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*Affiliated with the National Right to Life Committee*

## MEMORANDUM

**TO:** Honorable Members of the Senate Health and Pensions Committee

**FROM:** Steve Rupp, President  
Gerard Nieters, Legislative Director  
Susan Klein, Executive Director

**DATE:** March 24, 2021

**RE:** SB 391

Missouri Right to Life is the oldest and largest pro-life organization in the State of Missouri. Missouri Right to Life has been organizing grassroots and working to end abortion since that fateful day in 1973 when Roe v Wade was wrongly thrust on this nation. Our mission is to uphold and promote the sanctity of all innocent human life at every stage of development. Pro-abortion leaders and courts have been working every day since 1973 to take the lives of innocent babies in his or her mother's womb.

Missouri Right to Life's leadership, after seriously considering potential ramifications of SB 391 which purports to abolish abortion but would instead put lives at risk, recommends modifications to the language. Amendments or substitutional changes can be made in order to attain statutory goals without damaging current pro-life laws or the unnecessary penalization of women seeking abortions, who often do so under duress or coercion. And, we need to ensure a life of the mother exception is in the bill.

As you know, on Wednesday, March 10<sup>th</sup> your Missouri Senate Health and Pensions Committee heard testimony on Senate Bill 391. Before the bill is reported from the committee, MRL would like to bring forward concerns and solutions so that the premise of the bill is preserved without damaging the successful track of Missouri's pro-life progress.

Since the passage of our state's most vigorous pro-life laws and placing in statute great programs like Alternative's to Abortion and Show-Me Healthy Babies and other helps to provide support for mothers, we have seen abortion numbers decline dramatically. In fact, Missouri's legal environment is downright inhospitable to abortion providers, and for good reason. Abortion takes the life of innocent children through horrendous means.

Advocates for unborn human lives are diverse in our strategies and our goals, but united in the commitment to stopping legal abortion through all legal and ethical means. Because we are committed to making a difference, not just making a point, MRL does not support the advancement of SB 391 without the removal and/or the amending of certain elements of the bill's language.

- 1) MRL has never and does not now support subjecting women seeking abortions to prosecution or imprisonment. We know through experience and research that women are often pressured, coerced and threatened so a third party can escape responsibility for, or involvement in, a child's life. It is not enough to simply include in this bill an affirmative defense provision. The penalties for abortion should rest only with those providing, referring, funding or threatening women to undergo an abortion.
- 2) Because of the success of incremental legal protections enacted by Missouri's General Assembly, proposed by Missouri Right to Life and others, and enforced by the courts and Attorneys General, we stand behind the current statutory pro-life laws in our statutes. It is dangerous and reckless to consider striking these vital provisions from Missouri law in hopes that a new strategy designed to flex a state's rights' muscle will do what is intended and actually prevent abortions. Repealing good law is a terrible start to a new untested approach.
- 3) Given the current environment both in media and politics, risking the enactment of the bill as written will be counter-productive in many important ways. While abortion is indeed a heinous, immoral, and violent act against the unborn, many Missourians who may be hesitant to support abortion are not supportive of the notion of women being incarcerated. Research shows that at least 50% of women seeking abortions already have one child that they are parenting.
- 4) We need to ensure that the life of the mother exception is clear in SB 391.

Pro-Life Missourians are more interested in saving innocent lives and finding solutions to help women and mothers. Current Pro-Life laws, Pregnancy Care Centers, social programs, and other non-profits that provide tangible resources are much more effective in fighting abortion.

**For these reasons, Missouri Right to Life respectfully asks the Missouri Senate Health and Pensions Committee to consider amending and/or substituting pro-life language to Senate Bill 391. Without these changes, Missouri Right to Life can not support SB 391. Our goal is to save innocent human lives in all cases.**