



MASSACHUSETTS JOINT COMMITTEE ON THE JUDICIARY
TESTIMONY OF ADL IN SUPPORT OF

H.3320: *An Act removing obstacles & expanding access to women's reproductive health*

S.1209: *An Act to remove obstacles & expand abortion access*

June 17, 2019

ADL (the "Anti-Defamation League") is pleased to submit this written testimony in support of **H.3320, *An Act removing obstacles and expanding access to women's reproductive health***, and **S.1209, *An Act to remove obstacles and expand abortion access***, jointly known as the **ROE Act**. This critical legislation affirms the Commonwealth's commitment to individual rights, religious liberty, and reproductive freedom at a time when the right to safe and legal abortion hangs in the balance.

Since 1913, the mission of ADL has been to "stop the defamation of the Jewish people and to secure justice and fair treatment to all." Dedicated to principles of religious and individual liberty, including the right to privacy, ADL views reproductive choice as a core civil right and an issue of personal and religious freedom. We have accordingly filed amicus briefs in every major Supreme Court case since *Roe v. Wade* supporting reproductive freedom and opposing efforts to curtail abortion rights.

Despite the Commonwealth's leadership in health care, insurance coverage, and equality, not everyone in Massachusetts has access to safe, legal abortion. In fact, outdated and medically unnecessary laws have built insurmountable barriers for young people seeking abortion and for those in need of abortion later in pregnancy after receiving fatal fetal diagnoses. These cases are rare, but when they do occur, they force Massachusetts residents to delay care, cross state lines, or be denied care altogether.

When the U.S. Supreme Court issued its watershed decision forty-six years ago in *Roe v. Wade*, it staked out a zone of privacy around each person's right to determine whether to continue a pregnancy. The Court's recognition of the right to access an abortion reflects its appreciation of the intimacy of this decision, encompassing deeply private considerations of physical and mental health, personal circumstance, family planning, and financial and educational conditions and goals.

But for many, the decision also includes contemplation of their core religious convictions and personal religious values. In fact, those who choose to terminate their pregnancies, and those who support their right to do so, are often as religious, faithful, and dedicated to their spiritual and moral principles as those who stand on the other side of the ideological divide, and their beliefs—from those who oppose abortion under all circumstances, to those who make exceptions for life, health, rape, or incest, to those who advocate for the right to safe and

accessible abortions—are as varied and diverse as this nation.¹ To allow any one group to impose their own theological beliefs on others is not only an assault to reproductive freedom, but also an affront to the religious freedom of all who believe differently.

Reproductive freedom is also a core civil right enshrined in the law. When individuals (and in particular, low income women and women of color) cannot control their own reproductive choices and exercise their own decision-making autonomy, they are victims of discrimination and are prevented from enjoying equal participation in social and economic life. In other words, attempts to limit reproductive choice not only place safe and legal abortion out of reach for many, but they also send a resounding message that pregnant people are not full and equal participants in our society, capable of making difficult and intimate medical decisions.

Here in Massachusetts, our Commonwealth has both a responsibility and unique opportunity to affirm the rights and dignity of all by ensuring that people who are pregnant can make health care decisions and access care consistent with *their own* conscience and religious values, not those imposed by anyone else. The *ROE Act* will do just that (1) by eliminating the onerous judicial bypass process teenagers must navigate to access safe, legal abortion; (2) by ensuring that when someone receives a fatal fetal diagnosis later in pregnancy, they can access abortion care in Massachusetts rather than being forced to travel across state lines; (3) by removing medically unnecessary restrictions and inflammatory language that do not reflect current medical standards; and (4) by codifying the right to abortion in state law, as well as ensuring coverage of abortion care in the state safety net program.

The *ROE Act* prioritizes the health, safety, and wellbeing of every Massachusetts resident and reaffirms the Commonwealth's commitment to safeguarding religious liberty and securing justice and fair treatment for all. We urge you to report the bill out favorably.

Please Give a Favorable Report to H.3320: *An Act removing obstacles and expanding access to women's reproductive health*
S.1209, *An Act to remove obstacles and expand abortion access*

¹ <https://www.pewforum.org/2013/01/16/religious-groups-official-positions-on-abortion/>.