



Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on the Judiciary, my name is Lisa Margulies, I serve as Vice President of Public Affairs, Maine, for Planned Parenthood of Northern New England, and I am pleased to submit testimony in opposition to LD 1930.

Planned Parenthood of Northern New England provides comprehensive reproductive and sexual health care in approximately 10,000 visits per year in Maine at four health centers located in Biddeford, Portland, Sanford, and Topsham, as well as online via telehealth. People turn to us for affordable, high-quality care including wellness exams, birth control, disease testing and treatment, cancer screenings, behavioral health care, abortion care, gender-affirming care, as well as a variety of primary care services.

As a mission driven health care provider, we fundamentally believe everyone should be able to access affordable, high quality sexual and reproductive health care in their communities, no matter where they live or how much money they make, and we advocate for policies that help make this vision a reality. All people deserve to access comprehensive reproductive health care, including abortion and gender-affirming care, free from shame, stigma, and intimidation. We see everyone who comes to us regardless of ability to pay, and in a typical year, we provide more than \$1.2 million in free and discounted care to our communities in Maine. For many, we are their only access to the health care system.

LD 1930, under the guise of protecting pregnant women from violence, effectively rewrites the Maine Criminal Code to incorporate the anti-abortion concept of “fetal personhood.” This proposed change is not a standalone effort but should instead be viewed as part of a concerted campaign by anti-abortion activistsⁱ to establish fetal personhood under the 14th Amendment of the U.S. Constitution.ⁱⁱ Though the bill on its face limits its changes solely to the Maine Criminal Code, the impact is to take the first step towards enshrining fetal personhood, a potential slippery slope to eliminating and criminalizing abortion.

The campaign to write fetal personhood into statute has resulted in broad personhood laws in at least 11 states and more narrowly worded laws in dozens more.ⁱⁱⁱ These laws may have profound consequences that may go far beyond the intentions of their authors:^{iv} from the criminalization of pregnancy,^v to banning of IVF,^{vi} to restricting access to some forms of contraception.^{vii} Although LD 1930 is written to specifically exclude actions of the pregnant person, legal medical procedures, and use of lawfully prescribed medications, LD 1930 opens the door to the criminalization of pregnancy and could be interpreted to criminalize actions that are currently legal. As one example, someone might argue that although the exemptions in the bill apply to a pregnant person who obtains an abortion outside the medical system, it may not apply to medical personnel, friends, or family who help that pregnant person obtain the abortion. In 2023, this legislature decriminalized abortion in LD

1619 and in doing so acknowledged it should be treated like any other medical procedure—this bill would reverse course.

Since the *Dobbs* decision, Maine has led the country in ensuring that all people have access to comprehensive reproductive health care. LD 1930 represents a step backwards in the fight to preserve and protect the bodily autonomy of pregnant persons in Maine and lays the groundwork for further restrictions on reproductive rights. I urge you to vote "ought not to pass" on LD 1930.

ⁱ Yang, John; Young, Kaisha; “The role of fetal personhood in the anti-abortion movement and legislation”, *PBS News Weekend*, March 10, 2024, <https://www.pbs.org/newshour/show/the-role-of-fetal-personhood-in-the-anti-abortion-movement-and-legislation>

ⁱⁱ Paltrow, Lynn; “Constitutional Rights for the ‘Unborn’ Would force Women to Forfeit Theirs” *Ms.*, April 15, 2021; <https://msmagazine.com/2021/04/15/abortion-constitutional-rights-unborn-fetus-14th-amendment-womens-rights-pregnant/>

ⁱⁱⁱ “When Fetuses Gain Personhood: Understanding the Impact on IVF, Contraception, Medical Treatment, Criminal Law, Child Support, and Beyond” *Pregnancy Justice*, August 17, 2022, <https://www.pregnancyjusticeus.org/wp-content/uploads/2023/05/fetal-personhood-with-appendix-UPDATED-1.pdf>

^{iv} Chandler, Kim; “Facing backlash over IVF ruling, Alabama lawmakers look for a fix” *Associated Press*, February 26, 2024, <https://apnews.com/article/alabama-ivf-embryo-frozen-aec76246aad81bc58cd9e51e422a4521>

^v “When Fetuses Gain Personhood: Understanding the Impact on IVF, Contraception, Medical Treatment, Criminal Law, Child Support, and Beyond” *Pregnancy Justice*, August 17, 2022, <https://www.pregnancyjusticeus.org/wp-content/uploads/2023/05/fetal-personhood-with-appendix-UPDATED-1.pdf>

^{vi} Yousef, Odette, “How ‘fetal personhood’ in Alabama’s IVF ruling evolved from fringe to mainstream”, *NPR*, March 14, 2024, <https://www.npr.org/2024/03/14/1238102768/fetal-personhood-alabama-ivf>

^{vii} Felix, Mabel, Sobel, Laurie, Salganicoff, Alina, “The Right to Contraception: State and Federal Actions, Misinformation, and the Courts”, *KFF: Women’s Health Policy*, May 23, 2024, <https://www.kff.org/womens-health-policy/issue-brief/the-right-to-contraception-state-and-federal-actions-misinformation-and-the-courts/> (It should be noted that this is at times based on a misconception as to how EC works or a fear of such misunderstanding leading to prosecution by overzealous AGs looking to enforce total abortion bans)