

ASSEMBLY RESOLUTION No. 197

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED OCTOBER 19, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

**Assemblywoman Swain, Assemblyman Verrelli and Assemblywoman
Carter**

SYNOPSIS

Condemns practice of forced hysterectomies in U.S. ICE facilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/26/2020)

1 **AN ASSEMBLY RESOLUTION** condemning the practice of forced
2 hysterectomies in U.S. Immigration and Customs Enforcement
3 facilities.
4
5 **WHEREAS**, There is a shameful legacy of United States officials
6 ordering forced sterilization on people without their consent -often
7 disproportionately targeting people of color- in hospitals, prisons,
8 and other state-run facilities; and
9 **WHEREAS**, Forced sterilization was legalized through laws that were
10 driven by racism and cloaked in terms of mental health and fitness;
11 and
12 **WHEREAS**, The state of Indiana passed the first eugenics sterilization
13 law in 1907. Thirty-one other states followed suit; and
14 **WHEREAS**, Under those laws, about 60,000 people were sterilized in
15 procedures that we would qualify today as being compulsory,
16 forced, involuntary, and under the justifications that the people who
17 were being sterilized were unfit to reproduce; and
18 **WHEREAS**, The laws, which led to officials ordering sterilizations of
19 people they deemed “feeble-minded” or “mentally defective,” later
20 became models for Nazi Germany; and
21 **WHEREAS**, Women and people of color increasingly became the target
22 of forced sterilization laws, as eugenics amplified sexism and
23 racism; and
24 **WHEREAS**, Those who were forced to undergo sterilizations varied
25 from state to state. In California, people of Mexican descent were
26 disproportionately sterilized, and in North Carolina, African-
27 American women were unduly targeted for forced hysterectomies;
28 and
29 **WHEREAS**, Most of the state laws were repealed by the 1970s. But the
30 history behind forced sterilization is something scholars are still
31 working to unravel, and this country is still reckoning with; and
32 **WHEREAS**, In recent years some states have issued apologies for
33 forced sterilizations, and awareness about the practice and its place
34 in the history of the United States has grown; and
35 **WHEREAS**, However, new allegations of forced hysterectomies in U.S.
36 Immigration and Customs Enforcement (ICE) facilities have
37 surfaced, and the country is forced, once again, to face its history of
38 state-sponsored involuntary sterilizations; and
39 **WHEREAS**, In a complaint filed with the Department of Homeland
40 Security's inspector general, a nurse who worked at the ICE's Irwin
41 County Detention Center in Georgia reported concerns about a high
42 rate of hysterectomies and alleged medical neglect; and
43 **WHEREAS**, Specifically, the complaint accused the center of
44 negligence, including poor safety precautions surrounding the to the
45 coronavirus disease 2019 (COVID-19) pandemic, and generally
46 hazardous and unsanitary conditions; and
47 **WHEREAS**, According to the whistleblower, an alarmingly high rate of
48 hysterectomies were being performed on Spanish-speaking

1 immigrants, many of whom did not appear to understand why they
2 had undergone the procedure; and
3 **WHEREAS**, The complaint stated that immigrants who spoke out
4 against the conditions at the ICE were regularly pushed into solitary
5 confinement, and the whistleblower was demoted and reprimanded
6 when she spoke out against these practices; and
7 **WHEREAS**, The United States has a long history of reproductive
8 coercion and forced sterilization, particularly targeting Black,
9 Latina, and Native American women as well as women with
10 disabilities and incarcerated women; and
11 **WHEREAS**, The allegations contained in the complaint filed against
12 the Georgia ICE facility evoke a time when eugenicist practices
13 were often sanctioned by United States law and allowed for the
14 sterilization of anyone deemed “unfit”; and
15 **WHEREAS**, All women living in the United States, regardless of
16 immigration status, are entitled to bodily autonomy and should not
17 be subjected to compulsory and involuntary surgeries, including
18 forced hysterectomies; now, therefore,

19
20 **BE IT RESOLVED** by the General Assembly of the State of New
21 Jersey:

22
23 1. This House condemns the practice of forced hysterectomies
24 in U.S. Immigration and Customs Enforcement facilities and
25 recognizes that all women living in the United States, regardless of
26 immigration status, are entitled to bodily autonomy and should not
27 be subjected to compulsory and involuntary surgeries.

28
29 2. Copies of this resolution, as filed with the Secretary of State,
30 shall be transmitted by the Clerk of the General Assembly to the
31 President of the United States, the Senior Official Performing the
32 Duties of the Director of U.S. Immigration and Customs
33 Enforcement, and every member of the New Jersey Congressional
34 delegation.

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36

37 **STATEMENT**

38

39 There is a shameful legacy of United States officials ordering
40 forced sterilization on people without their consent -often
41 disproportionately targeting people of color- in hospitals, prisons,
42 and other state-run facilities.

43 Under laws that were driven by racism and cloaked in terms of
44 mental health and fitness, about 60,000 people were sterilized in
45 procedures that we would qualify today as being compulsory,
46 forced, involuntary, and under the justifications that the people who
47 were being sterilized were unfit to reproduce.

1 In a complaint filed with the Department of Homeland Security's
2 inspector general, a nurse who worked at the U.S. Immigration and
3 Customs Enforcement's Irwin County Detention Center in Georgia
4 reported concerns about a high rate of hysterectomies and alleged
5 medical neglect.

6 The allegations contained in the complaint filed against the
7 Georgia ICE facility evoke a time when eugenicist practices were
8 often sanctioned by United States law and allowed for the
9 sterilization of anyone deemed "unfit."

10 This resolution condemns the practice of forced hysterectomies
11 in ICE facilities and recognizes that all women living in the United
12 States, regardless of immigration status, are entitled to bodily
13 autonomy, and should not be subjected to compulsory and
14 involuntary surgeries.