



# PENNSYLVANIA NOW TIMES

**Pennsylvania NOW  
Inc.**

Pennsylvania NOW Times

Fall 2010

## Unshackled!

Imagine being in labor and losing your balance as you step up into the ambulance transporting you to the hospital. Now imagine being handcuffed, unable to reach out to steady yourself. That is reality for incarcerated pregnant women in 40 states throughout the U.S.

But on July 2, Gov. Rendell signed Act 45 into law, joining nine other states — California, Colorado, Illinois, New Mexico, New York, Texas, Vermont, Washington, and West Virginia — in prohibiting the shackling of pregnant women incarcerated. The Pennsylvania law took effect on August 30.

“I am pleased that my colleagues ... realized the senselessness of this act and ... [changed] how Pennsylvania’s correctional facilities treat pregnant prisoners,” said Sen. Daylin Leach (*D-Montgomery County*), the bill’s sponsor.

The new law makes it illegal to use restraints on incarcerated pregnant women in late pregnancy whenever they are being transported to a medical facility, or are in labor or recovery — absent *extraordinary* circumstances. Previously, restraints were removed only during emergency cesareans.

“[It] is a victory for women and children,” said Rep. Babette

Josephs (*D-Philadelphia County*) whose leadership in the House helped to ensure the bill’s passage. “The shackling of pregnant inmates during any stage of labor is barbaric and a throwback to an antiquated time. Of paramount importance should be the health of that innocent baby being brought into the world, who should arrive with tenderness and care, regardless of its mother’s status. Restraints are unfair to both the woman and the child, and I am elated that Pennsylvania no longer subscribes to such torture.”

Philadelphia NOW began working on this effort in 2007 under the leadership of its former president, Karen Bojar. In 2008, Philadelphia NOW became a member

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of the Working Group to Enhance Services for Incarcerated Women — a coalition of nearly 30 organizations facilitated by the Pennsylvania Prison Society. And it was actively involved in the Working Group’s Anti-Shackling Committee, which developed the Healthy Birth of Incarcerated Women’s Act, Senate Bill 1074.

Our statewide affiliate, Pennsylvania NOW, Inc., also diligently supported the ban on shackling as well as the bill, which unanimously passed both houses of the Pennsylvania General Assembly earlier this year.

“I am privileged to have had the opportunity to be a part of such an important crusade,” said Dee Johnson, Philadelphia NOW executive vice president and Shackling Committee chair. “Dr. Bojar was passionate about changing the practice of shackling incarcerated pregnant women in Pennsylvania and took

(Continued on page 5)

## How to contact Pennsylvania NOW

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## National NOW/PAC & PA NOW PAC Voters' Guide

Election Day is Tuesday November 2, 2010. Polls open at 7a.m. and close at 8 p.m. The following information is provided to you from the National NOW PAC and the PA NOW PAC.

### National NOW/PAC

The National NOW PAC makes endorsements in all Federal races. As of September 30, 2010 the following people have been endorsed in Pennsylvania:

#### U.S. Senate

**JOE SESTAK** (D) <http://joesestak.com/>

#### U.S. Congress

**BOB BRADY** (D) 1st CD <http://bobbrady.us/>

**CHAKA FATTAH** (D) 2nd CD  
<http://chakafattah.com/>

**MANAN TREVEDI** (D) 6th CD  
<http://www.trivediforcongress.com/>

**BRYAN LENTZ** (D) 7<sup>th</sup> CD <http://votelentz.com>

**ALLYSON SCHWARTZ** (D) 13th CD  
<http://www.allysonschwartz.com/>

**LOIS HERR** (D) 16th CD <http://herr2010.com>

**DAN CONNOLLY** (D) 18th CD <http://voteconnolly.com>

## Pennsylvania NOW PAC

The Pennsylvania NOW PAC makes endorsements for all statewide and local races. This year, there are races for Governor, Lt. Governor, half of the PA State Senate, and all PA House races. The PA NOW PAC has two levels of approval for candidates. "**Endorsement**" is the highest level of approval and is given only to those candidates who support all of our issues and will take a leadership position on those issues if elected. "**Support**" is given to those candidates who are good on most of our issues but have a problem with one or two; we believe that these candidates are significantly better than their opposition. "Endorsed" candidates names are **CAPITALIZED** and **BOLDED**. Candidates receiving "Support" have their names printed in upper and lower-case letters. Additional endorsements will be posted on our webpage as they are made.

#### Governor and Lieutenant Governor

No endorsements

#### Pennsylvania Senate Endorsed Candidates

**RUTH DAMSKER** (D) 12<sup>th</sup> SD  
<http://www.voteruth.com>

**BILL WALLACE** (D) 24th SD  
<http://www.billwallace.com>

#### Pennsylvania House of Representatives

**Endorsed:**

**GERALD PRICE** (D) 4th HD  
[www.electgeraldprice.com](http://www.electgeraldprice.com)

**SHARON BROWN** (D) 28th HD  
<http://brownhouse28.com>

Voters' Guide paid for by PA NOW PAC & NOW/PAC

**GERALD E. POLICOFF** (D) 41st HD  
<http://policoff41st.com>

**JO ELLEN BOWMAN** (D) 60th HD  
<http://joellenforstaterep.org>

**TREY CASIMIR** (D) 85th HD  
<http://treyforpa85th.blogspot.com>

**PHYLLIS MUNDY** (D) 120th HD <http://phyllismundy.com>

**TINA DAVIS** (D) 141st HD <http://votetnadavis.com>

**BABETTE JOSEPHS** (D) 182<sup>nd</sup> HD <http://www.reelectbabette.com>

**Supported:**

Angela West (D) 87th HD <http://goangelawest2010.com>

Mark Painter (D) 146th HD <http://markpainterstaterep.com>

Andrea Baptiste (D) 150th HD  
<http://www.baptisteforpahouse.com>

#### **The PA NOW PAC needs your help.**

In order to put out a voter's guide and to assist NOW endorsed candidates for statewide and local office, we need funds donated directly to the PA NOW PAC. If you are interested in electing public officials who support full equality of women, then please consider donating to the PA NOW PAC. Mail your donation to the **PA NOW PAC, P.O. Box 8614, Wilkinsburg, PA 15221**. You can also donate online to the PAC via credit card at [http://panow.org/PAC\\_file/PANOWPAC.htm](http://panow.org/PAC_file/PANOWPAC.htm). **Thank you!**



## Proposed Anti-Abortion Bill Condemned

In September, Senator Don White (R) and the Senate Republican leadership introduced legislation that would severely restrict access to abortion care in Pennsylvania.

On September 30<sup>th</sup>, Pennsylvania NOW along with members of the Pennsylvanians for Choice Coalition denounced Senate Bill 1399. If passed, this bill would ban private insurance plans sold in Pennsylvania's state exchange from covering even medically necessary abortion procedures.

"Today, most private insurance plans cover abortion care," said Susan Frietsche, Senior Staff Attorney at the Women's Law Project. "Senator White's proposal would leave women worse off than they were before health care reform began."

Under Senator White's bill, no abortion plan that contracts with the state exchange would be permitted to cover abortion except in the narrowest circumstances.

The insurance exchanges, slated to be available for enrollment in 2014, will serve those who do not have access

to employer-based health plans including the unemployed and small business employees.

With an estimated 80% of private insurance plans currently covering abortion procedures, coalition spokespeople said that a ban of this magnitude would have a devastating effect on Pennsylvania women.

"Aside from having some of the oldest and most stringent abortion laws in the nation, Pennsylvania, like the rest of the nation, is bound by the Nelson abortion provision to the federal health care law," said Sari Stevens, Executive Director of Planned Parenthood Pennsylvania Advocates.

Under the Nelson abortion provision, any health insurance plan that contracts with the exchange is required to implement a complex system of segregation to ensure no federal funds are used for abortion coverage - including the collection of two separate payments from the beneficiary, one for abortion

coverage and one for all other health care coverage.

The proposed state ban would deny insurance plans participating in the exchange from covering abortion care except in cases where the pregnancy was caused by rape or incest, or where the life of the woman is in danger.

Frietsche pointed out that "in the Medicaid context, Pennsylvania courts have already ruled that it's unconstitutional to make rape survivors jump through the kind of insulting and burdensome hoops this bill would create."

The bill would require rape survivors to "personally" report the crime and identify the assailant, if known, within 72 hours in order for their health insurance to cover an abortion procedure.

"The White bill is a throwback to the days when society blamed rape victims for somehow being responsible for the violence that was done to them," Frietsche commented.

"Pennsylvania lawmakers really should have moved beyond

these gender stereotypes by now."

"Instead of denying Pennsylvania women access to fundamental reproductive health care services, politicians should be working to protect and advance women's health," concluded Rebecca Foley of the Philadelphia-based nonprofit WOMEN'S WAY. "This proposed ban will leave many Pennsylvania women without coverage for safe, legal, and critical care."

Upon hearing about this proposed legislation, Squirrel Hill NOW President Jeanne Clark commented, in agreement with Pennsylvania NOW, that we must be even more vigilant and active to kill this and similar bills that are introduced during the next four years. She stated, "Both candidates for Governor - Dan Onorato (D) and Tom Corbett (R) are opposed to abortion and have previously received the endorsement of the antiabortion forces."

This year, Tom Corbett received the endorsement from the Pennsylvania Pro-Life



## Legislation

PA NOW has been monitoring several pieces of legislation in the Pennsylvania General Assembly. Since this is the end of the 2-year session, the following summarizes bills that have moved to some extent or were passed into law during the 2009-2010 legislative session.

### Reproductive Justice

**HB 164**—PA NOW **supported** passage of this bill. This bill adds breastfeeding as a protected class under the PA Human Relations Act, which is Pennsylvania's anti-discrimination law. Bill sent to Appropriations Committee from Children and Youth Committee on February 11, 2009.

**SB 1399** — PA NOW opposes this bill or any similar bill that may be introduced next year. This bill would ban private insurance plans sold in Pennsylvania's state exchange, created under health care reform, from covering even medically necessary abortion procedures. See article on page 3 regarding this bill.

### Economic Justice

**HB 2245** — PA NOW **supported** passage of

this bill. This bill adds language to the Pennsylvania Human Relations Act to make it illegal to discriminate against someone in employment based on either their marital or familial status. HB 2245 passed out of the House State Government Committee on March 9, 2010 and then stalled in the Appropriations Committee due to fears that this bill might be "too controversial." For more details go to <http://pennsylvanianow.blogspot.com/2010/03/three-bills-for-women-on-ides-of-march.html>.

### Health Care

National NOW is working to have Congress eliminate the Hyde amendment and will continue their work for passage of a single-payer health care program at both the state and federal levels.

### Care Giving

HB 245 — PA NOW **supported** this bill, which amends the Family Caregiver Support Act to provide lottery fund monies to assist persons who are primary at-home caregivers of "functionally dependent and victims of chronic

dementia" who earn less than 200% of federal poverty income. This bill unanimously passed the House on March 30, 2009. It has remained in the Senate Aging and Youth Committee since then.

### Lesbian Rights

HB 300— LGBT Civil Rights Bill. PA NOW **supported** this bill to prohibit discrimination based on sexual orientation & gender identity in employment, housing, & public accommodations. HB 300 passed out of the House State Government Committee on March 5, 2009 and then stalled in the House Appropriations Committee as the House Democratic leadership did not want to take a vote on this "controversial" issue.

### Promoting Diversity & Ending Racial Discrimination

SB 9, HB 44, & HB 1184 – PA NOW opposed all of the bills. They require all recipients of public benefits over age 18 to sign an affidavit and then have their names checked through the US Department of Homeland Security SAVE (federal Systematic Alien Verification of Entitlement) program to

prove they are citizens or legal residents of US before receiving benefits. Most people denied services through this flawed federal program are people of color. Neither House bill ever moved. The Senate bill passed the full Senate in 2009 and then died June 2010 in the House State Government Committee after a resolution to force the bill out of this committee failed..

### Stopping Violence Against Women

#### Protection from Abuse

SB 432 – PA NOW **supported** this bill. This bill would have created a "Sexual Violence Victim Protection Order" for sexual violence victims. Basically, this is a Protection From Abuse law for victims of sexual assault. This bill died in the Senate while awaiting a final vote before being sent to the House.

#### Human Trafficking

SB1227— PA NOW **supported** this bill. This bill mandated the posting of the National Human Trafficking Resource Center hotline, in key locations throughout the state to provide assistance, tip

## Legislation (Continued)

(Continued from page 4)

reporting and training on human trafficking to victims, community members and law enforcement. Posting of signs would be required in massage parlors, spas, restaurants, bars, taverns, hotels or clubs that have a valid liquor or malt or brewed beverage license, adult entertainment enterprises, hotels or motels found to be a drug-related nuisance, airports, train stations or bus stations, and welcome centers and rest areas operated by the Dept. of Transportation. This bill was referred to Senate Labor & Industry Committee on February 4, 2010, where it died due to lack of action.

SR 253—our first **VICTORY!** PA NOW **supported** this bill. This resolution directs the Joint State Government

Commission to establish an advisory committee to study the problem of human trafficking and to make a report to the Senate on the issue of human trafficking, including a proposed State plan for the prevention of human trafficking and any recommendations for changes in State law, policies and procedures. This resolution was adopted on April 20, 2010 by the Senate. As this resolution did not require House action, it was then transmitted to the Joint State Government Commission for action.

Outlawing the Shackling of Incarcerated Pregnant Women - our second **VICTORY!**

SB 1074—PA NOW **supported** this bill. This bill prohibits correctional facilities within the state from shackling pregnant women during labor and

delivery. This new law went into effect on August 30, 2010. See article on page 1 for more details.

### Family Law

HB 90 – Uniform Child Abduction Prevention Act – This bill would have created procedures for determining when a child is likely to be abducted, allowing a court to implement child abduction prevention procedures. Restrictions could include – stay away order, travel restrictions, removal of child's passport or stop order for passport, and visitation restrictions. While this bill may help protect children from familial kidnapping, it could also prevent international women who are fleeing a domestic violence situation from leaving, resulting in the entire family remaining in danger. This conflict was never resolved, so PA NOW **opposed** this bill. At the time of printing, the

Senate only had 3 session days left before adjourning for the year in order to have a final vote on this bill. So there's a good chance it might not pass.

### Education

SB 890 — The High School Athletics Disclosure Bill . PA NOW supported this bill. On September 29, 2010, the Senate unanimously passed this bill and sent it to the House of Representatives. This legislation would require high schools, junior highs, and middle schools to post statistics revealing the gender breakdown of school-sponsored athletic programs in a push for greater gender equality. If the House quickly follows the Senate's lead we will have our third success for equality during this legislative session.

## Unshackled (cont'd)

steps to help improve this situation. She was truly the impetus for the Pennsylvania movement; she gave it legs. But the Working Group gave it feet, so that we were able to garner statewide support. And then finally, Sen. Leach took our bill, ran with it and crossed the

finish line, making our dreams reality!"

— By Dee Johnson  
*Philadelphia NOW  
Executive Vice President  
and Shackling Committee  
Chair*



Call your US Senators and tell them to pass the Paycheck Fairness Act. S. 3772 will close loopholes in the Equal Pay Act of 1963 and strengthen it by creating incentives for employers to follow the law.

## Abortion Ban Condemned (cont'd)

Federation in his race for Governor and is now touting his anti-choice credentials in his campaign. Onorato's campaign has been much less outspoken on this issue.

According to Clark, "Dan Onorato continues to say he is personally opposed to abortion. He publicly pledged on a public radio call-in in September and personally promised my friend Barbara Hafer, former state treasurer and state auditor general that he will support current law, and

oppose any more encroachment on our right to choose birth control and abortion. He has also promised not to use his appointment power to advance the antiabortion cause."

According to Clark, these promises were made to Hafer when he first ran for Executive Director of Allegheny County and were reiterated this year when he again asked for Hafer's support

In either case, we need to be vigilant and active. Our legislature should not deny Pennsylvania women access to

fundamental reproductive health services. The legislature should be working to advance and not hinder women's health.

Since it is highly unlikely that the Pennsylvania Senate will turn over to Democratic leadership, we will continue to see such egregious bills introduced and run through the Senate.

If Tom Corbett becomes Governor, we will have a Governor hostile to our basic human rights who will sign such a bill into law. If Dan Onorato

becomes Governor, we will need to hold Onorato to his pledge not to "advance the anti-abortion cause" and make sure that his personal opposition to abortion does not become law.

NOW will continue to condemn bills like this one and, no matter who becomes Governor, will continue to oppose any anti-abortion bill that further restricts access to reproductive health. Abortion is a legal medical procedure. If abortion coverage is available to some, it should be available to all.

## Police Failure to Properly Investigate Rape

On August 2, 2010, Sara Reedy of Cranberry Township, Butler County, PA successfully had her day in court. In 2008, she was arrested, charged, and jailed for theft, stolen property, and making false reports to law enforcement authorities of the convenience store where she was employed after she was raped. The charges were dismissed after the rapist, caught in another rape incident, confessed to both the rape and the robbery. Why did this happen? Because the investigating Officer Frank Evanson relied on the myth that if

you don't resist "hard enough," you were not raped and are therefore lying.

This case was heard by the US Third Circuit Court of Appeals. They found that Sara's civil rights were violated. The Court said that the police relied on these false myths about rape and therefore failed to properly investigate the charges. Pennsylvania NOW was a signatory to the Women's Law Project Amicus brief supporting Ms. Reedy in her case before the Circuit Court. More detail on this decision can be found at <http://ta.gd/Reedy>.

Unfortunately Officer Evanson has yet to receive any disciplinary action for his failure to investigate. Let the Cranberry Township police know that you want a full and complete investigation into this travesty of justice.

Similar problems had also occurred in Philadelphia. In 1999, after a Philadelphia Inquirer story on this problem, the Philadelphia Police Department decided to change the climate and created an oversight and review process for rape and sexual assault cases. Now advocates for rape

victims annually review sexual assault cases and make recommendations to improve sexual assault investigations and monitoring of sex crimes in the city. As a result journalists throughout the country now contact the Philadelphia Police Department and the Women's Law Project to find out how this successful program works when these types of police failure to investigate rape occur in their communities. PA NOW believes that similar actions should be taken by advocates and police departments throughout Pennsylvania.



**NOW is the time to VOTE with your feet and \$'s.  
Make your contribution to our Education Fund today!  
Let's fight to keep and improve women rights!**

**Women's rights are under attack:**

- ◆ Right to a legal, safe abortion
- ◆ Right to have birth control
- ◆ Right to pay equity
- ◆ Right to privacy and self determination
- ◆ Right to freedom from discrimination
- ◆ Right to disability rights
- ◆ Right to freedom from sexual assault, domestic violence, stalking
- ◆ Right to equal sports scholarships
- ◆ Right to herstory
- ◆ Right to healthcare
- ◆ Right to quality public education
- ◆ Right to organize

**What can we do?**

**Help us go "green" save trees and our money for actions.**

**Send your email address to "[panow@panow.org](mailto:panow@panow.org)" with "PNT mail" in subject line so we can send you a link to our next Newsletter.**

**What can we do?**

Send your tax deductible donation to our *Pennsylvania NOW Education Fund, P.O. Box 8614, Wilkinsburg, PA 15221* or online at <http://panow.org/edfund.htm>. The Fund is a not-for-profit organization, that focuses on raising the consciousness of people and in particular young women and corporations on feminist issues.

**What can we do?**

Keep your favorite TV stations phone numbers by your side. Pick up the phone and call the station or corporation when you see or hear anti-female sexually explicit, violent, or degrading behavior or advertising to or about women.

**What can we do?**

Have a fundraising neighborhood/friends party for PA NOW. Pick a 'right,' discuss 'rights,' show the DVD 'Iron Jawed Angels.' Plan rides to the polls. Make sure your neighbors vote on Nov. 2.

**WANTED**

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*I will make a financial commitment to ensure Pennsylvania NOW is at the table with our friends to STOP the right wing agenda to eliminate women's rights and women's unity. Use enclosed donation form OR donate online at <http://panow.org/edfund.htm> OR <http://panow.org>.*



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**See the PA NOW  
PAC Voter's  
Guide on page 2.**

## Chapter Exchange

**Ni-Ta-Nee NOW** has had two major actions in the last several months. Last spring, in coordination with the Centre County Women's Resource Center, Ni-Ta-Nee NOW held an evening of consciousness raising on issues of sexual assault against women of color and lesbian, bisexual and transgender women. The event was organized and led by three of our members—Shani Robin, Jasmine Rakestraw, and Michelle Hamilton.

Then in July and August, we held our annual tabling event at the Central Pennsylvania Festival of the Arts. We tabled in front of Webster's Café Bookstore in State College. We collected 181 paper signatures in July and 277

electronic signatures online in July and August through the Pennsylvania NOW Facebook page calling on the US Senate to ratify CEDAW—the United Nations Convention on the Elimination of Discrimination Against Women. The US helped write this treaty 31 years ago. However we are the only industrialized nation that still needs to ratify CEDAW. The online petition included signatures from people living in 29 states and 4 countries (US, Pakistan, India, and Great Britain). All of the signatures were sent to Erin Matson, National NOW Vice-President of Action. She is delivering them to Senators Specter and Casey.

**Philadelphia NOW** is working with local groups to develop feminist programming for PhillyCAM, the city's new public access station. We are also:

- Lobbying both in Harrisburg and in Philadelphia's City Council for passage of Earned Sick Time bills.
- Trying to raise consciousness and build a coalition to improve access to maternity care in Philadelphia;
- Working through the Raising Women's Voices Coalition to ensure that women's needs are met as

health reform comes to Pennsylvania;

- Engaging young women interested in politics through our partnership in Women's Campaign Forum's "She Should Run" program; and
- Getting out the vote this November!

We recently had a Happy Hour with special guest and NOW member State Rep. Babette Josephs. And on Oct. 7th, we are co-hosting a Happy Hour with the Coalition of Labor Union Women. Our special guest will be National NOW Vice President of Action Erin Matson.

— Susan Woodland, NW PA NOW