



**BILL NO:** House Bill 626  
**TITLE:** Pregnant Persons Freedom Act  
**COMMITTEE:** Health & Government Operations  
**HEARING DATE:** March 11, 2022  
**POSITION:** **FAVORABLE WITH AMENDMENT**

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The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the House Health & Government Operations Committee to issue a favorable report with amendment on HB 626.**

HB 626 has four main provisions. First, a pregnant person is not liable for civil damages or subject to criminal investigation or penalty for terminating or attempting to terminate the person's own pregnancy under any circumstances. Second, the state does not have the authority to criminally investigate or penalize a pregnant person who has experienced a miscarriage, perinatal death related to a failure to act, or stillbirth. Third, a person is not subject to criminal penalties or civil damages for aiding, informing, or in any way assisting a pregnant person in terminating or seeking to terminate the person's pregnancy. Fourth, a person may bring a cause of action for damages if the person was subject to unlawful arrest or criminal investigation for a violation of these provisions.

Between 6-22% of women terminate their pregnancies because they're in an abusive relationship.<sup>1</sup> One of the most common reasons why survivors struggle to leave their abuser is because they have children in common. When a survivor is denied an abortion, they remain tethered to their abusive partner, whereas survivors who choose to terminate an unwanted pregnancy have a reduced risk of experiencing violence over time.<sup>2</sup> Additionally, survivors frequently experience forms of abuse that put them at an increased risk for unintended pregnancy, such as birth control sabotage, sexual assault, and reproductive coercion.<sup>3</sup> 2.1 million women in the U.S. have become pregnant as a result of rape by an intimate partner,<sup>4</sup> and, in one

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<sup>1</sup> <https://ncadv.org/blog/posts/ncadv-denounces-law-restricting-abortion-in-texas>

<sup>2</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4182793/>

<sup>3</sup> <https://www.futureswithoutviolence.org/userfiles/file/HealthCare/Reproductive%20Health%20Guidelines.pdf>

<sup>4</sup> <https://www.guttmacher.org/gpr/2016/07/understanding-intimate-partner-violence-sexual-and-reproductive-health-and-rights-issue>



study, 16% of survivors with rape-related pregnancies chose to get an abortion.<sup>5</sup> Access to abortions can be a matter of life or death for survivors of domestic violence because experiencing abuse while pregnant puts survivors at a much higher risk of being killed by their abuser.<sup>6</sup>

There is a shortage of abortion providers in the country and burdensome restrictions that prevent women from accessing abortion care. This results in those seeking abortions turning to self-managed abortion care. They are turning to medication outside of a clinical setting and they are at risk of prosecution. So too are women who miscarry either due to accidents or substance addiction. Overwhelmingly, those who are prosecuted in these types of cases are low-income women, and predominantly women of color. This legislation would prevent this inhumane practice and ensure that we are not criminalizing people for having an abortion or suffering a miscarriage. Someone who may be seeking an abortion because they are at risk of being killed by their abuser.

MNADV suggests a friendly amendment to ensure that pregnant individuals are aware of their rights and protections under this law. We respectfully propose additional language to the bill that would require the Department of Health to publish, clearly and in a manner that is easily accessible, information regarding these protections on their website.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report with amendment on HB 626.**

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<sup>5</sup> <https://www.ojp.gov/pdffiles1/nij/grants/211678.pdf>

<sup>6</sup> [https://apps.who.int/iris/bitstream/handle/10665/70764/WHO\\_RHR\\_11.35\\_eng.pdf?sequence=1](https://apps.who.int/iris/bitstream/handle/10665/70764/WHO_RHR_11.35_eng.pdf?sequence=1)