

FAMILY ISSUES FACT SHEET

No. 2021-09 (January 2021)

SB 1457 ABORTION; UNBORN CHILD: GENETIC ABNORMALITY

EXECUTIVE SUMMARY

Arizona policymakers have long adopted pro-life laws, earning the recognition from *Americans United for Life* as being at or among the top pro-life states in the country year after year. As a commitment to protecting the lives of the preborn and the wellbeing and safety of their mothers, SB 1457 clarifies some existing laws and codifies additional commonsense laws affirming the value of all human life.

SB 1457:

- Establishes that the laws of Arizona will be interpreted in the context of valuing all human life
- Prohibits abortions on the basis of genetic abnormality, such as Down syndrome
- Clarifies that abortion-inducing drugs may not be distributed through the mail
- Prohibits public institutions from performing abortions or experimenting with aborted human remains
- Calls for the burial or cremation of aborted human remains
- Repeals pre-*Roe* law that punishes women who get abortions

WHAT THE BILL PROHIBITS/REQUIRES

PROTECTIONS FOR WOMEN AND THE MOST VULNERABLE

SB 1457 expands Arizona's current prohibition of abortion on the basis of race and sex by adding genetic abnormalities, except in the case of a medical emergency. An unborn child with a lethal fetal condition would not be covered by SB 1457's prohibition.

Applicable conditions include but are not limited to:

- Down Syndrome
- Tay Sachs Disease
- Cystic Fibrosis
- Turner syndrome
- Noonan syndrome

A physician who performs an abortion based on the diagnosis of a genetic abnormality not exempted in the bill, would face a class 6 felony.

Several states have passed similar abortion bans based on such genetic abnormalities as Down syndrome¹ due to a recent surge in the discriminating practice.²

Arizona mother of 13, Linny cannot imagine life without her eight-year-old adopted daughter, Birdie, who has Down syndrome. Linny describes Birdie as “a compassionate, spunky, joyful, helpful little treasure...who gently loves on her big sissy Ruby, tenderly patting her back or “helping” her with [tasks].” In Birdie’s home, they “celebrate these three things: that Birdie’s birth mom chose life, that Birdie sports an extra chromosome, and we are definitely celebrating her sweet self! She is so worthy of life!”

PROHIBITING ABORTION THROUGH THE MAIL

The abortion industry has found chemical abortions lucrative and useful in eluding many current regulations. It has used COVID-19 as an excuse to increase the dispensing of chemical abortions, and pushed for the dispensing of abortion-inducing drugs through the mail or similar means with no doctor’s visit. This, despite the fact that chemical abortions have four times the complication rate of surgical abortions.³

SB 1457 prohibits abortion-inducing drugs from being distributed through the mail, courier, or delivery, and requires only qualified physicians provide the abortion drugs during a doctor’s visit.

Chemical abortions carry dangerous risks to the woman, including death due to hemorrhaging, an undetected ectopic pregnancy, or infection from an incomplete abortion.

Mackenzie was just 21-years-old when she took the abortion pill and ended up bleeding heavily and alone in the shower. On her follow-up visit to the doctor, they discovered the abortion wasn’t complete and she needed immediate medical attention. Mackenzie ended up with almost a dozen infections and a lot of grief. Without a doctor’s supervision, her situation could have been fatal.

This Arizona woman is recovering from the deep physical trauma, regret, and shame, but she wants people to know the reality of abortion, and the danger of chemical abortions that leave women to fend for themselves.

RELEVANT COURT CASES

- The Sixth Circuit Court of Appeals recently upheld Ohio’s law prohibiting abortion based on the diagnosis of Down syndrome.⁴
- A federal appeals court recently upheld a Tennessee law banning abortion based on Down syndrome.⁵
- The U.S. Supreme Court in January of this year reversed a nationwide injunction that allowed patients to receive abortion-related drugs via mail during the COVID pandemic.⁶

PROMOTING PRO-LIFE POLICIES

To continue the state's policies affirming life, SB 1457 establishes that the laws of Arizona will be interpreted in the context of valuing all human life. The bill also prohibits public education institutions from performing or providing abortions, it calls for either the cremation or burial of the human remains of the unborn baby aborted, and repeals the pre-*Roe v Wade* law that holds women legally liable for getting an abortion.

TALKING POINTS

- 1. The abortion industry sees mail-in chemical abortions as a windfall for its bottom line, as well as an ideal opportunity to elude commonsense regulations. The industry shows a lack of care and regard that women are suffering, hemorrhaging, and at risk of dying alone with their preborn babies.**
- 2. Abortionists and their activists are essentially sending women back to the alley to abort their babies alone and without medical intervention needed to protect women from the dangers of the lonely chemical abortion process – where they can bleed to death, or suffer any number of complications.**
- 3. Every life is precious and everyone deserves a chance to live out that life, regardless of the value placed on them by someone else. Who are we to decide if someone else's life is not worth living?**
- 4. Families like Linny's who adopted 8-year-old Birdie do not see her Down syndrome as a burden. They see the joy and tenderness of a sweet soul and feel gratitude toward Birdie's birth mother for choosing life.**
- 5. SB 1457 affirms Arizona's commitment to valuing all human life. It protects women from some of the dangerous actions of the abortion industry, and it protects the most vulnerable, precious children from discrimination.**

CONCLUSION

SB 1457 affirms Arizona's commitment to valuing all human life by prohibiting abortions based on genetic abnormalities, such as Down syndrome. It also protects women from the abortion industry's dangerous efforts to sell chemical abortions to women through the mail, leaving them alone and at risk of bleeding to death.

¹ <https://lozierinstitute.org/overview-legislation-litigation-involving-protections-against-down-syndrome-discrimination-abortion/> (last accessed 1/22/2021)

² <https://www.theatlantic.com/magazine/archive/2020/12/the-last-children-of-down-syndrome/616928/> (last accessed 1/22/2021)

³ <https://lozierinstitute.org/the-no-test-medication-abortion-protocol-experimenting-with-womens-health/> (last accessed 1/25/2021)

⁴ <https://www.opn.ca6.uscourts.gov/opinions.pdf/21a0083p-06.pdf>

⁵ <https://apnews.com/article/tennessee-down-syndrome-courts-6c95681e7c7dfc8d2d94a0ee4a7723c2> (last accessed 1/22/2021)

⁶ <https://www.scotusblog.com/2021/01/justices-grant-fda-request-to-block-mail-delivery-of-abortion-pills/> (last accessed 1/22/2021)