



**Hearing Date: March 1, 2023**

**Testimony on SB859 – POSITION: FAVORABLE WITH AMENDMENTS**  
**Reproductive Health Protection Act**

**To: Chair Smith and Members, Judicial Proceedings Committee**  
**From: The Jewish Community Relations Council, Howard County, MD**  
**Betsy Singer and Laura Salganik, Co-Chairs**

The Jewish Community Relations Council (JCRC) of Howard County is submitting this testimony in support of SB859. The JCRC represents the approximately 25,000 Jews throughout our County. We recognize that bans and restrictions on reproductive care are being enacted outside the State of Maryland. We further recognize that there are efforts underway to interfere with out-of-state residents' ability to access care from Maryland healthcare providers and that these efforts pose legal risks to providers as well as to other Maryland citizens who help to enable that access. We see the passage of SB859 in amended form to extend protections to gender-affirming care as imperative.

Marylanders have a self-interest in protecting our healthcare providers. Our faith tradition instructs us that we must also advocate beyond self-interest. With the West Virginia legislature currently considering one bill which would block nearly all abortions and another that would block gender-affirming care to minors, our neighbors are facing imminent threats to their health care.

Efforts to restrict access to reproductive care have been mainly predicated on the concept of fetal personhood. But fetal personhood is a religious construct and does not represent the perspectives of all religions. Judaism does not consider a fetus to have personhood. Jewish legal scholars have maintained for centuries that a fetus, dependent on its mother for life, is a part of the mother rather than its own person. When difficult decisions are faced which require weighing the interests of the mother against the incipient life of the fetus, the mother's interests prevail.<sup>1</sup> Jewish law has also embraced an individual's right to seek gender-affirming care including surgical care.<sup>2</sup>

The imposition of a particular religious viewpoint on those who do not follow that religion violates the free practice of religion enshrined in the U.S. Constitution. Legal challenges are threatening Maryland providers' ability to practice medicine and the State of Maryland's ability to administrate the medical care of its own citizens. We are seeing a gross legal overreach of historic proportions. We implore the Maryland legislature to address these challenges through passage of an amended SB859.

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<sup>1</sup> Grossman, Rabbi Susan, "Partial Birth Abortion and the Question of When Human Life Begins", 2001.  
<https://www.rabbinicalassembly.org/jewish-law/committee-jewish-law-and-standards/teshuvot-database>.

<sup>2</sup> Sharzer, Rabbi Leonard A. MD, "Transgender Jews and Halakhah", 2017, page 20.  
<https://www.rabbinicalassembly.org/jewish-law/committee-jewish-law-and-standards/teshuvotdatabase>.