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To: House Human Services Committee
From: Christopher Dodson, Executive Director
Subject: House Bill 1171 - Prohibiting Forced Abortions
Date: January 17, 2023

The North Dakota Catholic Conference supports House Bill 1171 to prohibit the use of force or threat of force to coerce a woman to get an abortion against her will.

At the outset, the committee should note that HB 1171 does not have anything to do with prohibiting abortion itself. Instead, it prohibits forced or coerced abortions. No matter how someone feels about abortion itself, everyone should agree that no woman should be coerced into an abortion.

Coercion happens. Those who work with women facing unexpected pregnancies and those who work with women who have abortions can attest to this. HB 1171 does what the state can do to address this problem.

House Bill 1171 mirrors legislation already enacted in North Dakota. In 2015, the Legislative Assembly added to the human trafficking law an enhanced penalty for a human trafficker if the trafficker forced or coerced a victim to have an abortion in the course of conducting the crime of trafficking. The language was carefully crafted with former Attorney General Wayne Stenehjem to make sure the law fit within constitutional confines, was enforceable by states attorneys, and was protective of victim rights. It passed the House unanimously and with only one dissenting vote in the Senate.

The 2015 law is a good law, but it only applies to those narrow circumstances involving human trafficking. Forcing an abortion should be a crime no matter who is the perpetrator and no matter who is the victim. House Bill 1171 accomplishes this by making it a crime for anyone to force a woman to have an abortion.

For these reasons, we urge a “Do Pass” recommendation on HB 1171.