



HB0997 - Equal Protection for Unborn Human Life Act
Presented to the Hon. Shane Pendergrass and
Members of the House Health & Government Operations Committee
March 19, 2021 1:30 p.m.

POSITION: OPPOSE

NARAL Pro-Choice Maryland urges members of the House Health and Government Operations Committee to issue **an unfavorable report on HB0997 Equal Protection for Unborn Human Life Act**, sponsored by Delegate Ric Metzgar.

Our organization is an advocate for reproductive health, rights, and justice. As part of our efforts to protect reproductive freedom for all Marylanders, we work to ensure every individual has the right to decide if, when, and how to form their families, and to parent in good health, in safety, and with dignity. We honor pregnancy in all its complexity, advocate for those who wish to bear healthy children, and fight against reproductive coercion. This bill, however, directly attacks every reproductive freedom that our organization stands for and tries to criminalize a woman's right to her own bodily autonomy.

Denying access to legal abortion care and stripping a woman of the ability to make her own decisions about her pregnancy and overall reproductive health can have detrimental consequences. Without safe and economical access to abortion care, women will inevitably have to opt for makeshift abortion care in unsafe and non-medical environments that put their lives at risk. The Human Rights Law Review found that "Every year, at least 70,000 women die from complications related to unsafe abortions. It is further estimated that unsafe abortions account for 13% of all maternal deaths worldwide and, in some countries, it accounts for 60% of maternal deaths."¹ Keeping abortion safe and legal is essential to ensuring the health of all women who seek abortion care so that we do not see these devastating consequences.

Among much of the problematic language throughout this bill exists the call for charges of murder and manslaughter for abortion providers and patients seeking abortion care. Not only is this a violation of reproductive rights, such a measure would authorize the criminal arrest, investigation, and prosecution of pregnancy loss. The state could issue a charge of manslaughter against a woman who miscarries, sometimes without even knowing she was pregnant. Approximately [1 in 4 pregnancies end in miscarriage](#) making it extremely common and likely that a woman will have at least one and sometimes even more miscarriages out of no fault of their own. This bill would then criminalize this natural occurrence that so many women face and force them into the criminal justice system when, in reality, no crime has been committed. The Guttmacher Institute gives an example of a pregnant woman in Iowa who was hospitalized after falling down the stairs

¹ Christina Zampas and Jaime M Gher, "Abortion as a Human Right International and Regional Standards," *Human Rights Law Review* 8, no. 2 (2008): pp. 249-294, <https://doi.org/10.1093/hrlr/ngn008> .

and subsequently reported to law enforcement as attempting to terminate her pregnancy when no such intention was ever harbored.² The fallacies of this proposed bill could allow for incidental miscarriages or harm to pregnancies, that are in themselves so delicate, as a deliberate attempt of a woman to terminate her pregnancy and punish her when she has committed no such crime.

The criminalization of terminating a “viable pregnancy” can have detrimental consequences to the health of a pregnant woman in Maryland. It will restrict her ability to make decisions about her own bodily autonomy that are right for her own health and individual situation. Additionally, a bill of this stature will allow for the broad criminalization of lost pregnancies which are not uncommon to occur for natural reasons. It is essential that we protect the right of every Maryland person to have access to abortion care and protect women who have lost pregnancies from predatory laws such as that proposed by this piece of legislation.

For these reasons, NARAL Pro-Choice Maryland **urges an unfavorable committee report on HB0997**. Thank you for your time and consideration.

² Andrea Rowan, “Prosecuting Women for Self-Inducing Abortion: Counterproductive and Lacking Compassion,” Guttmacher Institute, November 7, 2019, <https://www.guttmacher.org/gpr/2015/09/prosecuting-women-self-inducing-abortion-counterproductive-and-lacking-compassion#>.