



in Connecticut can recover certain costs they incurred from defending themselves.

Laws against deceptive crisis pregnancy centers. There are now more phony crisis pregnancy centers in the United States than abortion clinics. Typically run by religious agencies, they site themselves close to abortion clinics and lure in unsuspecting women by offering free ultrasounds. They are not licensed medical facilities and are preying on women by using disinformation. Unfortunately they now receive millions in state and federal tax dollars.¹⁵ Object to public funding and help stop the deception.

Example: CT SB 835 (enacted in 2021) prevents deceptive advertising practices by limited services pregnancy centers. No limited pregnancy center can advertise or otherwise deceive patients about their services. The attorney general can apply for injunctive relief of these centers to pay for and get rid of false advertising and correct deceptive advertising. Stopping deceptive advertising is a bipartisan issue.

Repealing state “Hyde Amendments.” Congress enacted the federal Hyde Amendment in 1976, which cruelly denies abortion coverage to low-income women otherwise eligible for medical assistance, except in the rarest of exceptions. A majority of states have similarly cut off funding for abortion care for indigent and low-income women. Pro-choice legislators must keep re-introducing measures to repeal state laws barring coverage for abortion care. Illinois is a case in point, where the Republican governor in 2017, thanks to continual demands, signed a bill to lift bans on insurance coverage for low-income women enrolled in Medicaid. Some states are considering legislation to help cover costs for women fleeing states with bans.

Oregon has already passed the \$15 million Oregon Reproductive Health Equity Fund.¹⁶

Other examples of legislation protecting abortion rights include: Ensuring reproductive freedom for pregnant inmates and emergency contraception access on public college campuses. Multiple states are introducing constitutional amendments to enshrine abortion rights.

Serious court reform is needed to protect individual liberties. Until that happens, we need voices of reason, science and compassion in state legislatures advocating for reproductive freedom.

Endnotes

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ABORTION RIGHTS ARE A STATE/CHURCH ISSUE

PROPOSED MODEL LEGISLATION



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Why abortion is a state/church issue

The cherished American principle of keeping state and church separate is under serious threat from the U.S. Supreme Court and state legislative bodies around the country. The Establishment Clause, by erecting a wall of separation between church and state, enshrines freedom of conscience. The only way to protect freedom of conscience for citizens of diverse beliefs or no belief is for the government to be free from religious control. In addition to obvious state/church issues like coach-led prayers in public schools, we should protect the right of the individual to be free from religious dictation in determining if and whether to become a parent, use contraception or terminate an unwanted pregnancy.

Invading medical autonomy in the name of religion

Denominations that oppose abortion rights include Assemblies of God, the Roman Catholic Church and Southern Baptist Convention, while more liberal Protestant branches and Conservative and Reform Judaism support abortion rights.¹ Dissenting Justice Sonia Sotomayor emphasized in oral arguments when hearing the *Dobbs* case, which ultimately overturned *Roe v. Wade*, that the issue of when life begins is hotly debated among religions.² The Freedom From Religion Foundation's amicus brief in the *Dobbs* decision points out, "Religion has always been at the heart of anti-abortion legislation."³ Justice John Paul Stevens in a 1989 case noted "the absence of any secular purpose for the legislative declarations that life begins at conception."⁴ Indeed, atheists and agnostics are overwhelmingly the most supportive of abortion rights, and Protestant evangelicals and Mormons are the most opposed.⁵

With the Supreme Court overturning *Roe v. Wade*, zealous Christian nationalist state legislators have been given a green light to destroy reproductive autonomy, criminalize access to abortion care and even contraception. Anti-abortion bans undermine medical autonomy and endanger pregnant people, and are invariably justified by religious belief. Legislators must work to safeguard reproductive care not just as a matter of privacy, compassion and medical science, but also as a matter of keeping our laws secular.

Abortion bans are anti-science

Everyone is entitled to their own opinion and personal decisions about abortion. However, as we live in a secular nation, health care laws should only reflect science, not religious faith or belief. The science proves that there is no basis except religion for abortion bans:

- Abortion is an extremely safe procedure, especially when conducted early in a pregnancy. Since *Roe v. Wade* was handed down, 90 percent of abortions happened within the first 12 weeks of gestation. Major complications occur in less than a quarter of 1 percent of procedures.⁶ There are more complications from wisdom tooth removals and tonsillectomies than from abortions.
- Researchers have found that pregnant people are 14 times more likely to die during childbirth than they are from any abortion complications.⁷ Compulsory pregnancy risks the woman's health and life.
- Studies have shown that 99 percent of individuals who obtain an abortion feel relief, not regret.⁸
- Countries that have banned abortion prove that abortion restrictions do not reduce abortion rates. Instead, they make abortion

care more dangerous. This has resulted in numerous preventable pregnancy-related deaths around the world every year.

- In Texas, maternal deaths rose from 72 deaths per 100,000 live births in 2010 to 148 deaths per 100,000 live births in 2012 after abortion restrictions.⁹ A Duke University Press research journal reports that a national abortion ban could result in a 21 percent increase in pregnancy-related deaths, rising to 33 percent among Blacks who already face stark inequities and maternal death rates.¹⁰
- The American Medical Association says that it will always defend science and opposes abortion bans.¹¹
- The U.N. Human Rights Commission has asserted that abortion is a human right, that denying abortion access is linked to discrimination and that it can constitute gender-based violence, torture, and/or cruel, inhuman and degrading treatment.¹²
- The so-called "fetal heartbeat" in so much abortion legislation is a misnomer. Dr. Ted Anderson, president of the American College of Obstetricians and Gynecologists, an organization representing 58,000 physicians in the United States, says the phrase is intended to hide its anti-science roots. Instead, Anderson explains that the pulsing is "electrically induced flickering of a portion of the fetal tissue that will become the heart as the embryo develops."¹³

Abortion bans are driven by a religious minority that seeks to impose its extremist worldview on a secular nation. Since the Supreme Court extremist supermajority overturned almost 50 years of precedent protecting abortion rights, support for

abortion rights, while always strong, is growing. Six in 10 Americans say abortion should be legal in most or all cases.¹⁴

Model legislation to protect abortion rights

In response to the overturning of *Roe v. Wade*, states must act urgently to ensure access to reproductive care, including abortion:

Safe harbor laws. These laws solidify abortion rights and health care access, as well as protect people who provide abortion or receive support to obtain the procedure in one state, then are sued in another state. "Safe harbor" laws date to slavery, when states, largely in the North, passed laws against the Fugitive Slave Acts to ensure that escaped enslaved people could seek refuge and that those helping them would not be penalized.

Example: CT HB 5414 (enacted in 2022) expands abortion access in Connecticut and protects individuals from outside states' attempts to prosecute based on actions taken in Connecticut. It expands eligibility to perform abortion care to include advanced nurse practitioners, nurse midwives, and physician assistants to perform first-trimester aspiration and medication abortions. The bill protects individuals from extradition who are accused of seeking or providing reproductive health care that may be criminal in other states. No individuals involved in reproductive health care can share information related to that health care unless the patient consents in writing to the disclosure. Further, the bill prohibits state agencies and health care providers from assisting in out-of-state investigations/prosecutions of reproductive health care. Anyone who is sued in another state regarding their involvement in reproductive health services that are legal