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Testimony on HB705, Declaration of Rights-Right to Reproductive Freedom

I oppose this proposed legislation for several reasons:

1) The Amendment is dishonest.

- a) The bill proposes language to appear on the ballot before voters, but in doing so it intentionally omits the key phrase creating a right to abortion.
 - i) The language that would become part of Maryland's Constitution includes a right to "PREVENT, CONTINUE, OR END ONE'S OWN PREGNANCY" (page 2, lines 5-6). Yet the language that would go before voters omits that language (page 2, lines 24-27)!
- b) This kind of dishonesty undermines trust in democracy and government.

2) The Amendment would hurt the women of Maryland.

- a) Abortion is a poor substitute for the true advancement of women.
 - i) Promoting abortion distracts society and policymakers from advancing maternity leave, prenatal care, wrap-around pregnancy support, and other policies that promote and empower women.
 - ii) How can women truly be liberated if they are passing their oppression onto their children via abortion?
 - iii) Abortion hurts women. Women deserve better.

3) The Amendment violates the principle of nonviolence.

- a) No one has a right to do violence against another human being! Any embryology textbook will tell you that the unborn are human beings from the very beginning.
- b) Abortion is not only violence but terminal violence.
- c) Allowing violence against any members of society undermines democracy.

4) Maryland courts could use the Amendment to mandate taxpayer funding for abortion.

- a) In other state constitutions a right to privacy has been interpreted by state courts to mandate taxpayer funding for abortion.

5) Maryland courts could use the Amendment to strike down our parental notification law.

- a) In 1999, a Montana state District Court in *Wicklund v. State* overturned that state's parental consent law under Montana's constitutional "[right to individual privacy](#)" (which is more general than Maryland's Abortion Amendment).

- 6) **Maryland courts could use the Amendment to strike down other reasonable regulations on abortion** (if Maryland enacts them). Poll after poll shows that a substantial majority of Americans support some restrictions on abortion.
- 7) **The Amendment would trap Maryland law in 2023.**
- a) Our view of the abortion debate in 2023 is myopic, focused on the passions of this moment. The Amendment could be a part of Maryland's Constitution for decades, even centuries, and trap Maryland in our 2023 frame of mind.
 - b) Medical advances continue to push the point of viability, the time when a preborn child could survive outside the womb, earlier in pregnancy.

