

Chair Weisz, Vice Chair Ruby, and members of the Committee:

The American Civil Liberties Union of North Dakota is a nonpartisan organization whose mission is to protect, defend, strengthen, and promote the constitutional rights and civil liberties of all people in North Dakota.

On behalf of the ACLU of North Dakota, I submit testimony in opposition to SB2360.

Everyone deserves the freedom to make their own decisions about their bodies, healthcare and futures—including the decision to have an abortion. This bill attempts to ban nearly all abortion in the state, should the enjoined “trigger ban” be found Constitutional.

A pregnant person’s health, not politics, should have control over important medical decisions. Decisions about pregnancy are deeply personal and people must be able to make their own decisions about their bodies and their lives, not politicians. The government should not be insreted into people’s private lives, and no one should be forced to disclose the reasons why they need abortion care.

Despite an attempt to include exemptions, one-size fits all laws have no place in healthcare decisions. We cannot know all the personal and medical circumstances behind someone’s decision to have an abortion. Everyone should be able to get the abortion care they need, when they need it and be able to make those decision about pregnancy with those they trust, not have those decisions dictated by the government.

This bill poses a dangerous threat to the health and well-being of individuals seeking abortion care. Abortion is essential, time-sensitive health care and is one of the safest medical procedures performed in the United States. Delaying or denying that care can have long-lasting health consequences.

Moreover, forcing someone to carry a pregnancy against their will results in increased levels of poverty and an inability to cover basic needs like food, housing, and transportation. Those who are denied an abortion are more likely than those who receive an abortion to be living in poverty and lacking full-time employment six months after the denial of care. They are also more likely to stay tethered to abusive partners.

Attacks on abortion access disproportionately harm people who have always faced systemic barriers to care — communities of color, LGBTQ+ & Two Spirited people, undocumented immigrants, young people, those living in rural communities, people with disabilities, and those with low incomes. Persistent healthcare disparities already create substantial barriers to abortion care, and this bill would further exasperate existing disparities.

The majority of North Dakota residents have already made their feelings known at the ballot box: 64% of voters in 2014 rejected a Constitutional “right to life” amendment. Furthermore, a majority of Americans think abortion should be legal in most circumstances (according to Pew Research Center).



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Instead of legislating politics and morality into the healthcare of citizens, the 68th Assembly of the North Dakota Legislature should be focused on repealing the trigger ban and maintaining and expanding the right to bodily autonomy and healthcare for pregnant citizens of North Dakota.

We urge you to vote “Do Not Pass” on this dangerous and harmful bill and we further urge the North Dakota House of Representatives to vote no and fulfill its role of making lives better for the people of our state by maintaining and expanding liberty to pregnant citizens.



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