



Good morning, my name is Eli Baumwell, I am the Policy Director with the American Civil Liberties Union of West Virginia. I am here to speak in opposition to House Bill 4012. The ACLU is a non-profit, non-partisan organization dedicated to protecting and expanding the right guaranteed by the constitutions of the United States and West Virginia. Much of our work inherently focuses on communities and individuals that have not been able to enjoy the full rights and protections enshrined in those documents.

One of those rights is abortion. And let's be clear. Abortion is a right. Abortion is a right. The Supreme Court of West Virginia has repeatedly found it to be a right. The Supreme Court of the United States has found it to be a right. These courts have grappled with the moral, emotional, religious, and scientific issues that are associated with abortion. And they have repeatedly found, that it is a right.

Despite this, we find ourselves in familiar territory – it's another legislative session, and so we join for what seems to be the annual ritual of pursuing legislation aimed at curtailing this right. And once again, because this body cannot outright prohibit people from exercising their rights, they chip away at the margins.

And it is the people in the margins that suffer. Whether it's people dealing with calamity that brings them to the decision to terminate a pregnancy half-way through; or it's the women made more unsafe because safer procedures have been banned; or it's minors in unthinkable situations who have to face the trauma of a courtroom; or now, women living in the economic margins – that's who we take this right away from.

The erosion of basic rights is always concerning, but when it is targeted at marginalized groups it is particularly insidious. At a fundamental level we are saying that people who already enjoy some privilege can exercise their rights, and those who are at a disadvantage cannot. I think of few things more unfair and, frankly, unAmerican. And that is the same conclusion that the West Virginia Supreme Court came to in ruling that if Medicaid will be available to people carrying to term, it must also be available to people who exercise their right to terminate.

I know, in this body, there are people who may hold personal objections to abortion, but who understand that it is a right. I know there are people who do not want to pick on the disadvantaged. I know there are people who understand fundamental fairness. I know there are people who understand that West Virginia has more pressing needs. And I call on those people to have the courage to stand up and stop attacking the rights of some of our most vulnerable.