

Breaking Barriers

A Policy Action Kit Promoting the Reproductive
Health of Women of Color and Low-Income Women

NARAL Pro-Choice America Foundation Mission Statement

To support and protect, as a fundamental right and value, a woman's freedom to make personal decisions regarding the full range of reproductive choices through support of education, training, organizing, legal action and public policy.

NARAL Pro-Choice America Foundation's Proactive Policy Institute

The purpose of the Institute is to empower state policy-makers and advocates to promote proactive, pro-choice policies that expand reproductive health options.

WOMEN OF COLOR AND LOW-INCOME WOMEN STATE POLICY ADVISORY GROUP

African American Women Evolving
Alan Guttmacher Institute
American College of Obstetricians and Gynecologists
American Social Health Association
Campaign for Access and Reproductive Equity
Center for Policy Alternatives
Center for Women Policy Studies
LLEGÓ: The National Latina/o Lesbian, Gay, Bisexual & Transgender Organization
Mexican-American Legal Defense and Education Fund
National Abortion Federation
National Asian Women's Health Organization
National Black Women's Health Project
National Health Law Program
National Latina Institute for Reproductive Health
Planned Parenthood Federation of America
Voters for Choice

Foreword

I am pleased and honored to introduce *Breaking Barriers: A Policy Action Kit Promoting the Reproductive Health of Women of Color and Low-Income Women*. This policy action kit offers an essential blueprint for women's health advocates who are serious about advancing a comprehensive agenda of reproductive freedom, and who are committed to eliminating racial and ethnic disparities in reproductive health.

These disparities highlight a profound and disturbing irony — while reproduction as a *biological* matter connects all women, reproduction as a *social and political* matter often divides women into strikingly disparate groups. Many women of color and low-income women are disproportionately affected by policies that restrict access to the full range of reproductive health information and services, deter women from becoming pregnant, and even coerce women into forfeiting control over their fertility. Moreover, shockingly high maternal and infant mortality rates render pregnancy and childbearing a matter of life and death for far too many women of color and low-income women.

Reproductive health care disparities for women of color and low-income women are largely the result of socially and politically imposed barriers. Any meaningful remedies to ensure parity must, therefore, address a broad agenda that includes racism, poverty and inequities in quality of and access to health care. The policies in this kit are an important step toward a comprehensive reproductive health and rights agenda for women of color and poor women that includes: the right to have a safe pregnancy; the right to have a healthy baby; the right to comprehensive reproductive health information; access to the complete range of contraceptive options; protection from sterilization abuse; freedom from coercive use of birth control; access to quality reproductive health care; and autonomy over reproductive decision making.

Many of the barriers to these rights can be removed through tough legislation, regulations and executive orders. However, there are other critical obstacles that are not as easily overcome by policies. For instance, when women of color are treated as a single group, the unique distinctions between Blacks, Latinas/Hispanics, American Indians, Asians and Pacific Islanders become obscured. Furthermore, the social, cultural and economic diversity that exists within each racial and ethnic group becomes invisible. As such, a "one size fits all" policy approach may not be well-suited for the needs of individual racial and ethnic groups, let alone individual women.

In addition, progressive policies addressing racial and ethnic disparities in health care may be met with opposition or ignorance. For example, efforts to overcome bias in health care have been minimized as "political correctness" and valid biomedical research examining racial differences has been misleadingly dubbed "racial profiling" — a term originally coined to describe negative assumptions based on race. Regrettably, some policy-makers themselves may unknowingly contribute to the problem when they are unaware of their constituency's multicultural complexities. And there are also policy-makers whose stance on issues of diversity is "colored" by negative attitudes about race and class.

This is not to say that we should give up on policy campaigns as a means of achieving reproductive equity. To the contrary, such campaigns are a necessary and important tool for social change.

But the most effective campaigns will take these additional barriers into consideration, and will be stronger and more successful because of it. Moreover, these campaigns will provide an opportunity for greater understanding about the barriers themselves and additional ways to overcome them.

As you embark on your policy campaigns, be ever mindful that there will be clearly recognizable and less obvious barriers to challenge your efforts. But don't be deterred by these challenges; your work is too important. Remember that the two most powerful components of effective campaigns will be *endurance* and *inclusiveness*. Steadfast determination will be critical. And the most successful campaigns will have the integral involvement and authentic voices of the women for whom such efforts are intended — throughout all phases of the process. I urge you to forge ahead with the same spirit of determination and collaboration that went into creating this groundbreaking kit.

Best wishes to you in your work,

A handwritten signature in black ink that reads "Lorraine Cole". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Lorraine Cole, Ph.D.

President/CEO, National Black Women's Health Project

Introduction

Reproductive freedom is fundamental to women’s health, dignity and equality. While barriers to reproductive freedom affect all women, women of color* and low-income women† face unique obstacles that jeopardize their reproductive rights and health, including race, ethnicity and gender discrimination, limitations within the health care system and financial barriers.⁵ We must overcome these obstacles to guarantee every woman the right to make personal decisions regarding the full range of reproductive choices.

The primary goal of this policy action kit is to empower state advocates and policy-makers to use policy as a means to overcome the complex array of factors that impair women of color and low-income women’s access to the full range of reproductive health care options. The kit:

- Identifies a variety of **proactive policy initiatives**;
- Provides **model legislative and regulatory language**; and
- Suggests **strategies** to promote these initiatives.

The policies contained in this kit stem from extensive research, as well as input from a diverse group of organizations that work on and care about these issues. We encourage you to use this kit as a starting point, tailoring the policies and your strategy to fit the needs of women of color and low-income women in your state.

In the kit you will find a section outlining the key elements of a proactive policy campaign (**Section 1**), as well as six separate policy sections (**Sections 2-7**). Within each policy section, we have created a step-by-step guide for developing a policy campaign, organized as follows:

- **The Need for Action**
Identifies the problem, provides key facts and highlights the goals of the policy initiatives.
- **Developing Your Plan of Action**
Outlines baseline questions to ask and information to gather in order to determine the scope of the problem in your state.
- **Proactive Policy Options**
Proposes a variety of possible policy solutions to address the problem, and offers model legislation and strategies for promoting the chosen policies.

Because we intend this kit to be a working document, we also have included a blank “Notes” page at the end of each section.

Once you have identified your policy priorities, NARAL Pro-Choice America Foundation’s Proactive Policy Institute would be happy to assist you in drafting legislative or regulatory language and in developing a policy campaign. *Contact the Proactive Policy Institute at (202) 973-3000 or proactive@ProChoiceAmerica.org for more information.* Members of the

Women of Color and Low-Income Women State Policy Advisory Group also may be able to provide you with resources and support. See the *Appendix* for state policy advisory group contact information.

We hope this kit is a useful resource and wish you the best of luck in your policy endeavors.

* In this policy action kit, we use the terms *African American* or *black*, *Latina*, *Hispanic*, *Asian American*, *Asian* and *Pacific Islander*, *Native American*, *American Indian* and *Alaska Native* to refer to women of color. In addition, the terms *women of color* and *minority women* are used interchangeably in this publication. We recognize that in some instances source materials use different terms to refer to these populations and that these terms may be either over-inclusive or under-inclusive.

† In this kit, the term *low-income* encompasses people whose annual family incomes fall below 100 percent of the federal poverty level (considered “poor” by the U.S. Census Bureau), as well as people whose incomes are over 100 percent of the poverty level but are still relatively low. While there is no consistent or official definition, low-income is generally defined as having an income up to 200 percent of the poverty level. See Megan Gallagher & Gregory Acs, *Income and Hardship: Poverty Among Non-Elderly Americans*, in URBAN INSTITUTE, SNAPSHOTS OF AMERICA’S FAMILIES, at http://newfederalism.urban.org/nsaf/income_a1.html (last visited Nov. 15, 2002); see also U.S. Census, *Health Insurance Statistics, Low Income Uninsured Children by State*, at <http://www.census.gov/hhes/hlthins/lowinckid.html> (last visited Nov. 15, 2002) (using a baseline of at or below 200 percent of the poverty level to track low-income uninsured children).

§ We recognize that not all women of color are low-income and, conversely, that not all low-income women are women of color. However, a disproportionate number of women of color are low-income, magnifying challenges faced in obtaining equal access to reproductive health care. To address this, the kit focuses on policy initiatives that expand and improve both women of color and low-income women’s access to reproductive health care. We also recognize that no single policy can adequately address the varying needs of any group of women. For access to health care to be meaningful, advocates and policy-makers must combat the myriad of barriers — financial and otherwise — faced by women seeking comprehensive reproductive health care.

Improving Access to Reproductive Health Care Through Proactive Policy Campaigns

There are a variety of reasons to consider pursuing a proactive policy campaign. First and foremost, proactive policy campaigns provide an opportunity to expand reproductive health options for all women, regardless of race, ethnicity or financial circumstances. Advocating proactive, pro-choice policies — such as the ones contained in this kit — allows advocates and policy-makers to better define and articulate pro-choice values and principles and help change the political climate. A proactive policy campaign, if planned carefully, also can build organizational, coalition and political power for future advocacy efforts.

Keep in mind, however, that policy campaigns require a lot of time and effort — and can fail due to lack of planning. This section addresses a number of key elements in creating a proactive policy campaign. While no two communities are identical, we hope this information will help you develop effective campaigns that improve equal access to reproductive health care.

BENEFITS OF PROACTIVE POLICY CAMPAIGNS

- Obtain policies that secure equal access to reproductive health care;
- Provide a platform to better define and articulate pro-choice values and principles;
- Build organizational and political power for future efforts;
- Strengthen coalitions and build new alliances;
- Mobilize and expand base of pro-choice volunteers;
- Give pro-choice policy-makers something to support;
- Put opponents on the defensive;
- Develop leadership;
- Gain media exposure;
- Raise funds to support future efforts; and
- Increase public education about reproductive rights and health.



Working in Coalition

People come together to work on policy campaigns for a number of reasons — sometimes a specific issue has emerged in the community, sometimes activists are committed generally to achieving adequate reproductive health care for all women. Whatever the reason, working in coalition is the most effective way to harness collective power and to ensure that a diverse group is working together on common issues.

To get started, consider meeting with key organizational allies in your state or community to discuss forming a coalition around specific policy initiatives. Even if you are working with an existing coalition, it is sometimes best to create a new coalition around specific

initiatives. While organizations may not be interested in joining a permanent coalition, they may be interested in endorsing a specific policy campaign.

Although working in coalition can sometimes be challenging, coalition partners may bring additional resources, constituencies, contacts, information, experience and clout to the campaign. You also can build long-term relationships and improve your grassroots organizing by working in broader coalition. Consider reaching out to advocacy organizations concerned with civil rights, poverty, health, labor or social justice issues, including those specifically concerned with women, people of color and gay, lesbian, bisexual and transgender people.

COALITION-BUILDING CHECKLIST

As you embark on building your coalition, remember some of the fundamental principles of successful coalitions:

- ✓ Choose unifying issues;
- ✓ Understand and respect organizational self-interest and differences;
- ✓ Agree to disagree;
- ✓ Create decision-making structures and processes;
- ✓ Define together what it means to win;
- ✓ Achieve significant victories;
- ✓ Distribute credit fairly; and
- ✓ Recognize that contributions vary.

TAKING STOCK: EVALUATING COALITION RESOURCES

Before your coalition takes on a proactive policy campaign, it is important to assess the resources each coalition partner has to allocate to the campaign, as well as the resources available within your community. This assessment will clarify your combined strengths and needs, and give you a realistic sense of your overall resources. Because some of the information gathered through the assessment may be sensitive or confidential, make sure every organization understands why you are gathering the information, who will have access to it and how it will be used. Some of the information you may wish to assess includes:

COALITION MEMBERS

Do they have staff, members, donors, trainings and a budget? What is their volunteer structure? How do they communicate with their members? What is their relationship with other progressive organizations, churches, synagogues, mosques and the medical community?

CAMPUSES/MEDICAL SCHOOLS

What private, public and community college campuses are in your target area? Are there progressive campus groups? How do they communicate with their members?

POLITICAL CLIMATE

What is the current makeup of the state legislature or other relevant elected bodies? Do coalition members have positive relationships with legislators, administrators and executives? Has the coalition attempted proactive policy initiatives in the past? What was the outcome?

ALLIES

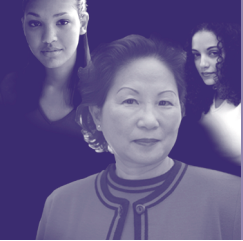
Who are your supporters outside of the coalition? Consider pro-choice and progressive legislators and their staff, state and local Department of Health officials, state commissions or offices on women's and minority health issues, campus groups, community leaders, public health programs, medical schools, community-based health centers, legal services organizations, faith-based groups and supportive clergy.

OPPOSITION

Who are your likely opponents? What are their strengths and weaknesses? How much effort will they put into opposing your policy campaign?

MEDIA

What are the major media outlets, including newspapers, radio, TV, magazines and online sources? What are the editorial stances of the newspapers? What personal contacts and relationships do coalition members have with the media?



Choosing a Proactive Policy Option

The primary goal of this policy action kit is to empower state advocates and policy-makers to use policy as a tool to promote equal access to reproductive health care. Since no policy on its own can completely address the issue of equal access, the first step in your campaign is to decide which policy or policies will be most effective in breaking down access barriers in your state. Helpful questions to guide this decision are included in each section of this kit. This step requires some preliminary research to analyze the problem with respect to the specific circumstances in your state. To facilitate your research, we also have included key materials, as well as relevant advocacy, academic and government resources, throughout each section and in the **Appendix**.

As you evaluate potential proactive policy options, there are a number of important strategic considerations. These should be assessed based on the goals of your campaign, as well as coalition resources, and the political climate in your state.

CHOOSE A LEGISLATIVE OR NON-LEGISLATIVE POLICY OPTION

Although policy changes are usually focused on the legislature, changes also can be made through your state's executive branch (for example, the governor, direc-

tor of health, insurance commissioner) or local governments. For example, if you are seeking a policy that requires the state to conduct research on racial disparities in maternal and infant health, you may be able to persuade the state director of health to conduct the research or you may be required to pass legislation to implement such a policy.

Legislative strategies often take more time and resources than non-legislative strategies, but they provide valuable opportunities for grassroots organizing and public education, and can help you obtain longer-lasting policies less subject to the political whims of different administrations. However, if you can achieve your policy goals non-legislatively, you may find that there are fewer decision-makers to persuade and that you can obtain real policy change in a shorter period of time.

DECIDE BETWEEN OMNIBUS AND STAND-ALONE LEGISLATION

If the coalition chooses a legislative strategy, it must decide whether to promote omnibus legislation, which encompasses a wide array of policy initiatives, or to promote one or two specific policies in stand-alone bills. To help you make this choice, we have highlighted the major opportunities and challenges inherent in omnibus legislation.



A REMINDER: WINNING ISN'T EVERYTHING!

Although you may not pass legislation or change regulations on your first attempt, you succeed regardless of the outcome by promoting an issue that engages activists, educates policy-makers and reaffirms your commitment to reproductive freedom for all women.

- **OPPORTUNITIES**

Omnibus legislation tells a more complete story and can highlight the interrelationships between, and the depth and complexity of, barriers to quality reproductive health care for all women. Omnibus legislation may also encourage a broader coalition to work together, as each policy initiative contained in the bill may be attractive to different constituencies.

- **CHALLENGES**

Omnibus legislation may be too much for the coalition or the legislature to handle at one time. Such legislation requires a thorough understanding of a broad range of issues and buy-in from a wider range of stakeholders. A stand-alone bill, on the other hand, enables you to focus on a specific problem and may provide a greater opportunity for incremental progress.

EVALUATING POLICY OPTIONS

When evaluating policy options, your coalition should consider whether the policy or policies would:

- Result in real improvements in the reproductive health of women of color and low-income women;
- Change laws or regulations;
- Strengthen organizations and coalitions;
- Make those involved feel as though they are fighting for something important;
- Garner broad support;
- Be easily understood; and
- Be consistent with your goals, values and vision.

FEDERAL LEGISLATION TO PROMOTE THE REPRODUCTIVE HEALTH OF WOMEN OF COLOR AND LOW-INCOME WOMEN

On the federal level, a coalition working on women of color and low-income women's reproductive health issues decided to advocate for an omnibus bill, with the view that such broad legislation provides an important organizing tool for coalition members and an educational vehicle for legislators. In the long-term, the coalition also plans to introduce individual sections of the omnibus bill in the form of stand-alone bills.



DETERMINE YOUR BOTTOM LINE

Before you embark on a policy campaign, it is imperative that the coalition considers what, if any, compromise policy positions it would be willing to accept. We suggest that you also work through this issue with key policy-makers to get an accurate assessment of potential compromise positions.

Issues to consider include:

- When will you accept something more discrete or less comprehensive than the proposed policy initiative?
- Will accepting a compromise position have future implications in other areas of law or policy or on coalition or collaborative efforts?
- How soon in the process do you communicate flexibility?
- Do coalition members, allies and key policy-makers agree on a bottom line?

ASSESS BUDGET IMPLICATIONS

In states with budget constraints, policy proposals with costs to the state may encounter strong opposition from policy-makers, and possibly other allies, concerned with fiscal impact. If your campaign encounters such opposition, policy-makers may be persuaded by arguments that highlight potential long-term cost savings as a result of the policy. Also remember that state budget crises come and go. Therefore, a policy that is not politically viable when first introduced may receive broader support in the future once a budget crisis is alleviated. Even if you do not succeed with your policy campaign during the first year, a well-planned policy cam-

paign can help build organizational and political power and lay the groundwork for future policy success.



Throughout this kit, we have included a dollar sign to highlight policy options with fiscal implications for the state and to underscore effective arguments to counter likely opposition.

SEEK COMMUNITY INPUT

As you are choosing a policy option, consider convening community meetings, health care roundtables or policy conferences to develop and assess policy initiatives that meet the needs of women of color and low-income women in your state. For example:

- In June 2002, the California Abortion and Reproductive Rights Action League (CARAL) convened a statewide summit to bring together women of color throughout California to advance a public policy agenda that promotes equal access to reproductive health care. Attendees at the summit included community activists, health care providers, advocates and researchers. *For more information on the summit and its outcomes, contact CARAL at (415) 334-1502 or caral@aol.com.*
- In April 2001, the National Abortion Federation (NAF) invited reproductive health advocates to discuss the unique barriers faced by women of color, low-income women and immigrant women in accessing abortion. Policy recommendations emerg-

ing from the consortium include promoting cultural competence in abortion clinics and increasing the number of abortion providers from diverse communities. *For more information or to receive a copy of the report, visit NAF's website at <http://www.prochoice.org> or contact (202) 667-5881.*

Developing a Proactive Policy Campaign

Once you have chosen an issue, the next step is to develop a plan to advance your proactive policy campaign. The key to a successful campaign is a good campaign plan and a realistic timeline, both of which should be in writing, modified as needed and referred to often.

Determine Goals

Successful campaigns have clearly defined goals. Once your coalition identifies key goals, it can more effectively pinpoint tactics that are the most likely to achieve the chosen goals. The best approach is to formally state your goals — and write them down as the foundation for the campaign plan. At the outset, the coalition should decide on:

- **Long-term goals:** those that you eventually hope to win and toward which the current campaign is a step, for example, “Comprehensive Medicaid coverage of family planning services”;
- **Intermediate goals:** those that you wish to win in this campaign, for example, “Expand the definition of state family planning services covered under Medicaid” or “Increase the number of women covered by Medicaid”; and
- **Short-term goals:** steps toward your intermediate goals. These are not always necessary, but they are useful both for

achieving small victories along the way and for creating benchmarks necessary to achieve intermediate goals. An example of a short-term goal is, “Gain public support from ten local officials.”

Craft a Message

Crafting a message is really nothing more than framing your issue in a way that will be understood and gain the most support. Keep in mind that gaining the most support usually means tailoring messages to resonate with a variety of audiences. Generally, your most compelling arguments will be those supported by research that demonstrates the need for the policy. To help you craft your message, each policy section of this kit includes key information, relevant research and links to additional resources.

As part of your research, also check with relevant advocacy organizations for help in identifying existing polling and messaging on your chosen issue. Depending on the campaign's budget, consider working with professional media consultants to develop and test effective messages that persuade a broad range of people. In addition, you may consider conducting small discussion groups, also known as focus groups, involving women of color, low-income women, health care providers and advocates to discuss whether your proposed messages will resonate in the community. Such focus groups can provide valuable insight, as well as bring important voices to your policy campaign.



Target a Decision-Maker

The decision-maker is the person with the power to bring about your coalition's desired goals. Depending on your campaign, the appropriate decision-maker may be one or more state legislators, the director of public health, the governor, the insurance commissioner, the Medicaid director, other executive branch officials or local school board members. In each policy section of the kit, we have highlighted possible decision-makers, both in the text and in the model legislation.

Identify Tactics

Only after the coalition has determined its goals, crafted a message and targeted a decision-maker should it take the next step – deciding specific tactics to achieve the chosen goals. There is a common tendency to jump to tactics as soon as the issue is chosen, but tactics should never be planned in isolation from the larger strategy. All too often, tactics take on a life of their own, independent of any strategic context. But tactics do not work just because they are a good idea. The worst mistake that can be made when planning your campaign is to think *tactically* instead of *strategically*. The range of tactics you employ will depend upon your specific campaign goals, what will have the most

impact upon the targeted decision-makers and the resources you have to implement them.

TARGETING THE COURTS

Although this kit does not focus on judicial strategies, you also may consider using the courts to enforce existing statutes or constitutional guarantees to achieve some of the same outcomes.

The purpose of this section is to guide you in planning an effective proactive policy campaign. While no single approach applies to every campaign, the steps outlined in this section can help you achieve your goal of equal access to reproductive health care for women of color and low-income women. *In addition to this kit, contact NARAL Pro-Choice America Foundation's Proactive Policy Institute at (202) 973-3000 or proactive@prochoiceamerica.org for assistance in developing your policy campaign.* You also may want to consult the following resources as you build your campaign:

FOCUS GROUP CASE STUDY: WOMEN OF COLOR TALK ABOUT EMERGENCY CONTRACEPTION

In July 1998, the Reproductive Health Technologies Project (RHTP) embarked on a project to determine the level of interest in and receptiveness to emergency contraception (EC) among low-income African American women in Philadelphia and Los Angeles. RHTP contracted with MEE Productions, Inc., a Philadelphia-based organization specializing in ethnic market research and community mobilization campaigns, to conduct a total of six focus groups (four in Philadelphia and two in Los Angeles) among African American women aged 18-24 and 25-34. Based on insight from focus group participants, RHTP decided to conduct an EC public education campaign specifically designed to reach African American women, using peer educators, targeted messages and community outreach. For more information on this campaign, contact RHTP at (202) 557-3417 or rhtp@rhtp.org.

- **Organizing for Social Change, Midwest Academy Manual for Activists**

The manual for grassroots organizers working for social and political change at the local, state and national levels. Includes detailed information on planning a policy campaign, as outlined in this kit. To order, go to <http://www.mindspring.com/~midwestacademy/Book/page3.html> or call (800) 354-5348;

- **Center for Policy Alternatives, Directory of Progressive Organizations in the States**

This online directory, profiling more than 800 state-based organizations addressing a variety of issues, can help you locate potential state coalition partners and resources. To search the directory, go to <http://www.stateaction.org/progdirectory>;

- **Campaign for Access and Reproductive Equity (CARE) 2000, Grassroots Organizing Manual**

A comprehensive source to aid activists in organizing for quality and accessible reproductive health care. To order one free copy, go to <http://www.care2000.org/manual.html>;

- **Healthy People 2010 Toolkit, A Field Guide to Health Planning**

The toolkit provides guidance, technical tools and resources to state and community advocates working to reduce disparities in health. For more information, go to <http://www.health.gov/healthypeople/state/toolkit/default.htm>; and

- **Partnership for the Public's Health**

A collaboration of the California Endowment and the Public Health Institute, Oakland, CA. For tips and web links on advocacy, grassroots organizing and policy, go to <http://www.partnershipph.org/index.html> and click on the "Resources" page.

POLICY CAMPAIGN TACTICS

Some common tactics for policy campaigns include:

- Media events;
- Letter writing or email campaigns;
- Petition drives (email and traditional);
- Visits with public officials;
- Participation in public hearings; and
- Educational meetings and forums.



ORGANIZING TIPS

- Remember to capture names, contact information and especially email addresses with a sign-up sheet at every meeting and event.
- Create a number of opportunities for volunteers to get involved in the campaign.
- Volunteers are the backbone of any campaign – ask their opinion, listen to their response and implement their ideas.
- Thank volunteers – hold an appreciation party, nominate them for community awards, mention them in your publications or write a thank you note.
- Provide leadership and growth opportunities.
- Plug people into future efforts.
- Plan for future campaigns by sharing credit, taking credit and documenting your successes.
- Have fun!

