

How will the SCOTUS HB2 decision impact Indiana's HB 1337 and Purvi Patel's appeal?

June 30, 2016

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On the heels of the Supreme Court 5-3 decision to strike the anti-abortion Texas HB 2, federal Judge Tanya Walton Pratt released her decision to stay the injunction brought forth by Planned Parenthood of Indiana and Kentucky and the ACLU, delaying enactment of HB 1337 pending further review.

By staying the injunction, Judge Pratt offers hope for the end of a law that offers nothing of value to Hoosier families and, instead, only punishes them. HB 1337 is “an omnibus bill stacked with all the provisions anti-choice legislators have been unable to pass outright or attach as amendments to other bills,” wrote [Katie Klabusich](#). Even [Republican legislators](#) in Indiana who have voted for anti-abortion bills in the past were uncomfortable with the language in this bill, saying, “The bill does nothing to save innocent lives. There’s no education, there’s no funding. It’s just penalties.”

If allowed to go into effect, HB 1337 would strip people of the ability to make critical decisions about their pregnancies and interfere with the intimate relationship established between patients and doctors. It would deter pregnancy by criminalizing miscarriage; make abortion even more inaccessible; set up a dangerous divide between doctors and patients; and stigmatize the difficult decisions families make after a fetal diagnosis, while doing nothing to support individuals or families living with disabilities.

It’s time to take a cold, hard look at Indiana’s support for pregnant people and families, and it doesn’t look good. While state legislators have been pushing detrimental policies like HB 1337 through to Gov. Pence’s desk, they’ve also failed to ensure that Indiana’s parents and families have the resources they need to be healthy and raise their children with dignity and support. They withhold the ability for us to make our own reproductive decisions, and yet simultaneously slash programs that make parenting a less daunting task: providing free or low-cost parenting supplies like diapers, ensuring people earn a living wage, and offering subsidized child care.

As an example, at this moment, people all over the nation are also waiting with baited breath to hear a decision on the appeal of Purvi Patel’s case. Injustice is already being served to Patel -- even if she were released and dismissed, she’ll still have been in jail for a year due to unscientific and biased arguments on the part of the prosecution. The successful prosecution of Purvi Patel demonstrates how such laws are being twisted to punish people rather than protect them. Her appeal case will set a standard for how pregnant people, particularly women of color, are treated in Indiana through abortion, miscarriage, and other pregnancy outcomes.

Shelly Dodson, Director of [All-Options Pregnancy Resource Center](#) in Bloomington, Indiana agrees that both Purvi Patel’s sentence and HB 1337 set up a dangerous divide between doctors and patients, and describes what it’s like to lack support from the state government:

“The [research](#) is clear. If they fear criminal consequences, people don’t go to the doctor. Indiana is setting a dangerous precedent not to trust the medical community. **HB 1337** doesn’t work as a law because it makes people afraid to talk about their concerns with their doctors. There are so many components to this particular law, and they are all thoughtless and damaging, even to people who have decided to give birth and parent. This will do nothing to assuage Indiana’s poor pregnancy outcomes, lack of access to prenatal care, or infant mortality rates.

It is clear that the state of Indiana is more than willing to sacrifice the health of families in order to make abortion inaccessible. Choosing to criminalize people around pregnancy decisions and pregnancy outcomes is a great injustice, which is as true for HB 1337 as it is for **Purvi Patel**. People deserve support, respect, and dignity no matter what decisions they make, no matter what they’re going through.

At a time when so many Hoosier families are struggling to make ends meet, we wish that Indiana would use funding to truly support families by providing job training, child care, and other safety net services, rather than using it to promote an anti-abortion agenda. People of color, low-income people, and other vulnerable communities are going to be hit the hardest if **HB 1337** goes into effect.”

Parker Dockray, Executive Director of [Backline](#) described how the state of Indiana has failed to set up supports for those who need them most, including those with disabilities and their families:

“The theme here is the state of Indiana is choosing to restrict and punish decisions they disagree with, while at the same time taking away needed supports such as unbiased options counseling, information and support for postpartum depression, and other resources for pregnant people and families. **Purvi Patel’s** case is an example of why access to information and support is so crucial. Instead, by passing **HB 1337**, Indiana politicians are choosing to enforce a punitive response instead of increasing support. It doesn’t make sense. If their end goal is making it possible for families to continue a pregnancy after a fetal diagnosis, or to support their children with disabilities, then the focus should be on funding for supportive programs and access to information and support groups - not on punishing people who aren’t continuing their pregnancy.

When it comes to **disability justice and abortion access**, the conversation is over-simplified when it needs to be much more complex and compassionate. People should be supported in making informed decisions for themselves and their families, and then have the resources they need to make those decisions possible. Indiana is creating a conflict for its residents by making healthcare harder to access, defunding programs for vulnerable children and families, and not providing a livable family wage or affordable childcare. Yet at the same time the state criminalizes people who don’t feel they can support a child with disabilities on their own. Again, it doesn’t make sense.”

Jenni Kotting, Communications Director at the National Network of Abortion Funds ([link](#)) and Indiana resident describes further:

“Imagine going to the hospital, despite all the alarm bells ringing in your head, especially in a state that has a track record of criminalizing miscarriage and abortion. You do your best to get the health care you need to survive, you say what you need to say, only to have your physician contact law enforcement. You get hauled off to prison. And then you receive a 20 year sentence after going through a court process that gets everything wrong, assassinates your character, all the while knowing that your tragedy is a precedent for any other person who has an abortion or miscarriage in Indiana. This happened to Purvi Patel and [this can happen to any one of us](#) who can get pregnant. It’s a heinous breach of medical confidentiality and we should all be crying out for justice.”

Every person considering whether or how to parent must navigate that complexity for themselves and their families - with complete access to all health care and support options, and without shame. We all should be able to decide for ourselves when, whether, and under what circumstances to become a parent.

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[All-Options Pregnancy Resource Center](#) works every day to make sure that people who walk through its doors are respected and given all the information and resources they need. All-Options serves hundreds of Hoosiers each month, providing all-options pregnancy counseling as well as free diapers, baby clothes and supplies, safer sex kits, and referrals for all kinds of health care and social services. In short, they offer services that make pregnancy and family planning a lot easier, despite the roadblocks the state government puts in people’s way.

[Backline](#) promotes unconditional and judgment-free support for people in all their decisions, feelings and experiences with pregnancy, parenting, adoption and abortion.

[The National Network of Abortion Funds](#) is a network of grassroots, local organizations that are funding abortion and building power to fight for cultural & political change. NNAF provides technical support and infrastructure for our member funds on the ground, and runs its own abortion fund, the George Tiller Memorial Abortion Fund. In 2014, NNAF and member organizations received 116,000 requests, and assisted 30,000 individuals seeking \$3.5 million in funding for abortions, transportation assistance, translation, and childcare.