



To: Health and Human Services Committee
Hearing Date/Time: February 5, 2025/1:00 PM
Place: Hawai'i State Capitol, Room 225 & Videoconference
Re: Testimony in **STRONG SUPPORT** of S.B. 297

Dear Chair San Buenaventura and Vice-Chair Aquino and Members of the Health and Human Services Committee:

Members of AAUW of Hawai'i thank you for this opportunity to testify in strong support of S.B. 297, proposing an amendment to the Hawai'i State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

The *Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022), provides that a state may regulate or prohibit abortion.

The right to contraception is protected by *Griswold v. Connecticut*, 381 U.S. 479 (1965), and *Eisenstadt v. Baird*, 405 U.S. 438 (1972). In *Griswold*, the U.S. Supreme Court recognized that the constitutional right to privacy includes the right of married people to obtain contraceptives, and in *Eisenstadt*, the U.S. Supreme Court extended the constitutional protections in *Griswold* to unmarried persons. However, after the *Dobbs* decision, the right to contraception is in jeopardy.¹

According to the American College of Obstetricians and Gynecologists, "abortion is an essential component of women's health care. Like all medical matters, decisions regarding abortion should be made by patients in consultation with their health care providers and without undue interference by outside parties. Like all patients, women obtaining abortion are entitled to privacy, dignity, respect, and support."²

Similar to abortion, access to contraceptives and the right to engage in contraception is health care for many people. "The American College of Obstetricians and Gynecologists (the College) supports access to comprehensive contraceptive care and contraceptive methods as an integral component of women's health care and is committed to encouraging and upholding policies and actions that ensure the availability of affordable and accessible contraceptive care and contraceptive methods."³

1

<https://nwlc.org/resource/the-right-to-contraception-deeply-rooted-in-our-laws-and-society-but-in-jeopardy-and-in-need-of-policymakers-attention/> (retrieved Feb. 1, 2025).

² <https://www.acog.org/advocacy/facts-are-important/abortion-is-healthcare> (retrieved Feb. 1, 2025).

3

<https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2015/01/access-to-contraception> (retrieved Feb. 1, 2025).

Hawai'i has long been a leader in advancing reproductive rights and advocating for access to affordable and comprehensive sexual and reproductive health care without discrimination. The right of [reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives](#), is critical for the health and economic security of all people in Hawai'i. S.B. 297 is prudent policy that will improve the overall health and economy of the State's communities.

The American Association of University Women (AAUW) of Hawai'i is an all-volunteer, statewide chapter of a national organization and is made up of six branches: Hilo, Honolulu, Kaua'i, Kona, Maui, and Windward Oahu. UH Hilo, UH Manoa, UH Maui College, and Windward Community College are also AAUW partners. AAUW's mission is to advance gender equity for equal opportunities in education, at workplace and for economic security, and in leadership.

Sincerely,
Sandy Ma, Esq.
Public Policy Committee, AAUW of Hawai'i
publicpolicy-hi@aauw.net



Submitted Online: Tuesday, February 4, 2025

TO: Senate Committee on Health & Human Services
Senator Joy San Buenaventura, Chair
Senator Henry Aquino, Vice Chair

FROM: Eva Andrade, President

RE: Opposition to SB297 Proposing a Constitutional Amendment to The Constitution of the State of Hawaii to Protect the Right to Reproductive Freedom.

Hawai'i Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawai'i. We strongly oppose SB297 due to its broad terminology and far-reaching consequences—particularly for our keiki and the wider community. Moreover, amending our state constitution is unnecessary, as we believe that these rights are already fully protected under existing law.

Overly Broad and Problematic Terminology

SB297 uses vague language that opens the door for extreme interpretations. The term “individual” rather than “woman” or “adult” could be used to eliminate parental notification laws, allowing minors younger than 14 years old to make serious reproductive decisions—including abortion—without parental knowledge or consent.

Additionally, the phrase “reproductive freedom” is undefined and subject to judicial interpretation. This lack of clarity could lead to unintended legal and ethical consequences.

By enshrining an unlimited “right” to “reproductive freedom” in the state constitution, SB297 could end up thwarting basic, common-sense protections for women, girls, and preborn children. This bill is not about securing existing rights—it’s about preventing future debate and legislation that supports a culture of life.

Hawai'i Law Already Protects Abortion Rights

The bill text implies that Hawai'i restricts access to abortion and contraception. Women in Hawai'i already have unfettered access to abortion, contraception, and pregnancy-related medical care. Planned Parenthood Action itself confirms on its Hawai'i website, “Abortion is legal in this state. Very few to no restrictions exist, and abortion is accessible.”ⁱ

Hawai'i lawⁱⁱ explicitly protects the right to abortion for a “non-viable fetus” and allows abortion to “protect the woman’s life or health.” The Hawai'i State Constitution further upholds privacy rights, ensuring no infringement without a compelling state interestⁱⁱⁱ Simply put, we believe that SB297 is unnecessary because of our constitution’s existing right to privacy.

Under current law, women in Hawai'i can:

- ✓ Obtain contraception without restriction.
- ✓ Seek an elective abortion with virtually no limits in the first trimester.
- ✓ Access second-trimester abortions with standard legal provisions related to "viability."^{iv}
- ✓ Receive medically necessary interventions throughout pregnancy.

Conclusion

SB297 is unnecessary, vague, and detrimental to the future of pro-life and pro-family policies in Hawai'i. Instead of promoting the well-being of women and children, it opens the door for vague abortion policies while silencing future legislative efforts to provide safeguards for life and family.

ⁱ Planned Parenthood Action (n.d.). *Is Abortion Still Accessible in My State Now That Roe v. Wade Was Overturned?* Retrieved February 3, 2025, from <https://www.plannedparenthoodaction.org/abortion-access-tool/HI>

ⁱⁱ Hawai'i Abortion Statutes (HRS §453-16 and HRS §457-8.7)

ⁱⁱⁱ <https://lrb.hawaii.gov/constitution/#articlei> "[t]he right of the people to privacy is recognized and shall not be infringed without the showing of a compelling state interest."

^{iv} University of Hawaii at Manoa (2022, August 1). *Your Official Guide to Abortion in Hawaii*. The Hawai'i Abortion Collective. Retrieved February 3, 2025, from https://manoa.hawaii.edu/studentparents/downloads/2022_Official-Guide-to-Abortion-in-Hawai-i-1-.pdf. According to this document, "[t]his constitutional right to privacy means that the decision on the length of time or when a fetus is "viable" should be determined through a private decision by the medical provider and patient. Thus, our state constitution prevents attempts at reviving laws that criminalized abortions and new laws that limit abortions to less than "viability."

SB-297

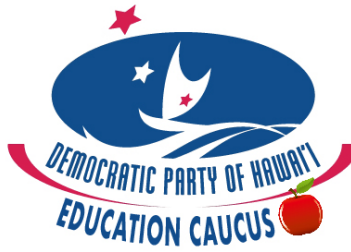
Submitted on: 2/1/2025 9:07:23 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Yvette Kay	Testifying for Indivisible Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair and committee members, I support this measure to protect our reproductive rights and access against potential national ban.



SENATE BILL 297, RELATING TO PROPOSING A CONSTITUTIONAL AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO PROTECT THE RIGHT TO REPRODUCTIVE FREEDOM

FEBRUARY 5, 2025 · HHS HEARING

POSITION: Support.

RATIONALE: The Democratic Party of Hawai'i Education Caucus **supports** SB 297, which amends the Hawai'i State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

Reproductive care is an essential form of healthcare. In March of 1970, Hawai'i became the first state to legalize abortion, three years before the landmark *Roe v. Wade* decision by the United States Supreme Court protected access to abortion nationwide. In so doing, the state recognized that preserving access to safe and legal reproductive care is a vital public health objective for the islands. Yet, Hawai'i's unique geography and high cost of living present barriers to obtaining reproductive care for potential patients. As of 2022, only three abortion providers exist in the islands and only Oahu and Maui host reproductive care clinics. According to Planned Parenthood, the number of abortion providers in the state has been on the decline since the 1990s.

Moreover, studies show that access to abortion care is linked to financial well-being. According to The Turnaway Study conducted by Advancing New Standards in Reproductive Health at the University of California San Francisco, people who were denied access to an abortion

experienced an increase in household poverty lasting at least four years relative to those who received an abortion. Women who lacked access to reproductive care were also found to be less able to pay for basic living expenses, had lower credit scores, and had higher rates of debt and eviction than those with access to abortion care.

The U.S. Supreme Court's disastrous ruling in *Dobbs v. Jackson Women's Health Organization* overturned *Roe v. Wade* and ended the federal constitutional right to abortion care. In overturning *Roe v. Wade*, the U.S. Supreme Court erased nearly fifty years of legal precedent supporting the fundamental right to reproductive freedom, leading to a wave of abortion restrictions enacted by state legislatures across the country. The Court's decision disproportionately harms black, latino, indigenous, and other people of color, for whom access to healthcare and economic opportunities has historically been impeded by systemic racism.

In response to the Supreme Court's catastrophic ruling in *Dobbs v. Jackson Women's Health Organization* and further attacks on abortion care that are expected to be made by the Trump administration, state policymakers must take action to uphold Hawai'i's legacy as a leader in advancing reproductive care and support measures to strengthen reproductive rights in the islands. Accordingly, we support empowering the people of our state to defend reproductive care for generations to come.

Contact: educationcaucusdph@gmail.com



***The American College of Obstetricians and Gynecologists
District VIII, Hawai'i (Guam & American Samoa) Section***

As a section of the Nation's leading group of physicians dedicated to improving health care for women, the Hawai'i Section of the American College of Obstetricians and Gynecologists (HI ACOG) represents more than 200 obstetrician/gynecologist physicians in our state

Strong Support for SB297 – Constitutional Amendment to Protect Reproductive Freedom

On behalf of the American College of Obstetricians and Gynecologists (ACOG) Hawai'i Section, we write in strong support of SB297, which proposes a constitutional amendment to protect the right to reproductive freedom in the State of Hawai'i. This measure is essential in ensuring that every individual retains autonomy over their reproductive health decisions, including the right to abortion and contraceptive access.

As medical professionals dedicated to providing comprehensive reproductive healthcare, we know that decisions regarding pregnancy, contraception, and abortion must remain personal, private, and free from governmental interference. SB297 would enshrine these fundamental rights in the Hawai'i State Constitution, safeguarding reproductive freedom against potential future legislative threats.

Hawai'i has long been a leader in protecting reproductive rights, and this amendment reaffirms the state's commitment to upholding medical privacy, bodily autonomy, and access to essential healthcare services. With increasing restrictions on reproductive rights across the country, it is critical that Hawai'i takes proactive steps to ensure that its residents will always have access to safe, legal, and evidence-based reproductive healthcare.

By supporting SB297, you are advocating for the health, dignity, and rights of individuals across our state. We urge you to pass this critical legislation and allow Hawai'i voters the opportunity to enshrine reproductive freedom in our state constitution.

Mahalo for your leadership and commitment to reproductive healthcare access in Hawai'i. Please do not hesitate to reach out if we can provide further insight or medical expertise on this issue.

Sincerely,

Ricardo A. Molero Bravo, MD
Legislative Chair, ACOG Hawai'i Section
rmolerob@hawaii.edu

SB-297

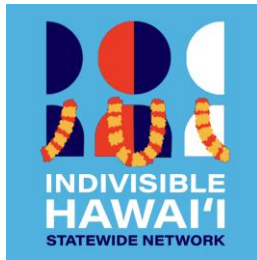
Submitted on: 2/3/2025 6:03:10 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Doris Matsunaga	Testifying for Save Medicaid Hawaii	Support	Written Testimony Only

Comments:

Save Medicaid Hawaii supports SB297



To: COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date/Time: Wednesday, February 5, 2025 at 1:00 PM

Place: Hawaii State Capitol, Room 225

Re: Testimony in STRONG SUPPORT of SB297

Dear Senator Joy A. San Buenaventura, Chair, Senator Henry J.C. Aquino, Vice Chair and the Members of Committee:

Members of Indivisible Hawai'i thank you for this opportunity to testify in strong support/support of SB297 which would amend the Hawaii State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

Sincerely,
Indivisible Hawai'i Healthcare Team

We're a grassroots movement of thousands of local Indivisible groups with a mission to elect progressive leaders, rebuild our democracy, and defeat the Trump agenda. In Hawai'i, we have ten groups across four islands, representing over a thousand pro-democracy citizens.



Cade Watanabe, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Eric W. Gill, Senior Vice-President

February 4, 2025

Senate Committee on Health and Human Services (for hearing on 2/5/25)

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Testimony in Strong Support of SB297

Chair Buenaventura, Vice Chair Aquino and members of the committee

UNITE HERE Local 5 represents over 10,000 working people in the hotel, foodservice and healthcare industries across Hawaii. We have always fought to improve the economic lives of our members, their families and their community.

We are in strong support of SB297. Reproductive rights are healthcare rights. A person's healthcare choice is for them and their doctor to decide. Women and men should have the freedom to plan their lives. A government that denies its citizens the right to determine the quality of their personal lives is taking away freedom from its citizens. We are a state that values personal freedoms. A constitutional ballot question to protect abortion and reproductive rights will reflect the will of its citizens.

As a labor union with a long history of worker advocacy we want to emphasize the economic freedom that reproductive choice provides to people; reproductive rights are closely correlated to economic prosperity, and economic prosperity is economic freedom. Secretary of the Treasury Janet Yellen said, *"eliminating the right of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades."*

The Economic Policy Institute (EPI) found in a 2023 study that states with abortion restrictions or total bans have on average:ⁱ

- lower minimum wages (\$8.17 compared with \$11.92 in the abortion-protected states)
- unionization levels half as high as those in the abortion-protected states
- only three in 10 unemployed people receiving unemployment insurance (compared with 42% in other states)
- lower rates of Medicaid expansion
- an incarceration rate 1.5 times that of the abortion-protected states

The EPI points out that,

"A wide breadth of social science literature demonstrates the range of negative economic consequences of abortion denial, from prolonged financial distress to being trapped in lower paying occupations (ANSIRH 2022; Foster et al. 2018; Miller, Wherry, and Foster 2022; Bahn et al. 2019).⁵ While the effect of abortion denial is overwhelmingly negative economically, mentally, and physically, there is also strong evidence for the flip side of this argument: that access to abortion is associated with positive economic outcomes, including lower rates of teen births and teen marriages (Myers 2017)."

Furthermore, when citizens across the country voted on state ballot measures to strengthen abortion rights, it became clear that a vast majority American citizens wanted to protect their right for self-determination. Seven out of ten states voted to strengthen abortion rights when given the chanceⁱⁱ.

We urge you to pass SB297 and give Hawaii residents the chance to decide on this important basic human right by putting the question on the ballot. It is both a human right and economic freedom question.

Thank you for this opportunity to testify.

ⁱ <https://www.epi.org/publication/economics-of-abortion-bans/?m>

ⁱⁱ <https://www.guttmacher.org/2024/11/abortion-rights-state-ballot-measures-2024>



**Written Testimony of Bradley N. Kehr, J.D.
Government Affairs Director, Americans United for Life
In Opposition to SB 297
Submitted to the Senate Committee on Health and Human Services
February 4, 2025**

Dear Chair Buenaventura, Vice Chair Aquino, and Members of the Committee:

My name is Bradley N. Kehr, and I serve as Government Affairs Director at Americans United for Life (“AUL”). Established in 1971, AUL is a national law and policy nonprofit organization with a specialization in abortion, end-of-life issues, and bioethics law. AUL publishes pro-life model legislation and policy guides on end-of-life issues,¹ tracks state bioethics legislation,² and regularly testifies on pro-life legislation in Congress and the states. Our vision at AUL is to strive for a world where everyone is welcomed in life and protected in law. As Government Affairs Director, I specialize in life-related legislation, constitutional law, and end-of-life public policy.

Thank you for the opportunity to provide testimony opposing SB 297. The severe consequences of implementing this constitutional amendment will include:

- Promoting the intentional termination of human life in the womb.
- Increasing the number of unsafe, late-term abortions.
- Removing the ability to effectively stop abusers or traffickers from coercing girls into obtaining unwanted abortions.

Included below is my analysis of the detrimental impact of SB 297.

Respectfully Submitted,

Bradley N. Kehr, J.D.
Government Affairs Director
AMERICANS UNITED FOR LIFE

¹ *Pro-Life Model Legislation and Guides*, AMS. UNITED FOR LIFE (last visited Jan. 16, 2022), <https://aul.org/law-and-policy/>.

² *Defending Life: State Legislation Tracker*, AMS. UNITED FOR LIFE (last visited Jan. 16, 2022), <https://aul.org/law-and-policy/state-legislation-tracker/>.

Constitutional Peril in Hawaii: The Legal and Policy Implications of Enshrining a Right to Abortion in Hawaii's Constitution

By Bradley N. Kehr, J.D.³, Danielle Pimentel, J.D.⁴, and Catie Kelley, J.D.⁵

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³ Government Affairs Director, Americans United for Life.

⁴ Policy Counsel, Americans United for Life. Email: Danielle.Pimentel@aul.org.

⁵ Policy Counsel, Americans United for Life. Email: Catie.Kelley@aul.org.

Introduction

The pro-life movement has accomplished many victories in the wake of the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*,⁶ while also facing new challenges. Now that the Supreme Court has overturned *Roe v. Wade*⁷ and returned the abortion issue to the democratic process, abortion activists have sought to enshrine a "right" to elective abortion in state constitutions across the country. These efforts pose a serious threat to pro-life laws and the protection of preborn human beings, women, and adolescent girls.

Recently, several states amended their state constitutions to enshrine a "right" to elective abortion. This includes Arizona, Colorado, Ohio, Maryland, Michigan, Missouri, Montana, Nevada, and New York. These amendments emboldened abortion activists to challenge life-affirming laws. For example, in the year following Michigan's pro-abortion amendment, the legislature successfully repealed numerous commonsense protections for women and preborn children, including the state's ban on partial-birth abortions and provisions requiring abortion facilities to be licensed and operated under necessary health and safety standards. However, a number of states—Florida, Nebraska, and South Dakota—recognized the harms of enshrining abortion-on-demand in their state constitutions and rejected these radical pro-abortion amendments. Hawaii now has the opportunity to become the fourth state to stand firm against an amendment that threatens the welfare of its citizens.

This legislative session, the people of Hawaii face Senate Bill 297 (SB 297). If the legislature passes the bill and voters subsequently approve it on the ballot, it will amend the Hawaii constitution to state:

The State shall not deny or interfere with an individual's reproductive freedom in their most intimate decisions, including: (1) The right to choose to obtain an abortion of a nonviable fetus; (2) An abortion that is necessary to protect the life or health of the parent; and (3) The right to choose to obtain or use contraceptives.⁸

But SB 297's language is deceptive. First, the misleading phrasing of this amendment makes it appear as though Hawaii currently restricts or is attempting to restrict individuals from making decisions about contraception. This is not true, as the people of Hawaii can freely obtain contraception. Second, current law already permits elective abortions up through viability without restriction as well as authorizes interventions to save the life of the mother or protect the "health of the pregnant person," through all nine months of pregnancy.⁹

⁶ *Dobbs v. Jackson Women's Health Org.*, 142 S. Ct. 2228 (2022).

⁷ 410 U.S. 113 (1973).

⁸ HI. State Leg., S.B. 297, 33rd Leg. (HI. 2025).

⁹ Haw. Rev. Stat. § 453-16(b).

In other words, Hawaii residents do not need SB 297. The people of Hawaii, under existing statutes, can lawfully:

- obtain contraception;
- obtain an elective abortion with virtually no restrictions up until viability;
- obtain an elective abortion if the abortionist deems it “necessary to protect the . . . health of the pregnant person” throughout the entire pregnancy; and
- obtain medically necessary interventions to save the life of the mother throughout the entire pregnancy.

No Hawaii law prevents women from receiving any form of lifesaving or medically necessary treatment or intervention during their pregnancy. Nor does any Hawaii law prevent women from receiving any treatment or intervention where the unborn child has not or will not survive the pregnancy, such as in the case of miscarriages or ectopic pregnancies. Yet, the misleading language of the amendment attempts to disguise unregulated access to elective abortion through all nine months of pregnancy as healthcare and makes it nearly impossible for Hawaii to enact any common-sense safeguards to protect women and their unborn children.

Elective abortion is not healthcare. It is the intentional destruction of innocent preborn human life. As the Supreme Court acknowledges in *Dobbs*, states have a legitimate interest in preserving prenatal life, mitigating fetal pain, and protecting maternal health.¹⁰ Thus, Hawaii can regulate abortion in furtherance of these important interests.

But if Hawaii passes SB 297, the fallout will be devastating, especially for the welfare of the women of Hawaii and their preborn children. SB 297 will increase the number of unsafe, elective late-term abortions, threatens to eliminate common-sense and necessary protections for women’s welfare and parental involvement laws, will give unlicensed and unsafe abortionists free rein to operate clinics without rational health and safety regulations, will increase intimate partner violence by concealing coerced abortions in Hawaii, and furthers the harmful and false narrative that unregulated, elective abortion is necessary for women to have equality and success in America.

Ultimately, if the legislature passes SB 297, Hawaii will be one step closer to enshrining a constitutional right to elective abortion through all nine months of pregnancy, stripping the voice of the people of Hawaii in protecting women, adolescent girls, and preborn children from the violence of elective abortion.

I. The Hawaii SB 297 Amendment Will Increase the Number of Harmful Late-Term Abortions in the State.

Passage of SB 297 will effectuate abortion-on-demand up until a preborn baby’s birth date. Although the proposed amendment includes language that seemingly allows

¹⁰ *Dobbs*, 142 S. Ct. at 2284.

Hawaii to prohibit abortion after a child can survive outside the womb, it allows for a broad “health” exception. The proposed amendment states that Hawaii may not regulate “[a]n abortion that is necessary to protect the life or health of the parent.”¹¹ Courts, including the U.S. Supreme Court, have broadly interpreted this health exception. In *Doe v. Bolton*¹², which was the companion case to *Roe*, the Supreme Court defined “health” in abortion laws as “*all factors—physical, emotional, psychological, familial, and the woman’s age—relevant to the well-being of the patient. All these factors may relate to health.*”¹³ Since then, “whenever and wherever used in abortion law, ‘health’ means ‘emotional well-being,’ and it’s a trap door for any state regulation. A state regulation cannot be applied if ‘emotional well-being of the patient—including any minor—might be affected by the regulation.’”¹⁴

Under the amendment’s broad health exception, if a pregnancy is affecting a woman’s “emotional well-being” for whatever reason, she can have an abortion up to the date of her unborn child’s birth. By including this health exception, Hawaii will be authorizing abortion-on-demand throughout all nine months of pregnancy. The abortionist simply has to find the abortion “necessary”—a word left undefined—to protect the parent’s “health.” This could be any foreseeable social reason such as the woman’s age, the ending of the relationship between the mother and the father of the baby, financial concerns, etc.

Although it is a common misconception that abortions performed under a health exception, or late-term abortions, are only performed in rare circumstances for medically necessary reasons, as the American Association of Pro-Life Obstetricians and Gynecologists (“AAPLOG”) states, “most abortions are done for social reasons.”¹⁵ “Overall, common exceptions to abortion restrictions are estimated to account for less than five percent of all abortions meaning that 95 percent of abortions are for elective or unspecified reasons.”¹⁶ Dr. James Studnicki published a similar outcome in *Health Services Research and Managerial Epidemiology* regarding late-term abortions. As he says, “[t]he Guttmacher Institute has provided a number of reports over 2 decades which have identified the reasons why women choose abortion, and they have consistently reported that childbearing would interfere with their education, work, and ability to

¹¹ HI. State Leg., S.B. 297, 33rd Leg. (HI. 2025).

¹² Although *Doe v. Bolton* was the companion case for *Roe*, the Supreme Court did not overturn *Doe* in the *Dobbs* decision.

¹³ *Doe v. Bolton*, 410 U.S. 179, 192 (1973).

¹⁴ Clarke D. Forsythe, *Feingold and Kagan on the Doe ‘Health’ Exception*, NAT’L REV. (June 29, 2010), <https://www.nationalreview.com/bench-memos/feingold-and-kagan-doe-health-exception-clarke-d-forsythe/>.

¹⁵ AM. ASSOC. OF PRO-LIFE OBSTETRICIANS & GYNECOLOGISTS, STATE RESTRICTIONS ON ABORTION: EVIDENCE-BASED GUIDANCE FOR POLICYMAKERS, Comm. Op. 10, at 10 (updated Sept. 2022).

¹⁶ *The Assault on Reproductive Rights in a Post-Dobbs America: Hearing before the S. Comm. on the Jud.*, 118th Cong. 15 (2023) (written testimony of Monique Chireau Wubbenhorst, MD, MPH).

care for existing dependents; would be a financial burden; and would disrupt partner relationships.”¹⁷ Accordingly, most abortions occur for elective reasons of the mother, not because of either the baby’s or the mother’s medical condition.

By affording unnecessary constitutional protection to elective abortion at all stages of pregnancy, SB 297 will further the state’s reputation as an abortion destination, leading to more harmful late-term abortions. In turn, more women and preborn children will be subject to abortion violence.

Additionally, it is a common misconception that late-term abortions are only performed in rare circumstances for medically necessary reasons. It is estimated around 10,000 abortions are performed at 21 weeks’ gestation or later each year.¹⁸ However, the total number of late-term abortions is likely higher given that the Centers for Disease Control and Prevention’s (“CDC”) data is limited by *voluntary* state reporting and abortion destination states, such as California and Hawaii, refuse to provide any data on abortions to the CDC.¹⁹

SB 297 is a thinly veiled attempt to mandate unsafe, elective late-term abortions with virtually no common-sense safeguards for women and adolescent girls into the foundation of Hawaii law. SB 297 will also impede the state’s ability to pass laws that decrease the number of unsafe, elective late-term abortions and clear the way for abortion activists to ask courts or the legislature to eliminate protections for women’s health and safety, such as limitations on abortion after viability, and conscience protections for hospitals and healthcare providers who object to providing abortions. As a result, with little to no protections in place for women seeking abortions, the number of late-term abortions in the Hawaii will increase.

This will put more women at risk of suffering severe and life-threatening complications from elective abortions, as well as subjecting preborn children with developed nerve endings to painful abortion procedures. As the American Association of Pro-Life Obstetricians and Gynecologists (“AAPLOG”) explains, data on abortions shows, “most abortions are done for social reasons.”²⁰ “Overall, common exceptions to abortion restrictions are estimated to account for less than five percent of all abortions meaning that 95 percent of abortions are for elective or unspecified reasons.”²¹

¹⁷ James Studnicki, *Late-Term Abortion and Medical Necessity: A Failure of Science*, HEALTH SERVS. RSCH. & MANAGERIAL EPIDEMIOLOGY, Apr. 9, 2019, at 1, 1.

¹⁸ Guttmacher Institute, *Induced Abortion in the United States*, GUTTMACHER (2019), <https://www.guttmacher.org/fact-sheet/induced-abortion-united-states>.

¹⁹ See *Questions and Answers on Late-Term Abortion*, CHARLOTTE LOZIER INST. (May 16, 2022), <https://lozierinstitute.org/questions-and-answers-on-late-term-abortion/>.

²⁰ AM. ASSOC. OF PRO-LIFE OBSTETRICIANS & GYNECOLOGISTS, STATE RESTRICTIONS ON ABORTION: EVIDENCE-BASED GUIDANCE FOR POLICYMAKERS, Comm. Op. 10, at 10 (updated Sept. 2022).

²¹ *The Assault on Reproductive Rights in a Post-Dobbs America: Hearing before the S. Comm. on the Jud.*, 118th Cong. 15 (2023) (written testimony of Monique Chireau Wubbenhorst, MD, MPH).

This data indicates that 95 percent of abortions are elective and *do not* constitute grounds for already-existing statutorily prescribed interventions to save a woman's life or prevent substantial impairment of her health. Dr. James Studnicki published a similar outcome in *Health Services Research and Managerial Epidemiology* regarding late-term abortions. He states,

[t]he Guttmacher Institute has provided a number of reports over 2 decades which have identified the reasons why women choose abortion, and they have consistently reported that childbearing would interfere with their education, work, and ability to care for existing dependents; would be a financial burden; and would disrupt partner relationships.²²

Accordingly, most abortions occur for elective reasons of the mother, and do not qualify as medically-necessary interventions because of either the baby's or the mother's medical condition.

Fundamentally, SB 297 is not in the best interest of women's health and safety, and will effectively deepen the abortion industry's pockets while subjecting women to dangerous elective late-term abortions that ultimately threaten women's physical and emotional well-being.

a. Late-Term Abortions Carry a Higher Risk of Health Complications.

By enshrining constitutional protection for elective late-term abortions in the state, Hawaii will put more women at risk of suffering severe and life-threatening complications. Abortions carry a higher medical risk when done later in pregnancy. Even Planned Parenthood, the largest abortion business in the United States, agrees, stating: "[t]he chances of problems gets higher the later you get the abortion".²³

Gestational age is the strongest risk factor for abortion-related mortality, and the incidence of major complications is significantly higher after 20 weeks' gestation.²⁴ For example, compared to an abortion at 8 weeks' gestation, the relative risk of mortality to the woman increases exponentially by an additional 38 percent each week of gestation.²⁵

Further, researchers have concluded that it may not be possible to reduce the risk of death in later-term abortions because of the "inherently greater technical complexity of later abortions."²⁶ This is because later-term abortions need to dilate the

²² James Studnicki, *Late-Term Abortion and Medical Necessity: A Failure of Science*, HEALTH SERVS. RSCH. & MANAGERIAL EPIDEMIOLOGY, Apr. 9, 2019, at 1, 1.

²³ See Planned Parenthood, *How Safe Is an In-Clinic Abortion?*, <https://www.plannedparenthood.org/learn/abortion/in-clinic-abortion-procedures/how-safe-is-an-in-clinic-abortion> (last visited Feb. 3, 2025).

²⁴ Linda A. Bartlett et al., *Risk Factors for Legal Induced Abortion-Related Mortality in the United States*, 103 OBSTETRICS & GYNECOLOGY 729, 731 (2004).

²⁵ *Id.* at 731; PRO. ETHICS COMM. OF AM. ASSOC. OF PRO-LIFE OBSTETRICIANS & GYNECOLOGISTS, *Induced Abortion & the Increased Risk of Maternal Mortality*, Comm. Op. 6 (Aug. 13, 2019).

²⁶ Bartlett, *supra* note 15, at 735.

cervix to a greater degree, and the increased blood flow predisposes women to hemorrhage, and the myometrium relaxes and is more subject to perforation.²⁷

Late-term abortions also pose an increased risk to women's physical and mental health. Some immediate complications from abortion include:

- blood clots,
- hemorrhaging,
- incomplete abortions (part of the preborn child is not removed),
- infection, and
- injury to the cervix and other organs.²⁸

Immediate complications affect approximately 10% of women undergoing abortion, and approximately one in five of these complications are life-threatening to the woman.²⁹

If Hawaii memorializes SB 297 into its constitution and supports unregulated, abortion-on-demand, more women will experience life-threatening complications from late-term abortions.

b. SB 297 Furthers the Psychological Harm of Abortion on Women.

Amending Hawaii's constitution to enshrine a "right" to elective abortion through all nine months of pregnancy will result in more women suffering post-abortive psychological harms. "[P]regnancy loss (natural or induced) is associated with an increased risk of mental health problems."³⁰ "Research on mental health subsequent to early pregnancy loss as a result of elective induced abortions has historically been polarized, but recent research indicates an increased correlation to the genesis or exacerbation of substance abuse and affective disorders including suicidal ideation."³¹

Scholarship shows "that the emotional reaction or grief experience related to miscarriage and abortion can be prolonged, afflict mental health, and/or impact intimate or parental relationships."³² In fact, a recent 2023 study found that American "women whose first pregnancy ends in induced abortion are significantly more likely than women whose first pregnancy ends in a live birth to experience mental health problems throughout their reproductive years."³³

Similarly, "[s]everal recent international studies have demonstrated that repetitive early pregnancy loss, including both miscarriage and induced abortions, is associated

²⁷ *Id.*

²⁸ See Planned Parenthood, *supra* note 21.

²⁹ REPORT OF THE SOUTH DAKOTA TASK FORCE TO STUDY ABORTION 48 (2005).

³⁰ David C. Reardon & Christopher Craver, *Effects of Pregnancy Loss on Subsequent Postpartum Mental Health: A Prospective Longitudinal Cohort Study*, 18 INT'L J. ENV'T RSCH. & PUB. HEALTH 1, 1 (2021).

³¹ Kathryn R. Grauerholz et al. *Uncovering Prolonged Grief Reactions Subsequent to a Reproductive Loss: Implications for the Primary Care Provider*, 12 FRONTIERS IN PSYCH. 1, 2 (2021).

³² *Id.*

³³ James Studnicki et al., *A Cohort Study of Mental Health Services Utilization Following a First Pregnancy Abortion or Birth*, 15 INT'L J. WOMEN'S HEALTH 955, 959 (2023).

with increased levels of distress, depression, anxiety, and reduced quality of life scores in social and mental health categories.”³⁴

SB 297 authorizes dangerous elective abortion procedures on women and adolescent girls that will negatively impact their mental and emotional well-being. By constitutionally protecting abortion-on-demand, the rates of mental health issues—such as depression, anxiety, and suicidal ideation—will increase and diminish their overall quality of life.

c. SB 297 Subjects Preborn Children to Painful Abortion Procedures.

In addition to harming women’s physical and mental health, abortion also subjects preborn children to fetal pain. There is ample research on fetal pain in the 50 years after *Roe*. For example, in 2019, scientists found evidence of fetal pain as early as 12 weeks’ gestation.³⁵ “Pain receptors [] begin forming at seven weeks’ gestational age, with the nerves linking pain receptors to the pain-sensing part of the brain, the thalamus, forming at 12 weeks.”³⁶ By twelve weeks’ gestation almost every organ and tissue has formed in a preborn baby³⁷ and the baby has arms, legs, fingers, toes, a face, and eyelids.³⁸ The preborn baby is also beginning to form unique fingerprints,³⁹ is able to suck his or her thumb,⁴⁰ and has a fully developed heart.⁴¹

Additionally, a 2010 study found that “the earlier infants are delivered, the stronger their response to pain”⁴² because the “neural mechanisms that inhibit pain sensations do not begin to develop until 34–36 weeks[] and are not complete until a significant time after birth.”⁴³ As a result, preborn children display a “hyperresponsiveness” to pain.⁴⁴ According to one group of fetal surgery experts, “[t]he

³⁴ Grauerholz, *supra* note 29; see, e.g., Louis Jacob et al., *Association Between Induced Abortion, Spontaneous Abortion, and Infertility Respectively and the Risk of Psychiatric Disorders in 57,770 Women Followed in Gynecological Practices in Germany*, 251 J. AFFECTIVE DISORDERS 107, 111 (2019) (finding “[a] positive relationship between induced abortion . . . and psychiatric disorders”).

³⁵ Stuart W.G. Derbyshire & John C. Bockmann, *Reconsidering Fetal Pain*, 46 J. MED. ETHICS 3 (2020).

³⁶ *12 Facts at 12 Weeks*, CHARLOTTE LOZIER INST. (Apr. 25, 2023), <https://lozierinstitute.org/12-facts-at-12-weeks/>.

³⁷ Thomas Sadler, *MEDICAL EMBRYOLOGY* 14th ed. (2019).

³⁸ *Carnegie Stage 23 Introduction*, VIRTUAL HUM. EMBRYO: DIGITALLY REPRODUCED EMBRYONIC MORPHOLOGY, <https://www.ehd.org/virtual-human-embryo/intro.php?stage=23> (last visited Feb. 3, 2025).

³⁹ J. W. Babler, *Embryologic Development of Epidermal Ridges and Their Configurations*, 27 BIRTH DEFECTS ORIGINAL ARTICLE SERIES 95, 95-112 (1991).

⁴⁰ See Peter Hepper et al., *Prenatal Thumb Sucking Is Related to Postnatal Handedness*, 43 NEUROPSYCHOLOGIA 313 (JAN. 2005).

⁴¹ See M. A. Hill, *Cardiovascular System Development*, EMBRYOLOGY (Apr. 26, 2024), https://embryology.med.unsw.edu.au/embryology/index.php/Cardiovascular_System_Development.

⁴² Lina K. Badr et al., *Determinants of Premature Infant Pain Responses to Heel Sticks*, 36 PEDIATRIC NURSING 129 (2010).

⁴³ *Fact Sheet: Science of Fetal Pain*, CHARLOTTE LOZIER INST. (Sept. 2022), https://lozierinstitute.org/fact-sheet-science-of-fetal-pain/#_ednref14.

⁴⁴ Maria J. Mayorga-Buiza et al., *Management of Fetal Pain During Invasive Fetal Procedures. Lessons Learned from a Sentinel Event*, 31 EUROPEAN J. ANAESTHESIOLOGY 188 (2014).

administration of anesthesia directly to the fetus is critical in open fetal surgery procedures.”⁴⁵

Given the medical advancements in fetal medicine and the scientific evidence of fetal pain early in pregnancy, it is well within the state’s legitimate interests to enact laws that preserve prenatal life and minimize fetal pain as much as possible.⁴⁶ If SB 297 is passed, Hawaii will not be able to enact or maintain any gestational limit on elective abortion whatsoever. Abortion activists will argue that such laws interfere with women’s “right” to abortion under the state constitution, even though the laws further the state’s legitimate interest to preserve prenatal life and mitigate fetal pain.

II. SB 297 Leads to the Elimination of Common-Sense Protections for Women, Adolescent Girls, and Preborn Children, and Impedes the State’s Ability to Enact Future Safeguards.

Hawaii has little to no life-affirming safeguards for pregnant women, adolescent girls, and their preborn children. However, the passage of SB 297 places the few pro-life protections the state has at risk of being struck down by a court, as shown by current activist litigation against pro-life laws across the states, or being removed by the legislature, as shown by Michigan’s legislature after a similar constitutional amendment enshrined a “right” to elective abortion.

The Supreme Court in *Dobbs* acknowledges that states have legitimate governmental interests in protecting both the mother and the child when regulating elective abortion. Accordingly, it is good for a state to protect maternal health and safety, to preserve prenatal life, to mitigate fetal pain, to prohibit barbaric medical procedures, to preserve the integrity of the medical profession, and prevent discrimination on the basis of race, sex, or disability.⁴⁷

SB 297 flies in the face of these important governmental interests. By broadly prohibiting the state from “deny[ing] or interfer[ing]” with an unfettered “right to reproductive freedom,” SB 297 will make it difficult for Hawaii to pass any protections for women and preborn children even though these laws further the state’s legitimate interests to do so. Furthermore, the bill threatens the existence of Hawaii’s current life-affirming laws, including the state’s prohibition on abortions after viability and its conscience protections for health care professionals and hospitals that object to abortion based on their beliefs and convictions.

These laws, although few, serve to protect women and preborn children from the inherent harms of elective abortion, as well as protect the conscience rights of hospitals and healthcare providers.⁴⁸ However, these laws are subject to being struck down or repealed if SB 297 passes. Abortion activists may argue these commonsense safeguards

⁴⁵ *Id.*

⁴⁶ *See Dobbs*, 142 S. Ct. at 2284.

⁴⁷ *Id.*

⁴⁸ Haw. Rev. Stat. § 453-16.

“interfere” with a woman’s “right to reproductive freedom” pursuant to the constitutional amendment, leading to legislative repeal or judicial injunction.

Michigan residents faced a similar challenge. Only one year after the residents voted to amend their constitution to enshrine a right to elective abortion through all nine months of pregnancy, the legislature repealed several common-sense pro-life policies in the state that were designed to protect women and their unborn children. These include licensing requirements for abortion clinics, abortion reporting requirements, prohibitions on gruesome partial-birth abortions, informed consent for chemical abortions, and legislative enactments favoring childbirth over elective abortion.⁴⁹

The language in Michigan’s abortion amendment is similar to the language in SB 297. Michigan’s abortion amendment established an “individual right to reproductive freedom,” and now prohibits the state from regulating any abortion unless “justified by a compelling state interest achieved by the least restrictive means.”⁵⁰ Given the similar nature between Michigan’s newly amended constitution and Hawaii’s SB 297, the ramifications may be just as devastating or more than those seen in Michigan, leaving mothers and their unborn children without protections.

Ultimately, SB 297 will make it practically impossible to enact any pro-life laws in the future. SB 297 will instill these dangerous practices in Hawaii’s constitution, making a pro-family, pro-life culture that promotes the health, safety, and dignity of women, children, and families even more difficult to foster.

III. SB 297 Does Not Prevent Abusers from Coercing Victims into Having Abortions Against their Will.

Sadly, many women and girls are coerced into abortions as a result of abuse or trafficking. For example, a woman “seeking” an abortion may actually be a victim of intimate partner violence (IPV). There are “[h]igh rates of physical, sexual, and emotional IPV . . . among women seeking a[n abortion].”⁵¹ For women seeking abortion, the prevalence of IPV is nearly three times greater than women continuing a pregnancy.⁵² Post-abortive IPV victims also have a “significant association” with “psychosocial problems including depression, suicidal ideation, stress, and disturbing thoughts.”⁵³

Similarly, perpetrators of intimate partner violence and abuse, such as partners, family members, and sex traffickers, often assert reproductive control over women,

⁴⁹ See Mich. Code. § 333.17014 (repealed); Mich. Code §§ 333.17016–333.17017 (repealed).

⁵⁰ MICH. CONST. art. I, § 28.

⁵¹ Megan Hall et al., *Associations Between Intimate Partner Violence and Termination of Pregnancy: A Systematic Review and Meta-Analysis*, 11 PLOS MED. 1, 15 (Jan. 2014).

⁵² COMM. ON HEALTH CARE FOR UNDERSERVED WOMEN, *Reproductive and Sexual Coercion*, Comm. Op. No. 554, at 2 (Feb. 2013).

⁵³ Hall, *supra* note 49, at 11.

which are “actions that interfere with a woman’s reproductive intentions.”⁵⁴ In the context of abortion, reproductive control not only involves coerced abortions, it also implicates pregnancy that results from sexual assault.⁵⁵ Being controlled through coerced abortion is a prevalent issue for women who suffer from intimate partner violence or are victims of human trafficking. “As many as one-quarter of women of reproductive age attending for sexual and reproductive health services give a history of ever having suffered [reproductive control].”⁵⁶

There are several studies that highlight the prevalence of coerced abortions. A recent peer-reviewed study showed that 24% of post-abortive women indicated their abortion was “unwanted or coerced.”⁵⁷ 43% of post-abortive women described their abortion as “accepted but inconsistent with their values and preferences.”⁵⁸

Another study found that 61% of women reported experiencing “high levels of pressure” to abort their preborn child by “male partners, family members, [and] other persons.”⁵⁹ This study found:

These pressures [to abort] . . . are strongly associated with more negative emotions about [a woman’s] abortion; more disruptions of their daily life, work, or relationships; more frequent . . . intrusive thoughts about their abortions; more frequent feelings of loss, grief, or sadness about their abortion; . . . [and] a perceived decline in their overall mental health that they attribute to their abortions⁶⁰

Furthermore, victims of sex-trafficking are among women who experience reproductive control by their abusers. A 2014 study on the health consequences for sex-trafficking victims found that 66 sex-trafficking victims had a total of 114 abortions, “[w]ithout accounting for possible underreporting.”⁶¹ “The [sex-trafficking] survivors in this study [] reported that they often did not freely choose the abortions they had while being trafficked.”⁶² A majority of the 66 sex-trafficking victims “indicated that one or more of their abortions was at least partly forced upon them.”⁶³

⁵⁴ Sam Rowlands & Susan Walker, *Reproductive Control by Others: Means, Perpetrators and Effects*, 45 BMJ SEXUAL & REPROD. HEALTH 61, 62, 65 (2019).

⁵⁵ *Id.* at 62–63.

⁵⁶ *Id.* at 62.

⁵⁷ David C. Reardon et al., *The Effects of Abortion Decision Rightness and Decision Type on Women’s Satisfaction and Mental Health*, CUREUS, May 11, 2023, at 1.

⁵⁸ *Id.*

⁵⁹ David C. Reardon & Tessa Longbons, *Effects of Pressure to Abort on Women’s Emotional Responses and Mental Health*, CUREUS, Jan. 31, 2023, at 1.

⁶⁰ *Id.* at 1.

⁶¹ Laura J. Lederer & Christopher A. Wetzel, *The Health Consequences of Sex Trafficking and Their Implications for Identifying Victims in Healthcare Facilities*, 23 ANNALS HEALTH L. 61, 73 (2014).

⁶² *Id.*

⁶³ *Id.*

Given the prevalence of coerced abortions among sex-trafficking victims, the authors of the study note that “[h]ealthcare providers can play a crucial role in the trafficking rescue process by identifying possible victims and following up on those suspicions with careful, strategic questions, and actions that catalyze rescue or help create exit strategies.”⁶⁴ The National Institute of Health has explained, “[h]ealth care providers are often the only professionals to interact with trafficking victims who are still in captivity.”⁶⁵

And the Administration of Strategic Preparedness and Response has published resources addressing this issue, saying: “[s]tudies have shown that approximately 50% of trafficking victims saw a health professional in captivity. However, healthcare workers, particularly physicians, are rarely engaged or trained to recognize these patients, despite their potential opportunity to intervene.”⁶⁶

In the 2014 study of sex-trafficking survivors, 29.6% had contact with a Planned Parenthood clinic, 63.3% were treated at an emergency room or hospital, and 57.1% were treated at a clinic (urgent care, women’s health, neighborhood, or Planned Parenthood).⁶⁷ And in Hawaii particularly, the National Human Trafficking Hotline has identified 395 cases of human trafficking, with 898 victims since 2007.⁶⁸ In 2023, 29 cases of human trafficking were identified in Hawaii, with 49 victims identified.⁶⁹

Despite the prevalence of coercive abuse among women seeking abortions, SB 297 will interfere with Hawaii’s ability to enact necessary safeguards for survivors of abuse and trafficking, as stated above. To illustrate, in 2023, Michigan’s legislature sought to repeal a Michigan law that requires doctors to screen for coercion and provide victims of coercive abuse with helpful resources. Proponents of the repeal argued that the law creates barriers to women’s access to abortion. But in reality, this type of law helps identify and rescue victims of intimate partner violence and sex trafficking.

Because abortion activists see *any law* that merely regulates elective abortions as a burden on women, even when the primary purpose is to promote and protect the health and safety of women, girls, and preborn children, Hawaii will experience an onslaught of legal and legislative challenges seeking to eliminate basic, commonsense safeguards. Preventing Hawaii from enacting protections to screen for and stop coerced

⁶⁴ *Id.* at 84.

⁶⁵ Tiffany Dovydaite, *Human Trafficking: The Role of the Healthcare Provider*, NAT’L INST. HEALTH, <https://pmc.ncbi.nlm.nih.gov/articles/PMC3125713/> (last visited Feb. 3, 2025).

⁶⁶ *Human Trafficking & Health Professionals: Questions and Answers*, ADMIN. STRATEGIC PREPAREDNESS & RESPONSE, https://aspr.hhs.gov/at-risk/Pages/human_trafficking_faqs.aspx (last visited Feb. 3, 2025).

⁶⁷ *See id.* at 17.

⁶⁸ *Hawaii*, NAT’L HUMAN TRAFFICKING HOTLINE, <https://humantraffickinghotline.org/en/statistics/hawaii#:~:text=Since%20its%20inception%2C%20the%20Human,were%20identified%20in%20these%20cases> (last visited Feb. 3, 2025).

⁶⁹ *Id.*

abortions effectively incentivizes abusers and traffickers to continue forcing women to obtain abortions. SB 297 will leave women unprotected, victimized, and silenced.

IV. SB 297 Furthers the False Narrative that Elective Abortion is Necessary for Women's Equality in American Society.

By purporting that there should be and is a “right” to all reproductive health issues on demand, including unfettered and unregulated access to unsafe, elective abortions through all nine months of pregnancy, SB 297 furthers the narrative that women “need” elective abortion in order to obtain success and equality in American society. This belief is unfounded and harms women instead of promoting their freedom and support.

First, as stated above, the language used in SB 297 is deceptive and does not describe the reality of what elective abortion is. Elective abortion is not healthcare. It is the intentional destruction of innocent preborn human life. According to the American Association of Pro-life Obstetricians and Gynecologists (“AAPLOG”), “elective abortion is defined as those drugs or procedures used with the primary intent to end the life of the human being in the womb.”⁷⁰

Nor are elective abortions medically required, as AAPLOG explains: “[e]lective’ . . . refers to inductions done in the absence of some condition of the mother or the fetus which requires separation of the two in order to protect the life of one or the other (or both).”⁷¹ Indeed, “there is no medical indication for elective induced abortion, since it cures no medical disease.”⁷²

Despite this, abortion activists often imply that pregnancy itself is some sort of illness or disability, rather than a natural process that many women experience. But “[p]regnancy is not a disease, and the killing of human beings in utero is not medical care.”⁷³ Further, “[t]o date, the medical literature offers no support for the claim that abortion improves mental health or offers protection to mental health. In fact, there is evidence to the contrary.”⁷⁴

Despite the growing body of evidence on the physical and psychological harms of elective abortion, abortion activists continue to push false narratives about pregnancy and women’s alleged “need” for elective abortion through all nine months of pregnancy.

⁷⁰ AAPLOG *Statement: Clarification of Abortion Restrictions*, AM. ASS’N PRO-LIFE OBSTETRICIANS & GYNECOLOGISTS (July 14, 2022), <https://aaplog.org/aaplog-statement-clarification-of-abortion-restrictions/>.

⁷¹ See Rsch. Comm., Am. Ass’n of Pro-Life Obstetricians & Gynecologists, *Concluding Pregnancy Ethically*, Prac. Guideline No. 10, at 5 (Aug. 2022).

⁷² Pro. Ethics Comm., Am. Ass’n of Pro-Life Obstetricians & Gynecologists, *Hippocratic Objection to Killing Human Beings in Medical Practice*, Comm. Op. No. 1, at 8 (May 8, 2017).

⁷³ *Id.*

⁷⁴ Rsch. Comm., Am. Ass’n of Pro-Life Obstetricians & Gynecologists, *supra* note 90, at 5.

However, the evidence abortion activists rely upon, which “claim[s] to show that abortion has facilitated women’s health and equality is feeble and/or scientifically invalid.”⁷⁵ Indeed, “the repetition and acceptance of the ‘equality’ argument for favoring legal abortion,” harms women because it “easily communicates that women’s pregnancy and parenting is a disability most females suffer. It explicitly or implicitly assumes that the male body and reproductive model is the norm, to which women should conform in order to achieve ‘agreed’ measures of success.”⁷⁶

Pregnancy is neither an illness nor a disability. To imply that it is such results in discriminatory treatment towards women. “A system that undervalues both mothering and fathering severely disadvantages women as well as men and children, and interferes with children receiving the care they require.”⁷⁷ This leads to both a “public and private resistance to accommodating motherhood in employment,” which “leads to additional disadvantages for women.”⁷⁸ “For example, discrimination on the basis of pregnancy and motherhood has succeeded outright discrimination on the basis of sex.”⁷⁹

According to a 2022 study of 2200 adults, 20% of mothers reported that they experienced pregnancy discrimination in the workplace.⁸⁰ And this discrimination appears to be worsening. The study found that “13% of Millennial women have experienced pregnancy discrimination, compared to 9% of Gen X women and 5% of Baby Boomer women.”⁸¹

Women deserve better than to have the abortion industry subject them to deceptive language surrounding elective abortion which is a life-altering—and at times, life-threatening—decision. By propagating elective abortion as a necessary means to achieve “success,” women are effectively told that following the natural course of pregnancy is choosing societal and career failure. Abortion also tells society that it need not aim to foster support for women and families. Pro-family, pro-life policies will support women and children and ultimately help women flourish in their lives.

SB 297 is a poor attempt to perpetuate this myth and strip away all common-sense regulations on abortion. SB 297 seeks to effectively promulgate unregulated access to elective abortion through all nine months of pregnancy, which in turn will detrimentally impact women’s health, safety, success, and equality in America.

Conclusion

⁷⁵ Helen M. Alvare, *Nearly 50 Years Post-Roe v. Wade and Nearing its End: What is the Evidence that Abortion Advances Women’s Health and Equality*, 35 Regent L. R. 165, 216 (Feb, 2022).

⁷⁶ *Id.* at 213.

⁷⁷ *Id.* at 214.

⁷⁸ *Id.* at 214.

⁷⁹ *Id.* at 216.

⁸⁰ Bipartisan Policy Center, Ben Gitis, Emerson Sprick, Adrienne Schweer, *BPC-Morning Consult: 1 in 5 Moms Experience Pregnancy Discrimination in the Workplace* (Feb. 11, 2022).

⁸¹ *See id.*

Enshrining a “right” to elective abortion through all nine months of pregnancy in Hawaii’s constitution will negatively impact the welfare of women and preborn children in Hawaii. SB 297 targets and undermines hard-fought, life-affirming policies, potentially leading to legal challenges seeking to strike such laws and legislative repeal of Hawaii’s basic, common-sense protections for women, girls, and their preborn children.

Further, enshrining a constitutionally protected “right” to all reproductive matters will make it difficult for Hawaii to enact any future protections for women and girls seeking elective abortion, subjecting women to the well-documented dangers of unregulated abortions.

SB 297 does not give “freedom” to women, but hands control to self-interested, financially-motivated abortionists, as well as to sex-traffickers and abusers who seek to cover up their crimes through abortions.

Simply put, the people of Hawaii do not need SB 297. The only “right” it adds is the intentional termination of life in the womb, and it will only be a means by which abortion activists will strip away the few common-sense and basic regulations Hawaii has in place.



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PBC Board

February 2nd, 2025

Kiana Rowley
President

Makalani Franco-Francis
Vice President

Kristina Statler
Secretary

Wyonette Wallet

Sonya Niess

Senator San Buenaventura and esteemed members of the Hawai‘i State Senate,

RE: Testimony in Strong Support of SB297 – PROPOSING A CONSTITUTIONAL AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO PROTECT THE RIGHT TO REPRODUCTIVE FREEDOM.

Aloha Chair San Buenaventura, Vice Chair Aquino, and Members of the Committee,

PBC Executive Team

Morea Mendoza
Director of Leadership & Operations

Becky Lind
Director of Finance

Mariah Strong
Director of Programs & Communications

Ki‘i Kaho‘ohanohano
Director of Advocacy & Cultural Programs

On behalf of the Board of Directors of Pacific Birth Collective, we submit this testimony in strong support of SB297, a proposed constitutional amendment to affirm and protect the right to reproductive freedom in Hawai‘i. As a community-based organization dedicated to ensuring access to respectful, culturally rooted, and equitable reproductive care, we believe this amendment is critical to upholding the fundamental rights of individuals and families in our state.

Reproductive autonomy is the cornerstone of personal and family wellbeing. This proposed amendment rightfully enshrines the right to abortion care and contraceptive access, recognizing that decisions regarding pregnancy are deeply personal and should remain free from government interference. However, reproductive freedom extends beyond the right to prevent or terminate pregnancy—it must also include the right to give birth where and with whom one chooses.

We respectfully urge the committee to consider an additional provision within this amendment that explicitly affirms:

(4) The right to choose where and with whom to give birth.

For the majority of cases, birth is a non-medical event and deserves the same constitutional protections of autonomy and bodily integrity as the right to abortion or contraception. Just as an individual has the right to decide whether to carry a pregnancy to term, they must also have the right to determine how and where to give birth—whether in a hospital, a birth center, or at home, and whether attended by a midwife, physician, family member, or chosen birth attendant. Restricting these choices disproportionately affects Native Hawaiian, rural, and historically marginalized communities, further limiting access to safe and culturally appropriate care.

Pacific Birth Collective stands firmly for the expansion of reproductive justice, which includes not only access to contraception and abortion but also the right to birth with dignity and self-determination. We urge the committee to support and advance this legislation while considering its broader implications for birthing rights in Hawai‘i.



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Mahalo for your time and consideration.

Sincerely,

Kiana Rowley, RN BSN, SNM/SWHNP
Board President
Pacific Birth Collective\



***The American College of Obstetricians and Gynecologists
District VIII, Hawai'i (Guam & American Samoa) Section***

As a section of the Nation's leading group of physicians dedicated to improving health care for women, the Hawai'i Section of the American College of Obstetricians and Gynecologists (HI ACOG) represents more than 200 obstetrician/gynecologist physicians in our state

Strong Support for SB297 – Constitutional Amendment to Protect Reproductive Freedom

On behalf of the American College of Obstetricians and Gynecologists (ACOG) Hawai'i Section, we write in strong support of SB297, which proposes a constitutional amendment to protect the right to reproductive freedom in the State of Hawai'i. This measure is essential in ensuring that every individual retains autonomy over their reproductive health decisions, including the right to abortion and contraceptive access.

As medical professionals dedicated to providing comprehensive reproductive healthcare, we know that decisions regarding pregnancy, contraception, and abortion must remain personal, private, and free from governmental interference. SB297 would enshrine these fundamental rights in the Hawai'i State Constitution, safeguarding reproductive freedom against potential future legislative threats.

Hawai'i has long been a leader in protecting reproductive rights, and this amendment reaffirms the state's commitment to upholding medical privacy, bodily autonomy, and access to essential healthcare services. With increasing restrictions on reproductive rights across the country, it is critical that Hawai'i takes proactive steps to ensure that its residents will always have access to safe, legal, and evidence-based reproductive healthcare.

By supporting SB297, you are advocating for the health, dignity, and rights of individuals across our state. We urge you to pass this critical legislation and allow Hawai'i voters the opportunity to enshrine reproductive freedom in our state constitution.

Mahalo for your leadership and commitment to reproductive healthcare access in Hawai'i. Please do not hesitate to reach out if we can provide further insight or medical expertise on this issue.

Sincerely,

Ricardo A. Molero Bravo, MD
Legislative Chair, ACOG Hawai'i Section
rmolerob@hawaii.edu

SB-297

Submitted on: 2/4/2025 10:07:35 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Margaret Mejia	Testifying for Hawai'i Christian Coalition	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE changing the Hawai'i State Constitution for any issue, including abortion, but not limited to abortion only. We already have laws pertaining to abortion and the life and health of the mother and the baby. We don't need to change our Constitution. People still have a choice whether they want to choose LIFE or choose Abortion.

Parental rights are VERY important. As parents, we have the right to know IF our daughters are planning on having an abortion. This bill would take away our parental rights. Young girls can be pressured into having an abortion when their emotions are high after finding out that they are pregnant. We want them to be able to make decisions about their baby with their parents and family.

Also, SAFETY is a big concern. This bill would keep authorities from being able to inspect Abortion Clinics. The SAFETY and HEALTH of young girls and women should be a huge concern. Every woman should have the right to Health & Safety.

Lastly, the wording in your bill is very objectionable and contains false medical information.

Once again, I STRONGLY OPPOSE SB297 relating to so-called "Reproductive Freedom."

AYMAN EL-SWAIFY PUBLIC TESTIMONY
SB297 - CONSTITUTIONAL AMENDMENT REPRODUCTIVE FREEDOM

Good Afternoon, Senate Members. My name is Ayman El-Swaify and I am OPPOSED to SB297.

This Senate Bill proposes a new Hawaii Constitutional Amendment for the State to “...not deny or interfere with an individual's reproductive freedom...”

The language in the proposed amendment is vague and open to broad interpretation, for example, it establishes “reproductive freedom” as a constitutional right but leaves the definition open.

It also uses the word “individual”, thus leaving broad interpretation of applicability, including minors, potentially subverting parents of their natural right to be informed or grant permission.

Hawaii law currently restricts abortion after viability unless necessary to protect the life or health of the mother. Why then this amendment?

I trust that it is well known that there are substantive health risks associated with various reproductive choices, including abortions, whether traditional or via a chemical pill. This amendment appears to me to be an attempt to make a political statement and put a kibosh on any dissent to abortion based on the viability of the unborn child, or real health risks to a mother. It seems that those opposing based on religious grounds may also face legal implications for their views, any attempts to inform mothers of these risks, and preserve the lives of unborn children.

I therefore appeal to you – please OPPOSE SB297. It is unnecessary and introduces unacceptable risk to health and freedom in Hawaii.

SB-297

Submitted on: 2/3/2025 3:42:52 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Magoon Ohana	Individual	Comments	Written Testimony Only

Comments:

There also should be clarification that "Nothing in this section shall require any hospital, doctor, medical personnel or any person to participate in an abortion nor shall any hospital or any person **be liable for a refusal, if they so chose.**"

SB-297

Submitted on: 2/3/2025 4:24:25 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen M Gawrys DNP	Individual	Support	Written Testimony Only

Comments:

Basically, decisions about reproductive care is between a person and their health care provider. Hawai'i has historically honored this right to health care and privacy.

As a recently retired Women's Health Nurse Practitioner, I have witnessed the stories of many. We need to respect the lives of those who need our care.

SB-297

Submitted on: 1/31/2025 7:20:34 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Individual	Support	Written Testimony Only

Comments:

I support SB297.

Mike Golojuch, Sr.

SB-297

Submitted on: 1/31/2025 7:22:32 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Kawasaki	Individual	Support	Written Testimony Only

Comments:

Reproductive freedom is a right

SB-297

Submitted on: 1/31/2025 8:05:16 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

SB-297

Submitted on: 1/31/2025 10:15:59 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

In STRONG SUPPORT of SB297.

Aloha Chair and members of the Committee,

Please vote YES on this measure.

Nancy Moser in Waikoloa on Hawai'i Island

SB-297

Submitted on: 2/1/2025 7:38:05 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Marie	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure

SB-297

Submitted on: 2/1/2025 8:00:14 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Morgan	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure to protect our reproductive rights and access against a potential national ban. In our current political climate, which advocates that women should be treated like livestock controlled by men, we need this constitutional amendment to keep Hawaii's women in the 21st century

SB-297

Submitted on: 2/1/2025 8:22:58 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise L Martinez	Individual	Comments	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban. Women's rights are human rights and bodily autonomy is a human right.

SB-297

Submitted on: 2/1/2025 8:37:34 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary M. McNamara	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/1/2025 9:36:21 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue Hornik	Individual	Support	Written Testimony Only

Comments:

Given the impact that pregnancy and having children has on a woman's health, education, work, family, and ability to chart one's own life course, the right to reproductive autonomy must be enshrined in the Hawaii State Constitution. We have borne witness to the hideous consequences that abortion bans in other states wreak on women there: These bans, written by politicians who know little about women's bodies, are forcing raped girls and women to carry their attackers child, forcing women carrying unviable fetuses to carry them to term then watch them die, forcing women suffering miscarriages to wait until they're bleeding out or suffering from sepsis before emergency room doctors fearing fines or prison will help them. We need to prevent this barbarism from ever happening in Hawaii. Please amend the State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including a woman's right to choose an abortion and to obtain and use contraceptives. Thank you.

SB-297

Submitted on: 2/1/2025 9:54:47 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noelle Lindenmann	Individual	Support	Written Testimony Only

Comments:

Dear Chair & Committee Members -

I write in support of SB297. We must be bold and act swiftly to protect the reproductive rights of all people. We must protect access to abortion and reproductive healthcare for all in advance of a potential national abortion ban.

Thank you,

Noelle R Lindenmann, Kailua-Kona

SB-297

Submitted on: 2/1/2025 10:01:42 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nandita Sharma	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure. It is urgent - now more than ever - to protect our reproductive rights and access against a potential national ban under the Trump administration.

SB-297

Submitted on: 2/1/2025 10:12:47 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
gabrielle davidson	Individual	Support	Written Testimony Only

Comments:

Dear Senate members,

Please support this measure to protect our reproductive rights and access against a potential national ban. The current administration and its supporters have made it clear that this is their ultimate agenda. We need to do everything we can to strengthen Hawaii's standing as a free, democratic state. If a woman cannot determine her own destiny, she is not free.

Thank you for the opportunity to have a voice in this issue,
Gabrielle Davidson

SB-297

Submitted on: 2/1/2025 11:36:26 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I support this bill. Thank you for introducing it.

SB-297

Submitted on: 2/1/2025 12:14:05 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Kunitake	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect those who seek reproductive and/or medical healthcare.

SB-297

Submitted on: 2/1/2025 12:24:46 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
jane jamison	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect those who seek reproductive and/or medical healthcare.

SB-297

Submitted on: 2/1/2025 12:47:33 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kimberly Dark	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect those who seek reproductive and/or medical healthcare.

SB-297

Submitted on: 2/1/2025 12:53:24 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gaye Chan	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/1/2025 1:15:04 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Doreen Akamine	Individual	Support	Written Testimony Only

Comments:

"I support this measure to protect our reproductive rights and access against potential national ban."

SB-297

Submitted on: 2/1/2025 1:35:44 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
chelsea pang	Individual	Support	Written Testimony Only

Comments:

As a woman, mother and nurse practitioner I strongly support this measure to protect our reproductive rights and access and to protect us from a potential political intrusion in our statea and bodies from a national ban.

Thank you

SB-297

Submitted on: 2/1/2025 2:02:20 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Gately	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/1/2025 3:01:49 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Smith	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban. The decision to have an abortion and/or to obtain contraception is a decision that only a patient and their provider should make. Politicians need to stay out of healthcare. As a physician I worry that nonmedical people making medical decisions is going to lead to suffering and increased morbidity and mortality among patients.

SB-297

Submitted on: 2/1/2025 3:11:39 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diann Karin Lynn	Individual	Support	Written Testimony Only

Comments:

I WHOLEHEARTEDLY and UNEQUIVOCALLY support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/1/2025 3:18:28 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrick Smith	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/1/2025 3:55:28 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Belinda pate	Individual	Support	Written Testimony Only

Comments:

Reproductive rights are in imminent peril. We must make our voice known. Please note, that I am a productive, middle class, taxpaying citizen that lives in Kona. I am not a "fringe" person. I donate. I have a robust buisiness. I am interested in the bottom line, BUT, not at the expense of reproductive freedom.

Please support this bill.

SB-297

Submitted on: 2/1/2025 5:18:16 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gail Morrison	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/2/2025 6:31:02 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Younghee Overly	Individual	Support	Written Testimony Only

Comments:

Thank you for hearing this measure. I strongly support this measure to protect those who seek abortion service and contraception.

SB-297

Submitted on: 2/2/2025 9:42:45 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DeWaine Tollefsrud	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban. We fought hard to get this YEARS ago! We must not go back.

SB-297

Submitted on: 2/2/2025 10:23:34 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Elyse Scott	Individual	Support	Written Testimony Only

Comments:

As a mother, who has also lost much wanted pregnancies, I would be horrified to live in a nation that forces reproductive decisions on women. Trust women and medical professionals to make their own healthcare decisions based on their individual needs.

“IT’S LONG BEEN ACCEPTED AS FACT THAT THE AVAILABILITY OF FAMILY PLANNING SERVICES SAVES LIVES. WHERE WOMEN HAVE ACCESS TO THESE SERVICES, CHILDREN AND FAMILIES ARE HEALTHIER, AND SOCIETY AT LARGE BENEFITS.” – MARTHA PLIMPTON

SB-297

Submitted on: 2/2/2025 10:34:36 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kerry Porter	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our rights to contraception against potential national ban.

SB-297

Submitted on: 2/2/2025 11:06:27 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eve Furchgott	Individual	Support	Written Testimony Only

Comments:

This is so important to protect women and girls in Hawai'i. Please push this forward as soon as possible. Our rights are under federal attack; let our State stand firm.

SB-297

Submitted on: 2/2/2025 11:38:02 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Philip Johnson	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban

SB-297

Submitted on: 2/2/2025 12:11:06 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JANE TOLLEFSRUD	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

I am VERY CONCERNED that a national ban will hurt us on a state level. We MUST protect our reproductive rights!

Senate Committee on Health and Human Services
Wednesday, February 5, 2025 at 1:00 PM
Conference Room 225 & Videoconference
State Capitol
415 South Beretania Street

RE: SB 297 PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO PROTECT THE RIGHT TO CONTRACEPTION.

TESTIMONY IN SUPPORT

Aloha Chair San Buenaventura, Vice Chair Aquino, and Members of the Committee,

I submit this testimony today IN SUPPORT of SB 297.

The days since the U.S. Supreme Court overturned fifty years of precedent and rejected *Roe v Wade* in 2022, have been trying ones for women and girls in this country. I am the mother of two young women, and I would have never have imagined that the choice for them of where to live, work, and go to school would be limited by the potentially life-altering and life-threatening risks posed by abortion bans in states around the country. I am burdened by the reality that they have fewer rights to bodily autonomy in parts of the country than I did when I was their age. More chillingly, it has become clear in recent days that the Trump administration intends to fully implement the threatened Project 2025 agenda and to roll back civil rights for all Americans and institute a white, male, heterosexual, Christian nationalist autocracy.

This is contrary to our ideals as a community here in Hawai'i. We must unite in opposition to this agenda and do what we can as a state to secure the rights of our citizens. Women are dying in states with abortion plans from denial of care in the event of medical emergencies such as ectopic pregnancies, miscarriage, and the death of the fetus in utero from medical complications. I have a family member in Florida who had a "late-term abortion" (which is also the technical medical term used for all terminations, including miscarriage) as the result of a medical complication experienced by her unborn child that rendered her pregnancy non-viable. This happened before the overturn of *Roe v Wade*, and so her "late-term abortion" prior to the fetal viability deadline was legally allowed at the time. It was still an extremely difficult situation for her and her family, and navigating "late-term abortion" while going through grief for the loss of a wanted child is not something I would wish on anyone. She was able to receive the medical care she needed, and the outcome, while personally tragic, was not life-threatening. If the same thing happened to her today in Florida, it is very likely that she would have had life-threatening or disabling complications. Abortion bans have been shown by medical research to cause higher instances of sepsis, longer hospital stays, and more days in the ICU. They are rejected by a majority of citizens, included 57% of Florida voters in the referendum last November.

Hawai'i must act NOW to protect the civil rights and bodily autonomy of its citizens. Bodily autonomy is a basic human right. We must enshrine access to reproductive health care in the

Hawai`i State Constitution, the right to contraception, and the right to an abortion up until fetal viability, for the sake of our daughters, mothers, sisters, aunties, friends, and community, so that they are ensured access to necessary health care decisions made with their doctors without government interference.

I request that you stand with the women and girls of Hawai`i and pass SB297 expeditiously.

Mahalo to the Committee for the opportunity to submit testimony today in SUPPORT of SB297.

SB-297

Submitted on: 2/2/2025 3:20:34 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rachel D Laderman	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

Hearing Date: Wednesday, February 5, 2025, 1:00 PM, Rm. 225

To: Committee on Human Services
Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair

**Re: TESTIMONY IN SUPPORT OF SB 297 PROPOSING A
CONSTITUTIONAL AMENDMENT TO THE CONSTITUTION OF THE
STATE OF HAWAII TO PROTECT THE RIGHT TO REPRODUCTIVE
FREEDOM.**

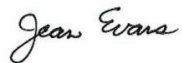
Dear Chair San Buenaventura, Vice Chair Aquino, and the Members of the Committee,

My name is Jean Evans and I am **strong support of SB 297** which amends the Hawaii State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

Hawaii must take a proactive stance to prevent further erosion of individual rights coming from the current and future federal administrations. Passing SB 297 will give Hawaii voters a chance to vote to assure that our State remains a leader in protecting reproductive rights.

Please pass this important measure and mahalo for your consideration

Sincerely,

A handwritten signature in cursive script that reads "Jean Evans".

Jean Evans

SB-297

Submitted on: 2/2/2025 4:22:24 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
DORIEN MCCLELLAN	Individual	Support	Written Testimony Only

Comments:

For women to obtain true equality, we must be able to control our own reproductive systems and manage when we wish to have children. This includes the right to choose to obtain an abortion and to obtain or use contraceptives.

SB-297

Submitted on: 2/2/2025 9:48:00 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charley Tockey	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/2/2025 7:42:13 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bailey Aughe	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect my right to contraception options

SB-297

Submitted on: 2/2/2025 10:23:55 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Ma	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban

SB-297

Submitted on: 2/2/2025 8:58:42 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa Gosland	Individual	Support	Written Testimony Only

Comments:

Thank you for considering this bill.

As a family physician practicing in Hawaii county, I fully support this bill!

-Melissa Gosland, MD

SB-297

Submitted on: 2/2/2025 9:11:55 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mia Kok	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban,its our body our decision

SB-297

Submitted on: 2/2/2025 9:33:59 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeanne Ohta	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect individuals seeking medical care, including reproductive care.
Please pass this measure.



To: SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES (HHS)

Hearing Date/Time: February 5, 2025, 1:00 p.m.

Place: Hawaii State Capitol, Room 225

Re: Testimony in **SUPPORT OF SB 297** for a Constitutional Amendment; Reproductive Freedom, Abortion; Contraceptives; Pregnancy Outcomes

Dear Chair Joy San Buenaventura, Vice Chair Henry Aquino, the members of the HHS Committee,

Thank you for allowing Indivisible Hawai'i this opportunity to testify in **support of HB297** which will allow to be place on the next election ballot a Constitutional Amendment to protect the right to obtain or use contraceptives.

The right to contraception is protected by two landmark Supreme Court decisions, Griswold v. Connecticut (1965) and Eisenstadt v. Baird (1972). We once thought the right to abortion was settled law in Roe v. Wade, but that was overturned by a conservative Supreme Court. Should either or both of the contraceptive protection decisions be overturned, each state will need to protect contraceptive rights in the state constitution.

This bill demonstrates prudence and good judgement, and hopefully will never be tested. But if needed, it will be in Hawai'i's Constitution to protect the rights of all in Hawai'i.

Sincerely,

Indivisible Hawai'i Working Families Team

We're a grassroots movement of thousands of local Indivisible groups with a mission to elect progressive leaders, rebuild our democracy, and defeat the Trump agenda. In Hawai'i, we have ten groups across four islands, representing over a thousand pro-democracy citizens.

SB-297

Submitted on: 2/2/2025 10:19:17 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
J. Takane	Individual	Support	Written Testimony Only

Comments:

I fully support this amendment to our state constitution prohibiting our state from denying or interfering with an individual's reproductive freedom whether that means obtaining abortions, getting contraceptives, etc. I want to protect these rights from a potential national ban.

SB-297

Submitted on: 2/2/2025 11:23:45 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Phillip Jung	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/3/2025 5:56:42 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Oshiro	Individual	Support	Written Testimony Only

Comments:

“I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/3/2025 1:31:43 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alec Marentic	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I write today in **strong support of SB297**. This amendment is crucial for protecting not only civil rights but also for improving healthcare outcomes for all Hawai‘i residents.

Reproductive Freedom as a Civil Right

The right to bodily autonomy, including the right to make decisions about reproductive health, is a fundamental civil right. Hawai‘i has a long history of being an early adopter of civil rights laws and policies. **Reproductive freedom is an extension of this principle**, ensuring that individuals can make informed decisions about their health, family, and future without political or ideological barriers.

Constitutional protections for reproductive freedom are necessary to prevent undue restrictions that disproportionately affect marginalized communities. Low-income individuals, women of color, and rural populations are often the most impacted by restrictive laws, as they have fewer resources to travel for care or navigate bureaucratic hurdles. **Ensuring access to abortion and contraceptives is an issue of equity and justice**, as it protects the rights of all people, regardless of their socioeconomic status.

Healthcare Outcome Data Supporting Reproductive Freedom

1. **Improved Maternal and Infant Health:** Research has consistently shown that when individuals have access to a full range of reproductive healthcare services, including contraception and abortion, maternal and infant health outcomes improve. A study published in *The Lancet* found that restrictive abortion laws lead to higher rates of maternal mortality and unsafe abortions, both of which disproportionately impact communities with limited healthcare access. By safeguarding the right to abortion, Hawai‘i can avoid these detrimental outcomes and ensure the health and safety of pregnant individuals.
2. **Reduction in Unintended Pregnancies:** Access to contraception is a key factor in reducing unintended pregnancies, which can lead to better health outcomes for both mothers and children. According to the Guttmacher Institute, **states that provide robust access to contraceptive services see significantly lower rates of unintended**

pregnancies and abortions. By ensuring that contraceptives remain accessible, SB297 will help reduce unintended pregnancies and promote healthier family planning.

3. **Economic Stability and Educational Attainment:** Reproductive freedom directly impacts economic stability and educational attainment, particularly for women. **Studies have shown that women who can control the timing of their pregnancies are more likely to complete their education, achieve career goals, and contribute to the workforce.** By protecting reproductive rights, Hawai'i can continue to support the economic empowerment of its residents, contributing to a healthier, more prosperous state.
4. **Mental Health and Well-being:** The ability to make autonomous decisions about one's body is closely linked to mental health and well-being. Forced pregnancies, particularly those resulting from restrictive laws, can lead to emotional trauma, anxiety, and long-term psychological distress. The *American Psychological Association* has noted that the **denial of abortion services is associated with higher levels of stress, lower life satisfaction, and negative mental health outcomes.** SB297 ensures that individuals retain control over their reproductive choices, preserving mental health and well-being.

A Step Forward for Hawai'i

Amending the Hawai'i State Constitution through SB297 would send a powerful message that the state is committed to safeguarding individual freedoms, healthcare equity, and public health. **Hawai'i has a long tradition of leading on progressive issues,** and this measure continues that legacy by enshrining reproductive rights as a constitutional guarantee.

In light of national uncertainty surrounding reproductive rights, this amendment provides Hawai'i residents with the peace of mind that their rights will be protected, regardless of federal changes. By supporting SB297, the legislature can ensure that **reproductive freedom remains a cornerstone of civil rights and healthcare access in our state.**

I urge you to pass SB297 to uphold the reproductive rights of all individuals in Hawai'i and to promote better healthcare outcomes for future generations. Mahalo for your time and consideration.

Sincerely,
Alec Marentic
Big Island Resident

SB-297

Submitted on: 2/3/2025 1:14:21 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kelly Ciurej	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/1/2025 1:43:03 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rita Kama-Kimura	Individual	Oppose	Written Testimony Only

Comments:

Committee on Health and Human Services**Joy A. San Buenaventura, Chair and Henry J.C. Aquino, Vice Chair****Committee members: Troy N. Hashimoto, Jarrett Keohokalole & Kurt Fevella****Re: SB297 Constitutional Amendment; Reproductive Freedom; Abortion; Contraceptives; Pregnancy Outcomes****Please note that I stand in strong opposition to this bill, whose goal it is to change the Hawaii Constitution to reflect “to protect the right to reproduction freedom!”****I find the reference to “reproduction” an oxymoron, when you consider the goal is to end the life of an unborn human child.****◇ Cardiac tissue starts to pulse at around 5–6 weeks of pregnancy aka heartbeat = human heartbeat = [life](#)!****◇ By the fifth week after conception, the first synapses begin forming in the spinal cord, marking the earliest signs of fetal brain activity = [human life](#)!****◇ Unborn babies can feel pain at least by 15 weeks gestation and possibly earlier ... [here](#)****◇ Fetal surgery ... examples of fetal surgeries include: Spina bifida repair, Congenital heart defects repair, Twin-twin transfusion syndrome treatment, and Diaphragmatic hernia repair = the unborn is not a cat, a dog a fish but a human living child that happens to temporarily be located within a woman’s body.****I believe a woman can do whatever she wants with her body, actually everyone has that right once they reach the legal age of 18yrs. However, no one, and I mean no one has the right to take innocent human life.****It is for this reason that I strongly oppose the passing of this Senate Bill 297 to change the Hawaii Constitution.**

Respectfully, Rita Kama-Kimura

SB-297

Submitted on: 2/3/2025 12:41:34 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheryl Summers	Individual	Support	Written Testimony Only

Comments:

I support you to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

SB-297

Submitted on: 2/3/2025 11:37:30 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dianne Deauna	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect those who seek reproductive and/or medical healthcare.

SB-297

Submitted on: 2/3/2025 10:37:17 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joan Johnson	Individual	Support	Written Testimony Only

Comments:

I support SB297 which proposes an Amendment to the Hawaii State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom. I support protection for those who seek reproductive and/or medical healthcare and their right to choose, obtain and use contraceptives.

I believe that an individual's right to reproductive choice is a basic human right and that government should not be allowed to interfere in these very personal decisions about an individual's own body.

SB-297

Submitted on: 2/3/2025 10:57:56 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
PAMELA SUMMERS	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/3/2025 10:27:03 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Goodwin	Individual	Support	Written Testimony Only

Comments:

Deny government's long arm reach into a woman's womb. Her body, her choice.

Strong support for SB297

February 3, 2025

Senator Joy San Buenaventura, Chair Senate Committee on Health and Human Services
Senator Henry Aquino, V-chair Senate Committee on Health and Human Services

Re: SB297 PROPOSING A CONSTITUTIONAL AMENDMENT TO THE CONSTITUTION OF THE
STATE OF HAWAII TO PROTECT THE RIGHT TO REPRODUCTIVE FREEDOM.

Dear Chair Buenaventura, V-Chair Aquino and Committee Members,

My name is Gail Breakey; I am testifying in strong support for SB297. This bill amends the Hawaii State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

This amendment is necessary to ensure the safety and well being of Hawaii's women and families against the threats of the current federal administration to deny these rights. We have seen women in some mainland states dying because they were unable to receive reproductive health care. This cannot happen in Hawaii. Furthermore, allowing use of safe contraceptives enables families to plan carefully as they start a family, is necessary to ensure they are able to reliably care for their children both financially and emotionally.

Thank you for your consideration of this legislation and for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Gail Breakey". The signature is written in a cursive, flowing style.

Gail Breakey, RN, MPH

SB-297

Submitted on: 2/3/2025 9:20:39 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joanne Amberg	Individual	Support	Written Testimony Only

Comments:

This is critical for the health and well being of all women.

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/3/2025 9:00:10 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anamica Bedi	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect those who seek reproductive and/or medical healthcare.

SB-297

Submitted on: 2/3/2025 7:55:18 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hilary Smith	Individual	Support	Written Testimony Only

Comments:

As a resident of Hawaii, I strongly support SB297 which would enshrine reproductive freedom in our state constitution and protect the fundamental right to make personal healthcare decisions. This constitutional amendment would ensure that future generations of Hawaii residents maintain their right to access both abortion care and contraception, regardless of changes in federal law or shifting political climates. The proposed amendment aligns with Hawaii's long-standing commitment to protecting reproductive rights, as we were the first state to legalize abortion in 1970, three years before Roe v. Wade. Having these protections specifically enumerated in our state constitution would provide the strongest possible legal foundation for reproductive healthcare access and prevent any future attempts to restrict these essential rights. This amendment would help ensure that all Hawaii residents, regardless of their background or circumstances, can continue to make their own deeply personal decisions about family planning and reproductive healthcare with the consultation of their healthcare providers rather than government interference.

SB-297

Submitted on: 2/3/2025 3:07:48 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chloe Tonda	Individual	Support	Written Testimony Only

Comments:

Dear Senators,

As a 16-year-old who is concerned about the government possibly controlling what I can or cannot do with my body, I'm in strong support of this bill because it ensures the protection of the natural rights of people who can get pregnant.

One of my worst fears is being sexually assaulted and having to conceive my rapist's child. Not only would I have to live with the trauma and pain from the attack, but I would also have to suffer carrying the baby that I did not ask for full-term just because I was denied an abortion. If you ask any person who has given birth, they'd tell you how laborious it was to care for the baby in their womb.

I'm worried about not having the right to have an abortion or use contraceptives because of religious views that do not align with mine, or just men who want to control what a woman can do with their body. Especially with the recent inauguration, I'm concerned about women's health and safety, specifically reproductive rights, being protected on a local and national level.

There are a myriad of reasons why a person would need an abortion, but the main reason is that they simply just don't want to. And that's perfectly reasonable. Having a baby is a huge responsibility, especially if that person is not financially stable, or can't care for the baby, or a minor. Everyone can choose what they want to do with their body and they have a right to privacy about it. Abortion should be an option no matter what your beliefs are. If you want to, do it. If you don't want to, don't do it. Don't force your beliefs onto others that cause harm.

I currently take birth-control pills and I do not want my contraceptives to ever be banned or interfered with.

Sincerely,

Chloe T. from Waialae

SB-297

Submitted on: 2/3/2025 3:34:08 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chelsey Bryson	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/3/2025 3:45:08 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Piotrowski	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect the reproductive rights of women in our state against a potential national ban.

SB-297

Submitted on: 2/4/2025 8:23:56 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tanya Dean	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban. We elected you to protect our health, our families, our rights and choice, and our future. Please do the right thing!

SB-297

Submitted on: 2/3/2025 10:57:30 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sara Harris	Individual	Support	Written Testimony Only

Comments:

With more and more restrictions on reproductive rights across the country, it is critical that Hawai'i takes necessary steps to ensure that its residents will always have access to safe, legal, and evidence-based reproductive healthcare. I support this bill!

SB-297

Submitted on: 2/3/2025 8:07:17 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Pelletier	Individual	Support	Written Testimony Only

Comments:

To: The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Committee on Health and Human Services

From: John Pelletier

RE: SB297 - PROPOSING A CONSTITUTIONAL AMENDMENT TO THE
CONSTITUTION OF THE STATE OF HAWAII TO PROTECT THE RIGHT TO
REPRODUCTIVE FREEDOM. - In Support

February 3, 2025

Aloha nui kākou, aloha Chair, Vice Chair, and members of the committee. I'm John Pelletier, a resident of Kona on the Island of Hawai'i, and I'm testifying in support of SB297.

By enshrining the right to choose an abortion and access contraceptives, this legislation would uphold the fundamental principle of bodily autonomy, allowing individuals to make decisions that are best for their own lives, health, and circumstances. In a time when reproductive rights are under threat nationwide, it is crucial that Hawai'i sets a clear precedent by guaranteeing these rights within its constitution, offering reassurance and protection to its citizens. This amendment would not only affirm Hawai'i's commitment to reproductive justice but also send a strong message that the state prioritizes personal freedom and equal access to healthcare for all.

Mahalo for the opportunity to testify, and mahalo ā nui for your ongoing service to the people of Hawai'i!

Ke aloha nō,

John Pelletier
'Ahupua'a 'o 'O'oma, North Kona, Island of Hawai'i

SB-297

Submitted on: 2/3/2025 7:30:08 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cathie Becker	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect those who seek reproductive and/or medical healthcare.

SB-297

Submitted on: 2/3/2025 7:28:33 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marie Ganoot	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect reproductive rights.

SB-297

Submitted on: 2/3/2025 7:16:12 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shauna Sibonga	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/3/2025 7:03:44 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judy McCluskey	Individual	Support	Written Testimony Only

Comments:

SB297 has my strong support. Government has no business restricting freedom in these matters.

SB-297

Submitted on: 2/4/2025 8:57:50 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patti Cook	Individual	Support	Written Testimony Only

Comments:

Aloha from Waimea, Island of Hawai'i

MAHALO for hearing and considering this important Constitutional Amendment. Regret being unable to be there in person to convey strong support for this measure. Please keep it moving forward - more so now in these turbulent times to protect the people - especially woman - of Hawai'i.

Patti Cook 808-937-2833

SB-297

Submitted on: 2/4/2025 10:00:56 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Doherty	Individual	Support	Written Testimony Only

Comments:

I unwaveringly support SB297. I am a Hawai'i resident and a woman, and a strong supporter of bodily autonomy for all humans. This amendment is absolutely needed to protect bodily autonomy, especially in light of the attack on human rights that we frequently see today.

Because Hawai'i is uniquely isolated, we must think of the individuals who may not be able to travel outside across the ocean to receive necessary care. Constitutional protections for reproductive freedom are necessary to prevent undue restrictions that disproportionately affect marginalized communities. Low-income individuals, women of color, and rural populations are often the most impacted by restrictive laws, as they have fewer resources to travel for care or navigate obstacles. Ensuring access to abortion and contraceptives is the only equitable and just path forward.

There are many comprehensive studies which report that access to full reproductive healthcare services, including contraception and abortion, results in better patient / infant health, less unintended pregnancies, woman empowerment through increased economic stability and education, as well as increased mental health.

Hawai'i has an opportunity to safeguard bodily autonomy as a civil right. Hawai'i has been adopting "firsts" for a long time, and I sincerely hope constituents such as myself can count on this State to support us where we need it most.

I beg you, as a Hawai'i Island resident, to please pass SB297 to protect me and those I care about. I urge you to consider that many women and pregnant persons no longer have access to such life-saving care on the mainland, which makes this issue more pressing and important than ever.

Thank you for your consideration of my testimony,

Kayla Doherty

SB-297

Submitted on: 2/4/2025 10:00:56 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against any potential national ban

SB-297

Submitted on: 2/4/2025 9:46:30 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hannah Dean	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights access against potential national ban.

SB-297

Submitted on: 2/1/2025 1:56:40 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Duffy	Individual	Oppose	Written Testimony Only

Comments:

Enshrining broad reproductive freedom into the state constitution is concerning because it could lead to unintended consequences that go beyond the issue of abortion. Such a vague and sweeping amendment might undermine existing safeguards designed to protect the health and well-being of both mothers and unborn children. It could also limit the state's ability to pass reasonable regulations on reproductive technologies, surrogacy, or late-term procedures, which many people, regardless of political affiliation, believe should be carefully managed. By embedding this language into the constitution, the state risks eliminating the possibility for balanced, thoughtful legislation that reflects the evolving views and values of its citizens.

SB-297

Submitted on: 2/1/2025 5:41:46 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mandy Chang	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly oppose SB 297: Proposing A Constitutional Amendment To The Constitution Of The State Of Hawaii To Protect The Right To Reproductive Freedom.

Here are some of the concerns I have :

- Hawaii law currently restricts abortion after viability (around 24 weeks) unless necessary to protect the life or health of the mother. If this amendment passes, its language could remove viability restrictions, as the “right” to abortion would be unassailable based on viability or any other standard.

- Strips parents of the right to be informed or to grant permission for their minor daughters to have an abortion.

- Eliminates basic health and safety protections for women.

- Removes safeguards protecting women from being coerced or pressured into unwanted abortions.

- Prevents Hawaii’s citizens from enacting pro-life legislation through their elected representatives.

- Denies the state the ability to regulate or inspect abortion facilities, potentially compromising health and safety standards.

Thank you,

Amanda Chang

SB-297

Submitted on: 2/2/2025 9:56:27 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE this Bill, as nobody has the *right* to end a human life. I urge all members of the Committee to **VOTE NO** on this Bill.

SB-297

Submitted on: 2/2/2025 10:03:44 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rosemarie Vailisale	Individual	Oppose	Written Testimony Only

Comments:

As a citizen of the great United States of America and resident of Hawaii I exercise my rights to OPPOSE this bill.

SB-297

Submitted on: 2/2/2025 11:02:18 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shawna Landford	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB297

SB-297

Submitted on: 2/2/2025 11:05:56 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Likeke	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill, no CHILD should make this decision without parents consent.

SB-297

Submitted on: 2/2/2025 11:06:10 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Santiago	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE SB297.

SB-297

Submitted on: 2/2/2025 12:27:35 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bart Burford	Individual	Oppose	Written Testimony Only

Comments:

I Oppose this measure

SB-297

Submitted on: 2/2/2025 12:36:08 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joelle Seashell	Individual	Oppose	Written Testimony Only

Comments:

Unborn Babies lives matter

SB-297

Submitted on: 2/2/2025 2:00:39 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Written Testimony Only

Comments:

Chair San Buenaventura and Committee Members,

My name is Brett Kulbis, I'm a 26yr Navy Veteran and Retired Civil Servant. I live in Ewa Beach.

I STRONGLY OPPOSE SB-297.

I strongly oppose codifying abortion in the Hawaii State Constitution because it would enshrine a morally complex and controversial issue into our state's foundational document. I believe that every human life, from conception to natural death, possesses inherent dignity and deserves protection. Codifying abortion rights would not only undermine this principle but also further entrench a culture that devalues the sanctity of human life.

As you are well aware, pregnancy and childbirth are highly valued in Hawaiian culture. Pregnant women were considered sacred (kapu), and their health and well-being were prioritized through rituals and dietary practices. The emphasis on family and children is strong, with unplanned pregnancies often viewed as blessings rather than burdens due to the supportive nature of the 'ohana (family). Abortion is not only a moral issue but also a matter of cultural integrity. The Hawaiian concept of ohana emphasizes the importance of family and the interconnectedness of all life. Codifying abortion would undermine these values by entrenching a practice that ends life, rather than nurturing it.

In conclusion, codifying abortion in the Hawaii Constitution would be a step backward for our state, undermining the values of compassion, respect for life, and the pursuit of a more just and equitable society for all. Instead, we should focus on fostering a culture that values human life at every stage and supports the well-being of both mothers and their unborn children.

Respectfully, I **STRONGLY** encourage you to vote **NO** on SB-297.

SB-297

Submitted on: 2/2/2025 2:14:27 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dorinda Ohelo	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-297

Submitted on: 2/2/2025 2:37:06 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
J Pualani Vendiola	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-297

Submitted on: 2/2/2025 3:25:17 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David E Shormann	Individual	Oppose	Written Testimony Only

Comments:

Murder is not reproductive freedom! Abortion is the murder of the most vulnerable human beings on Earth. The righteous thing to do is protect them. The life of the land is perpetuated in righteousness. Nobody's perfectly righteous, but you don't have to be perfectly wicked either and introduce bills that reclassify murder as "freedom."

SB-297

Submitted on: 2/2/2025 5:01:45 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alfred Hagen	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

SB 297 is a bad bill for the following reasons:

1)Tramples the 1st Ammendment of the US Constitution which guarantees the free expression of religion. There are those who oppose on religious grounds abortion and contraceptives. 2) Underaged girls (13-17) threatened, forced by their abusers, can procure an abortion? 3) Underaged girls (13-17) can procure an abortion without the consent of their parents? 4) No oversite of abortion facilities; no definition of key words/phrases: reproductive freedom, nonviable fetus, protect the life or health of a parent (interesting that word "parent"), intimate. 5). The word "reproductive" is a misnomer. There is no reproduction from an abortion or from the use of contraceptives unless the abortion is "botched" or the contraceptive fails.

This bill appears to have been hastily written and is rife with flaws and deserves to be rejected. More importantly it attempts to enshrine the state-sanctioned killing of babies in the womb and to promote the use of contraceptives that interrupt/stop the creative process of human beings. Both abortion and contraceptives are destructive in their purpose and injurious in their consequences to women and, ultimately, society There is absolutley no good in this bill and must be soundly defeated.

I strongly oppose SB 297 and encourage you to do likewise.

Respectfully submitted,

Alfred Hagen

SB-297

Submitted on: 2/2/2025 5:42:33 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesha Mathes	Individual	Oppose	Written Testimony Only

Comments:

I oppose this amendment to the Constitution. Quit trying to push your agenda. Abortion is not Healthcare. There are better options. Does this put into play abortion up to nine months? This is wrong.

SB-297

Submitted on: 2/2/2025 6:13:45 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	In Person

Comments:

I oppose SB 297. First it not reproductive its deproductive. Its eliminating human beings in hawaii. Is that the plan to eliminate locals, push them out of hawaii and bring rich outsiders to buy out hawaii. Hawaiians are allways the bottom of priority. Especially the local babies. How much local babies are aborted or been Kill Pilled?

SB-297

Submitted on: 2/2/2025 9:52:46 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Oppose	Written Testimony Only

Comments:

I most strongly oppose SB297.

Contraception and abortion have been a “choice” for Hawaii residents under the law. Making these “choices” a constitutional right violates federal Constitutional rights (1st and 14th) of other individuals. States cannot pass state constitutional rights that deny federal constitutional rights.

The term “non-viable fetus” is another term for young pre-born baby. The term “reproductive freedom” sounds as if men and women would have the freedom to reproduce the number of children they desire. However, the radical left has redefined the term reproductive freedom to mean the freedom to terminate the life of a living, pre-born, innocent child using surgical or chemical processes/procedures.

Hawaii residents must not be forced to participate or refer someone to obtain prescriptions or procedures that violate their religious beliefs or conscience. Many religions denounce contraception and abortion as immoral and harmful to the well being of the mother.

Abortion is a barbaric, inhumane, and immoral procedure. There should be no constitutional guarantee to participate in the willful destruction of innocent human life. Pictures of aborted babies are gruesome. A civilized culture does not do that to their pre-born children.

Many post abortive women suffer mental health problems and turn to drugs, alcohol, risky behaviors, have depression and suicidal ideation afterwards? Some women are pressured, even threatened, into having an abortion. When abortion was legalized, more women were put at risk of being forced to select this “choice” against their will. A Harvard School of Public Health report (<https://hsph.harvard.edu/news/homicide-leading-cause-of-death-for-pregnant-women-in->

[u-s/](#)) reports that homicide is a leading cause of death for pregnant women. The perpetrator is often someone with whom she has an intimate relationship.

Do not pass SB297.

SB-297

Submitted on: 2/2/2025 7:16:50 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marlies Lee	Individual	Oppose	Written Testimony Only

Comments:

This doesn't belong into the constitution.

we have no right to support abortions

this is not pono

i oppose

marlies Lee

SB-297

Submitted on: 2/2/2025 8:19:17 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin D. Ganitano	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB297 to amend the Hawaii Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

SB-297

Submitted on: 2/3/2025 7:52:50 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Cabjuan	Individual	Oppose	Written Testimony Only

Comments:

Oppose this bill. No killing babies and tricking the people using fancy terminology. Hawaii supports life and not a culture of death!

SB-297

Submitted on: 2/3/2025 1:49:12 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James K. Rzonca	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

SB-297

Submitted on: 2/3/2025 1:07:10 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dawn O'Brien	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators, Committe & Representatives of the People of Hawai'I,

Mahalo for your work to represent we the people of Hawai'I!

I stand in strong opposition to this bill that would essentially fund abortions. Hawai'i has much more pressing issues upon its citizenry to survive and live a liveable income than to fund killing unborn. Also it is unconscionable and immoral to violate the inalienable right to body autonomy, or "My Body, My Choice" for the unborn fetus who is a human from conception. It is illegal to kill a human being and so this is a criminal act by the participants in the abortion. If they choose to commit this crime, they should be fully liable for their expenses and consequences. This does not represent the majority of Hawai'I, rather the special interests of a select few. Please vote against this bill and represent the people of Hawai'i well.

In the Spirit of Aloha Always,

Dawn O'Brien

Aloha Ambassador, *CHOOSE ALOHA* Program

President, H.O.P.E. HI, Inc.

Lifelong resident of Hawai'i

SB-297

Submitted on: 2/3/2025 1:05:52 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

This bill, if passed, will enshrine the right to abortion in the Hawaii Constitution.

To begin with, legislators would need to define exactly what they mean by a “right to reproductive freedom,” and then they need to explain where that right comes from and who has such rights.

By using the term “individuals” rather than “adults,” the amendment necessarily includes children and would therefore give minors unrestricted autonomy to obtain not only abortions and contraception without parental knowledge or consent, but also sterilization, genital surgery, or puberty blockers under the guise of “gender-affirming care.”

Additionally, the amendment could provide the courts with the authority to strike down Hawaii’s laws against statutory rape and pedophilia on the basis that such laws “deny or interfere with an individual’s reproductive freedom in their most intimate decisions.”

1. Broad and Undefined Term

The proposed amendment establishes “reproductive freedom” as a constitutional right but fails to define this critical term. Without clarity, courts could interpret “reproductive freedom” to extend far beyond unrestricted access to abortion, contraception, and sterilization.

2. Impact on Existing Abortion Laws

Hawaii law currently restricts abortion after viability (around 24 weeks) unless necessary to protect the life or health of the mother. If this amendment passes, its language could remove viability restrictions, as the “right” to abortion would be unassailable based on viability or any other standard.

3. Broader Implications of the Amendment

- Strips parents of the right to be informed or to grant permission for their minor daughters to have an abortion.
- Eliminates basic health and safety protections for women.

- Removes safeguards protecting women from being coerced or pressured into unwanted abortions.
- Prevents Hawaii's citizens from enacting pro-life legislation through their elected representatives.
- Denies the state the ability to regulate or inspect abortion facilities, potentially compromising health and safety standards.

Please do not pass this bill.

SB-297

Submitted on: 2/3/2025 1:03:20 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Laurie Langton	Individual	Oppose	Written Testimony Only

Comments:

I strongly Oppose

Again, the legislature, in its evil agenda is pushing as many bills as possible to make abortion - murderng babies- as easy as possible.

Currently, our medical system allows for abortions. There is NO need to change our State Constitution. The fact that this bill provides for that, indicates darker intentions.

DO NO pass this bill. We the people do not want this.

SB-297

Submitted on: 2/3/2025 11:09:02 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larry Duclayan	Individual	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to SB297

Dear Chair and Members of the Committee,

I am writing to express my strong opposition to Hawaii Senate Bill 297 (SB297), which proposes a constitutional amendment to protect the right to reproductive freedom, including the right to obtain an abortion. From a pro-life perspective, I have significant concerns about several aspects of the proposed legislation.

1. Sanctity of Life: SB297 undermines the sanctity of human life by enshrining the right to abortion in the state constitution. As a pro-life advocate, I believe that life begins at conception and that every unborn child has the right to life. This bill would allow for the termination of innocent human lives, which is morally and ethically unacceptable.

2. Protection of the Unborn: The proposed amendment fails to protect the most vulnerable members of our society—the unborn children. By allowing abortions, the state would be neglecting its duty to safeguard the rights and lives of these defenseless beings. The state should prioritize policies that protect and support both mothers and their unborn children.

3. Potential for Late-Term Abortions: While the bill mentions the right to choose to obtain an abortion of a nonviable fetus, it does not explicitly prohibit late-term abortions. This could lead to the legalization of abortions at any stage of pregnancy, including when the fetus is viable and capable of feeling pain. Late-term abortions are particularly concerning and should be strictly regulated to protect the lives of viable fetuses.

4. Alternatives to Abortion: SB297 does not adequately address or promote alternatives to abortion, such as adoption or comprehensive support services for pregnant women. The state should invest in resources and programs that provide women with the support they need to carry their pregnancies to term and offer their children for adoption if they are unable to care for them.

5. Impact on Women's Health: Contrary to claims that abortion is necessary for women's health, there is evidence that abortion can have negative physical and psychological effects on women. The state should focus on providing healthcare and support that promotes the well-being of both mothers and their children, rather than facilitating the termination of pregnancies.

In conclusion, while the goal of protecting reproductive freedom is framed as a matter of individual rights, I believe that SB297 is not the right approach. The bill's disregard for the sanctity of life, lack of protection for the unborn, potential for late-term abortions, insufficient promotion of alternatives, and negative impact on women's health make it an ineffective and morally problematic piece of legislation. I urge you to consider policies that respect and protect both the lives of unborn children and the well-being of mothers.

Thank you for your consideration.

Sincerely,

Larry Duclayan

SB-297

Submitted on: 2/3/2025 10:00:18 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeffrey F Mizuno	Individual	Oppose	Written Testimony Only

Comments:

Text

SB-297

Submitted on: 2/3/2025 8:42:11 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sally Lee	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. It is not in the best interest of the people of Hawaii.

No one has the right to an abortion. No one has the right to murder an unborn innocent baby. No one has the right to murder. You do have the right to NOT have sex. There is no such thing as a medically necessary abortion. For things like ectopic pregnancy it is not called an abortion it is called something else entirely and has nothing to do with abortion. I'm sorry if something tragic happened to you and you were involved in something like rape however, there are millions of people out there who have been born as a result of that who grow up to be wonderful people in society! Adoption is an option. You have no right to murder innocent children. Does not matter what your mental health status might be because of having to carry a baby to full term. Do you really think that your life and mental health will be better if you have to live with the fact that you are a murderer?? It won't be better! It's a lie society has convinced people of. Choose life. You have no right to decide otherwise. I oppose this bill.

SB-297

Submitted on: 2/3/2025 8:15:40 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Deven English	Individual	Oppose	Written Testimony Only

Comments:

In strong opposition of this bill.

SB-297

Submitted on: 2/3/2025 3:22:21 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Burbage	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am opposed to SB 297. It is unnecessary since we have it in our statutes.

Mahalo,

Lora

SB-297

Submitted on: 2/3/2025 3:07:34 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cindy R Ajimine	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB297. Reasons:

- **Terms such as "reproductive freedom" are broad and NOT defined.**
- **We already have laws that allow and protect abortion and to protect the life/health of the mother. We do not need a constitution amendment that's subject to interpretation.**
- **It further strips parents of the right to be informed of their minor children having an abortion.**
- **Removes safeguards for women being coerced or pressured into unwanted abortions.**
- **Denies the state the ability to regulate/inspect abortion facilities, possibly compromising health and safety standards.**

SB-297

Submitted on: 2/3/2025 3:34:12 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel Jones Jr	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB297. Reasons:

- Terms such as "reproductive freedom" are broad and NOT defined.
- We already have laws that allow and protect abortion and to protect the life/health of the mother. We do not need a constitution amendment that's subject to interpretation.
- It further strips parents of the right to be informed of their minor children having an abortion.
- Removes safeguards for women being coerced or pressured into unwanted abortions.
- Denies the state the ability to regulate/inspect abortion facilities, possibly compromising health and safety standards.

S Jones

SB-297

Submitted on: 2/3/2025 3:46:41 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cynthia Jones	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB297. Reasons:

- Terms such as "reproductive freedom" are broad and NOT defined.
- We already have laws that allow and protect abortion and to protect the life/health of the mother. We do not need a constitution amendment that's subject to interpretation.
- It further strips parents of the right to be informed of their minor children having an abortion.
- Removes safeguards for women being coerced or pressured into unwanted abortions.
- Denies the state the ability to regulate/inspect abortion facilities, possibly compromising health and safety standards.

SB-297

Submitted on: 2/3/2025 3:54:25 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair San Buenaventura and Health and Human Services Committee Members,

I oppose SB 297

Thank you,

Teri Kia Savaiinaea

District 45, Wai'anae Resident

SB-297

Submitted on: 2/3/2025 5:37:00 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patti Yasuhara	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB 296

Mahalo, Patti Yasuhara

Honolulu, HI District 18

SB-297

Submitted on: 2/4/2025 7:04:27 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
gary burbage	Individual	Oppose	Written Testimony Only

Comments:

- We already have laws that allow and protect abortion and to protect the life/health of the mother. We do not need a constitution amendment that's subject to interpretation.

SB-297

Submitted on: 2/3/2025 10:44:13 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jason Mailo	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE SB297. Reasons:

Terms such as "reproductive freedom" are broad and NOT defined.

We already have laws that allow and protect abortion and to protect the life/health of the mother.

We do not need a constitution amendment that's subject to interpretation.

It further strips parents of the right to be informed of their minor children having an abortion.

Removes safeguards for women being coerced or pressured into unwanted abortions.

Denies the state the ability to regulate/inspect abortion facilities, possibly compromising health and safety standards.

SB-297

Submitted on: 2/3/2025 10:29:51 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barilyne Sakamoto	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill to change our Constitution for the following reasons:

- Terms such as "reproductive freedom" are broad and NOT defined.
 - We already have laws that allow and protect abortion and to protect the life/health of the mother. We do not need a constitution amendment that's subject to interpretation.
 - It further strips parents of the right to be informed of their minor children having an abortion.
 - Removes safeguards for women being coerced or pressured into unwanted abortions.
 - Denies the state the ability to regulate/inspect abortion facilities, possibly compromising health and safety standards.
- So please do not
- change our Constitution it has worked all these years for the good of our nation and should not be altered.

Sincerely yours,

Barilyne Sakamoto - a concerned citizen of the USA

SB-297

Submitted on: 2/3/2025 9:52:58 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Loughlin	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose

SB-297

Submitted on: 2/3/2025 9:15:05 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Reina Loughlin	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose bill

SB-297

Submitted on: 2/3/2025 7:54:37 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lois	Individual	Oppose	Written Testimony Only

Comments:

Leave the constitution for another year.

shelf this bill

SB-297

Submitted on: 2/4/2025 9:03:30 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terry Murakami	Individual	Oppose	Written Testimony Only

Comments:

Oppose

SB-297

Submitted on: 2/4/2025 9:45:35 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noela von Wiegandt	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I oppose SB297.

Thank you.

Noela von Wiegandt

SB-297

Submitted on: 2/4/2025 12:26:46 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dara Yatsushiro	Individual	Oppose	Written Testimony Only

Comments:

OPPOSED!!!

SB-297

Submitted on: 2/4/2025 12:26:26 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christina Doherty	Individual	Support	Written Testimony Only

Comments:

I support this bill and I'm a Hawai'i Island resident. Bodily autonomy is a civil right.

SB-297

Submitted on: 2/4/2025 12:14:04 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Davidson	Individual	Support	Written Testimony Only

Comments:

I support this measure to protect our reproductive rights and access against potential national ban.

SB-297

Submitted on: 2/4/2025 12:44:48 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Bojanowski	Individual	Support	Written Testimony Only

Comments:

Dear Senator San Buenaventura, Senator Aquino, and Honorable Members of the Committee on Health and Human Services,

I STRONGLY SUPPORT this measure to protect our reproductive rights and access against potential national ban.

As a Certified Genetic Counselor for over 25 years, I've witnessed the incredibly painful reproductive decision-making for individuals and families in the presence of a known or suspected genetic condition that may portend a life including severe suffering and even lethality for affected fetuses, newborns, children, and even expectant mothers. Government has no place interfering and causing greater suffering in these and other extreme circumstances.

Speaking from this same perspective - as well as that of a Licensed Clinical Social Worker, woman, voter, community member - it is also inappropriate and unjust for government to interfere with *any* individual's access to information, resources, and/or medically assisted interventions that protect the right to reproductive freedom, regardless of circumstances.

Respectfully,

Jennifer D. Bojanowski, LCSW, MS, CGC
Kaneohe, Hawaii 96744

SB-297

Submitted on: 2/4/2025 11:54:12 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Colleen OSullivan	Individual	Support	Written Testimony Only

Comments:

I don't think government should be deciding a woman's choice in this area. Right of self choice in this area should be a fundamental right.

SB-297

Submitted on: 2/4/2025 11:50:34 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Candace Vizcarra	Individual	Oppose	Written Testimony Only

Comments:

Again, no amending the Constitution, but rather upholding what it says by those who took an oath of office!!

GOD knows and sees all!!

SB-297

Submitted on: 2/4/2025 11:01:03 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marlee Monahan	Individual	Support	Written Testimony Only

Comments:

A person's right to reproductive freedom and autonomy should never be up for debate. Yet, in the wake of the Supreme Court's decision to overturn *Roe v. Wade*, we can no longer rely on federal protections to safeguard this fundamental right. The erosion of reproductive rights across the country is not just an attack on bodily autonomy, but a deliberate strategy by extremist factions seeking to dismantle personal freedoms and impose authoritarian control.

Reproductive autonomy is not a foreign concept to Hawai'i. Traditional Hawaiian knowledge and practices affirm that abortion and family planning have long been part of this land's history. According to a 1903 publication from the Bernice Pauahi Bishop Museum, there are seven words in the Hawaiian language for abortion. Hawaiians traditionally utilized a variety of methods for contraception and abortion, underscoring that these decisions were made with care, intention, and the understanding that pregnancy should be a choice, not a mandate. **It is a grave injustice to allow colonialist, religious, and patriarchal influences to dictate reproductive policy in a place where autonomy over one's body has always been understood and respected.**

Hawai'i has long been a leader in protecting reproductive rights, but without explicit constitutional protections, those rights remain vulnerable to America's shifting political tides. SB297 ensures that no future administration can strip away the right to abortion and contraception in our state. It is not enough to simply claim to support reproductive freedom. Our legislators must act decisively to defend it.

Now is the time for Hawai'i's lawmakers to grow a backbone and stand firm against the rising tide of fascism. The criminalization of reproductive healthcare is a direct threat to democracy, and history will remember who had the courage to fight back. Passing SB297 is not just a legal necessity—it is a moral imperative.

SB-297

Submitted on: 2/4/2025 10:38:01 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharon Martin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators and Health & Human Services Committee members,

I am opposed to SB 297. As a citizen of the State of Hawaii, the broader implications of this bill if passed are of serious concerns.

The prohibition of the State from denying or interfering with an ‘individual’s’ ‘reproductive freedom,’ including the ‘right’ to choose to obtain an abortion and to obtain or use contraceptives do not align with the full consent of all the citizens of Hawaii to be codified in the Hawaii State Constitution.

This removes the voices and rights of the citizens of the State of Hawaii in the legislative process and places authority in state judge(s) and courts. This ‘prohibition’ should be determined by the citizens, the people, of our entire state and even subject to ballot voting.

Broad and undefined terms such as ‘individual’s’ rather than defining who these ‘individual’s’ are allows for persons or human beings of all ages including children (under age 18) without parental consent or authority unrestricted autonomy to obtain abortions, obtain contraception, puberty blockers, sterilization, genital mutilation surgery under the guise of ‘gender-affirming care.’ The terms ‘reproductive freedom’ allows for this and possibly any other type of future action deemed a ‘reproductive freedom’ by court interpretation rather than be subject to the citizens of whom this bill would affect.

What is equally concerning is that though this says ‘individual reproductive freedom’ it does not acknowledge or support the right of the unborn. Currently, Hawaii law restricts abortion after viability unless necessary to protect the life or health of the mother. If this amendment passes, its language could remove viability restrictions, as the ‘right’ to abortion could be subject to another standard to fit the ‘reproductive freedoms’ of the living. An individual, a person, a human being begins at conception and is viable. What limited protections exist for the unborn by the current law could be removed.

It is not enough for bills that have passed and made state law on these matters. Why is it not enough? The intent indicates a motive to remove any opposition by removing our rights as citizens to weigh in on matters that have direct effects personally, to our families, and to our beliefs (all of them).

I urge you to oppose this bill. Thank you for your kind consideration and attention.

Very Respectfully,

Sharon Martin

SB-297

Submitted on: 2/4/2025 10:32:37 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Arielle Adenew	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB297 for the following reasons:

- Terms such as "reproductive freedom" are broad and NOT defined.
- We already have laws that allow and protect abortion and to protect the life/health of the mother. We do not need a constitution amendment that's subject to interpretation.
- It further strips parents of the right to be informed of their minor children having an abortion.
- Removes safeguards for women being coerced or pressured into unwanted abortions.
- Denies the state the ability to regulate/inspect abortion facilities, possibly compromising health and safety standards.

Mahalo & Aloha

SB-297

Submitted on: 2/4/2025 12:48:36 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

The attack on Women's rights has grown too loud, and its opponents have grown too silent to counter their retort. We cannot rely on the federal government or federal lawmakers to come to their senses any time soon, so we have to ensure that we, as a state, stick up and protect the rights and the health of women in this state. I support this bill not only because it cements fundamental freedoms for those who need it but also because it aligns with my religious beliefs to promote a safe and healthy world.

SB-297

Submitted on: 2/4/2025 10:28:17 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Betsy Baker Morrigan	Individual	Support	Written Testimony Only

Comments:

I support this bill and wish to preserve Hawaii's outstanding record and position on reproductive and sexual freedom, especially in the light of attacks from the right in the federal government. We must stand strong here.

LATE

SB-297

Submitted on: 2/4/2025 9:10:37 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephen Ziadie	Individual	Oppose	Written Testimony Only

Comments:

Please vote NO. This proposal is a farce as well as a tyranny against the Constitution. It's tyrannical, socialistic, oppressive and it's downright disgusting , evil and immoral to amend the Constitution that was established to protect life and amend it to promote death! This is not what the Constitution is. To use a poignant example, would you amend the Bible to include instructions on how to torture someone?? !? This bill is beyond the dignity of reason! Only a tyrannical ideologue would vote yes so please don't fall for their propaganda.

Abortion is not a Constitutional Right despite what you may personally believe by allowing your intellect to be overrun by your ideology! If you vote for this bill you are no different morally from Adolph Hitler!

vote NO today. I'm a patriotic American and I vote! And I have an excellent memory . I will remember how you voted

thank you for understanding the point of view of this constituent.

respectfully,

s. Ziadie

SB-297

Submitted on: 2/4/2025 8:54:06 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Lynn Ziadie	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. This does not protect women and minors' reproductive health and overall health. This can lead to forcing women and minors who do not want abortion or not even knowingly that they are going to have one.

Please vote no- with rise of human trafficking and sexual abuse of women and minors- this will lead to further abuse and loss of dignity for women and minors.

TESTIMONY IN SUPPORT OF SB 297

TO: Chair San Buenaventura, Vice Chair Aquino, & HHS Committee Members

FROM: Nikos Leverenz
Policy & Advancement Manager

DATE: February 5, 2025 (1:00 PM)

Hawai'i Health & Harm Reduction Center (HHHRC) **strongly supports** SB 297, which amends the Hawai'i State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

In the wake of the United States Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022), California, Michigan, Ohio, Vermont, Nevada, Arizona, Colorado, Montana, Missouri, New York, and Maryland have passed state constitutional amendments to protect reproductive freedom. Hawai'i should join them and preserve individual agency, dignity, and autonomy in reproductive health choices.

While this constitutional amendment is a welcome development, far too many in this state still have difficulty accessing reproductive healthcare services, especially on the neighbor islands. Further state investment is needed to expand access to these vital services in an equitable fashion.

HHHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those related to substance use and mental health conditions, and have also been deeply impacted by trauma related to histories of physical, sexual, and psychological abuse.

Mahalo for the opportunity to provide testimony.

LATE

SB-297

Submitted on: 2/4/2025 1:24:14 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE this bill. The option to murder unborn children should not be placed in the Constitution of the State of Hawaii.

LATE

SB-297

Submitted on: 2/4/2025 1:19:42 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Cordery	Individual	Oppose	In Person

Comments:

I Strongly APPOSE SB297!

LATE

SB-297

Submitted on: 2/4/2025 1:05:46 PM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

Mahalo for allowing me to testify in support of SB 297 by Senator San Buenaventura which protects reproductive freedom. I am not surprised by the current attacks on both abortion and contraception on a national level. We must protect the people of Hawaii and their right to make their own choices.

Thank you again for supporting this very important bill.

Renee Rabb

Keaau, HI 96749

Big Island

LATE



February 4, 2025

Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair
Senate Committee on Health and Human Services

**Re: S.B. 297 Proposing a Constitutional Amendment to the
Constitution of the State of Hawaii to Protect the Right to
Reproductive Freedom**

**Hearing: Wednesday, February 5, 2025, 1:00 PM, Room 225 & Via
Videoconference**

Dear Chair San Buenaventura, Vice Chair Aquino, and the Members of the Committee on Health and Human Services:

Hawaii Women Lawyers is a lawyer's trade organization that aims to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

Hawaii Women Lawyers submits testimony in **strong support of S.B. 297**, which seeks to amend the Hawai'i State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

The "right to choose" is not just a matter of policy; it is a matter of fundamental human rights, bodily autonomy, and the preservation of freedom for all persons capable of becoming pregnant across our State. Since the fall of *Roe v. Wade* and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, we have now witnessed firsthand, and many times over, the impact of restricting reproductive rights. Whether it is a young woman facing a medical emergency, a survivor of sexual violence, or a mother struggling to provide for the children she already has, the right to choose is deeply personal and cannot be dictated by politicians. The decision to have an abortion is not made lightly, and it must remain a private matter between a pregnant person and their doctor – not the government.

By enshrining a woman's right to choose in the State Constitution, we reaffirm these values and ensure that personal healthcare decisions are protected from political interference. History has shown us that when access to contraceptives and safe, legal abortion is restricted, it does not stop pregnancies or abortions – it only makes them more dangerous.

The majority of Americans support a woman's right to make her own reproductive choices. However, in the absence of federal protections, many states have imposed extreme and

punitive restrictions, creating a patchwork of laws that leave millions of women without options. Hawai'i has long stood as a beacon of hope for reproductive justice and S.B. 297 would carry on that legacy.

Hawaii Women Lawyers commends and thanks the Legislature for prioritizing and affirming the right of each individual to make reproductive health care decisions about their own body and the right to decide whether to bear a child or obtain an abortion.

For the above reasons, we strongly support S.B. 297 and respectfully request that the Committees pass this measure.

Thank you for the opportunity to testify in strong support of this measure

LATE

SB-297

Submitted on: 2/5/2025 11:28:39 AM

Testimony for HHS on 2/5/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ann S Freed	Individual	Support	Written Testimony Only

Comments:

Strong support for this measure critical to a woman's right to control her own body

To: The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Senate Committee on Health and Human Services

From: Paula Arcena, External Affairs Vice President
Mike Nguyen, Public Policy Manager
Sarielyn Curtis, External Affairs Specialist

Hearing: Wednesday, February 5, 2025, 1:00PM, Conference Room 225

RE: **SB297 Proposing a Constitutional Amendment to the
Constitution of the State of Hawaii to Protect the Right to
Reproductive Freedom**

AlohaCare appreciates the opportunity to provide testimony in **support** of **SB297**. This measure proposes an amendment to the Hawai'i State Constitution to prohibit the State from denying or interfering with an individual's reproductive freedom, including the right to choose to obtain an abortion and to obtain or use contraceptives.

Founded in 1994 by Hawai'i's community health centers, AlohaCare is a community-rooted, non-profit health plan serving over 70,000 Medicaid and dual-eligible health plan members on all islands. Approximately 37 percent of our members are keiki. We are Hawai'i's only health plan exclusively dedicated to serving Medicaid and Medicaid-Medicare dually-eligible beneficiaries. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for access to quality, whole-person care for all.

AlohaCare is committed to improving and advocating for access to care. We fully support this measure because all people in Hawai'i deserve timely, safe, and local access to healthcare, including abortion care and access to contraception. This measure would help to protect access to care for the residents of Hawai'i.

Mahalo for this opportunity to testify in **support** of **SB297**.