

How will the national abortion debate impact Utah?

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While recent abortion bans in Alabama and Missouri gain traction in national news, debate surrounding legislation that restricts access to abortions isn't exclusively a southern issue.

In the Utah Legislature's last session, Rep. Cheryl Acton, R-West Jordan, introduced [HB136](#), which would ban abortions in Utah after 18 weeks, four weeks earlier than abortions had previously been allowed. The bill originally called for a 15-week ban, but was later revised. It includes exceptions for severe brain abnormalities, the life of the mother and, unlike the law in Alabama, victims of rape and incest.

Katrina Barker of the Planned Parenthood Association of Utah said PPAU had worked throughout the session to try and stop the bill from passing.

"There was a lot of outspoken opposition," Barker said. "Dozens of doctors wrote letters and op-eds and met with legislators personally to say that this is not in the best interest of women's health in Utah."

But Barker said pro-choice advocates felt ignored by the Utah government.

"Legislators and the governor did not listen," Barker said.

Acton's handouts in a Senate Judiciary, Law Enforcement and Criminal Justice Standing Committee meeting list several arguments in favor of the bill, including fetal pain perception, potential medical risks post-abortion and Utah's "culture of life."

The bill passed in both Utah's House and Senate, and in March, was signed by Gov. Gary Herbert. However, due to a joint lawsuit filed by Planned Parenthood and the American Civil Liberties Union and a following injunction granted by a federal judge, the bill has not yet been enforced. Barker said nothing has changed as far as Utah's access to abortions.

"We have an obligation to the community and the people we serve to help protect their rights," Barker said. Comparing the bill in Utah to some of the "heartbeat" bills passed in other states, she said, "It's not as extreme, but it's still a ban. The government is taking away the choice of pregnant people to be able to make medical decisions that should be private and made between a patient and their doctor."

"Politicians should have no place in that."

Political science Assistant Professor Laura Gamboa-Gutierrez said a majority of abortion legislation has little to do with local abortion laws and much to do with an attempt at federal abortion bans.

"A lot of these bills have less to do with local politics than national politics; they're designed to reach the Supreme Court and hopefully overturn Roe v. Wade."

Gamboa-Gutierrez said while abortion is a nationwide issue, it's especially prevalent in Utah, which mandates abstinence-based sex education.

“It’s very hard to tell what the Supreme Court will do,” she said. “I’m guessing these bills will move through the system, leaving us with two questions: Will SCOTUS pick them up? How will they decide on them if they do? Individual justices have their own ideological interests, but they also have judicial interests. It’s not clear to me whether SCOTUS is ready to pick up such a contentious case and engage in a fight against *Roe v. Wade*.”

Gamboa-Gutierrez said a ban on abortion will disproportionately affect low-income women, immigrants and racial minorities, as low-income women and racial minorities are more likely to experience unintended pregnancy.

“Access to sex education, contraception, childcare – all of these things feed the when and where and how to have a baby,” she said. “Whether life starts at conception or not is a philosophical and religious question. But we might actually reduce abortions by reducing reasons women have abortions in the first place.”

Barker also believes the money required to take the lawsuit through the courts could be better spent on sex education and “finding out why our maternal mortality rates are high.”

“It costs millions of dollars to take a court case like through the courts,” Barker said. “If the state loses, they are responsible for those fees and that’s taxpayer money. I think that’s a real shame.”

Mary Taylor, president of Pro-Life Utah, addressed the concern of the potential cost of a lawsuit, saying, “There is also an annual cost of doing nothing. There is no hard data on how much abortion is costing the state of Utah, but we do know enough to see clearly that the annual cost is substantial.”

Taylor stated that costs of preterm birth due to a previous abortion as well as for physical complications, mental health and substance abuse increases in the second trimester of pregnancy are all direct costs to the state.

“Of course, there are societal and indirect costs associated with this as well,” Taylor said. “Let’s not forget the human cost, which is at bare minimum, one human life.”

Whether the joint challenge to Acton’s bill is upheld remains to be seen, but Barker is optimistic. “President Trump and his judicial nominations have helped anti-abortion politicians feel they have a chance that SCOTUS will rule differently than they have in the past,” Barker said. “I believe history is on our side. Ultimately, the courts will prevail in upholding constitutional precedent.”

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