



Alaska

March 16, 2021

The Honorable David Wilson, Chair  
Senate Health & Social Services Committee  
Alaska State Senate  
State Capitol  
Juneau, AK 99801

*by email: [Senate.Health.And.Social.Services@akleg.gov](mailto:Senate.Health.And.Social.Services@akleg.gov)*

**Re: ACLU of Alaska Opposition to SJR 4**

Dear Chair Wilson, Vice-Chair Hughes, and Members of the Senate Health & Social Services Committee:



The ACLU of Alaska opposes Senate Joint Resolution (SJR) 4. This resolution's goal is to erode the Alaska Constitution's privacy protections and equal protection guarantees, and to chip away at a woman's right to control her body.

Living a safe and healthy life is a basic right, as is the freedom to define our own path. We aren't truly free if we can't make our own decisions about our bodies, our lives, and our futures—whether that is saying no to unwanted sexual advances, no to an unintended pregnancy, or yes to becoming a parent. When someone decides to have an abortion, it should be safe, affordable, and free from punishment or judgment.

The decision about whether and when to become a parent is one of the most important life decisions we make. When people can make decisions that are best for their lives, families thrive and we build communities where each of us can participate with dignity and equality. When the state denies that ability through restrictions on abortion, however, the harm falls hardest on those struggling financially or those who already face significant barriers to health care, such as high transportation costs and long travel time associated with accessing care for people living in rural Alaska. People who are denied abortion care are more likely to experience poor health outcomes, fall into or remain in poverty, and be unemployed than those who obtain care. SJR 4 would open the door to restrictions that make these outcomes more likely and push safe abortion care further out of reach.

Alaskans are rightly proud of our constitution, which contains robust privacy protections and guarantees of equal protection. These protections include safeguarding a woman's right to decide whether and when to become a mother. The ACLU of Alaska is proud of our decades-long track record successfully litigating unconstitutional laws targeting women's

AMERICAN CIVIL LIBERTIES UNION OF ALASKA FOUNDATION

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reproductive rights. Through these and other cases, the Alaska Supreme Court has made clear that reproductive rights, including the right to abortion, are fundamental rights.<sup>i</sup> The State may not infringe on the fundamental privacy right to make reproductive decisions except “when necessary to further a compelling state interest and only if no less restrictive means exist to advance the interest.”<sup>ii</sup>

We appreciate the opportunity to share our concerns about SJR 4 with the Senate Health and Social Services Committee. We recognize this resolution as an attempt to lower the constitutional guardrails that protect Alaskans’ fundamental right to make reproductive decisions, and to dismantle people’s ability to get safe, legal abortion care. For these reasons, we oppose this resolution and urge the Committee to reject it.

If you have any questions, please don’t hesitate to reach out at [mgarvey@acluak.org](mailto:mgarvey@acluak.org).

Sincerely,



Michael Garvey  
Advocacy Director

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<sup>i</sup> *Planned Parenthood of the Great Northwest v. Alaska* 1997).

<sup>ii</sup> *State v. Planned Parenthood of Alaska*, 35 P.3d 30, 41 (Alaska 2001).