

Support
SB0798 - Declaration of Rights - Right to Reproductive Freedom
Senate Finance Committee
March 1, 2023

My name is Ashley Esposito. I live in Baltimore City, and my story is a story of reproductive freedom. It almost wasn't, which is why I strongly support HB 705 - Declaration of Rights - Right to Reproductive Freedom, to take the first step to establish reproductive freedom as a constitutionally protected right in Maryland.

I almost didn't have access to an abortion at 23.5 weeks because access in Maryland is not equal OR without obstacles. You heard that right. We have better access than our neighbors to the north, Pennsylvania, who demand a politically motivated 24-hour waiting period. That we have access at all puts us ahead of our neighbors to the west, West Virginia, who outlawed abortion in 2022 after *Roe v. Wade* was overturned. But Pennsylvania and West Virginia are not the bar.

This is what happened to us. In 2016, my husband and I found out we were expecting our first. We were so ready and excited. It was great. We told the first wave of relatives on New Year's Day. We announced on social media we were expecting, we even went to one of those places with our parents where you can have a group ultrasound. We named him Vitale Angelo.

I was just about to hit send on the invitation for my baby shower when we got the worst news of our lives. We went in for an anatomy scan, and the medical staff was silent. After some more silence, they told us: "The prognosis is poor"

I had no amniotic fluid. The longer I carried this pregnancy, the more I was pulling life away, rather than fueling the life inside of me, and abortion was presented as an option. I had two options: dilation and evacuation, or labor and delivery.

It had to be dilation and evacuation. Knowing what my body was doing to the body I was trying to grow, I could not live with that. I also would not be able to handle labor and delivery because of the risk involved. If I was forced to carry to term because I missed the 24-week deadline, I probably would not be standing here today.

And here's what made it all worse: the minute the prognosis was poor, politics entered the room. Immediately there was tension among the hospital staff. We were already past 20 weeks and the hospital we were at — in Anne Arundel County, the very seat of the state government — doesn't provide abortion care after 20 weeks. We needed a referral, and even though it is legal, not all hospitals had a doctor on staff.

Referrals take time. Making new appointments takes time. At the time, 24 weeks was the limit in Maryland. Time was running out, and I felt no sense of urgency from my medical staff. I felt a sense of urgency. I knew my life and the suffering of our baby was on the line. We barely got an appointment in time. But as we did our initial consults with the medical staff there, a new unease set in.

I don't like to see politics outside an abortion clinic, but I expect it. It shouldn't be there, but it is and I know that. But I was in a hospital. I was at a hospital, and I was watching doctors live in fear of their work.

I was going to say which hospital name but for the safety and privacy of their future patient, I will not. My doctors who performed a D&E can't operate with the same freedom as other doctors in that same building. They probably went to med school with some of the other doctors there. To see it in a hospital, it really drove home how needlessly political this all is. In a moment where I found out I would not have a baby to bring home and was literally crushing what I was trying to grow, politics forced my original providers to be cold and distant.

When we were needing grieving assistance, compassion, care, and a hug do you know who was there? Our abortion providers were that support for us. They coordinated our cremation and pastor services. In our experience, our religious beliefs were never in conflict with our medical care.

I ended up needing a second abortion in 2018. It was like *deja vu*. No amniotic fluid missing organs, and no chance of survival. I found out that we were carriers of a very rare condition. This was my condition, and it's so rare that no one would test for it. Only a few specialists have even heard of it. We carry Fraser Syndrome. After our whole genome sequencing we found out I was the only person on record with my mutation. My husband is one of two people on record with his.

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Our babies didn't have amniotic fluid because they didn't have kidneys and were missing other vital parts of their urinary tract system. After further investigation they found that not only didn't the our second baby have missing kidneys, he also had missing veins. They did everything they could to find a sign of hope but our baby's dying was a reality. In that moment, I realized that many people that face this are serving as life support. I decided to choose abortion as a form of compassion. I believe I am a good mother for it.

I've found a community of people who are also carriers but of other conditions. But these conditions have something in common: most of us find out we carry the condition *after* we have an abortion or multiple abortions. Many diagnosed at 20 weeks or later.

For genetic carriers like me, if we want to carry a healthy pregnancy to term, in-vitro fertilization (IVF) is the best way. IVF allows us to test for healthy embryos in advance that won't carry our deadly diseases. That's how my husband and I finally had a successful pregnancy, and why I'm the parent to a beautiful child today.

Abortion isn't the only aspect of reproductive freedom under attack. So is IVF. Establishing reproductive freedom as a constitutional right in Maryland sets us on a path for what we all deserve:

- private, quality medical care which includes abortion access
- medical care without fear, shame, ridicule, or obstacles.

- doctors who feel safe and supported to treat their patients.

It is incumbent on our leaders in Annapolis to ensure that abortion is safe, legal and accessible for all Americans. Abortion restrictions of any kind do not serve any healthcare purpose. My condition—and all pregnancies—are quite simply too complex to legislate. Establishing the right to reproductive freedom will save lives. I know it saved mine. I urge a favorable report on HB 705. Thank you for your time.