

Testimony of the Human Trafficking Prevention Project

BILL NO: House Bill 958
TITLE: Public Health – Abortion
COMMITTEE: Health and Government Operations
HEARING DATE: March 16, 2023
POSITION: **UNFAVORABLE**

House Bill 958 would prohibit a physician from performing an abortion once a fetal heartbeat is detected. It would also establish a private right of action allowing private citizens to sue anyone involved in helping a pregnant person obtain an abortion. **The Human Trafficking Prevention Project strongly opposes House Bill 958** because it will negatively impact survivors of human trafficking and other sexual crimes, for whom access to full reproductive care without politically-motivated interference is an essential part of their healing.

HB 958 is modeled after Texas’s insidious SB 8, and is essentially a complete ban on abortion. The law’s “enforcement mechanism” is intimidation by private citizens, as it allows any person, regardless of their relationship with the pregnant person, to file a civil action against anyone who “knowing engages in conduct that aids or abets the performance or inducement of an abortion.” Thus, health care providers, friends and family of the pregnant person, an individual who provides a ride to the pregnant person, etc., is put at direct risk of harmful and unfounded legal action by complete strangers if they help an individual seeking abortion care.

This legislation also gives little consideration to individual patients’ medical circumstances and no consideration to their reason for choosing to terminate the pregnancy. A pregnant person and their health care provider need to have open communication about reproductive care based on individual patient circumstances, not political ideology. If enacted, this legislation would alter the dialogue between the pregnant person and their health care provider, ignoring individual conditions such as terminating a wanted pregnancy due to a lethal fetal anomaly or that which is a result of rape or incest.

The need for comprehensive reproductive services free from political interference is often even more dire for survivors of human trafficking, given that high-risk sexual activity and sexual violence is often so commonly a part of their victimization. Trafficking into any form of labor puts survivors at high risk for sexual assault, sexually transmitted infections, HIV, and, for child-bearing survivors, unwanted pregnancy.¹ Survivors who are trafficked for sex are particularly vulnerable to these types of abuses, as many traffickers use rape and other forms of sexual abuse to control their victims.² In one survey of sex trafficking survivors, 7 out of 10 respondents said they had at least one pregnancy while trafficked,

¹ Freedom Network USA, *Human Trafficking and Reproductive Rights* (Apr. 2015), <https://freedomnetworkusa.org/app/uploads/2016/12/HT-and-Reproductive-Rights.pdf>

² *Id.* See also Heidi Stöckl et. al., *Human Trafficking and Violence: Findings from the largest Global Dataset of Trafficking Survivors*, *Journal of Migration & Health*, Vol. 4 (2021), <https://doi.org/10.1016/j.jmh.2021.100073>; Freedom Network USA, *Human Trafficking and Sexual Assault* (Apr. 2015), <https://freedomnetworkusa.org/app/uploads/2018/10/FNUSA-Human-Trafficking-and-Sexual-Assault-2015.pdf>.

while one-fifth of respondents reported five or more pregnancies.³ While all Marylanders who can bear children deserve compassion and access instead of barriers and shame, for trafficking survivors this can also play a crucial role in their healing, as restoring control and choice – not taking it away – is integral to the process of recovering from trauma.

HB 958 will interfere with the ability of trafficking survivors to access to the crucial health care they need and the support they deserve as they work to heal from the trauma of their trafficking experience. For these reasons, as well as the reasons supplied by our colleagues in the reproductive health and justice field, **the Human Trafficking Prevention Project strongly opposes House Bill 958** and respectfully urges an unfavorable report.

*For more information, please contact:
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³ Laura J. Lederer & Christopher A. Wetzel, *The Health Consequences of Sex Trafficking and Their Implications for Identifying Victims in Healthcare Facilities* (2014), <https://humantraffickinghotline.org/sites/default/files/The-Health-Consequences-of-Sex-Trafficking%20-.pdf>.