

SB0862

Favorable

Dr. Frank Arlinghaus

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I ask the members of the committee to return a favorable report on Senate Bill 862.

Abortion is legal in Maryland, and this bill doesn't try to change that. What it does do is provide women, especially minors, protection from being coerced into abortion. The state needs to have women's backs by protecting them from this coercion, which often comes from boyfriends or parents. The state has a compelling interest to protect women from coercion, consistent with the limitations and restrictions of the Abortion Amendment coming to referendum in 2024.

This bill provides solid protections from coercion, gives the victim explicit rights, and provides additional protection to minors. By having information in abortion facilities, it allows potential victims of coercion to get information on the help they need when they need it. By placing some responsibility on physicians, it provides further help.

This bill isn't about stopping abortion. It's about providing women protection from coercion. Among the women who have had an abortion, far too often we hear stories of coercion, often by spouses or boyfriends or parents. These women feel as if they had no choice, no help, no opportunity to make their own decision. These women deserved a system that would protect them from coercion. The current system fails them.

If one seeks to empower women with choice, then one needs to help free them from the coercive influences in that decision. Bringing a child into the world is hard enough, but having people tell you that you must abort the baby because they insist it's the only decision you can make or are allowed to make often means you feel like you have only one choice, which is no choice at all. Imagine if this is coming from your parents or your boyfriend or your husband.

I am also here on behalf of my daughter Theresa to share the story of her friend Kayleigh who along with her child were the victims of violence perpetrated by the father of her child. Kayleigh was a happy vibrant teenager who wanted to reconcile with the father of her unborn baby despite his opposition to her continuing her pregnancy. Like many of the women who are victimized by the gap in our fetal homicide law, which uses viability as a marker, Kayleigh was beaten by the father. He first assaulted her by kicking her in the stomach while discussing the pregnancy. Even worse, the assault didn't stop there, as the incident ultimately ended in her death by strangulation after assault, and in the death of the child she was carrying in her second trimester of pregnancy. I'll note that the father/murderer will spend at least 14 years in jail, but he could not be charged in the death of his child. In fact, had he not completed the killing of Kayleigh, the penalties for causing the fetal death of his child would have been limited to assault.

I ask that you return a favorable report on Senate Bill 862 for the reasons outlined above.