacted communities of color, young people, rural residents, people with disabilities, im/migrants, LGBTQ+ individuals, and those with low incomes.

The Supreme Court's *Dobbs* decision to overturn *Roe v Wade* has drastically reshaped abortion access across the United States. Today, **41 states**, including Virginia, ban abortion at some point in pregnancy.

Because of this, Virginia has now become a critical access point for care in the South. However, with only **21** clinics in the state, over **90%** of counties lack abortion providers, and many residents face logistical, financial, and systemic barriers to accessing care (12). These include long travel distances, lack of affordable childcare, limited paid leave, and insufficient public transportation.



## Policy Agenda

### I. Constitutional amendment; fundamental right to reproductive freedom (HJ1/SJ247).

Delegate Herring & Senator Boysko

This amendment will enshrine in the Virginia Constitution the fundamental right to make one’s own reproductive health care decisions (including prenatal care, childbirth, postpartum care, contraception, abortion care, miscarriage management, and fertility care), ensuring that everyone has the freedom to make choices about their bodies, health, and lives without any government interference.

**A majority of Virginians** believe that personal health care decisions should be made by individuals, not politicians. Protecting reproductive freedom through a constitutional amendment ensures that these decisions remain beyond government control, securing reproductive health and rights for all Virginians, **now and for future generations.**

What we need in a constitutional amendment:

**Expansive.** To ensure access to the full spectrum of reproductive health care, including abortion, contraception, IVF, prenatal and postpartum care, and miscarriage support—going beyond the protections established by *Roe*.

**Inclusive.** To protect all Virginians, and ensure access to reproductive health care without arbitrary restrictions that disregard individual circumstances.

**Protective.** To prevent the criminalization of abortion, ensuring that providers, those who assist individuals in accessing care, and those who seek abortions are shielded from prosecution.

Passing a constitutional amendment is a multi-year effort that requires strong public support and legislative champions:

#### First Legislative Passage

The amendment must first be introduced and pass with a majority vote in both the House of Delegates and State Senate.

#### Second Legislative Passage

After an election, the new legislature must again pass the amendment with a majority vote in both chambers.

#### Public Referendum

Once it passes the legislature twice, the amendment goes to Virginia voters in a general election. The amendment will be added to the state constitution if it receives a majority of votes.

State Constitutional Amendments Since Dobbs

| AZ   | CA   | CO   | FL   | MD   | MI   | MO   | MT   | NE   | NV   | NY   | OH   | SD   | VT   |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| 2024 | 2022 | 2024 | 2024 | 2024 | 2022 | 2024 | 2024 | 2024 | 2024 | 2024 | 2023 | 2024 | 2022 |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |
| 61%  | 67%  | 62%  | 57%  | 74%  | 57%  | 52%  | 57%  | 49%  | 64%  | 62%  | 57%  | 41%  | 77%  |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |



**Citizen Initiative:** Voters gather signatures to propose a constitutional amendment directly, bypassing the legislature.



**Legislative Referral:** The state legislature proposes a constitutional amendment, which is then put to a public vote.

Approximately **6.7** million Latinas live in the **27** states that have enacted or are likely to enact abortion bans, making them the largest group of women of color impacted by these state-level restrictions. This highlights the profound effect that abortion restrictions have had on the Latine community, underscoring the urgent need for constitutional amendments and policies that protect reproductive rights and ensure equitable access to healthcare (13).

## Policy Agenda

### 2. Health insurance; coverage for contraceptive drugs and devices (HB2371/SB780).

Delegate Mundon King & Senator Carroll Foy

This bill will ensure that Virginians have **affordable and equitable access to contraception**.

- Requires health insurance carriers to provide coverage for any prescribed contraceptive drug or device.
- Eliminates cost barriers such as co-pays, cost-sharing, reimbursement requirements, and coverage delays.

If cost were not a barrier:  
**23%** of individuals currently using  
contraception would prefer to switch methods  
and **39%** of non-users would start (14).

Access to contraception is a **basic human right**, and an essential part of sexual and reproductive health care. However, for many, transportation, time, and cost pose significant barriers to accessing care – and particularly for young, low-income, and Latine populations. This much-needed effort would mean that more people across the state, including Latines and other communities of color, can access and afford the care they need.

### 3. Reproductive health care services; prohibitions on extradition for certain crimes (SB743).

Senator Favola

This bill will **prevent the extradition** of individuals charged with a criminal offense in another state if the alleged violation is legal in Virginia.

- Prohibits the extradition of anyone who obtains a legal abortion in the state of Virginia.
- Protects individuals private health care data held by private parties.

**67%** of adults support laws protecting doctors who perform abortions from fines or prison time (15).

Since Roe was overturned, abortion providers have seen an **influx of patients from other states**. At the same time, anti-abortion legislators have attempted to reach patients and providers outside their state borders, trying to impose their will on those accessing or assisting with abortion care. People coming to Virginia for an abortion and those providing care should not be afraid of extradition or criminalization by other states.

### 4. Virginia Reproductive and Gender-Affirming Health Care Protection Act established; prohibition on extradition for certain crimes; penalties. (SB1098).

Senator Hashmi

This bill will **safeguard access to reproductive and gender-affirming health care** services in Virginia, ensuring that individuals can seek or provide these services without fear of interference or punitive actions.

- Blocks the extradition of individuals to other states for actions that are not criminal under Virginia law.
- Prohibits law enforcement from assisting in investigations or arrests related to reproductive or gender-affirming health care that is legal in the state of Virginia.

**39.4% (118,300)** of transgender youth aged 13-17 are living in the **26** states that have enacted bans on gender-affirming care (16).

### 5. Consumer Protection Act; prohibited practices, etc., reproductive or sexual health information (SB754).

Senator Favola

This bill will **strengthen consumer protections** for Virginians regarding their reproductive and sexual health information.

- Prohibits the collection, sale, and distribution of reproductive or sexual health data without explicit consent.
- Ensures greater transparency and accountability in handling sensitive health information.

With the rise of anti-abortion laws and **surveillance technology**, personal health information – such as menstrual data from period-tracking apps – can be weaponized to criminalize reproductive health decisions. Collected through apps, location tracking, or other digital means, this data may be used to target individuals for prosecution in states with restrictive abortion laws or to infringe on their privacy rights. For Latine and other communities of color, these harmful practices only exacerbate inequities and reinforce stigma.

## Our Vision for Virginia

Guided by the principles of reproductive justice, the Latina Institute Virginia works to build power within our communities by centering and amplifying Latine voices. Through policy advocacy, community organizing, and culture-shift work, we strive to transform the systems and narratives that influence our ability to reclaim our bodies and our lives. We envision a Virginia where Latinas thrive, are free to activate their power, and can make decisions about their bodies, sexuality, and families with autonomy and dignity. To make this a reality, we are committed to advancing bold policies and creating a future where Latinas have the resources, rights, and opportunities to thrive in Virginia.

### Reproductive Rights and Health Care Access

- Protect and expand abortion access
- Ensure contraceptive access and affordability
- Support fertility and family-building options
- Improve maternal and newborn health outcomes
- Provide multilingual, culturally responsive care
- Ensure prescription drug price transparency and affordability
- Invest in community health workers, doulas, and midwives

### Immigration and Human Rights

- Establish pathways to citizenship
- Provide legal protections for undocumented individuals
- Ensure health care access regardless of immigration status
- End family separation and detention policies

### Criminal Justice Reform and Bodily Autonomy

- Decriminalize abortion and pregnancy loss
- Ensure safe, respectful care for incarcerated individuals

### Community Investment and Social Safety Nets

- Expand access to mental health services
- Strengthen Medicaid and public health programs
- Prevent medical debt
- Protect and expand voting rights

### Housing and Environmental Justice

- Ensure access to affordable, safe housing
- Strengthen eviction protections and tenant rights
- Address climate change impacts on vulnerable communities

### Racial and Gender Equity

- Support equity-driven health research and funding
- Provide anti-racism training for health care providers
- Address racial health disparities
- Combat gender-based violence
- Promote language justice efforts

### LGBTQ+ Rights and Inclusion

- Ensure access to gender-affirming care
- Advocate for inclusive health care for LGBTQ+ individuals
- Protect marriage equality
- Enforce anti-discrimination measures

### Economic Justice and Workplace Equity

- Guarantee paid family and medical leave
- Ensure affordable childcare
- Protect pregnant workers
- Advocate for living wages and wage transparency
- Promote workplace diversity and inclusion

### Education and Youth Empowerment

- Provide comprehensive sex and mental health education
- Ensure access to menstrual products
- Promote multilingual, culturally responsive education

### Public Safety and Gun Violence Prevention

- Strengthen gun control laws and regulations
- Support victims of gun violence
- Advocate for trauma-informed care

For more information, email us at [Virginia@LatinaInstitute.org](mailto:Virginia@LatinaInstitute.org).

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