

Support CACR 2 – New Hampshire Must Ensure Abortion Rights for Granite Staters.

Bill Summary: CACR 2 is a constitutional amendment that would enshrine reproductive rights in New Hampshire's state constitution. The proposed amendment would ensure that abortion stays legal in the state and that patients continue to have access to necessary reproductive care, including when serious complications arise during a pregnancy. CACR 2 would give voters the opportunity to affirm that Granite Staters' right to personal reproductive autonomy shall not be denied. This is one of the most effective tools to ensure the reproductive rights of everyone in our state.

After the Supreme Court overturned *Roe v. Wade*, we no longer have a federal constitutional right to abortion – and with it, our agency, over our lives, and futures. Following the ruling, our most fundamental rights are on the line. Six months after this ruling, 24 states have banned abortion or could soon do so, forcing countless people to remain pregnant and have children against their will while criminalizing essential health care.ⁱ In response, states like Connecticutⁱⁱ and Massachusettsⁱⁱⁱ have advanced “shield laws” to protect providers and patients who administer or receive health care services that are legal within the state. Constituents in California, Michigan, and our neighboring state Vermont, have all supported recent ballot initiatives to ensure the right to reproductive freedom is enshrined in their state constitutions.^{iv}

Currently, there are no state-level protective policies guaranteeing Granite Staters' right to abortion or other reproductive health services. No one knows exactly how far the federal government and courts will go in dismantling reproductive rights, but New Hampshire should give voters the opportunity to stand up to attacks and affirm their commitment to reproductive liberty by enshrining the fundamental right to reproductive autonomy in our constitution. With the federal protections to abortion gone, state constitutional rights are more important than ever, and that is why we must pass CACR 2.

Abortion Bans Pose Life-Altering Consequences for Pregnant Individuals. When someone finds themselves unable to access an abortion, carrying a pregnancy against their determination has life altering consequences, including enduring serious health risks from continued pregnancy and childbirth, increased difficulty escaping poverty, the derailing one's education, career, and life plans, and an increased difficulty leaving an abusive partner. Research has shown people refused abortions are nearly four times as likely to live below the federal poverty line four years later compared to those who had an abortion.^v The *Dobbs* decision will also lead to miscarriages being subject to suspicion, investigation, and arrest, and patients and doctors being thrown in jail. These burdens will disproportionately fall on women of color, those struggling to make ends meet, young people, immigrants, people with disabilities, and LGBTQ+ communities.^{vi,vii} Moreover, abortion bans are also anticipated to disproportionately produce negative health outcomes for BIPOC communities. Research finds abortion is significantly safer than pregnancy for Black and Indigenous people; estimates suggest that a nationwide abortion ban would increase maternal mortality rates by 33% among Black Americans compared to 21% in the general population.^{viii}

The vast majority of Granite Staters support safe, legal abortion. Seventy-two percent of polled Granite Staters identified as pro-choice in 2022,^{ix} while data from 2021 shows 66% support keeping abortion legal in all or most cases, rejecting the idea that bodies are public property to be regulated by government officials. In fact, only three states have a higher percentage of residents who support safe, legal abortion access.^x As this polling makes clear, Granite Staters don't appreciate government intervention into their private health care decisions. The right to decide if, when, and how to have children is critical to an individual's autonomy, equality, and ability to participate in the social, economic, and

Last updated February 12, 2023

political life of the state and the nation. Reproductive freedom is essential to fulfilling the promise of equality and self-determination rooted in our nation and our state's founding documents and principles. Reproductive autonomy means opportunity: the opportunity to obtain an education, to work, to love, to build a family, to make a good life, and ultimately, the opportunity to live that life as one desires.

Reproductive liberty is central to our freedom and dignity. Everyone deserves the dignity and power to decide for themselves if and when they have a child. Those who are trying to take away our basic rights are counting on our silence. We cannot afford to stay quiet when our rights and our freedoms are on the line, and we won't. New Hampshire has an opportunity to protect abortion rights and explicitly enshrine reproductive liberty in our constitution.

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- ⁱⁱ Sarah McCammon, *What states are looking to do with abortion legislation in 2023*, Jan 5 2023, National Public Radio, available at <https://www.npr.org/2023/01/05/1147256379/what-states-are-looking-to-do-with-abortion-legislation-in-2023>
- ⁱⁱⁱ Alison Kuznitz, *Massachusetts abortion protections bill, shielding providers and patients, signed into law by Gov. Charlie Baker*, June 29 2022, Mass Live, available at <https://www.masslive.com/politics/2022/07/massachusetts-abortion-protections-bill-shielding-providers-and-patients-signed-into-law-by-gov-charlie-baker.html>
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- ^v Foster, Diana Greene. *The turnaway study: ten years, a thousand women, and the consequences of having—or being denied—an abortion*. Simon and Schuster, 2021
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- ^{vii} Nicquel Terry Ellis, *'Pushed to the margins': Why some activists and lawmakers say abortion bans are a form of White supremacy*, May 18 2022, CNN, available at <https://www.cnn.com/2022/05/18/us/abortion-ban-women-of-color/index.html>
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- ^{ix} Neil Levesque, *A Survey of Registered New Hampshire Voters*, August 9-11, 2022, New Hampshire Institute of Politics, Saint Anselm College, available at, https://www.anselm.edu/sites/default/files/Documents/NHIOP/Polls/SACSC_NHSW_0822_Book1.pdf
- ^x *Id.*