



# New York State Catholic Conference

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## 2017 Issue in Brief

### Issue

Oppose late-term abortion expansion

### Background

New York State legalized abortion three years before *Roe v Wade*. New York law permits abortion through the 24<sup>th</sup> week of pregnancy, but is outlawed after that unless the life of the mother is threatened by the pregnancy. Abortion rights advocates want to loosen this restriction to allow abortion for any reason after the 24<sup>th</sup> week of pregnancy, particularly because they fear federal action that will undo *Roe vs. Wade*, making the New York law fully enforceable.

Abortion activists support legislation they call the “Reproductive Health Act” (S.2796) which would expand abortion in the third trimester of pregnancy, allow non-physicians to perform the procedure, and remove safeguards against unwanted abortions. Governor Andrew Cuomo supports amending the state constitution to include the right to abortion, which would elevate abortion to a fundamental right.

### Messages

- It will be fatal to more infants. Opening up third trimester abortions in New York will encourage more late-term abortionists to come into our state, and increase the number of third-trimester abortions. Even without this change, the State Health Department records 2,106 abortions at 20+ weeks of pregnancy (2014 data).
- It will not protect women. Abortion is an unnatural act that can harm women, both physically and psychologically. There is good reason that New York’s current law limits abortion practitioners to licensed physicians; non-doctors have less training and less experience. Empowering non-physicians to perform abortion surgery, including late-term abortion surgery, increases the danger of abortion to women.
- It removes criminality for unwanted abortion. By removing abortion from the Penal Law, these proposals remove accountability for those who would harm unborn children *outside the context of abortion*. The crime of “abortifacient act” is the only place in New York law that allows for criminal charges for violent attacks against pregnant women that harm or kill their unborn children.
- Making abortion a fundamental right means the government would have the task of ensuring that there is no “discrimination” against the right being exercised. This means that doctors could be compelled to perform abortions or risk losing their license to practice. Hospitals and medical facilities, even religious ones, could be forced to allow abortions on site or risk fines, penalties, loss of funding/operating certificates or other punishment.

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