



Value Pregnant Women & Mothers: Vote “NO” on 2

**Alabama’s Amendment 2 is Not Just About Abortion.
It Would Impact All Pregnant Women and People Who Want to Be Pregnant.**

Supporters of Amendment 2 claim that it will only impact abortion. But Amendment 2 would make it state policy—under *all* of Alabama’s laws—to “recognize and support the sanctity of unborn life and the rights of unborn children.” Although the Amendment does not define “unborn child,” this term and similar words have been interpreted under Alabama law to include fertilized eggs, embryos and fetuses, impacting women from the moment they become pregnant whether they know they are pregnant or not. Learn more at <http://www.advocatesforpregnantwomen.org/>.

This ballot measure is in fact a “fetal personhood” measure, just like similar ones overwhelmingly defeated by voters in Mississippi, Colorado, and North Dakota. Because Amendment 2 is so wide-ranging, if it passes it would not only remove protection for abortion from Alabama’s Constitution, it would also require anyone with state authority—including police, prosecutors, and judges—to “ensure the protection of the rights of the unborn child (fertilized eggs embryos and fetuses) in all manners and measures...” Everyone who works for the state and who has state reporting obligations (including doctors and nurses) will have to apply and interpret every state law to “ensure the protection of the rights of the unborn child.”

Who Will Be Hurt?

✓ *People Who Need IVF (fertility treatment)*

If Amendment 2 passes, in vitro fertilization and other infertility treatments (IVF) could be outlawed. IVF requires fertilizing more eggs and creating more embryos than will be implanted. Groups who oppose abortion have said that disposing of fertilized eggs is the same as abortion and should be prohibited. Since Amendment 2 requires protection of “the right to life” of fertilized eggs and embryos, disposing of fertilized eggs and embryos created for IVF that are not implanted would violate criminal homicide, abuse, and assault laws, and the donors, providers, and facility would be at risk of criminal or civil punishment for denying embryos the right to life.

✓ *Women Who Experience Stillbirth or Miscarriage*

There is a 15–20% chance of miscarriage or stillbirth in every pregnancy. If Amendment 2 passes, any woman who loses a pregnancy could be investigated, interrogated, arrested, and prosecuted if someone believes she could have or should have done something to prevent that loss. As numerous well-documented cases from around the country prove, women have already been arrested and charged with crimes (murder, depraved heart homicide, manslaughter, feticide) because they experienced miscarriages and stillbirths, or because the woman was unable to “guarantee” that the child she gave birth to would survive.

✓ *Women Who Do Anything That “Risks” Harm to Fertilized Eggs, Embryos, or Fetuses*

Because pregnancy occurs inside of a pregnant woman’s body, everything she does or does not do could possibly have an impact on her future child. While there are many strong beliefs about what a woman should and shouldn’t do to have a healthy pregnancy, there is more and more research challenging those beliefs and recognizing that what women experienced in their lives before ever becoming pregnant is the most important thing. If Amendment 2 passes, every law including assault, endangering the welfare of a child, and child abuse/neglect could be used to arrest, lock up or detain a woman believed to be taking action perceived to be risky or disapproved of by officials (such as smoking cigarettes, drinking alcohol, or missing a prenatal care appointment).

We know this to be true because even without Amendment 2, the Alabama State Supreme Court has already interpreted *one* criminal law—the chemical endangerment of a child law (intended to punish adults who bring children to dangerous places such as meth labs)—so that it can be used to arrest and incarcerate pregnant women and new mothers. The result of this court decision has been the arrest of more than 700 pregnant women who used any amount of any controlled substance—including arrests (and public humiliation) of mothers who took prescribed medications as directed.

✓ *Women Who Disagree with Their Doctor’s Advice*

Doctors know a lot, but they are not always right. Patients have the right to decide whether or not they will undergo an operation or take a recommended medication. If Amendment 2 passes, pregnant women would lose these rights. As actual cases from around the country prove, some doctors believe that a woman who refuses recommended cesarean surgery is no different from a woman who has a later term abortion. In their view, both decisions deprive fetuses of their right to life. Women have been locked up, strapped down, and forcibly cut open based on the same principles that would be established under Amendment 2. Similarly, women who have intentionally and unintentionally given birth at home have also been taken into police custody.

✓ *Women Who Should Be Able to Confide in Medical Providers*

Amendment 2 would undermine the trust pregnant women have in their health care providers by taking away patient confidentiality. Alabama law allows medical providers to report suspected abuse or neglect of children to the authorities. If Amendment 2 passes, anything a woman confides in her doctor that could be considered harmful to her future child—including an inability to quit smoking or to control her diet—could trigger an “unborn child” report.

✓ *Women Who Have or Attempt to Have an Abortion and Their Doctors*

Even though current federal law would still seem to protect the right to choose to have an abortion, if Amendment 2 passes, arrests from around the country demonstrate that enterprising Alabama prosecutors are likely to start arresting women who have abortions (and/or the doctors or family members who help them) under existing state law. Such arrests, as for the mother of two in Georgia suspected of seeking to end her pregnancy, would be for very serious crimes such as murder.

**Value Pregnant Women and Mothers!
Vote “NO” on Amendment 2 on November 6th!
(Register to vote by October 22nd)**