



Testimony
HB 1313
Human Services Committee
January 26, 2021

Chair Weisz, Vice Chair Rohr, and members of the Committee,

My name is Katie Christensen and I am the State Director of External Affairs for Planned Parenthood North Central States. Thank you for the opportunity to submit testimony in opposition to HB 1313.

Planned Parenthood North Central States provides health services, advocacy, and education including expert reproductive health care for more than 100,000 patients each year across our five-state region. 60% of patients at our Moorhead clinic are residents of North Dakota. We have tens of thousands of activists and supporters throughout the state including interns located at major college campuses in the state. Our education team reaches more than 500 people each year through programming, trainings, and community presentations. Planned Parenthood is here to ensure all people have the information and the means to make free and responsible decisions about whether and when to have children, and our mission affirms human rights to reproductive health care and freedom.

HB 1313 is an unconstitutional attempt to ban nearly all abortions in North Dakota. Access to abortion care is protected as a fundamental right under the United States Constitution and is supported by an overwhelming majority of Americans, including North Dakotans who soundly rejected a ballot measure that would have banned abortion in 2014.

Additionally, if this bill were enacted, any health care provider who performed an abortion could be imprisoned for life without the possibility of parole. Physicians who believe that providing an abortion would be in the best interest of the health or life of their patients would be prohibited from doing so except in extremely narrow circumstances.

What's more, this bill would make it a class C felony to aid, abet, facilitate, solicit, or incite someone to have or perform an abortion, meaning it would make it a crime for someone to offer needed assistance to a family member, friend, patient or client. That means that any person who offered financial assistance – be it a friend, pastor or parent - could be punished with 5 years in prison. Anyone who offered to drive their daughter or parishioner to a clinic to receive abortion care could face 5 years in prison. Anyone who provided information about where her friend could access abortion care could face 5 years in prison. Friends and family members who offer help to their loved ones could be punished even if the pregnant person's health or life were threatened. Furthermore, this bill opens the door to criminalizing faith leaders, counselors, and social workers who discuss abortion with the individuals they serve.

This bill will harm pregnant people in North Dakota. We know this is true, because we have seen the results of criminalization in other countries, where women have died from pregnancy complications that could have been prevented, if those women had not been denied abortion care. In Ireland, for example, which up until recently banned all abortion, Dr. Savita Hapannavar experienced a tragic miscarriage at 17 weeks and even when it was clear that the pregnancy was lost, she was denied a necessary abortion for days; as a direct consequence, she



developed sepsis and died. Doctors were unable to provide basic care for her because of their interpretation of Ireland's laws. If North Dakota bans abortion as a result of this bill, similar harms could, and likely will, befall women here. We deserve better.

Furthermore, this bill will not serve the purpose its supporters suggest. The World Health Organization has concluded that restricting access to abortions does *not* reduce the number of abortions.¹ In fact, in countries that have banned abortion, abortion remains commonplace. For example, in Brazil, where abortion is all but banned, experts estimate there are about a million illegal abortions each year. But, although banning abortion does not end the practice, it does make abortion less safe. According to a comprehensive study by the World Health Organization of abortions world-wide between 2010-2014, in countries where abortion was completely banned or permitted only to save the woman's life or preserve her physical health, only 1 in 4 abortions were safe.²

In December 2020, Argentina lifted a ban on abortions for this exact reason. When that ban was in place, unsafe, hidden abortions were one of the leading causes of maternal mortality. Legislators recognized that making access to safe, legal abortion was key to addressing this public health crisis. Instead of learning from these examples, the proponents of this bill are ignoring them.

If this harmful and unconstitutional bill passes, it will certainly face litigation, just like the six-week ban legislators pushed through in 2013. Defending that ban cost taxpayers \$491,000.³ Defending yet another blatantly unconstitutional ban could cost North Dakota even more.

The Planned Parenthood Action Fund strongly urges a Do Not Pass recommendation on HB 1313. At a time when resources are precious, our state legislators should be spending their time on policies that help generate resources—not wasting our time and money on harmful, unconstitutional bills.

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¹ World Health Organization, News Release, *Worldwide, An Estimated 25 Million Unsafe Abortions Occur Each Year* (Sept. 28, 2017), <http://www.who.int/news-room/detail/28-09-2017-worldwide-an-estimated-25-million-unsafe-abortions-occur-each-year>.

² *Id.*

³ James MacPherson, *North Dakota spent \$491K on fetal heartbeat abortion law*, Big Story (June 24, 2016), <http://bigstory.ap.org/article/62860f421cca4dfba648936ee4603a34/north-dakota-spent-491k-fetal-heartbeat-abortion-law>.