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March 19, 2018

Testimony on
H.B. 5416 "An Act Concerning Deceptive Advertising Practices of Limited Services Pregnancy Centers"
Before the Public Health Committee
March 20, 2018

My name is Donald Montanari and I serve on the Board of ABC Women's Center in Middletown. I am writing today regarding H.B. 5416, "An Act Concerning Deceptive Advertising Practices of Limited Services Pregnancy Centers", asking that you question why there is a need for such a bill, and then to work diligently to see that our State legislature wastes no more time on such frivolous and misleading legislation.

We should never enact a law, the need for which is unclear, the basis of which is unfounded, and the intent of which is unconstitutional....

First, why is there a need for this bill at all, when there already exists the Connecticut Unfair Trade Practices Act (CUTPA) § 42-110a and § 42-110b which already prohibits, among other things, unfair and deceptive advertising. This alone is sufficient justification to either send this bill to the shredder, or to question the motives behind it.

As for the motives, maybe a little "background fact-checking" is in order. The "justification" for this bill is based entirely on false claims made by those who actively promote and/or provide abortions – is it any wonder that those who promote and/or provide abortions would oppose any group who believes in the sanctity of all life? Is it not obvious that those who promote and/or provide abortions seek to stifle the speech of those who view abortion as state-sanctioned murder?

Fact - pregnancy centers do not deceive women in their services or their advertising. They provide women with information on ALL of the options available, including information on abortion, and they provide post-abortive support to women and men who made abortion choices. Yes, pregnancy centers encourage women to not abort their unborn child, because they view all life, including that of the unborn, to be sacred. And, yes, while they acknowledge to their clients that one of the choices is abortion, and they might even explain the various types of abortion procedures, they do not refer or recommend for abortion – that would be a violation of their morality.

Further, H.B. 5416 attempts to presume that something exists which in fact does not exist - pregnancy resource centers do not advertise services they don't perform (which is not the case with many Planned Parenthood facilities in Connecticut, which claim they provide pre-natal care, but in fact don't). Seek out from this bill's advocates examples of such false advertising.... In this regard, this bill is akin to one that would ban hunting penguins in CT....



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Additionally, the bill attempts to conceal and alter the definition of "abortion". According to Merriam-Webster, "abortion" is "the termination of a pregnancy after, accompanied by, resulting in, or closely followed by the death of the embryo or fetus". The bill's language (section 1.1) seems an attempt to dehumanize the procedure by concealing that which is being destroyed, and by ignoring mention of the non-pharmacological abortion procedures, most of which would make the most hardened amongst us cringe.

Also, the bill's definition of "pregnancy service centers" in paragraph 9 is flawed - our local CVS, Walgreens, Wal-Mart or Stop & Shop pharmacy departments would fit this definition - they sell pregnancy test kits, they have staff who wear medical attire, they have a semi-private room with medical supplies (where vaccinations are administered), and they have staff who collect medical information. Further, with the advent of medical service centers in CVS stores, they would further fall under this bill, as would certain pharmacies and super markets which are co-located in a strip-center where a walk-in medical clinic resides (i.e. the Stop & Shop plaza on Kitts Lane in Newington).

This bill, which many contend violates the free speech rights of pregnancy centers, could also start Connecticut down the path of very costly litigation - the U.S. Supreme Court has already taken up this issue. And, in fact, H.B. 5416's advertising restriction is similar to the one already struck down by the Second Circuit court.

So, please ask yourself why this bill is being taken up, and why it is that those who say they are pro-choice refuse to accept or support centers that simply offer women a choice other than abortion....

Finally, I find it surprising, even contradictory, that in a State where the death penalty has been deemed unconstitutional, we have a legislature that seems to promote euthanasia and abortion as acceptable practices.

So, I implore you to stand up, speak out, and vote against HB 5416, "An Act Concerning Deceptive Advertising Practices of Limited Services Pregnancy Centers". It is needless, it is based on falsehoods, it is discriminatory, and it is likely unconstitutional.

Sincerely,

Donald Montanari
ABC Women's Center
Board of Directors