

STATE OF KANSAS
HOUSE OF REPRESENTATIVES



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REBECCA SCHMOE
59TH DISTRICT

House Committee on Federal and State Affairs

Testimony HB 2813

Representative Rebecca Schmoe, proponent

Mr. Chairman, Vice Chair, Ranking Minority, and Committee Members,

HB2813 will create the crime of coercion to obtain an abortion, providing enhanced criminal penalties for offenses committed with the intent to coerce a woman to obtain an abortion when she has expressed her desire not to have an abortion.

These penalties as outlined in the bill are a person felony, and the offender shall be sentenced to not less than 30 days nor more than one year's imprisonment and fined not less than \$500 nor more than \$5,000; or

if committed by the father or the putative father, who is 18 years of age or older at the time of the violation, of the unborn child of a pregnant woman and such pregnant woman is less than 18 years of age at the time of the violation, a person felony, and the offender shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,000 nor more than \$10,000.

This law will not be unique to Kansas. In fact, it has been a long-held belief, all the way up to the United Nations, that forced abortions via government mandate or societal expectation, are a heinous act and as such condemned by governments around the world. This includes at least 20 US states which either have current law or are actively passing laws to protect women from coercion to obtain an abortion.

Coercion takes many forms. The ones directly outlined in this bill are;

(A) Threatening to harm or physically restrain an individual or the creation or execution of any scheme, plan or pattern intended to cause an individual to believe that failure to perform an act would result in financial harm to, or physical restraint of, an individual;

(B) abusing or threatening abuse of the legal system, including threats of arrest or deportation without regard to whether the individual being threatened is subject to arrest or deportation under the laws of this state or the United States;

(C) knowingly destroying, concealing, removing, confiscating or possessing any actual or purported passport or other immigration document or any other actual or purported government identification

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document from an individual without regard to whether the documents are fraudulent or fraudulently obtained; or

(D) facilitating or controlling an individual's access to a controlled substance other than for a legitimate medical purpose;

(3) "financial harm" means any of the following: (A) Any loan, promissory note or other credit instrument that provides for interest at a rate that is prohibited by state or federal law; (B) any employment contract or other agreement for the payment of wages that violates the wage payment act, (C) extortion, or (D) any other adverse financial consequence.

Coercion to obtain an abortion can come from several sources. Often, we think of an abusive partner, a parent or family member, a boss or coach, a human trafficker, and in my case the attempted coercion came from a trusted medical professional.

Coercion sounds like.

"If you don't have an abortion, I will leave you and I am not paying a penny of child support,"

"You can either go to the doctor to get rid of it or I will do it myself."

"You can kiss your education goodbye; I'm not supporting you if you don't have an abortion."

"Do you have any idea what people will think of our family? I already made the appointment. We are done discussing this, you are having the abortion. End of story."

"I will disown you if you don't have an abortion."

"You are my daughter, and you will do what I say. You are not going through with this pregnancy."

"You can choose your baby or your career. Do you want to keep your job? Then go get this taken care of."

"I own you. You are nothing without me. You will have an abortion, because I said so."

"Who do you think you are? You don't deserve to have a baby. It's better off dead than with you."

"You will go to the appointment and keep your mouth shut. If you so much as cry I will see to it that you never get back to your family."

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Or, in my case, “Why are you being so selfish? How dare you make your parents watch you die? Do you even know what happens when someone bleeds to death internally? Your selfish decision to even try to carry a baby will result in your parents having to pick out a coffin for their own daughter. Why would you do that to them? You can save them the heartache. It’s not even a big deal, just an outpatient appointment. Don’t your parents deserve that? No one even has to know. You’ll never even have to think about it again. Or you can go ahead and die a slow painful death and destroy your parent’s life. The baby is half dead already. You aren’t saving anyone. The baby is going to die inside you and take you with it. It is selfish to put your family through this. You have to make the appointment right now. You can’t leave the office without making the appointment.”

Coercion is abuse, regardless of who it comes from. If a woman expresses her desire to not have an abortion and someone else, anyone else, uses threat of violence, harassment, or manipulation to control her decision to carry her baby, that is coercion; and it is unacceptable in any form.

In service and liberty,

Rebecca Schmoe

Kansas House of Representatives—District 59