



Alaska

February 26, 2020

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

Re: ACLU of Alaska Opposition to SJR 13

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

The ACLU of Alaska opposes Senate Joint Resolution (SJR) 13. 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.

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 choose 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 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.¹ The State may not infringe

¹ *Planned Parenthood of the Great Northwest v. State* (“PPGNW”), 375 P.3d 1122, 1137-38 (Alaska 2016), *Valley Hosp. Ass'n, Inc. v. Mat-Su Coal. for Choice*, 948 P.2d 963, 969 (Alaska 1997).

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.”²

We appreciate the opportunity to share our concerns about SJR 13 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.

Sincerely,



Triada Stampas
Policy Director

cc: Senator Shelley Hughes
Senator John Coghill
Senator Peter Micciche
Senator Donny Olson
Senator Mia Costello

² *State v. Planned Parenthood of Alaska*, 35 P.3d 30, 41 (Alaska 2001).