Expressing opposition to the criminalization of essential healthcare, including the full range of sexual and reproductive healthcare such as abortion, gender-affirming care, and contraceptive care, and disapproving of the criminalization of pregnancy outcomes.

WHEREAS access to the full range of sexual, gender-affirming, and reproductive healthcare, including abortion, is essential to the health and well-being of all people;

WHEREAS reproductive and sexual healthcare providers, and those who support people making important healthcare decisions, provide high-quality, essential healthcare and
play a critical role in ensuring people are able to make
decisions about their bodies and lives with dignity, empa-
thy, compassion, and respect;

Whereas no one should be criminalized for providing essential
healthcare;

Whereas no one should be criminalized for their pregnancy
outcomes, for using contraception, or for obtaining gen-
der-affirming care;

Whereas States and localities have attempted to prohibit
healthcare providers from providing gender-affirming and
reproductive healthcare, including abortion care, to pa-
tients;

Whereas people have been prosecuted in the United States
for their actions during pregnancy that allegedly caused
harm or risk to their pregnancies;

Whereas people have been forced to undergo unwanted med-
ical procedures or surgical interventions, including invol-
untary sterilization and cesarean sections, prosecuted for
not seeking healthcare, prosecuted for experiencing a
miscarriage or stillbirth, criminalized for alcohol and
drug use during pregnancy, and prosecuted for self-man-
aging an abortion;

Whereas groups like the American Medical Association,
American Public Health Association, American Academy
of Pediatrics, American Society of Addiction Medicine,
the American College of Obstetricians and Gynecologists,
the American Bar Association, and others oppose the
criminalization of healthcare provision and the criminal-
ization of pregnancy outcomes;
Whereas the threat of criminalization or prosecution can result in negative outcomes by intimidating people from seeking or providing care;

Whereas abortion and gender-affirming care have become increasingly restricted in the United States;

Whereas research shows there is an increased need and demand for pills to self-manage an abortion in States with abortion restrictions, and that self-managed abortion with access to medications and accurate information is safe;

Whereas the reasons why people self-manage an abortion are varied and valid;

Whereas healthcare providers have an ethical obligation to provide essential care to their patients and to protect the private medical information integral to the patient-provider relationship;

Whereas even when charges are dropped or the defendant is exonerated, the turmoil caused by arrest or prosecution is irreparable;

Whereas several States have taken steps to repeal or reform laws that had been used to criminalize pregnancy outcomes and to increase access to abortion, contraception, and gender-affirming care;

Whereas Black, indigenous, and people of color, people with low incomes, LGBTQ+ individuals, and other marginalized individuals are disproportionately likely to be surveilled, arrested, charged, prosecuted, convicted, and heavily punished within the criminal justice system;

Whereas Black, indigenous, and people of color, people with low incomes, LGBTQ+ individuals, and other marginalized individuals are more likely, due to persistent disparities, to experience adverse pregnancy outcomes
that place them under the scrutiny of the legal system; and

Whereas punishing people for their pregnancy outcomes or for providing essential reproductive and sexual healthcare violates their fundamental rights: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the misapplication of criminal laws to punish people for the outcomes of their pregnancies;

(2) affirms that people deserve access to high-quality healthcare without fear of reprisal or punishment;

(3) condemns the criminalization of providing essential healthcare;

(4) affirms the ethical obligations of healthcare providers to safeguard patient privacy; and

(5)(A) declares a vision for a future where access to abortion, contraception, and gender-affirming care is free from restrictions and bans universally, and people are able to manage care on their own terms, free from discrimination or punishment; and

(B) affirms the commitment of the Senate to working toward this goal in partnership with providers, patients, advocates, and their communities.