



TO: Members of the Senate Judiciary Committee
FROM: Shelli Weisberg, Legislative Director, ACLU of Michigan
Amanda West, Director of Government Relations, Planned Parenthood Advocates of Michigan
DATE: December 9, 2014
SUBJECT: Senate Bills 1156 and 1157 – Criminal penalties for coercive abortion

ACLU of Michigan and PPAM Position - Oppose

No woman should be coerced into any decision concerning her pregnancy. Every woman's reproductive health choices should be freely made.

The ACLU of Michigan and Planned Parenthood Advocates of Michigan, however, oppose Senate Bills 1156 and 1157 because they are unnecessary. There are already laws on the books that protect women from the coercion and discrimination these bills aim to address.

- Michigan's existing informed consent law already mandates that a woman's consent to an abortion must be "given freely and without coercion."
- Michigan already has statutes on the books that could make such coercion illegal - Aggravated Stalking (MCL 750.411i).
- Michigan's Elliott Larsen Civil Rights Act already protects a woman from discrimination based on actions related to pregnancy, and this act was further strengthened to protect women in the work place with a bill co-sponsored by then Representative Rick Jones in 2009 (Public Act 190 of 2009; MCL 37.2202).

Because the bills are unnecessary and the language used is vague, they confuse current law and lay the groundwork for unintended consequences. As an example, because marriage is a contract under law, the bills could criminalize a husband who chooses to seek a divorce because his wife is pregnant with another person's child (MCL 551.2).

If it is the goal of the Michigan Legislature is to reduce the number of abortions in Michigan, preventing unintended pregnancies should be their top priority. We should be working together to move forward commonsense polices that would improve access for low-income women to reproductive and prenatal health care, expand insurance coverage of contraceptives, and provide comprehensive sex education to our young people. By focusing on preventing unintended pregnancies, we would reduce the need for elective abortions in Michigan and accomplish everyone's goals. The bottom line is that the Legislature should stay out of private health care decisions. These bills do nothing to protect pregnant women.

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