



**Testimony of Lauren Bramwell**  
**OPPOSE HB 302**  
**Before Senate State Affairs Committee**  
**April 7, 2021**

The ACLU strives for an America free of discrimination against people with disabilities; where people with disabilities are valued, integrated members of society who have full access to education, homes, health care, jobs, families, voting, and reproductive autonomy. We are also committed to ensuring that people with disabilities are no longer segregated into, and overrepresented in, civil and criminal institutions such as nursing homes, psychiatric hospitals, jails, and prisons.

Disability rights and reproductive rights share common human rights foundations, including principles of autonomy, equality, dignity, and self-determination. Both movements envision a world where every person has the rights, resources, and respect needed to live to their full potential. These movements also recognize and challenge the structural inequalities that prevent people, from fully exercising their fundamental human rights.

Decisions about whether and when to continue or to end a pregnancy or raise a child are best made by the pregnant person and their family. Politicians should never force any individual to make particular decisions about reproduction, including forcing a person to become a parent against their will, depriving them of the ability to become a parent, or interrogating their private decisions about pregnancy.

Respectfully, it is a bit concerning that this piece of legislation is being introduced without consultation with disability rights organizations across the state, yet is being touted as a disability rights piece of legislation. No one reached out to Disability Rights Idaho, Idaho Council on Developmental Disabilities, or the State Independent Living Council. Pregnant individuals should receive accurate and unbiased information about disability following a fetal diagnosis. Additionally, it is vital that the government takes proactive steps to tackle underlying and systemic ableism, stigma, and discrimination against people with disabilities. But this bill doesn't do that-- and the lack of consultation with disability rights groups shows.

It is curious to me why this legislation requires information to be provided at the time of abortion as opposed to fetal diagnosis. If this legislation is truly about providing necessary information-- why wait until the pregnant person is going to seek an abortion? **The assumption that the information is only relevant at the time a person is seeking an abortion is hurtful and stigmatizing in its own regard.**

Additionally, it is concerning that disability rights groups have not been consulted on the information that would actually be provided to the pregnant person. If passed, this bill would require the Director of the Department of Health and Welfare to publish material that has a section "specific to unborn children diagnosed with Down syndrome" to help "educate mothers about the development of children with Down syndrome and the resources available in both the private and public sectors to assist parents of children with Down syndrome with the delivery and care of a child born with Down syndrome." Disability Rights organizations should be consulted in determining 1) what is medically accurate, and 2) what organizations are included on that list.



In sum, if this body seeks to pass legislation that would truly benefit the disability rights community—it should adequately fund resources for people with disabilities and fight to improve the social, political, physical and economic contexts within which women, transgender men, and non-binary people with disabilities are making decisions about their lives.

For these reasons, we ask you to oppose HB 302.