



**Working to end sexual violence in Maryland**

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**Testimony Supporting House Bill 1131**  
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The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. MCASA urges the Health Committee and the Judiciary Committee to issue a favorable report on House Bill 1131.

**House Bill 1131 – Pregnancy Loss and Criminalization**

This bill responds to a national trend of prosecuting women for pregnancy loss. The prosecutions are part of a larger effort to discourage and punish those who choose to terminate a pregnancy. HB1311 creates guidance regarding access to health care records regarding pregnancy loss and attempts to clarify prosecutorial decision-making in these cases.

**Access to abortion care is vital to survivors of rape.**

The CDC reports that almost 3 million women in the U.S. experienced Rape-Related Pregnancy (RRP) during their lifetime. <https://www.cdc.gov/violenceprevention/sexualviolence/understanding-RRP-inUS.html>

A three year longitudinal study of rape-related pregnancy in the U.S., published in the American Journal of Obstetrics and Gynecology (1996, vol. 175, pp. 320-325), found:

5% of rape victims of reproductive age (age 12-45) became pregnant as a result of rape, with the majority of pregnancies in adolescents. Of these, half terminated the pregnancy, 5.9% placed the child for adoption, and 32.2% kept the child.

**Survivors of Rape Should Not Face Criminal Prosecution for Ending a Pregnancy**

The criminal justice system should not be weaponized in a effort to change abortion care policy. This is true for anyone who chooses to exercise their right to end a pregnancy, but efforts to chill abortion access are especially cruel and inappropriate when pregnancy is caused by rape.

MCASA notes that subsequent to this bill's filing, some concerns regarding the clarity of language have been raised. We look forward to resolving any concerns and creating the strongest protections possible. In particular, concerns have been raised regarding criminal

charges brought under statutes regarding human remains. Everyone deserves to be treated with dignity and respect when experiencing a loss, which includes how they choose to handle remains. However, how a person handles remains could be viewed as criminal conducted unrelated to a pregnancy loss. This raises a larger concern about how to craft a law that creates a generally applicable defense as well as addressing current statutes that could clearly be abused by rape survivors and others ending pregnancies.

**The Maryland Coalition Against Sexual Assault urges the  
Health Committee and the Judiciary Committee to  
report favorably on House Bill 1131**