



To: Senator Mike Young, Chair of Indiana Senate Corrections & Criminal Law
Committee
From: National Asian Pacific American Women's Forum
Re: Opposing SB 203 Fetal Loss
Date: January 19, 2018

National Asian Pacific American Women's Forum (NAPAWF) strongly opposes SB 203, a bill that would redefine murder and manslaughter to include feticide and the killing of a fetus that has attained viability. Under the guise of helping pregnant women protect fetuses, this law will be misused by prosecutors to punish women for their pregnancy outcomes. If this bill becomes law, every pregnant woman in Indiana is at risk of prosecution for any action or inaction, including a fall down the stairs that causes a miscarriage.

Indiana's feticide law has also targeted women of color. Less than 2 percent of Indiana's population is Asian American, yet the only women in the state charged with feticide in Indiana have been Asian American. SB 203 would only give prosecutors greater ability to criminalize women for pregnancy outcomes. Asian American Pacific Islander women in particular are vulnerable to being targeted because of myths and racist stereotypes about our reproductive decision-making. Women of color in general disproportionately lack access to affordable health care and prenatal care, heightening their risk of miscarriage and negative pregnancy outcomes. Creating further criminal liability for the loss of a fetus only adds additional barriers to seeking care for fear of being punished and this deterrence to seek help could also endanger the lives of pregnant women experiencing miscarriage. This bill endangers women's health and even their life as well as undermines women's rights and decision-making.

Because this bill would encourage prosecutors to scrutinize women and their pregnancies in addition to a history of feticide laws being used against Asian American women, NAPAWF strongly opposes SB 203.