Rosie Should Still Be Here

A zine about the Hyde Amendment's first-known victim and how we can continue to fight for abortion access in TX
Rosaura Jiménez, known as Rosie, was a 27 year old Chicana woman from McAllen, TX. Rosie was a college student and single mother with plans of building a better future for herself and her daughter Monique.

According to "Reckoning with Rosie", a report by Alexa Garcia Ditta for The Texas Observer, Rosie would sometimes pick up cleaning jobs on the weekend while going to school to become a teacher. She loved classic rock and would like to joke around in class.

Her parents were migrant farm workers, and Rosie grew up in poverty. She was determined to make it out. In September of 1977, she was only six months away from earning her teaching credential when she found out she was pregnant again.

Rosie was from McAllen, Texas, a major city in the lower Rio Grande Valley. Part of Hidalgo County, McAllen is only minutes from the Texas-Mexico border. An abortion in the 1970s in McAllen cost around $200 dollars.
A working-class student, Rosie could not afford to pay for an abortion from a licensed OB-GYN out of pocket. She considered different ways to raise the money to see a doctor for her procedure, but the price was too high. She was determined to finish school, so she opted to see a midwife in McAllen who performed illegal abortions.

On September 26, 1977, Rosie went to McAllen General Hospital. She had a bacterial infection in her uterus and had developed a fever and was hemorrhaging. She was quickly intubated and doctors performed a hysterectomy, but the infection spread to the rest of her organs.

On October 3 at only 27 Rosie Jiménez died. A couple of months before her death in August of 1977, a new federal regulation had come into affect which meant that Medicaid, the public healthcare that Rosie used, would be prohibited from covering abortions.

This policy, known as the Hyde Amendment, cost Rosie her life. It still negatively impacts people seeking abortions to this day.
What is the Hyde Amendment?

Three years after Roe v. Wade, the anti-choice movement had a major win in the form of the Hyde Amendment.

A legal provision, the amendment blocks federal funding from paying for abortions. Since it was first enacted, it has been renewed every year by both Republican and Democrat lawmakers.

Supporters of Hyde argue that it is not actually affecting people's right to abortion since it doesn't legally refute Roe v. Wade, but even in August of 1977 when it was enacted until Rosie's death of that year in October the Center for Disease Control found that five women in McAllen alone were hospitalized due to getting back alley abortions.

So no, the Hyde Amendment does not take away a person's right to an abortion, but it certainly makes getting a safe abortion harder.

"I would certainly like to prevent, if I could legally, anybody having an abortion: a rich woman, a middle class woman, or a poor woman. Unfortunately, the only vehicle available is the [Medicaid] bill." -Henry Hyde, anti-choice representative and main sponsor of the Hyde Amendment
While Roe v. Wade is critical in protecting a doctor's right to perform an abortion in the United States, it doesn't actually guarantee a person's ability to access an abortion.

The right to an abortion is only symbolic if people are forced to make a choice between paying their rent or being able to afford an abortion.

Additionally, we know that a disproportionate amount of people on Medicaid are women of color, meaning the Hyde Amendment is not only classist and sexist but racist, too.

Lawmakers have neglected the people in the 40 years that they've allowed the Hyde Amendment to continue to exist. An end to abortion coverage bans will ensure that no other lives are tragically and needlessly cut short.
abortion restrictions in Texas today

- Only physicians can provide abortions (medication and surgical)
- Hospitals can refuse to provide abortions
- Public funding available only in cases of life endangerment, incest, or rape
- Woman's Right to Know and mandatory counseling
- 24 hour wait period, unless more than 100 miles from a clinic (then 2 hours)
- Mandatory sonogram
- Mandatory displaying and description of the sonogram
- Abortions over 16 weeks can only be performed in ambulatory surgical centers
- Fetal heartbeat must be made audible
- Same doctor throughout process
- Abortion banned after 20 weeks
- Private insurance companies can only cover abortion in the case of life endangerment
- Parental notification or judicial bypass for minors
- Judicial bypass applications must be filed in county of residence
- Telemedicine restrictions

additionally:

- Texas funds crisis pregnancy centers (CPC's), or fake clinics
- State healthcare employees cannot make abortion referrals
- Continued cuts to family planning programs and changes to TX Women's Medicaid
Texas abortion funds typically help people seeking abortions by removing financial, physical or logistical barriers to their procedures. Some funds provide procedural support, meaning they put money towards a person's procedure, while others provide practical support, meaning they help with lodging, travel or even emotional support in the form of abortion doulas. While each fund has a respective service area, they often work together to make sure a person is getting the care they need. Remarkably, a majority of grassroots funding supports abortion funds, meaning everyday people see the important work that abortion funds do and donate every year to keep them going.
when our access to healthcare is under attack, we stand up & fight back

The state of Texas has shown to be consistently hostile to people's right to abortion, bringing up anti choice legislation at almost every legislative session since Roe was enacted in 1973. In 2017 Texas legislators upped the cruelty factor by passing SB8 or the fetal burial law that stated that health care facilities would have to start burying or cremating fetal remains in cases of abortions, miscarriages and stillbirths regardless of the patient's wishes. The bill was overturned by Texas courts in 2018, showing that no matter the challenge unjustly created to create barriers to women's right to abortion, advocates, activists and community organizers will be there to defend our right to reproductive autonomy including the right to abortion.

how we fight

- Rosie's Law: Advocates are preparing to introduce and fight for the passage of Rosie's Law, which would require TX Medicaid to also cover abortion.
- The People's Lawsuit: In June 2018, Whole Woman's Health v. Paxton was filed in which The Afiya Center, TEA Fund, Lilith Fund, West Fund, Fund Texas Choice, and Dr. Bhavik Kumar joined Whole Woman's Health to challenge a long list of laws created by Texas that keeps abortion inaccessible.
- City ordinances and resolutions: Abortion funds have joined other organizations and grassroots groups to pass paid sick ordinances that would require employers to give their employees paid sick days. Austin was also the first city in Texas to pass a resolution standing against Hyde restrictions, named after Rosie Jiménez.
- Continuing our mission: everyday we help Texans (throughout and outside) the state to access their right to healthcare with dignity by funding abortion, and we're committed to do so no matter the political landscape.
Rosie’s life will not be lost in vain

Rosie Jiménez never should have had to get an unsafe abortion. Rosie should still be here today, but due to politicians who implement their beliefs onto other people, she died much too soon leaving a four year old daughter behind.

Advocates of abortion and reproductive justice will keep Rosie Jimenez at the helm of our work by continuing to fight and advocate for the end of abortion restrictions including coverage bans. We will not only fight to preserve our legal right to abortion, but also expand the accessibility to abortion and reproductive healthcare with dignity for everyone regardless of income, age, race, documentation status or any other marker that currently makes it harder for them to access the care they need.

We encourage you to join us in this fight, whether it be at the legislature, in the courts, outside our abortion clinics, or in your own community. Never let anyone forget Rosie or her pursuit for a better life. Continuing the fight to abortion access is continuing the fight for the people. Join us.