

Senate Resolution 265

By: Senators Rahman of the 5th, Harrell of the 40th, Merritt of the 9th, Jackson of the 41st
and Au of the 48th

A RESOLUTION

1 Urging the Congress of the United States to abolish the practice of involuntary sterilization
2 of women in custody of the United States Immigration and Customs Enforcement agency;
3 and for other purposes.

4 WHEREAS, in 2020, a whistle blower employee at the Irwin Detention Center in Georgia
5 reported that hysterectomy procedures, or the surgical removal of the uterus, were performed
6 on immigrant women detained at the facility without informed consent; and

7 WHEREAS, the practice of experimenting with sterilization officially started in the United
8 States with the Racial Integrity Act of 1924, which encouraged the sexual sterilization of
9 institutionalized people in Virginia in order to improve the "health of the patient and the
10 welfare of society." In the 1927 case of *Buck v. Bell*, 274 U.S. 200, the Supreme Court
11 upheld that act, and the decision resulted in 70,000 sterilizations of people deemed "unfit"
12 to reproduce, largely due to mental illness, but also because of physical disability, poverty,
13 or race. This case has never been overturned and is still used as an authority to keep these
14 practices active; and

15 WHEREAS, federally funded sterilization programs took place in 32 states throughout
16 the 20th century. These programs had disproportionate and devastating impacts on

17 immigrants, people of color, poor people, unmarried mothers, and disabled individuals. It
18 is estimated that as many as 70,000 Americans were forcibly sterilized during this period;
19 and

20 WHEREAS, unwanted sterilization is a grave violation of human rights, violating the right
21 to health, privacy, found a family, and information; and

22 WHEREAS, prohibiting the practice of unauthorized sterilizations of immigrants and
23 detainees in custody of the United States Immigration and Customs Enforcement agency
24 would represent a transformative and positive step in preserving the basic human and
25 reproductive rights of these women.

26 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
27 urge the Congress of the United States to abolish the practice of involuntary sterilization of
28 women in the custody of the United States Immigration and Customs Enforcement agency.

29 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
30 to make appropriate copies of this resolution available for distribution to the President of the
31 United States, the Vice President of the United States, the Speaker of the United States
32 House of Representatives, and all members of the Georgia delegation to Congress.