

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 798
TITLE: Declaration of Rights – Right to Reproductive Freedom
COMMITTEE: Health and Governmental Operations
HEARING DATE: March 24, 2023
POSITION: FAVORABLE

Senate Bill 798 proposes a constitutional amendment that voters must approve which would establish a constitutional right to abortion in Maryland. The Human Trafficking Prevention Project supports this bill because it provides the highest possible level of protection of reproductive freedom for all child-bearing individuals including human trafficking survivors, for whom access to reproductive care can be an essential part of their healing.

In 1991, the Maryland General Assembly codified the legal right to abortion, as provided by *Roe v. Wade*. Senate Bill 162 became a ballot measure and went into effect after Marylanders overwhelmingly supported the measure with 62% of the vote. Support for abortion care is even greater today: in a 2021 poll, 72% of Marylanders opposed overturning *Roe* while 79% support ensuring individuals have access to the full range of reproductive health care services. House Bill 705, if enacted and adopted, would be consistent with this high level of support, providing for the right of all child-bearing individuals to make and effectuate their own decisions about abortion, birth control and/or continuing a pregnancy. It would also prohibit the State from interfering, abridging, denying or burdening a person's right to reproductive liberty absent a compelling State interest achieved by the least restrictive means. This legislation is, quite simply, the single most important action we can take to protect reproductive freedom in the state, both for ourselves and for the generations to come.

The need for comprehensive reproductive services 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, while one-fifth of respondents reporting 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 is integral to the process of recovering from trauma.

Passage and enactment of Senate Bill 798 will ensure that no one ideologically-driven person *or* state government will be permitted to dictate the ability of any Marylander to make their own decisions about their bodies or their lives. For trafficking survivors, SB 798 will allow them 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

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>.

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>.

well as the reasons supplied by our colleagues in the reproductive health and justice field, the Human Trafficking Prevention Project fully and enthusiastically supports Senate Bill 798. We respectfully urge a favorable report.

*For more information, please contact:
Jessica Emerson, LMSW, Esq.
Director, Human Trafficking Prevention Project
(E): jemerson@ubalt.edu*