
BILL NO: House Bill 1043
TITLE: Public Health – Pregnancy – Coercion (Coercive Abuse Against Mothers Prevention Act)
COMMITTEE: Health and Government Operations
HEARING DATE: March 16, 2023
POSITION: **OPPOSE**

The Women’s Law Center of Maryland is dedicated to ensuring the physical safety, the economic security, and the **bodily autonomy** of women throughout the State. One way we work towards this goal is by supporting women in their reproductive decisions if, when, and how they decide to build their families. Part of this support includes working to ensure that reproductive health care is treated equitably and fairly as a medical issue and not a political issue. The Women’s Law Center of Maryland strongly opposes House Bill 1043 and urges an unfavorable report.

The Women’s Law Center assists hundreds of victims of intimate partner violence every year. Sometimes reproductive coercion is a part of the dynamic of power and control exercised over our clients. However, unlike what is being addressed in House Bill 1043, we more often see reproductive coercion in the form of a male partner tampering with or hiding a female partner’s birth control, refusing to wear a condom during intercourse, and/or pressuring his female partner to get pregnant without her consent. We seldom, if ever, have encountered a case where a woman was forced to have an abortion.

House Bill 1043 alleges that “many women report that they were coerced into abortions” but on the contrary, perpetrators are more likely to coerce their partner into continuing an unintended pregnancy¹. In a study conducted by The American College of Obstetricians and Gynecologists one-quarter of the adolescent female participants reported that they were forced to hide their contraceptive methods due to an abusive partner sabotaging their planned birth control method². It is more common that a woman trying to achieve safety and freedom from an abuser will decide not to have a child due to violence and economic issues, but her abuser will not allow her to make that decision. Forcing a woman to have a child ties the woman to her abuser.

The updated language in this bill, from that of last year’s version (House Bill 1167), to incorporate victims of sex trafficking suggests this proposed legislation would assist vulnerable women. While no doubt well-intentioned, in reality the bill would risk further exploiting and harming these women. A much better way to protect survivors of sex trafficking and intimate partner abuse would be to strengthen our criminal laws regarding these crimes and increase prosecution under existing laws. In addition, funding more services for survivors of these abuses would provide them with the opportunity to regain their power and control, which is ultimately what this bill alleges to be concerned with.

The Women’s Law Center strongly believes that reproductive choice, including whether or not to seek an abortion is essential for the health and well-being of women in Maryland. We therefore urge an unfavorable vote on HB 1043.

The Women’s Law Center of Maryland is a private, non-profit legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal representation for individuals and statewide advocacy to achieve systemic change.

¹ National Library of Medicine, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2901296/>

² The American College of Obstetricians and Gynecologists, <https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2013/02/reproductive-and-sexual-coercion#:~:text=The%20most%20common%20forms%20of,attempt%20to%20promote%20pregnancy%201.>