



VT Human Rights Commission
14-16 Baldwin Street
Montpelier, VT 05633-6301
<http://hrc.vermont.gov>

[phone] 802-828-2480
[fax] 802-828-2481
[tdd] 877-294-9200
[toll free] 1-800-416-2010

Bor Yang
Executive Director and Legal Counsel
Direct line: (802) 828-2493
Bor.Yang@vermont.gov

March 13, 2019

The Honorable Virginia Lyons, Chair
Senate Committee on Health and Welfare
Vermont Legislature
Statehouse
Montpelier, Vermont

RE: PR.5 – A declaration of rights; right to reproductive liberty

Dear Chair Lyons and Members of the Committee,

My name is Bor Yang and I am the Executive Director and Legal Counsel of the Vermont Human Rights Commission (HRC). The HRC has jurisdiction over claims of discrimination in housing, state government employment and places of public accommodations. The HRC achieves its mission by enforcing laws through investigations and litigation, conciliating disputes, educating the public, providing information and referrals and advancing effective public policies on human rights.

The HRC strongly supports an amendment to our constitution declaring the right to reproductive liberty. Recognizing this right in our constitution is as monumental as guaranteeing the right to vote and the right to equal protection under the law.

We firmly believe that the right to have or not have an abortion is a fundamental human right. It is a right that transcend race, national origin and socio-economic status. But it cannot be ignored that the recognition of reproductive liberty in the constitution will have a significant impact on the lives of women of color and women from low socioeconomic backgrounds.

As we know, access to abortion already looks very different from state to state, and a person's access to timely, affordable abortion care can be profoundly impacted by her race, socioeconomic status and available resources.¹ Women of color and women of low socioeconomic backgrounds are more likely to be impacted by funding cuts to programs and services that provide health care in their communities.² They have less fewer reproductive healthcare providers in their neighborhoods.³ Black and Hispanic women, and women of all races in low socioeconomic backgrounds are less likely to have insurance coverage for

¹ Guttmacher Institute, <https://www.guttmacher.org/gpr/2019/01/ensuring-access-abortion-state-level-selected-examples-and-lessons>

² Alisa Von Hagel and Daniela Mansbach, *Reproductive Rights in the Age of Human Rights* (Palgrave Macmillan, 2016).

³ *Id.*

contraception and family planning care. More than 50% of women of reproductive age are without publicly-funded family planning care. Only 40% of these women actually receive these services.⁴ This is why we see women of color and women of low socioeconomic status grappling with unintended pregnancies and choosing abortion at greater rates than affluent white women.

These disparities match disparities in education, income, infant mortality rates, cancer and life expectancy.⁵ In fact, unintended childbirth, as well as adverse maternal and infant health effects, are associated with decreased opportunities for education and paid employment.⁶

When women have the right to control their bodies, they have equal opportunities to meaningfully participate in society. Women of color and women in poverty already face higher levels of stress, discrimination and harassment in the workplace and poorer living and working conditions.⁷ The right to decide if and when they start a family should not also be a barrier to equal opportunity.

We are proud to be among the states preparing for the possibility that our nation will no longer have federal protections for legal abortion. We know that due to the current composition of the Supreme Court that we are likely to see *Roe v. Wade* overturned in the near future.

We also know that the most robust protection exists when the right to abortion is safeguarded by the constitution, as it cannot be easily overturned. Thus, we encourage all of our representatives to vote in favor of PR.5.

Thank you.

Sincerely,



Bor Yang
Executive Director and Legal Counsel

⁴ Disparities in Abortion Rates: A Public Health Approach, Christine Dehlendorf, MD, MAS, , Lisa H. Harris, MD, PhD, and Tracey A. Weitz, PhD, MPA

⁵ Id.

⁶ Id.

⁷ Id.