

MARY BETH CAROZZA
Legislative District 38
Somerset, Wicomico,
and Worcester Counties

Education, Energy, and
the Environment Committee

Executive Nominations Committee



Annapolis Office
James Senate Office Building
11 Bladen Street, Room 316
Annapolis, Maryland 21401
410-841-3645 • 301-858-3645
800-492-7122 Ext. 3645
Fax 410-841-3006 • 301-858-3006
MaryBeth.Carozza@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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The Senate Finance Committee

**SB 862 – Public Health – Pregnancy – Coercion (Protecting Pregnant Women
Against Coercive Abuse and Human Trafficking)**

Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Beidle, Vice Chair Klausmeier, and members of the distinguished Senate Finance Committee for this opportunity to present Senate Bill 862 – Public Health – Pregnancy – Coercion (Protecting Pregnant Women Against Coercive Abuse and Human Trafficking).

In recent years Maryland has dramatically expanded access to abortion. The Abortion Care Access Act of 2022 expanded the number of health care providers who can perform abortions to include non-physicians and established a special fund to enable greater access to abortion services.

Last session, the General Assembly passed and Governor Moore signed into law legislation requiring public institutions of higher education to provide reproductive health care plans and services, and legislation is moving forward this session to require community colleges to do the same. This Maryland General Assembly has made it a top priority to enshrine the right to reproductive freedom in the Maryland Constitution.

These combined legislative actions prioritized by this Maryland General Assembly not only has significantly increased access to abortion for Maryland women but also has attracted other women from other states to seek Maryland out as an abortion destination. Those individuals and organizations involved with human trafficking, prostitution, and other criminal activity are well aware of the new level of abortion access in the State of Maryland.

Should the constitutional amendment to establish an individual's fundamental right to reproductive freedom be approved by the voters in November, there would be virtually no safety limitations on abortion access, which makes SB 862, the legislation that I am presenting today, take on a new sense of urgency. As the State of Maryland expands access for women to exercise their right to have an abortion, we also have an obligation to protect a woman's right to protect her pregnancy and prevent abortion coercion.

Senate Bill 862 does not restrict a woman from having an abortion or using reproductive services like contraception. This legislation is intended to ensure that women are provided a true choice when it comes to pregnancy. If abortion is defined as health care, we need to treat it as health care, which means understanding the guardrails necessary to increase women's public health and safety.

This bill states that an individual who knows or suspects that a woman is pregnant may not engage in certain specific conduct with the intent of directing the pregnant woman to have an abortion. This includes committing, attempting to commit, or threatening to commit physical harm to the pregnant woman; revoking a scholarship awarded to a pregnant woman by an institution of higher education; discharging the pregnant woman from employment or changing compensation; and denying any social assistance, housing, or financial support to a pregnant woman.

This legislation includes important protections against human trafficking of pregnant women including prohibiting abusers who intend to force a pregnant woman into having an abortion from selling, attempting to sell, or threatening to sell the pregnant woman into sex trafficking, and prohibiting the selling or threatening to sell the unborn baby of the pregnant women into sex trafficking once her baby is born. The legislation also prevents an individual from forcing, attempting to force, or threatening to force the pregnant woman to continue to engage in sex trafficking in efforts to coerce her into having an abortion.

SB 862 would establish a misdemeanor penalty for coercing a pregnant woman to have an abortion where violators would be subject to a maximum fine of \$1,000.

Often, a woman who discovers that she is pregnant under not ideal circumstances finds herself at a crossroads with a series of choices. The trajectory of her life changes once she knows she is pregnant. Subtle forms of pressure can go unnoticed until the only option seems to be abortion. In other cases, the coercion is far more blatant, discriminatory, and sometimes results in physical violence.

Studies have found that many women who seek counseling services after having an abortion were pressured into terminating their pregnancies by their husbands, boyfriends, or family members. After having an abortion, many of these women reported symptoms of depression, guilt, shame, regret, self-hatred, feelings of worthlessness, feelings of being unworthy of love, low self-esteem, and anxiety. Some studies have found up to 9 percent reported drug or alcohol addiction, and 6.2 percent reported thoughts or attempts of suicide.

Many young women are not receiving adequate support from the people who matter most in their lives when it comes to having the freedom to choose. Women are taught from a young age to put others before themselves, often completely forgetting to take care of their own needs. In a

situation of extremes, like choosing to continue or terminate a pregnancy, women can often feel pressured to make a decision that does not align with their internal wants and desires. This pressure is even more terrifying in situations of domestic violence or human trafficking.

It is estimated that 24.9 million men, women, and children worldwide are subjected to the abuses of human trafficking. It happens in plain sight, and many victims are coerced by their trafficker into participating in their own abuse. As many of you know, victims and traffickers alike have told law enforcement that Maryland is a “goldmine” for human trafficking due to our central location, numerous rest stops, truck stops, and bus stations, and the I-95 corridor is a main gateway to major cities along the Eastern seaboard.

A groundbreaking study from 2014 looked at many facets of human trafficking, including the correlation between human trafficking and abortion. Of the women who survived human trafficking that participated in the study, 55 percent had at least one abortion, 30 percent had multiple abortions, and 55 percent had forced miscarriages.

Abortions like these are taking place right here in Maryland, and health care providers need to be educated and empowered to act should a victim of human trafficking enter their office to obtain such services. This legislation would allow health care providers, should they suspect their patient is a victim of coercion, to wait 24 hours before performing the procedure (although the health care provider is empowered to waive that waiting period if the life of the pregnant woman is in danger). Further, an employee or volunteer of a health care facility who knows, alleges, or suspects that a woman is being coerced into having an abortion must notify local law enforcement within 48 hours. Ideally, this would allow investigations to take place, perpetrators to be arrested, and human trafficking victims to be freed and begin the healing process.

This bill is not intended to prevent abortion. This bill is intended to prevent women from being further victimized by a system that does not value them. This bill empowers women to seek action and to prevent the perpetrator from continuing to coerce other women into having abortions. This bill allows women to have true choice.

Senate Bill 862 is commonsense legislation that seeks to protect all women from abortion coercion, especially at a time when abortion has become so readily available in the State of Maryland.

Thank you for your kind attention and consideration, and I request the Committee grant a favorable report to SB 862.